



# STATE BOARD OF CAREER COLLEGES AND SCHOOLS

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## MEMORANDUM

To: All Interested Parties

From: John Ware, Executive Director

Date: January 3, 2014

Re: **Authorization of Distance Education Programs**

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Attached to this memorandum is the Ohio State Board of Career Colleges and Schools' ("OSBCCS") policy on distance education and training programs offered to Ohio residents by schools whose physical location is outside the State of Ohio.

In addition to this policy, please be further advised that OSBCCS jurisdiction is generally limited to for-profit schools and colleges and the following schools and colleges do not fall within the jurisdiction of OSBCCS:

1. OSBCCS does not approve or license any state colleges or state universities.
2. OSBCCS does not approve or license out-of-state degree granting not-for-profit colleges or universities.

## **Ohio State Board of Career Colleges and Schools Distance Education Authorization and Approval Policy**

The offering and/or soliciting for programs (both online and classroom based) under the jurisdiction of the Ohio State Board of Career Colleges and Schools ("SBCCS") is governed by Ohio Revised Code ("ORC") section 3332.06(A)(1) that prohibits the offering of programs in Ohio and/or soliciting program enrollment in Ohio unless the programs are approved in accordance with ORC 3332.05. The types of activities described below would generally be considered "offering programs in Ohio" or "soliciting program enrollment in Ohio" and would require as certificate of registration and program authorization from SBCCS.

1. **Offering Programs in Ohio:** The SBCCS has previously opined that the offering of programs approval requirement is limited to programs that have a physical presence in Ohio that would include schools with actual locations/programs emanating from Ohio or schools located elsewhere that conduct some type of classroom instructional activity in the state. At this time SBCCS, does not consider externships or clinicals as sufficient instructional activity to trigger authorization requirements. The presence of an online instructor or other employee in the state does not trigger registration requirements either, so long as the instructor/employee isn't conducting in-person activities with students.

2. **Soliciting Program Enrollment in Ohio:** Out-of-State schools that have admissions representatives that are physically present within the State of Ohio (either permanently or intermittently) must be approved in accordance with ORC Chapter 3332. Schools that solicit Ohio residents through Ohio-based media outlets (Ohio newspapers, Ohio radio stations and Ohio television channels) must also be approved in accordance with ORC Chapter 3332. Schools that have no physical presence within Ohio and who conduct recruiting/soliciting activity through the internet or through national media outlets (and that do not directly target Ohio residents) are not required to be approved under ORC Chapter 3332.