Denise,

Thank you. Based upon your certification that the university will not be engaging in any of the operating or soliciting activities per 13 KAR 1:020 Section 1(8)(a)-(e), licensure is not required at this time.

For reference, as provided to you February 13, 2013 [Incident: 130213-000015], “Operating or soliciting” is defined in the licensing regulation 13 KAR 1:020 Section 1 (8):

(8) "Operating or soliciting" means having a physical presence within Kentucky and includes:
(a) An instructional or administrative site within Kentucky whether owned, leased, rented, or provided without charge;
(b) Instruction whether theory or clinical, originating from or delivered within Kentucky utilizing teachers, trainers, counselors, advisors, sponsors, or mentors;
(c) An agent, recruiter, in-state liaison personnel, institution, or business located in Kentucky that advises, promotes, or solicits for enrollment, credit, or award of an educational or occupational credential;
(d) An articulation agreement with a Kentucky licensed college or state-supported institution; or
(e) Advertising, promotional material, or public solicitation in any form that targets Kentucky residents through distribution or advertising in the state.

Best,

Sarah Levy, J.D.
Director of Postsecondary Licensing