

Policy on Out-of-State, Non-Degree Schools Providing Distance Education to Virginia Residents

The State Council of Higher Education for Virginia (SCHEV) regulates postsecondary institutions with demonstrable physical presence in the Commonwealth via a process called certification.

Out-of-state, non-degree schools that provide vocational educational offerings to Virginia residents via distance learning (*i.e.* – via computer, other telecommunications devices or mail correspondence courses) **are not eligible for certification if they do not meet physical presence requirements in Virginia.** At the minimum, vocational schools must maintain a physical location, facility, or instructional site in Virginia to be eligible for certification.

Physical presence is not triggered by any of the following:

1. Virginia residents who serve as faculty.
2. Advertising in media sources that can be viewed by Virginia residents.
3. Internships or externships at Virginia locations.

Out-of-state, non-degree schools that are not eligible for certification may refer to this statement as proof that they are not required to obtain certification.

Out-of-state, degree-granting institutions that do not participate in a reciprocity agreement to which the Commonwealth belongs must comply with § 23.1-219 (F) of the *Code of Virginia*, effective July 1, 2022.