



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

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**Lake Superior State University, Sault Sainte Marie, Michigan**

1 message

**Renea Eshleman** <reshleman@che.sc.gov>

Wed, Feb 19, 2014 at 11:07 AM

To: Provost Email &lt;provost@lssu.edu&gt;

This is in response to your inquiry concerning compliance with requirements of U.S. Department of Education Regulation 600.9 State Authorization.

The SC Commission on Higher Education is the administering agency of the Nonpublic Postsecondary Institution License Act. The Commission licenses out-of-state public, private, nonprofit, and for-profit institutions that have a physical presence in South Carolina. The Commission does not have jurisdiction where institutions enroll SC residents into online courses or programs where the institution does not conduct activities defined as operating or soliciting in South Carolina. A clarification of jurisdiction and annotated licensing statute are posted on the web site of the Commission.

[http://www.che.sc.gov/CHE\\_Docs/AcademicAffairs/License/ClarificationofOperatingOrSolicitingDefinition.pdf](http://www.che.sc.gov/CHE_Docs/AcademicAffairs/License/ClarificationofOperatingOrSolicitingDefinition.pdf)

If the institution is not engaging in activities defined as “operating or soliciting,” the institution is not required to apply for licensure; nothing further is required in order for your institution to offer its distance education programs and courses. The Commission does not provide waivers to licensure. An institution either falls under the jurisdiction of the Commission and is subject to licensure or is exempt.

Please let me know if you have other questions.

Renea H. Eshleman, Associate Director

Academic Affairs Division

SC Commission on Higher Education

1122 Lady Street, Suite 300

Columbia, SC 29201

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Telephone: [803.737.2281](tel:803.737.2281)

Correspondence to and from this address may be subject to disclosure under the South Carolina Freedom of Information Act (FOIA).

**From:** Provost Email [mailto:[provost@lssu.edu](mailto:provost@lssu.edu)]  
**Sent:** Tuesday, February 18, 2014 4:12 PM  
**To:** Renea Eshleman  
**Subject:** State Authorization Request - SC

Renea Eshleman

Program Manager, Non-Public Postsecondary Institution Licensing

South Carolina Commission on Higher Education

Renea,

Lake Superior State University (LSSU) located in Sault Sainte Marie, Michigan, is seeking to be in compliance with the U.S. Department of Education 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 is a public university accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools. Our accreditation status is published by the HLC on their website: [http://ncahlc.org/component/com\\_directory/Action,ShowBasic/Itemid,/instid,1337/](http://ncahlc.org/component/com_directory/Action,ShowBasic/Itemid,/instid,1337/)

LSSU offers a limited number of online programs. When present, internship experiences are optional, not required in these programs. There exists the possibility that residents from your state could enroll in one of these online 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 resident of your state 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 your state (employees, agents, electronic equipment, real property), 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

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Provost & VPAA  
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