



David Myton &lt;dmyton@lssu.edu&gt;

---

**Fwd: Fwd: State Authorization-TX**

1 message

**Morrie Walworth** <mwalworth@lssu.edu>

Thu, Jan 30, 2014 at 8:31 AM

To: David Myton &lt;dmyton@lssu.edu&gt;

Cc: smolson@lssu.edu

**Morrie Walworth***Provost & Vice President**Lake Superior State University**650 West Easterday Avenue**Sault Ste. Marie, Michigan 49783*

906-635-2211

906-635-6671 (FAX)

*Confidentiality Notice: This electronic mail may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual, group, or entity named above. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance upon the content of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please forward to sender immediately. Thank you.*

----- Original Message -----

**Subject:**Fwd: State Authorization**Date:**Tue, 14 May 2013 08:16:48 -0400**From:**Provost Email <provost@lssu.edu>**To:**Maurice Walworth <mwalworth@lssu.edu>

----- Forwarded message -----

**From:** **Davis, Van Dr.** <Van.Davis@thecb.state.tx.us>**Date:** Mon, May 13, 2013 at 12:52 PM**Subject:** RE: State Authorization**To:** Provost Email <provost@lssu.edu>**Cc:** "Maeyaert, Cathie" <Cathie.Maeyaert@thecb.state.tx.us>

Good Morning.

Below you will find the text of a memo regarding out of state distance education authorization in Texas from Dr. Stacey Silverman, Interim Assistant Commissioner of Workforce, Academic Affairs, and Research. You will note in our policies that Texas does not provide letters of exemptions, etc.; however, our site does include a link to a statement explaining our policy if you require documentation. Should you have any further questions, please contact a staff member via [OOSDistanceED@theccb.state.tx.us](mailto:OOSDistanceED@theccb.state.tx.us).

TO: Out-of-State Institutions Offering Online Courses and Programs to Texas Residents

FROM: Stacey Silverman, Interim Assistant Commissioner – Texas Higher Education Coordinating Board

RE: Texas Distance Education Approval Process for Out-of-State Institutions Offering Online Courses and Programs to Texas Residents

This memo is to inform you of the Texas Higher Education Coordinating Board's distance education regulations regarding Chapter 7 of the Texas Administrative Code: DEGREE GRANTING COLLEGES AND UNIVERSITIES OTHER THAN TEXAS PUBLIC INSTITUTIONS.

The Coordinating Board considers exempt those institutions that are accredited by an accrediting agency recognized by the Board and that have no physical presence as defined in TAC Rule 7.3(29). Information regarding this exemption may be found on a helpful flowchart at <http://www.theccb.state.tx.us/apps/AAR/Chapter7/Chapter7Flowchart.cfm> and in Chapter 7 of the Coordinating Board's Rules. (To find Chapter 7, go to [www.theccb.state.tx.us](http://www.theccb.state.tx.us), click on Laws and Rules in the left column, click on Current Rules, and scroll down to find Chapter 7.) Your institution may also want to consult the Texas Workforce Commission regarding distance education policies for out-state institutions found at <http://www.twc.state.tx.us/svcs/propschools/what-is-career-school-college.pdf>.

Please review the flowchart decision points in order to assess the status of your institution. Institutions that are exempt because they offer accredited distance education with no physical presence may print out a Statement of Exemption Based on Accredited Distance Education. The statement is linked in the flowchart. You may also consult the list of recognized accreditors to ensure your accreditor has been recognized by THECB. Additionally, a list of Frequently Asked Questions can be accessed at <http://www.theccb.state.tx.us/reports/PDF/2645.PDF?CFID=27090128&CFTOKEN=93664420>.

Please address any questions to [OOSDistanceEd@theccb.state.tx.us](mailto:OOSDistanceEd@theccb.state.tx.us).

Van L. Davis, Ph.D.

Special Projects Director

Texas Higher Education Coordinating Board

512-427-6223, office

512-427-6168, fax

[Van.Davis@theccb.state.tx.us](mailto:Van.Davis@theccb.state.tx.us)

**From:** Provost Email [mailto:[provost@lssu.edu](mailto:provost@lssu.edu)]

**Sent:** Thursday, May 02, 2013 2:29 PM

**To:** Davis, Van Dr.

**Subject:** State Authorization

Van Davis

Special Projects Director

Texas Higher Education Coordinating Board

Dear Van,

As you are probably aware, the U.S. Department of Education released new regulations (34 CFR Parts 600, 602, 603 et. al.) pertaining to Program Integrity issues in October, 2010. These regulations are associated with the Higher Education Opportunity Act of 2008. As part of these regulations, it is required that institutions offering online programs to students who reside in other states seek approval from the state where the student resides if required by that particular state.

Lake Superior State University (LSSU) is a public university accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools, and offers online programs. There exists the possibility that Texas residents could enroll in one of these programs. Given the above-referenced regulations concerning postsecondary institutions that participate in federal financial student aid, LSSU is concerned with compliance in all 50 states. Should a Texas resident enroll in one of our online courses and/or programs, we seek your direction on what LSSU must do to be in compliance with the regulations specific to your state. LSSU has no physical presence in the state of Texas and it is an accredited, public institution. Is there a specific approval and/or notification process for institutions in our similar situation? If there is no approval or notification requirement, will you indicate such by reply so that we will have the appropriate documentation in place?

Thank you very much for your guidance on this matter. If you have any questions or need additional information, please feel free to contact me at [906-635-2211](tel:906-635-2211) or via email to [PROVOST@LSSU.EDU](mailto:PROVOST@LSSU.EDU).

Thank you.

Morrie Walworth

—

Provost & VPAA  
LAKE SUPERIOR STATE UNIVERSITY  
Sault Ste. Marie, MI 49783  
[provost@lssu.edu](mailto:provost@lssu.edu)  
(906)635-2211/(906)635-6671 (FAX)

—

Provost & VPAA  
LAKE SUPERIOR STATE UNIVERSITY  
Sault Ste. Marie, MI 49783  
[provost@lssu.edu](mailto:provost@lssu.edu)  
(906)635-2211/(906)635-6671 (FAX)