



David Myton <dmyton@lssu.edu>

Idaho Registration Requirements re Online Only Programs

1 message

Harv Lyter <Harv.Lyter@osbe.idaho.gov>
To: Provost Email <provost@lssu.edu>

Tue, Feb 18, 2014 at 3:13 PM

Morrie Walworth, Provost & VPAA
Lake Superior State University
Sault Ste. Marie, MI 49783
provost@lssu.edu www.lssu.edu
p.906.635.2211 f.906.635.6671

Re: Idaho Registration Requirements, Out-Of-State Institutions offering only Online Courses per your February 18, 2014 email inquiry regards USDE State Authorization Rules

Dear Mr. Walworth, "Morrie"

Effective June 13, 2011, Idaho State Authorization Policy now focuses on Physical Presence. Only those institutions with actual teaching sites or business offices in Idaho need to register, regardless of the method of service delivery. Idaho does not require schools providing online-only services from outside the state to register. We also dropped practicum, clinicals, internships, local proctored exams, online adjunct faculty who just happen to reside in Idaho, recruiting agents, attending college fairs, media advertising, etc, from our definition of "presence" in the state.

Given the information you provided about your institution's programs with absolutely no physical presence inside Idaho, it appears **Lake Superior State University is Not Required To Register** with this office at this time in order to offer distance learning to Idaho residents. This notification remains in effect until changing circumstances require re-evaluation. Annual re-verification is not necessary. Should your institution contemplate changing its Idaho service delivery model in future to include a physical presence here, please contact this office to determine what your registration requirements are at that time.

Although your institution may not be required to register with the (Idaho) State Board of Education, some of your Professional or Graduate students (e.g. Nursing, Accounting, or Teacher Certification) may seek Idaho licensure. The Board [IAW §33-24-4(9)] does not accredit, approve, endorse, or sanction any specific course or program of instruction. Therefore, I would strongly recommend you contact the appropriate Idaho Professional / Trade Board(s) or State Agency to verify that your training curriculum meets their standards before offering those programs to Idaho residents.

For future reference, Title 33, Chapter 24, Idaho Code covers registration of Postsecondary Educational Institutions and Proprietary Schools. The corresponding Administrative Rule is (IDAPA) 08.01.11. You will also find current registration criteria and instructions posted on the State Board web pages at

www.boardofed.idaho.gov. Refer to the [Private Colleges & Universities](#) (LH menu column) - Registration page. We post all procedural changes there as soon as they become effective. There is a FAQ page and a page explaining the Student Complaint Process.

I routinely use this email response as the fastest means of communicating these decisions for the record. (A formal certificate of exemption may be obtained by specific request.) Please call/email us anytime you feel we can be of further assistance: That's what we're here for. If I'm not immediately available, you may direct urgent business to my Admin Assistant, Ms. Caryl Smith, [208-332-1576](tel:208-332-1576), caryl.smith@osbe.idaho.gov.

Best Regards, "Harv"

Harvey W. Lyter III, MBA / State Coordinator for Private Colleges & Proprietary Schools

State Board of Education / 650 West State Street, Suite 307 (POB 83720) / Boise, Idaho 83720-0037

Direct Phone [208.332.1587](tel:208.332.1587) / Fax [208.334.2632](tel:208.334.2632) / harv.lyter@osbe.idaho.gov

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Remember, It's always about Safety. DNT TXT - JST DRV

PS: 10 days and counting! *Feb 28th is my last day in OSBE. I'm retiring "again." 3rd time's the charm...! However, my Admin Asst, Ms. Caryl Smith will still be here for the foreseeable future and to assist with my replacement's transition.*

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

Sent: Tuesday, February 18, 2014 12:53 PM

To: Harv Lyter

Subject: State Authorization Request

Harvey W. Lyter III, MBA

State Coordinator for Private Colleges & Proprietary Schools

Office of the Idaho State Board of Education

Harvey,

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/

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.

Thank you.

Morrie Walworth

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