

CHAPTER 321

CORRESPONDENCE SCHOOLS

§9201. Certificate of approval; exemptions

1. Requirement for certificate of approval. Any privately owned post-secondary correspondence school located within the State or outside the State but having a solicitor or agent in this State to recruit students or promote the school and its program must obtain a certificate of approval from the commissioner before soliciting or selling in this State any correspondence course or collecting any tuition, fee or other charge. In addition, each correspondence school shall supply a listing of solicitors authorized by that school to recruit in this State.

[PL 1991, c. 131, §1 (AMD).]

1-A. Residence component. A privately owned correspondence school offering courses or programs that require a residence component must be classified as a proprietary school and is subject to the licensing provisions of sections 9501 to 9504.

[PL 1991, c. 131, §1 (NEW).]

2. Exemptions. Public institutions that are exempt from property taxation under state laws and courses or programs of instruction conducted under contract with an employer for employees exclusively are exempt from the requirements of this chapter.

[PL 1991, c. 131, §1 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1991, c. 131, §1 (AMD).

§9202. Application form; fee; bond

1. Application requirements; certification period; bonding and revocation of certificate. The application for a certificate of approval required in section 9201 must be made on forms furnished by the commissioner and be accompanied by a fee of \$100 and a surety bond in the penal sum of \$10,000.

A. A certificate is valid for the calendar year in which it is issued. [PL 1991, c. 131, §2 (AMD).]

B. The bond must be continuous and provide indemnification to any student suffering loss as a result of any fraud or misrepresentation by the school. The bond must provide for written notification by the surety to the department in the event of cancellation. Cancellation of the bond by the surety results in the revocation of the certificate of approval. [PL 1991, c. 131, §2 (AMD).]

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2. Renewal. A fee of \$50 is charged for the renewal of a certificate.

[PL 1991, c. 131, §3 (AMD).]

3. General Fund. All fees collected for the issuance or renewal of a certificate shall be deposited in the State Treasury.

[PL 1981, c. 693, §§5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 651, §1 (AMD). PL 1991, c. 131, §§2,3 (AMD).

§9203. Penalty

Any firm, association or corporation, operating or conducting a private correspondence school, except by authority of a valid certificate of approval as required by this chapter, is guilty of a civil

violation for which a forfeiture of not more than \$1,000 may be adjudged. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§9204. Rules

The commissioner is authorized to adopt rules for the administration and enforcement of this chapter. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

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