



Ronald W. Jackson  
Commissioner

Dr. Josephine Reed-Taylor  
Deputy Commissioner

October 26, 2011

Shane DeGarmo  
Director, Program Approval  
Ohio Board of Regents  
30 E. Broad St., 36<sup>th</sup> Floor  
Columbus, Ohio 43215

Dear Shane DeGarmo:

I am sure you are aware that in October 2010, the U.S. Department of Education released regulations requiring out of state institutions offering distance education to students within another state to determine if authorization is needed by each state in which the institution is offering distance education.

The Technical College System of Georgia [TCSG] (consisting of 25 technical colleges) is a state public system and is supported by taxation from local and state funds from the state of Georgia. All of our 25 technical colleges within the TCSG system are public colleges offering technical certificates of credit to two year degrees. Each technical college has a president and all technical college presidents report to the TCSG Commissioner. The Commissioner reports to the Governor of Georgia and to the Technical College System of Georgia State Board. The State Board of the Technical College System of Georgia is responsible for establishing standards, regulations and policies for the operation of the Technical College System of Georgia.

Enclosed is a listing of names, addresses, and accrediting information for each of the 25 technical colleges governed by TCSG.

Please verify that TCSG and its 25 public technical colleges are exempt from authorization from the Ohio Board of Regents and may teach distance educations to the residents of Ohio without having to apply for licensure as none of the technical colleges within the Technical College System of Georgia have a physical presence in the state of Ohio. One letter naming each of the technical colleges within TCSG will suffice; there is no need to complete a letter per technical college.

Please see the following link establishing our board and the Technical College System of Georgia:  
<http://www.lexisnexis.com/hottopics/gacode/Default.asp>

**Locate Title 20 Chapter 4 Article 2 to access**

§ 20-4-10. State Board of the Technical College System of Georgia established; members; officers

§ 20-4-11. Powers of board

§ 20-4-14. Technical College System of Georgia established; powers and duties

Your guidance and support is greatly appreciated.

Sincerely,



Robert Keown

Executive Director

Georgia Virtual Technical Connection

404-679-1667

Enclosures (1): Listing of the 25 technical colleges governed by TCSG

cc: Kathy T May  
Academic Services Coordinator  
Georgia Virtual Technical Connection

**May, Kathy**

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**From:** May, Kathy  
**Sent:** Wednesday, October 26, 2011 4:19 PM  
**To:** 'Shane Degarmo'  
**Subject:** RE: Out of state distance education regulations - Ohio  
**Attachments:** OhioScannedLetter.pdf; CollegesAddresses.xls

Dear Shane DeGarm

Please find the scanned copy of the letter on official letterhead indicating our colleges do not engage in activities to trigger a review process by having a physical presence in Ohio.

I have also attached a listing of our colleges.

Please let me know if you need any additional information.

*Kathy T. May*

**Coordinator of Academic Services**  
**Georgia Virtual Technical Connection**  
**1800 Century Place, NE**  
**Atlanta, GA 30345**  
**404.679.1633 (phone)**  
**404.679.1649 (fax)**

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**From:** Shane Degarmo [mailto:sdegarmo@regents.state.oh.us]  
**Sent:** Wednesday, October 26, 2011 10:48 AM  
**To:** May, Kathy  
**Subject:** RE: Out of state distance education regulations - Ohio

Dear Kathy:

Thank you for your inquiry. Based on the information you provided, the institutions would qualify for an exemption. If you could please send me a letter on official letterhead indicating that the system does engage in any activities that trigger our review process, the agency will send you an exemption letter. To expedite the process, you may fax or e-mail a scanned copy of the document.

Sincerely,

Shane

Shane DeGarmo  
Director, Program Approval  
Ohio Board of Regents  
30 E. Broad St., 36<sup>th</sup> Floor  
Columbus, Ohio 43215  
614.387.1215  
614.466.5866 (fax)

PLEASE NOTE: This message and any response to it may constitute a public record, and therefore may be available upon request in accordance with Ohio public records law. (ORC 149.43)

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**From:** May, Kathy [mailto:KMay@tcsge.edu]  
**Sent:** Tuesday, October 25, 2011 3:22 PM  
**To:** Shane Degarmo  
**Subject:** Out of state distance education regulations - Ohio

Dear Shane DeGarm

I am sure you are aware that in October 2010, the U.S. Department of Education released regulations requiring out of state institutions offering distance education to students within another state to determine if authorization is needed by each state in which the institution is offering distance education.

I have polled the 25 public technical colleges within the Technical College System of Georgia (TCSG) to determine if any have a physical presence in the state of Ohio as defined below:

**Out-of-state institutions offering distance education programs to Ohio residents must seek authorization from the Chancellor if:**

**The institution maintains a “brick and mortar” presence in Ohio;**

**The online program contains a component (e.g., student teaching, clinical placement, practicum) that will be completed in Ohio; or**

**The institution solicits Ohio residents for its programs (for-profit institutions only).**

**None of the 25 technical colleges within TCSG have a physical presence in the state of Ohio and all courses/programs are 100% entirely one.**

**Does this mean that the 25 technical colleges within TCSG DO NOT HAVE to seek authorization and that licensure is not required?**

In my role as Academic Affairs Coordinator (Georgia Virtual Technical Connection) for the Technical College System of Georgia, I am asking what the public 25 Technical Colleges within the State of Georgia need to do to obtain approval to teach distance education courses in the state of Ohio?

As background, the Technical College System of Georgia (TCSG) consists of **25 public technical colleges** offering technical certificates of credit to two year degrees. Each technical college has a president and all technical college presidents' report to the TCSG Commissioner. The Commissioner reports to the Governor of Georgia and to the Technical College System of Georgia State Board. The State Board of the Technical College System of Georgia is responsible for establishing standards, regulations and policies for the operation of the Technical College System of Georgia. The 25 public technical colleges within the Technical College System of Georgia are supported by taxation from local and state funds from the state of Georgia.

All 25 technical colleges within the state of Georgia are accredited by accrediting agencies recognized by the United States Department of Education. The 25 public technical colleges in Georgia are accredited by either one or two or by both of the accrediting bodies listed below:

- 1) the regional accrediting body the **Commission on Colleges of the Southern Association of Colleges and Schools**
- 2) the national accrediting body the **Council on Occupational Education.**

Please provide me with direction as to the steps necessary to obtain the needed authorization from the state of Ohio or directions on the process to be exempt from authorization as courses/programs are distance education delivery. Please include all associated costs.

I am very interested in the possibility of TCSG obtaining permission/exemption from your state on behalf of all of our 25 technical colleges as opposed to each technical college seeking individual approval/exemption.

Your guidance and help is appreciated.

Please see the following links establishing our board and the Technical College System of Georgia:

[§ 20-4-10. State Board of the Technical College System of Georgia established; members; officers](#)

[§ 20-4-14. Technical College System of Georgia established; powers and duties](#)

*Kathy T. May*

**Coordinator of Academic Services  
Georgia Virtual Technical Connection  
1800 Century Place, NE  
Atlanta, GA 30345  
404.679.1633 (phone)  
404.679.1649 (fax)**