



State of Utah
Department of Commerce
Division of Consumer Protection

Fee Instructions: Please see item 9 to determine the exact amount of your registration fee. The minimum annual renewal fee a school can pay is \$100. The maximum annual renewal fee will not exceed \$2,000. The amount should be a rounded number, in \$100 denominations. If the amount you calculated for your fee does not fall between these two amounts and is not in a \$100 denomination please re-evaluate your responses to item 9 and check for errors.

On the front page of the application, in the spaces provided, please type or print the name of the school applying for the permit, not the name of the person completing the application. On the next line place the date the application is completed and mailed to the Division of Consumer Protection.

If this is the first time the applicant is completing this application, even if the applicant, its owners, operators, directors, or parent company have previously been in operation, check the box next to “initial application,” otherwise check the “renewal application” box.

This application needs to be filed every other year. If the organization filed this application last year then you will instead need to file the Postsecondary Proprietary School Registration Review application. The Postsecondary Proprietary School Registration Review application is also available on the Division's website. If the Postsecondary Proprietary School Registration Review application was filed last year then the renewal application needs to be filled out, with any updates made, and the registration fee paid.

Main Application

Item 1: Please provide the name of the applying school. This should be the same name that appears on the front page of the application. This name should be representative of the type of programs offered by the applicant. Do not provide the name of the individual filling out the application, although if this individual is a founder, owner, or in some other way affiliated with the school, their name may be part of or incorporated into the applicant school's name.

Item 2: Please provide the following addresses related to the applicant:

(A). Please provide the street address or physical address where the school's classes are taught. Please include the primary telephone and fax number at this location. If the applicant does not have a physical location where classes are taught please indicate so on the application.

(B). Please provide the address where mail is to be sent. This can be the address of the administrative offices of the school, a PO Box, or the office of a registered agent. The mailing address can be the same address as listed on line 2A above.

Item 3: Answer “yes” to this question if the applicant has multiple locations or campuses or makes its programs available at any location other than the location listed in item 2A above. This does not include instruction offered over the internet, television, telephone, radio, or other communication that allows the student to participate from a physical location not otherwise contracted with or associated with the applicant. Examples of unaffiliated locations would include the student's home, internet cafe, or a public library.

If you answered “yes” please provide the physical address of each location, in addition to the location already listed above in 2A. For each additional location please provide the street address, phone number and fax number

of the location. Please attach additional sheets as needed.

Item 4: Please indicate the type of legal structure the organization is formed under. The applicant's legal structure is generally determined when the applicant first commences operations, but legal structure can be changed in the course of operations. One and only one box should be checked.

A for profit corporation is formed by filing articles of incorporation with the state where the corporation wishes to organize. Owners of the corporation are issued shares of stock. A for-profit corporation is formed with the intentions of having excess profits flow to the shareholders of the corporation. If the organization meets the above description it is most likely a for-profit corporation.

A partnership is formed by two or more people who wish to pool resources. The organization is generally formed by signing and filing a partnership agreement, but depending on the jurisdiction where it is organized this may not be required. In a partnership one or all of the partners will usually be liable for the partnership's debts and obligations.

A sole proprietor is formed by a single owner. This type of organization generally does not require the filing of a formal organization agreement of any type, but the organization must still obtain proper business licenses and other permits as required. All profits from a sole proprietorship become the property of the business owner.

A non-profit corporation is one that is organized under section 501(c) of the IRS Code and has received an IRS determination letter indicating the IRS's acceptance of the organization as a non-profit corporation.

A limited liability company, often referred to as an LLC, is formed by filing articles of organization with the state where the company wishes to organize. Not all jurisdictions currently recognize an LLC as a legal entity.

If the applicant is organized in some other form please check this box and indicate, in the space provided, what type of legal entity the applicant is organized as.

Item 5: Please provide the name and phone number of the applicant school's contact person. This should be the name and phone number of the person who will work directly with the Division of Consumer Protection to resolve any questions about the application. It can be the name of a director, staff member, or agent. It should not be the name and phone number of a receptionist or other clerical staff who will be referring questions to a superior or other person within the applicant organization. The contact person need not be the same person who completes this application. However, since most of the correspondence and contact with the Division will involve information contained in the application, the applicant's contact person should have knowledge of the information contained in the application.

Item 6: Please indicate, by checking "yes" or "no," whether the applicant has a parent company. A parent organization situation would include the applicant being a wholly owned or majority owned subsidiary or a division of a parent company. This would not include a majority of stock or partnership shares being owned by a single individual or the applicant being owned by sole proprietor who also owned other businesses or if the applicant is a joint venture of two or more organizations.

If the applicant does have a parent organization check "yes," and please provide the legal name of the parent organization and its mailing address.

Item 7: Please provide the following important dates as they relate to the applicant school, its founding, and its operations:

(A). The month and year the school was founded. This may or may not be the same month the school first started teaching classes. If the applicant has not yet filed the necessary paperwork to obtain proper business licenses, and therefore does not have an acceptable response for this item, then please obtain the needed permits and licenses prior to completing this application. The response to this item should not change. If the applicant ceases operations for whatever reason and then commences again or is sold to a new owner or operator then a new renewal application must be filled out within 30 days of the ownership change.

(B). A listing, by program, of what month and day all programs taught by the applicant start and what month and day all the applicant's programs finish. Attach additional sheets as needed. If the school works around a regular semester or trimester with all programs beginning and ending on the same date please indicate this information on the application. A copy of a flier or catalog the applicant uses to communicate this information to students may be attached, as long as the requested information is clear and highlighted.

Item 8: Please provide an indication of the identifying descriptions of the applicant. At least one box will need to be checked, and you may need to check multiple boxes as the applicant may offer more than one type of program. Please consider each item independently.

Check the in-state box if the school is headquartered and/or has its primary operations located in Utah.

Check the out-of-state box if the applicant is not headquartered in Utah and has its primary operations either in another state or more or less equally distributed among several states. If you checked the "in-state" box then this box should not be checked.

Check the degree granting box if the applicant, at the completion of one or more of its programs, the applicant will grant a degree, to the student.

Check the non-degree granting box if, at the completion of one or more of the offered programs, the applicant will grant a certificate of completion but no degree.

Check the independent study or internet box if any applicant's courses are provided by independent study or internet and the applicant does not have the students for that course meet at a physical location.

Check the resident box if the applicant is organized, incorporated, domiciled, or headquartered in the state of Utah.

Item 9: This is the formula used to calculate the fee to be paid for registration. A registration fee must be paid each year the applicant is operating a school. Failure to include a check or money order for the proper registration fee will delay the processing of your application. Amounts and calculations should be placed on each line.

Line A: Lists the total amount of registration fee to be paid. This first line will need to be filled in last. The line should also match line e and the amount listed on the front of the application.

Line a: If this is an initial application the line should contain the total tuition and fee income projected for the school year. This amount will be a reasonable estimate from the pro form income statement. If this is a renewal application the amount should be the total tuition income from the previous school year. This amount should only include tuition and fees. It should not include income from the sale of books, course materials, memorabilia, or room and board.

Line b: If this is an initial application please place a reasonable amount on the line that will represent refunds that will need to be paid to students based on the applicant's refund policy. If this is a renewal application this line should contain the actual amount of tuition and fees returned to students for the same school year referenced on line a above.

Line c: Should contain the amount left over when you subtract line b from line a. If this amount is less than zero or negative, please enter zero.

Line d: Represents the one half of one percent the amount on line c should be multiplied by in order to calculate the proper fee. Nothing needs to be written by the person filling out the application on this line, but you may find it helpful to put the raw result just below the typed 0.005 since the result will need to be rounded properly for the next line.

Line e: Should contain a number between 100 and 2,000. This amount should be evenly divisible by 100. If the number ends in 1 – 49 round the number down to the next lower \$100 denomination. If the amount is 50 – 99 round up to the next higher \$100 denomination. To calculate the exact amount multiply the gross tuition (line c) by 0.005 (line d).

Item 10: One of the items listed below must be enclosed with the application and will be used by the Division of Consumer Protection to establish the financial viability of the applicant. Additional information may be requested by the Division based on the information provided.

(A) If this is the first time the school is obtaining a permit please include one of the items listed below. If this is a renewal application, or an application relating to a change in ownership of the school, one of the items listed in part B will need to be enclosed. If there has been a change in ownership the required information must be initially provided within 30 days of the date of sale.

(i). a balance sheet, an income statement, and a statement of change in financial position – also known as a statement of cash flows. These documents will either be based on estimated operations, or if the applicant has been in operation in another state they will consist of operations in those other locations. These financial

documents must conform to generally accepted accounting principle standards.

(ii). if the applicant has been in operation for less than a year pro forma balance sheet, income statement, and statement of cash flows may be presented with the application. The pro forma documents can be extrapolations of current operating conditions or estimates based on reasonable expectations of operations. This option is only available to applicants who have been in operation for less than a year.

(iii). if the applicant has been in operation for more than a year and is opening or purchased a school or is beginning operations in Utah the applicant can provide a copy of the most recently audited financial statements from a previous year of operation.

(iv). if the applicant does not have pro forma financial statements the applicant may submit a copy of the tax returns for each of the owners.

(B). If this is a renewal application please include with the application a set of financial statements – balance sheet, income statement, and statement of cash flows – that meet one of the following criteria:

(i). all audited by a certified public accountant or

(ii). reviewed by a certified public accountant and containing a statement by the accountant that no material changes need to be made to the statements in order to bring them into compliance with generally accepted accounting principle.

Item 11: Please provide the following information regarding the applicant school's license status:

(A). Please indicate whether the organization has filed its initial articles or incorporation or articles of organization or other legal documents necessary to create the applicant. Please indicate the date the applicant was originally organized. Please provide a copy of the organizing articles with this application.

(B). Please specify whether the organization has a current registration with Utah State and has all the necessary permits and licenses to transact business in the state. This would include being properly registered with the Utah State Division of Corporations, obtaining proper sales tax licenses, among other permits and licenses. Please provide a copy of the relevant permits and licenses with this application.

(C). Please indicate whether the applicant has a current business license, issued by the the county or city where it operates, necessary to do business.

(D). Please state all additional licenses and permits the applicant has, the state that granted the license or permit, and the date the applicant obtained the license or permit. If the applicant has not obtained any licenses or permits not already mentioned then check “no.”

(E). Please indicate that whether or not the applicant is in full compliance with all codes, safety, and health regulations. If the applicant is not in compliance with all applicable health and safety regulations please explain why in the space provided or in an additional attachment if space is needed.

Item 12: If the applicant's training and courses offered lead to or meet the types of licenses would include a pharmacy technician, massage therapy license, contractor's license, pilot's license, or any other vocational or professional license.

(A). Please indicate the type of license that the applicant's training will meet the requirements for or allow students to test for.

(B). Please indicate which private, state or federal agency oversees the licensing of individuals who will be receiving the applicant's training.

(C). For the applicant to offer any program they state will lead to or allow a student to test for a specific license, credential, or certification the applicant must have the curriculum reviewed and approved by the Utah Division of Occupational Licensing or other applicable licensing agency. The reviewing agency will provide a letter or certificate of determination indicating whether the applicant's program meets the approval criteria. A copy of this determination must be attached to the application for each program the applicant offers that the applicant indicates will lead to license or professional credential.

(D). Please attach evidence that the applicant's instructors have been properly licensed by the Division of Occupational and Professional Licensing or the appropriate licensing body. Evidence of proper licensing will include certificates (please include copies, not originals), diplomas, and other credentials and recognitions received from recognized licensing bodies.

Item 13: The applicant's insurance policy should include a declarations page, usually the first page of the policy,

that list insurance limits and deductibles, locations where the insurance is in effect, the effective dates of insurance, deductibles, and other policy information. A copy of this declarations page should be included with the application. The business location covered and the effective dates of coverage should be listed somewhere on the declarations page.

Item 14: If the applicant advertises at all copies of these advertisements should be included with the application. Copies of television, radio, or other broadcast media may be placed on a CD Rom, DVD, or other common media type. Scripts from audio advertisements can be sent instead of a recording. A copy of all advertisements the applicant will use, either print, audio, video, or any other type, should be included with the application.

Item 15: Please indicate if any owner, director, administrator, faculty member, staff member, or agent of the applicant – this would include recruiters – have ever violated a law, a federal regulation, or a state regulation. This would include pleading guilty, pleading no contest, or accepting a plea in abeyance. If anyone meeting any of the above classifications has been involved in a violation mentioned please provide the name of the person, title, and provide a detailed description of the events, including dates, location, and final disposition.

Item 16: Most post secondary proprietary schools that are required to register on an annual basis must maintain one of three forms of surety. Please see item F to determine if the applicant school is exempt. Please check the box indicating which type of surety is being provided. Original documentation must be included with the application, not a copy.

(A). Please indicate which type of surety the applicant has obtained. For assistance with obtaining one of the allowable types of surety please contact your lawyer, banker, accountant, or other financial advisor. The Division of Consumer protection cannot offer advice or referrals to providers of surety. A copy of the form that must accompany a bond is attached to the application as Exhibit 1. If the applicant will be obtaining either a certificate of deposit or an irrevocable letter of credit please contact the Division to obtain a copy of the form that must be submitted with the surety.

(B). Whichever type of surety the applicant elects to secure, it should be payable to the Utah Division of Consumer Protection. Attach the original document, not a copy or facsimile of the document.

(C). Please follow the steps below to determine the amount of surety that must be obtained by the applicant. Method one is for those filing an initial application. If this is a renewal application skip to method 2 and follow the steps.

(1). Check the box next to the number of students the applicant reasonably expects to enroll during the first full year, not semester or program period, of operation. If the applicant reasonably believes that total gross tuition (tuition expected to be collected minus expected refund rate) will be less than \$25,000 then check the line next to the bottom option. The number of students expected to be enrolled, with the exception of total tuition collected, will determine the amount of surety required for the first year.

(2). For those applicants filing a renewal application please fill in the amount on the line provided after completing the worksheet to determine the proper amount. The minimum amount of the surety is currently \$12,500 and the maximum amount is \$187,500

(a). This should be the same amount as on line 9a.

(b). This should be the same amount as on line 9b.

(c). Should contain the amount of tuition after line 16b is subtracted from line 16a. This should match the amount from line 9c.

(d). Multiply the amount on line 16c by 0.25.

(e). Round the calculated amount to the nearest \$1,000.00. If your calculation ends in 001 – 499 round down, if the amount ends in 500 – 999 round up to the next \$1,000.00.

(D). This item applies only if a surety bond is obtained.

(E). This item applies only if an irrevocable letter of credit or a certificate of deposit is obtained as surety. The bank or bank branch the letter of credit or certificate of deposit drawn on must be located within the state of Utah.

(F). If the applicant meets one of the following two criteria no surety is required for registration.

(1). Each and every program offered by the applicant must cost less than \$500. This includes tuition and fees but

it does not include books or other materials. To claim this exemption indicate on the line provided what the total cost of tuition and fees are for each program offered by the applicant. Attach additional pages if necessary.

(2). Each and every program offered by the applicant requires less than one month for a student who attends the regularly scheduled instruction to complete. To claim this exemption, in the space provided, list the length of each program individually that the applicant offers. Attach additional sheets as necessary.

Item 17: In the spaces provided, and on additional sheets as needed, please provide the name, title, home address, and home telephone number of each of the applicant's officers and directors. In addition, if the applicant is formed as a sole proprietorship provide the owner's information. If the applicant is organized as a partnership provide the requested information for each partner. If the applicant is an LLC the contact information for each member must be listed.

Item 18: In the spaces provided, and on additional sheets as needed, please provide the name, title, home address, and home telephone number of each of the applicant's faculty and staff. This includes teachers, instructors, lecturers, office and clerical staff and recruiters.

Item 19: Please provide the following information about the applicant's programs, catalogs, enrollment agreements, credentials, student records, and disclosures.

(A). For each of the applicant's programs please provide the requested information beginning with the name of the course. Next list all locations where the program is offered. Locations can match the locations listed in items 2 and 3 and can include other mass media methods like internet and television instruction. Then list the credential, certificate, or degree awarded, if any. Indicate whether the program is offered during day or evening hours, or both. Indicate the number of credit hours encompassed by the program. Next, please indicate the number of students enrolled in the program. Finally, list the total cost of tuition and fees to complete the class.

(B). Attach to the application a copy of the current school catalog or student information bulletin. The attached document should contain the applicant's name, address, telephone, and fax number. It should also contain the registration and disclaimer statements issued by the Division of Consumer Protection and information about the applicant school's ownership, faculty, and staff. The course catalog or information bulletin must also contain information about the programs being offered, the types of employment each program leads to, and the beginning and ending dates of the programs. Please review Exhibit 2 and the related instructions for specific information about preparing the applicant's course catalog or student information bulleting for submission.

(C). Attach to the application a copy of the current enrollment agreement. The attached document should contain the applicant's name, address, telephone, and fax number. It should also contain the registration and disclaimer statements issued by the Division of Consumer protection and information about the applicant school's ownership, faculty, and staff. The enrollment agreement must also contain information about the programs being offered, the types of employment each program leads to, and the beginning and ending dates of the programs. Please review Exhibit 3 and the related instructions for specific information about preparing the applicant's enrollment agreement for submission.

Note: An applicant may combine exhibits 2 and 3 for the catalog and enrollment agreement as long as all of the information is included in the combined material.

(D). Attach to the application a copy of each and every certificate of completion, diploma, degree or other recognition or credential a student can earn by completing any of the programs offered by the applicant.

(E). Item E contains important information and requirements regarding the maintenance of student records.

(i). By signing the application the applicant and its officers indicate they understand the requirement to keep the following records for a minimum of ten years.

(a). Please maintain a copy of the enrollment agreement entered into between the applicant and a student.

(b). Please maintain all accounting records for every student relating to the billing and collection of tuition, fees, and any student loans.

(c). Please maintain a copy of the grade transcript for each student

(ii). By signing the application the applicant and its officers and directors understand and accept the responsibility of transferring the above listed records, for each and every student residing in the state of Utah, to the Utah Division of Consumer Protection.

(F). Before a student may enroll in classes or pay any money towards tuition or fees the applicant is required to

make available, in writing, a disclosure statement that must, at a minimum, contain the information outlined below.

- (i). The disclosure statement must include the applicant's name, which should be indicative of the types of programs offered by the applicant, the mailing address, and location where classes and other instruction are taught.
- (ii). information about the school's facilities, equipment, and programs. This information can include, among other things, locations, technical specifications of equipment, quantity of equipment available, class size, and other accurate information the applicant deems appropriate.
- (iii). the enrollment qualifications, if any, a student or potential student must meet in order to qualify for each of the programs being offered.
- (iv). the applicant may disclose in its enrollment agreement its relationship to the requirements of, or whether or not it's programs allow students to apply for, licenses or other professional designations.
- (v). The disclosure must also list the tuition and fees, as well as any other expenses normally associated with participation in a program, for each of the programs offered by the applicant.
- (vi). The applicant's refund policies should be clearly stated and plainly visible on the disclosure statement.
- (vii). The disclosure document should contain a description of the applicant's surety status with the Division of Consumer Protection.
- (viii). A listing of the length of each of the programs offered by the applicant.
- (ix). The graduation requirements for each of the programs offered by the applicant.
- (x). the graduation rate and the employment rate of graduates for the three years immediately following graduation as they pertain to each of the programs offered by the applicant.

Signature: Please date and sign the application in the space provided. The application needs to be signed by an officer or director of the applicant with the authority to sign legal documents. By signing the application you indicate that you understand and agree to fulfill all report and record retention requirements. Below the signature line please indicate the office of the person signing the application.

Verification

In the spaces provided please indicate the state and county the verification form was notarized in. If the applicant's primary operations are not located in the United States of America please write the country where the document was notarized below the two lines provided and indicate the political boundaries most closely matching state and county on the corresponding line.

The verification form must be signed and dated in the presence of the notary public that will notarize the document. The rest of the document can be filled out prior to signing and notarizing the verification affidavit, but the verification should not be signed by the applicant's agent without it being witnessed by the person who will notarize it. This verification affidavit should be signed by the same person who signed the application on page 8. This does not need to be the same person who filled out the application itself, but as part of this verification the signor is indicating they are personally familiar with the statements made in the application and the statements are true to the best of the signors knowledge. The signor also indicates that he has read all the information within the application and is also familiar with the course catalog, enrollment agreement, and that the information regarding all these documents is accurate.

By signing the application and verification statement the signor is further attesting that they have the authority to sign in behalf of the applicant. Also, the signor attests that should any information regarding the applicant change, such as physical or mailing address, phone number, registered agent, course offerings or costs, refund or other policies, or any other information disclosed in this application, the applicant will promptly notify the Division of Consumer Protection.

Also, the signor indicates that the applicant will remit all required documents to the Division of Consumer Protection should the applicant cease operations in the state of Utah. These records should be remitted to the Division for whatever reason the applicant ceases operations in Utah, including, but not limited to a revocation of the applicant's permit.

Finally, the authorized officer understands that failure to comply with any of the requirements or if any statements made in the application are determined to be inaccurate the applicant may face fines, penalties, or possible denial or withdrawal of its permit.

Write the date on which the document is read and signed in the spaces provided. Place the date in the first line, followed by the month in the second space, and the year in the space provided after the "20."

The verification must be signed, stamped, and attested to by a notary public. There may be a fee charged by the notary public for this service. Any fees associated with service are the responsibility of the applicant. The notary's stamp should contain the date the notary's commission expires.

The notary public should also indicate the date the document was notarized, following the same format as the signor did above.

Exhibit 1
Utah Postsecondary Proprietary School Act Surety Bond

Exhibit 1 is an example of the document the applicant must include with their application as proof of the required surety bond. If the applicant will be providing either a certificate of deposit or an irrevocable letter of credit as their surety Exhibit 1 should be discarded and the applicant's representative should contact the Division to obtain a copy of the appropriate form. This form, or one substantially similar should be provided by the applicant's bond provider. If a copy of this form or a similar form is not provided with the purchased surety bond the applicant will need to have a copy of this form filled out by the bond provider. The form will then need to be submitted to the Division of Consumer Protection.

Exhibit 1 should be filled out by the applicant and the company it has obtained the required surety bond through. The applicant's name should appear on the first line. The bond company's name should appear on the second line. The third line should contain the state where the bonding company is organized. This must be a state of the United States of America.

The surety bond company must be licensed and authorized to do business in the state of Utah. The bond provider will need to be registered with the Division of Financial Institutions. Although the division of financial institutions cannot recommend a specific provider, they can provide you with information about whether a provider is licensed to do business in the state of Utah.

The fourth line should contain the amount of the surety bond, written out in words, while the fifth line contains the same amount, in numerical format. This should be the amount calculated in item 16C of section 1 of the application.

Write the date on which the document is read and signed in the spaces provided. Place the date in the first line, followed by the month in the second space, and the year in the space provided after the "20."

Exhibit 2

Instructions For Preparing Catalogs

A copy of the applicant's course catalog must accompany the initial application and each renewal application. Failure to provide a course catalog that has been properly prepared may result in delays in the processing of your application that can result in fines and penalties. The course catalog may be combined with the next item, the enrollment agreement, as long as the combined document contains all the items listed below, several of which are duplicated in the requirements for the enrollment agreement.

Please indicate, on the line to the right of each item, which page the requested item is located on. In the course catalog please highlight the item indicated.

Item 1: Please provide the legal name, address, telephone, and fax number of the applicant school. This should be the main address of the applicant. This should be the same address as in item 2, part A of the main application. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Item 2: The following statements should appear in the applicant's course catalog:

(a). The applicant's course catalog must contain a statement that it is registered under the Utah Code Ann. §13-34 the Utah Postsecondary Proprietary School Act. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(b). The applicant's course catalog must contain a statement that registration under the Utah Postsecondary Proprietary School Act is not an endorsement of the applicant's programs. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(c). The applicant's course catalog must contain a statement that the school is not accredited by any accrediting institution recognized by the US Department of Education. The Utah State Division of Consumer Protection is not an accrediting body. If the applicant has an existing registration under the Utah Postsecondary Proprietary School Act the applicant will still need to include this statement in its course catalog. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Item 3: Please indicate where the applicant includes information about the school's facilities, equipment, and programs. This information can include, among other things, locations, technical specifications of equipment, quantity of equipment available, class size, and other accurate information the applicant deems appropriate. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Item 4: Indicate where on the course catalog the applicant includes information about faculty, staff, administrators, governing board, and the applicant's owners. This information should include names, titles, degrees held, and other relevant credentials. This information may also contain biographical information such as age, background, and family information. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Item 5: Please indicate where the applicant provides a listing and description of each and every program offered and includes the following information in regards to each and every program offered. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(a). Please provide the location of information about what type of employment field or occupation a program generally leads to or qualifies a graduate to enter into. This section may include information about what type of professional designations the student may earn, or be entitled to test or apply for, upon completion of the program. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(b). Please indicate where information about the number of credit or clock hours required to complete a program is located. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(c). Please indicate where the graduation requirements are for each program offered by the applicant. This should include information about the diploma, certificate, or credential awarded. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Item 6: Indicate where the applicant lists the total costs associated with each program. These costs should include not only tuition, lab fees, equipment rentals, taxes and surcharges, but also the estimated cost of books, supplies, and any special tutoring that may be required. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(a). The course catalog must contain a statement that it cannot collect more than four months of tuition payments at any one time. Any registration fees should also be clearly stated in the course catalog.

Note to the Applicant: Collection of more than four months of tuition at any one time is a violation of Utah State law and can result in fines, penalties, and the revocation of the applicant's permit. In addition, the applicant may not at any time contractually obligate the student to more than four months of training. This would include not collecting more than four months of tuition or fees, and not causing the student to enter into an agreement, either written or verbal, that binds the student to more than four months tuition or training.

(b). The course catalog should contain information about the different payment plans and options available to the student.

(c). Indicate where in the course catalog the applicant has placed any information about the option of a payment plan, if applicable. This information should include interest rates and payments.

Item 7: The course catalog should inform the reader of some of the applicant's key governing policies, including:

(a). the admissions policies, procedures, and minimum requirements. These minimums are usually a minimum grade point average (GPA), or test scores on a standardized test or other measures.

Note to the applicant: Utah law requires that anyone attending a postsecondary proprietary school be beyond the age of compulsory high school attendance and possess at least a high school diploma or a general education development (GED) certificate. The applicant must also reasonably assess a prospective student's ability to complete and benefit from the schooling and courses, including obtaining a reasonable assurance the student will be able to find work within their field of study.

(b). a statement of the transfer policies or other means whereby students may receive a transfer credit or tuition reduction for prior education or work completed.

(c). information regarding what standards are set for student advancement, based on things like attendance, grading, absences, and any other foreseeable factor normally taken into consideration.

(d). information about acceptable and prohibited student conduct, disciplinary actions, probation, dismissal, and re-admission to the applicant school.

(e). information about whether or not job placement assistance is available and the extent of services provided. If no job placement is available this must be disclosed.

Note to applicant: you may never promise or guarantee job placement or wage and salary levels, you may make factual statements about past job placement and salary levels of graduates.

Item 8: The applicant is required to have at least the same refund policy for students who are dismissed as it does for students who withdraw. This refund policy must be located in the course catalog and made available to the student. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(a). The applicant must allow a minimum of a three-business-day period, beginning on the day either the application is signed or a deposit toward tuition and fees is made; whichever event occurs first; and ending at midnight of the third business-day. The applicant may allow a longer period if they choose. The student must be at a minimum permitted to appear before the applicant in person to request the refund or mail a written statement as means of requesting the refund. The applicant may elect to accept additional means such as telephone or email requests as a means of canceling the agreement. All means of cancellation acceptable to the applicant must be clearly communicated. All fees paid by the student up to that point must be refunded to the student.

(b). A student who is enrolled in a program that is conducted online, by mail, or by some other means where instruction is not received by the student in a location predetermined by the applicant must be allowed at a minimum to withdraw from the program prior to the receipt of course materials or prior to the submission of

any lesson materials; whichever occurs first; provided this event does not occur before the above mentioned three-business-day minimum. If either of the events occurs before the third business day after student either signs the agreement or makes an initial tuition payment the student will have at least until the third business-day to request a refund. The applicant may allow for a longer time at their discretion. If the applicant offers any courses fitting this description, commonly called correspondence courses, the applicant's course catalog must contain a statement about the refund options for anyone enrolled in this type of course.

(c). The applicant must provide a clear statement about additional refund policy, if any, available to a student after the initial required three-business-day period or after the receipt or submission of correspondence course materials. These refunds frequently take the form of partial refunds or graduated refunds depending on time elapsed or materials submitted.

(d). The course catalog should contain information and statements to the effect that a student will not be obligated to pay more than four months' tuition and fees in advance. This limitation excludes the one time application processing fee the applicant may assess, which may not exceed \$200.00.

Item 9: The course catalog should contain a copy of the information mentioned in item 8 above that the student can keep. This information should be plainly visible. The agreement should be such that it is signed by the student and by a representative of the applicant, in the presence of the student, and a copy is kept by both the applicant and the student. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Item 10: If the applicant directly offers loans, financing, tuition assistance or any other form of financing or other tuition assistance to students the applicant must fully disclose all information regarding the rights of the students and the rights of the institution. This would include information about when the repayment period is to begin and end, any information about forbearance, discharge, or default, any fees or interest, or any other relevant information. Please include all information about loans the school makes available to students. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

Exhibit 3

Instructions For Preparing Enrollment Agreements

Item 1: Please provide the legal name, address, telephone, and fax number of the applicant school. This should be the main address of the applicant. This should be the same address as in item 2, part A of the main application. The course catalog may be combined with the next item, the enrollment agreement, as long as the combined document contains all the items listed below, several of which are duplicated in the requirements for the enrollment agreement. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

Item 2: The following statements must appear in the applicant's enrollment agreement:

(a). The applicant's enrollment agreement must contain a statement that it is registered under the Utah Code Ann. §13-34 the Utah Postsecondary Proprietary School Act. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

(b). The applicant's course catalog must contain a statement that registration under the Utah Postsecondary Proprietary School Act is not an endorsement of the applicant's programs. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

(c). The applicant's enrollment agreement must contain a statement that the school is not accredited by any accrediting institution recognized by the US Department of Education. The Utah State Division of Consumer Protection is not an accrediting body, and an existing registration under the Utah Postsecondary Proprietary School Act does not release the applicant from needed in include this statement in its enrollment agreement. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

Item 3: The applicant's enrollment agreement should have adequate space for the student to write their name, social security number, phone number, and any other information needed for enrollment purposes. This information is vital for student registration. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

Item 4: Please provide the following information regarding each of the applicant's educational programs. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

(a). Please provide the location of information about what type of employment field or occupation a program generally leads to or qualifies a graduate to enter into. This section may include information about what type of professional designations the student may earn, or be entitled to test or apply for, upon completion of the program. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

(b). Please indicate where information about the number of credit or clock hours required to complete a program is located. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

(c). Please indicate where the graduation requirements are for each program offered by the applicant. This should include information about the diploma, certificate, or credential awarded. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(d). Please add blank lines for a start date for each individual student to be filled out at enrollment.

Item 5: Indicate where the applicant lists the total costs associated with each program. These costs should include not only tuition, lab fees, equipment rentals, taxes and surcharges, but also the estimated cost of books, supplies, and any special tutoring that may be required. Please highlight this information on the course catalog and note the page number this information appears on in the space provided.

(a). The course catalog must contain a statement that it cannot collect more than four months of tuition payments in at any one time. Any registration fees should also be clearly stated in the course catalog.

Note to the Applicant: Collection of more than four months of tuition at any one time is a violation of Utah State law and can result in fines, penalties, and the revocation of the applicant's permit.

- (b). The course catalog should contain information about the different payment plans and options available to the student.
- (c). Indicate where in the course catalog the applicant has placed any information about the option of a payment plan, if applicable. This information should include interest rates, interest amounts, and payments. Information about payment commencement, deferment and forbearance should be included.

Item 6: The enrollment agreement should inform the reader of some of the applicant's key governing policies, including:

(a). the admissions policies, procedures, and minimum requirements. These minimums are usually a minimum grade point average (GPA), or test scores on a standardized test or other measures.

Note to the applicant: Utah law requires that anyone attending a postsecondary proprietary school be beyond the age of compulsory high school attendance and possess at least a high school diploma or a general education development (GED) certificate. The applicant must also reasonably assess a prospective student's ability to complete and benefit from the schooling and courses, including obtaining a reasonable assurance the student will be able to find work within their field of study.

(b). a statement of the transfer policies or other means whereby students may receive a transfer credit or tuition reduction for prior education or work completed.

(c). information regarding what standards are set for student advancement, based on things like attendance, grading, absences, and any other foreseeable factor normally taken into consideration.

(d). information about acceptable and prohibited student conduct, disciplinary actions, probation, dismissal, and re-admission to the applicant school.

(e). information about whether or not job placement assistance is available and the extent of services provided. If no job placement is available this must be disclosed.

Note to applicant: you may never promise or guarantee job placement or wage and salary levels, you may make factual statements about past job placement and salary levels of graduates.

Item 7: The applicant is required to have at least the same refund policy for students who are dismissed as it does for students who withdraw. This refund policy must be located in the enrollment agreement and made available to the student. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

(a). The applicant must allow a minimum of a three-business-day period, beginning on the day either the application is signed or a deposit toward tuition and fees is made; whichever event occurs first; and ending at midnight of the third business-day. The applicant may allow a longer period if they choose. The student must be at a minimum permitted to appear before the applicant in person to request the refund or mail a written statement as means of requesting the refund. The applicant may elect to accept additional means such as telephone or email requests as a means of canceling the agreement. All means of cancellation acceptable to the applicant must be clearly communicated. All fees paid by the student up to that point must be refunded to the student.

(b). A student who is enrolled in a program that is conducted online, by mail, or by some other means where instruction is not received by the student in a location predetermined by the applicant must be allowed at a minimum to withdraw from the program prior to the receipt of course materials or prior to the submission of any lesson materials; whichever occurs first; provided this event does not occur before the above mentioned three-business-day minimum. If either of the events occurs before the third business day after student either signs the agreement or makes an initial tuition payment the student will have at least until the third business-day to request a refund. The applicant may allow for a longer time at their discretion. If the applicant offers any courses fitting this description, commonly called correspondence courses, the applicant's enrollment agreement must contain a statement about the refund options for anyone enrolled in this type of course.

(c). The applicant must provide a clear statement about additional refund policy, if any, available to a student after the initial required three-business-day period or after the receipt or submission of correspondence course materials. These refunds frequently take the form of partial refunds or graduated refunds depending on time elapsed or materials submitted.

(d). The enrollment agreement should contain information and statements to the effect that a student will not be obligated to pay more than four months' tuition and fees in advance. This limitation excludes the one time application processing fee of not more than \$200.00 the applicant may assess.

Item 8: The enrollment agreement should contain a copy of the information mentioned in item 8 above that the student can keep. This information should be plainly visible. The agreement should be such that it is signed by the student and by a representative of the applicant, in the presence of the student, and a copy is kept by both the applicant and the student. Please highlight this information on the enrollment agreement and note the page number this information appears on in the space provided.

Item 9: The enrollment agreement must be signed and dated by the student and a representative of the applicant before the student's enrollment can be considered complete and legally binding.

(a). The applicant may place the statement listed on the application above the signature lines made available for the student to sign.

Exhibit 4
Instructions For Preparing Grade Transcripts

A copy of the student transcript must be filed with an initial application and each renewal application. This student grade transcript is one of several documents that, along with the enrollment agreement, make up the official student file.

A. All postsecondary proprietary schools are required to maintain student records for a minimum of 10 years, whether or not the student completed the program, is currently enrolled the program, or has an outstanding balance owed to the applicant.

Item 1: A student record must contain the following information, in addition to any other information the applicant elects to include.

(a). The applicant's grade transcript for each and every student that attends a program should include the student's scores on standardized tests used in the admissions process.

(b). Final grades for all classes and courses taken by the student need to be included on the grade transcript. Any clock hours, credit hours, training or equipment hours need to be logged on the student transcript.

A copy of an example transcript is attached to the application. This is an example of a suitable transcript form that contains all the required grade information, however, the applicant may elect to use a form that takes another appearance, as long as it contains all the required information.

(c). Student transcripts should include the date the student graduated, stopped taking classes, or was terminated or expelled from the school.

(d). A copy of the student's enrollment agreement, signed by the student, should be kept in the student's file. A record of all the student's tuition payments should be contained within the student's file.

Sample Student Grade Transcript

The sample student grade transcript attached to the application is for illustration purposes only. The applicant's actual transcript does not need to look exactly like or, depending on the types of courses offered, contain every item in the sample provided. Nothing on this page should be filled out. The sample transcript provided by the Division does not need to be returned with the application. A copy of the grade transcripts the applicant does use in its day to day business does need to be attached to the application and highlighted according to the instructions provided in Exhibit 4. Failure to provide a grade transcript that contains the minimum information required in Exhibit 4, Part A, Item 1, Line B may result in your application being delayed or denied.