



Ronald W. Jackson  
Commissioner

Dr. Josephine Reed-Taylor  
Deputy Commissioner

October 26, 2011

Ms. Karen Oelschlager  
Program Associate  
Washington State Higher Education Coordinating Board  
P.O. Box 43430  
Olympia, WA 98504-3430

Dear Ms. Oelschlager:

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.

Attached is FORM: Washington State – Physical Operating Presence. The form was completed by the Office of Primary Responsibility for each of the 24 technical colleges which completed this form. As the Executive Director for the Georgia Virtual Technical Connection (a division of the Technical College System of Georgia), I am attesting to the accuracy of the information in the attached FORM: Washington State – Physical Operating Presence.

Please verify that TCSG and the 24 public technical colleges listed in the above mentioned form may teach distance education programs/courses to the residents of the state of Washington without having to apply for licensure as none of the technical colleges contained in the form have a physical presence in the state of Washington.

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): FORM: Washington State – Physical Operating Presence

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 4:15 PM  
**To:** 'Karen Oelschlager'  
**Subject:** RE: Out of state distance education regulations - State of Washington  
**Attachments:** WashingtonLetterScanned.pdf; Washington State - Physical Operating Presence.xls

Dear Ms. Oelschlager

Please find our signed scanned letter attached (pdf file) and the FORM: Washington State – Physical Operating Presence (Excel file) is also attached.

Please let me know if you need any additional information.

Many thanks for your help!!

*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:** Karen Oelschlager [mailto:KarenO@HECB.WA.GOV]  
**Sent:** Wednesday, October 26, 2011 11:28 AM  
**To:** May, Kathy  
**Subject:** RE: Out of state distance education regulations - State of Washington

Thanks, Kathy.

A scanned file, as long as it contains someone's signature certifying the accuracy of the information in the chart will work.

One letter with all the colleges listed on it would work great for us as well (less work!).

We'll just send a separate letter to the one remaining college whenever they get us the questionnaire.

Thanks, Karen

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**From:** May, Kathy [mailto:KMay@tcsg.edu]  
**Sent:** Wednesday, October 26, 2011 8:24 AM  
**To:** Karen Oelschlager  
**Cc:** Michael Ball  
**Subject:** RE: Out of state distance education regulations - State of Washington

Dear Ms. Oelschlager

I will complete the letter certifying the accuracy of the information in the Excel file today. Will you accept a scanned file as an email attachment or should I place the signed statement/letter in the regular mail?

One letter from your office (please list each technical colleges by name in the letter) addressed to me will certainly suffice.

As soon as the one remaining technical college responds, I will request that person to fax the form to the fax number listed in the below email.

Thank you so much for your guidance and help.

*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:** Karen Oelschlager [mailto:KarenO@HECB.WA.GOV]  
**Sent:** Wednesday, October 26, 2011 11:05 AM  
**To:** May, Kathy  
**Cc:** Michael Ball  
**Subject:** RE: Out of state distance education regulations - State of Washington

Dear Ms. May:

Although normally we would require a signed questionnaire from each and every college certifying the accuracy of the information, the attached chart will work fine for our purposes. However, please provide us with a signed statement attesting to the accuracy of the information in the chart.

Please also provide us, when available, with information for the one remaining college that has yet to respond to your inquiry. Or you could have them submit the questionnaire to us directly by faxing it to 360-704-6203.

I'm assuming each individual college would like a letter of response from us? If so, this may take some time to create the letters. If not, will one letter addressed to you suffice?

Please advise,

***Karen***

Karen Oelschlager  
Program Associate  
Degree Authorization  
Washington State Higher Education Coordinating Board  
Phone: 360-753-7869  
Fax: 360-704-6203

Mailing Address via U.S. Postal Service:  
P.O. Box 43430  
Olympia, WA 98504-3430

Mailing Address via other carriers:  
917 Lakeridge Way SW  
Olympia, WA 98502

"We Help Students Succeed."

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**From:** May, Kathy [mailto:KMay@tcsge.edu]  
**Sent:** Wednesday, October 26, 2011 5:13 AM

**To:** DAinfo

**Subject:** Out of state distance education regulations - State of Washington

Dear Sir or Madam

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.

In researching your web site and regulations I located the Distance Learning Questionnaire which your office uses to determine if an institution's distance learning activities may require authorization. Because The Technical College System of Georgia (TCSG) is the governing body for the 25 technical colleges within Georgia and is a system of colleges I was wondering if I may complete this questionnaire for our system as a whole. To ensure that each college had no operating presence in the state of Washington, I created a Google Form and asked for it to be completed by each college using the same questions as on the questionnaire. I have received 24 out of 25 responses. The responses are attached in this email as an Excel file. If this is not acceptable please let me know; I was just trying to simplify the process for the technical colleges of TCSG.

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 Washington?

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 Washington 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. I look forward to hearing from you soon.

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  
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