

OBPVS

OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS
Application for a NEW License of State Authorization
to operate as a Private Vocational School or Seminar

FEE ENCLOSED: Total Enclosed \$ _____ consisting of:

- School or Seminar License of \$1,200.00
- NEW BRANCH School or Seminar License of \$300.00 (Separate Ap. required by/for each Branch)
- Solicitors at \$200.00 each for _____ [No. of Solicitors] for a total of \$ _____

CATEGORY OF APPLICATION, check Appropriate Box:

- Main School School Branch
- Seminar (Main) Seminar (Branch)

Type: Resident School/Seminar Correspondence/On-Line School/Seminar

Levels:

- To provide **ONLY** Postsecondary Education
- May also provide education to students prior to High School Diploma/Equivalency or before reaching an age passed required Compulsory Education (describe in greater detail at **Section VII, Item H.** of this Application, including what is the minimum age for enrollment, if one).

SUBMISSION INSTRUCTIONS

APPLICABILITY: If an item does not apply, then mark the item as, "N/A." Please do not delete a field or re-arrange the order of the listed items.

ATTACHMENTS: Reference Attachments using the Item Number from this Application, such as Attachment I., J., Controlling Owners; Attachment II., C., Instructional Staff Instructor Qualification Forms; or Attachment VI., B. Outside Sales Representatives (Solicitor Application) Forms.

I. GENERAL INFORMATION

Date Application to be Submitted: _____

A. Name of School/Seminar: _____

B. **Main** Physical Address: _____

C. Main Telephone, with Area Code: _____

D. Main Facsimile, with Area Code: _____

E. Mailing Address, if different from the **Main** School Physical Address (above):

F. Physical Address for **Branch**: _____

G. Attach an Organization Chart to thoroughly depict the Applicant's Ownership Structure and to identify each Owner's Ownership Percentage to the nearest one percent (1%).

H. Type (form) of Ownership, Check Appropriate Box:

Corporation LLC Partnership Individual (Sole Proprietor)

I. If a Corporation, Partnership, or LLC in which State was the entity formed, registered, or domiciled?

_____ **Attach** a copy of the formation documents on file with a Secretary of State or other Agency.

J. Name of Owner or Ownership Entity: _____

K. Controlling Owners - **Attach** a sheet(s), to list the Name, Address, Telephone Number, and Ownership Percentage for each Controlling Owner. In addition, for a Single Proprietor Owner, each Partner of a Partnership, or each Manager of an LLC, **attach** an Affidavit of Citizenship/ Qualified Alien Status (**Form 1190CM**) and a Supplemental Info./Felony Record (**Form 1155CM**).

Form 1190CM _____ [No. of Forms Attached]

Form 1155CM _____ [No. of Forms Attached]

L. Is this School/Seminar a part of a group of schools/seminars with common ownership?

Yes No.

M. *If yes*, provide the name of the "group": _____

N. Name of the School/Seminar [Campus] Director: _____

This is the on-campus official that the OBPVS will initially contact for a Site Visit, and may be the same person as the Authorized Administrative Official. If so, submit only one set of Forms 1150CM and 1155CM.

Email Address: _____

Direct Area Code and Telephone Number: _____

Attach: **Form 1150CM** and **Form 1155CM**.

O. Name of the Authorized Administrative Official: _____

This person will initially serve as the OBPVS' Application Contact Person. After licensing, this person (who may also serve as the Director), is the single person authorized to conduct official business with the OBPVS Board or its Staff. **Email Address:** _____

Direct Area Code and Telephone Number: _____

Attach: **Form 1150CM** and **Form 1155CM**, **or** same as Item I., N.

II. INSTRUCTIONAL STAFF

- A. Current Total Number of Instructors: _____ Full-time _____ Part-time.
- B. Describe the minimum educational standard(s) for employment as an Instructor by the School/Seminar? Or, attach a published draft Policy or other additional sheet(s), if needed.
- _____

C. Required Attachments:

- Form 1130CM** to list of all proposed Instructors

For each Proposed Instructor:

- Form 1140CM** _____ [No. of Forms Attached]

Attach the Instructor's Resume, Transcript, and/or National Certification copy(ies), as necessary.

- Form 1145CM** _____ [No. of Forms Attached]

- Form 1155CM** _____ [No. of Forms Attached]

III. PLANT AND EQUIPMENT

- A. Does the School/Seminar own its own building? Yes No.
- B. **If not**, attach a copy of the present facility Lease. A Lease(s) is attached: Yes No
- C. Whether owned or leased, **attach** a copy of the current floor plan(s) clearly showing the name of the Applicant and the address of the building/facility as well as the size and use of each room such as a classroom, lounge, office, etc. The floor plan copy does not need to be an actual architectural blueprint, but should be of sufficient size and clarity for OBPVS review.
_____ [No. of Floor Plans Attached]
- D. **Attach** a list of all instructional equipment proposed to be used, costing more than (\$100) per item and briefly describe the use of each item for which the use is not obvious.
- E. Is all instruction offered in the building(s), described, above? Yes No.
- F. **If not**, attach an additional sheet(s) to provide the other location(s) and furnish reasons why all instruction is not given at the regular building.
- G. For each owned or leased facility (other than hotels or government buildings), **attach** a copy of each facility/building Fire Inspection Report(s) conducted by a public official such as a Fire Marshal. Inspections by Fire Alarm Vendors cannot be accepted. The Inspection Report(s) may be **no more than three months old**, and should show that the School or Seminar cleared any initial deficiencies to pass the final Inspection and/or that the facility/building was ultimately approved for occupancy.¹
- H. **Attach** evidence of **adequate liability insurance**. Submit an ACORD® or Certificate of Insurance issued by an Insurance Company licensed/approved in Oklahoma, unless the School/Seminar is located outside Oklahoma. The document is usually available from the Applicant's Insurance Agent or Broker.

OBPVS Rules changes on September 12, 2016 affect New School Applicants. **The revised Rule, in its entirety is provided on the next page.** If you previously received a **Form 1400CM**, the Financial Status Section of that Form **is out-of-date**. Replace it with this **Form 1450CM's Sections IV. and VIII.**

¹ In some jurisdictions, the Applicant will provide an Occupancy Certificate, to be followed later by the official Fire Marshal Inspection AFTER move-in occurs at the facility. This matter depends on the local Fire Code.

The OBPVS' Financial Stability Rules Effective: September 12, 2016

Applicable to New School Applicants

OAC 565:10-27-2. Financial stability

(a) **An Applicant** shall have and maintain:

- (1) A ratio of current assets to current liabilities of not less than 1:1
- (2) Adequate financial resources to meet its responsibilities and to ensure the continuity of services as demonstrated by:
 - (A) A positive net worth or net equity on the latest Balance Sheet;
 - (B) A positive cash or total liquid assets balance on the latest Balance Sheet; and
 - (C) **With cash or total liquid assets sufficient to pay three (03) months of projected expenses without the receipt of any student tuition or fees monies.**²

(b) If an Applicant does not comply with the financial stability requirements, the Board may require the Applicant to evidence an additional safeguard(s), submit additional periodic financial or other documentation, or meet with the OBPVS or the Board.

(c) Additional documentation may include but not be limited to:

- (1) Interim (monthly or quarterly) financial statements that may be internally prepared and signed as true and correct by an appropriate school official
- (2) Interim financial statements to be prepared by a CPA
- (3) Being required to secure and maintain a bond or certificate of deposit in an amount exceeding the otherwise allowed minimum amount.

(d) Safeguards or circumstances that may mitigate the need for an Applicant to be required to submit periodic financial or other documentation or to meet with the OBPVS or the Board may include, but not be limited to:

- (1) An Owner's placement of a voluntary irrevocable letter of credit to meet specifications of the OBPVS
- (2) An Owner's personal financial guaranty to meet the obligations of the school
- (3) The Applicant being related to a larger entity with a long-standing reputation and substantial financial resources.

Applicable to Schools Applying to Renew an Existing License

(e) Beginning not later than the second annual relicensing³ following the effective date for rule changes, **a licensed school** shall have and maintain:

- (1) A ratio of current assets to current liabilities of not less than 1:1
- (2) **Adequate financial resources to meet its responsibilities and to ensure the continuity of services as demonstrated by:**
 - (A) **A positive cash or total liquid assets balance on the latest Balance Sheet; and**
 - (B) **A positive net worth or net equity on the latest Balance Sheet.**

(f) Upon the failure of a school to comply with the financial stability requirements, the Board may require the school bond or certificate of deposit to be increased as provided in 565:10-9-1(a). To further assure adequate financial resources, the owners(s) may be permitted or required to file a personal financial statement along with a notarized statement stating that the owner(s) shall take financial responsibility for the school and shall furnish adequate financial resources for its operation, or to document to the OBPVS the placement of another safeguard(s).

² This rule change necessitates applicants providing Financial Projections, as described on the next page.

³ Applies to renewal applications due on/after **June 1, 2018** (the FY-2019) Relicensing period.

IV. FINANCIAL STATUS

- A. **Attach** a current Financial Statement (or copy) prepared by a CPA or PA and containing a dated CPA/PA Cover Letter for the proposed School/Seminar or the Personal Financial Statements of its Owner(s). **OAC 565:10-27-1** specifies the type of Financial Statements to be submitted, as follows

<u>GROSS TUITION</u>	<u>TYPE OF STATEMENT/PREPARATION</u>
Less than \$250,000	Compilation* (also applies to a New School participating in Title IV)
\$250,000 or More	Review*

* - However, if a School/Seminar is required to submit an **Audited Statement** to another licensing, accrediting, or approval body, then that Audited statement must be submitted. In addition, a School/Seminar may **choose** to submit an Audit in lieu of a Compilation or a Review.

- B. **Attach** an Owner Compilation Attestation (**Form 1380CM**) applicable ONLY TO Compilation-type Financial Statements.

Attached with Compilation N/A for an Audit or Review Statements.

- C. Complete the Financial Statement Checklist in **Section VII.** of this Application (**Form 1450CM**).

- D. **NEW AS OF SEPTEMBER 12, 2016** – To demonstrate compliance with **OAC 565:10-27-2(a)(2)(c)**, **attach** a copy of the Applicant's Financial Projections for the School, by month, for a period of not less than the 3-months that would follow the OBPVS approval of the licensing Application. The Projections shall be signed and dated to be true and correct by an Owner or an appropriate Officer or other Official of the School. At a minimum, the Projections to be prepared in the form of an Income or Operating Statement shall include, but not be limited to:

1. **Income/revenue from any non-training (non-School) source(s)**
2. **Expenses for:**
 - a. Building Lease or Mortgage Payments
 - b. Utility Payments, such as:
 - i. Natural Gas
 - ii. Electricity
 - iii. Water
 - iv. Sewer
 - v. Trash Collection
 - c. Technology Payments, such as:
 - i. Telephone (monthly Service and Long Distance)
 - ii. Internet/Fiber Optics/Wi-Fi Access
 - iii. Website Maintenance
 - d. Wages or Salaries for:
 - i. Administrative Personnel
 - ii. Instructors
 - iii. Custodial Staff
 - e. Equipment Rental, such as:
 - i. Computers or Other Office Furniture
 - ii. Lab Equipment
 - f. Other Expenditures without which training could not be provided by the Applicant, for example, Advertising, Insurance Premiums, Tax Payments.

- E. **Attach** *either* an **OAC 565:10-9-1** Surety Bond (**Form 1160CM**) **or** an **OAC 565:10-9-5** Certificate of Deposit Collateral Agreement (**Form 1170CM**). Contact the OBPVS Staff if you have questions about the required amount of the Surety item, how to complete either Form, or who may issue the

Form 1450CM to Replace the Ap. Elements of the Prior Form 1400CM, as of **March 13, 2017**

Bond or Certificate of Deposit. A Bond Expiration (or ending effective) Date should end not earlier than the next June 30th. A Notary Date may not precede signing, and the Power of Attorney Date may not be signed after the Bond date. ***The most common error is that the School Owner/Official does not to sign the Bond Form.*** Note: The Owner/Official signature does not have to be notarized.

Bond attached. C.D. Copy and Collateral Agreement attached.

- F. List the names, addresses, and main telephone numbers for the Bank(s) with which the Applicant does business.

- G. List the names, addresses, and main telephone numbers for two local businesses with whom the Applicant does business. On-line Schools/Seminars need not list Oklahoma businesses.

V. FINANCIAL STATEMENT CHECKLIST FOR SECTION IV. OF THIS APPLICATION

- A. **Type of Statements submitted:** Compilation Review Audit

At the left of following items, INITIAL each item to indicate the requirement is met and in compliance.

- B. Requirements **applicable to ALL Statement TYPES submitted must meet the following requirements:**

1. _____ Prepared by CPA or PA: PA CPA
2. _____ **Dated** and **signed** Cover Letter on the letterhead of the Financial Statement Preparer.
3. _____ The period covered by the Income Statement is for 12-months, unless the Applicant is brand new.
 12-Months Less than 12-Months. i.e. _____ [No. of Months]
4. _____ Age of Statement: 6 Months Old, or less.
 If the Statement is more than 6 months old, also submit an additional financial statement that may be internally-prepared and does not have to be prepared by a CPA or PA for the most recent quarter.
 Quarterly Financial Statements Attached N/A.
5. _____ Financial Statement includes:
 Balance Sheet and **Income Statement** (a/k/a St. of Operations or Operating St.)

*In addition to the requirements for **all** types of Financial Statements in numbers A. and B., above, the following information must also be included for a **Compilation** or the **Reviews/Audit TYPES** of Financial Statement:*

- C. **For Compilation Statements ONLY, attach** an Owner Attestation (**Form 1380CM**) to certify the financial data is true and correct and to address that (5) potential Liabilities had a Zero Dollar (\$0.00) balance.

Attestation attached. N/A to an Audit or Review.

- D. **For Review or Audit type Financial Statements, also submit:**

1. Statement of Change in Shareholder/Owner Equity: Attached. N/A to Compilation
2. Statement of Cash Flows: Attached. N/A to Compilation
3. Notes to the Financial Statements: Attached. N/A to Compilation

VI. ADMINSTRATIVE

A. Are Outside Sales Representatives employed (or will they be)? This means persons that will work outside the School/Seminar building to attend Job Fairs, Career Days, or pay visits to secondary schools or other locations *in a marketing capacity*. "Admission Officer" or "Academic Counselor" personnel that work only inside the School/Seminar building are not considered to be, "Outside Sales Representatives." Yes No.

B. If yes, list of all Outside Sales Representatives, by name, employed to sell in the State of Oklahoma.

C. For each proposed Outside Sales Representative, **attach:** **No. of Forms Attached**

Form 1180CM (Private Solicitor License Ap. and two properly-sized Photos) _____

Form 1190CM (NOTARIZED Affidavit of Citizenship or Qualified Alien Status) _____

Form 1155CM (NOTARIZED Supplemental/Felony Record Info.) _____

D. School/Seminar Daily Hours of Operation. Complete the following table (or provide an attachment) to report the overall times (hours) of operation for all classes, combined, for exmaple Monday, "8 a.m. to 5:30 p.m.":

	SUN.	MON.	TUES.	WED.	THURS.	FRI.	SAT.
MORNING	_____	_____	_____	_____	_____	_____	_____
AFTERNOON	_____	_____	_____	_____	_____	_____	_____
EVENING	_____	_____	_____	_____	_____	_____	_____

E. School/Seminar Break Schedule:

	<u>STARTING TIME</u>	<u>BREAK LENGTH</u>
Morning Break	_____	_____
Lunch Break	_____	_____
Afternoon Break	_____	_____
Evening Break	_____	_____
Other	_____	_____
Describe "Other:?"	_____	

VII. COURSES OR PROGRAMS OF INSTRUCTION

A. **Attach** a completed Course Information Form (**Form 1100CM** or a comparable internal document) from which an OBPVS Approval Letter would be prepared.

- B. A School or School Branch must submit a completed Course (**Form 1280C**) for each Program of Instruction or Course.

_____ No. of Forms Attached N/A for a Seminar or Seminar Branch.

- C. **Attach** one DRAFT copy of the School's proposed Catalog or the Seminar's listing of Courses and/or sample Notification(s)/Announcement(s). The final version of this document must be certified as true and correct. (**OAC 565:10-5-1(1)** or **OAC 565:10-23**)

- D. A School Applicant must **submit** a completed Catalog Checklist (**Form 1210C**) to accompany the Catalog, above.

Attached with School Catalog N/A to a Seminar Applicant.

- E. **Attach** one DRAFT copy of the School's Enrollment Agreement or the Seminar's Registration Form. For Seminars, this document may be the same as **Item VII., C.**, at the discretion of the Applicant.

Note: The Enrollment Agreement of a School (and that of a Seminar that offers a payment plan) shall contain the following Holder In Due Course Rule language (or successor language from the Federal Trade Commission), per **OAC 565:10-11-4(a)(i)**:

Any holder of this consumer credit contract is subject to all claims and defenses which the debtor could assert against the seller of goods or services obtained pursuant hereto or with the proceeds hereof. Recovery hereunder by the Debtor shall not exceed amounts paid by the Debtor hereunder.

- F. A School Applicant must **submit** an Enrollment agreement Checklist (**Form 1220C**) to accompany the Enrollment Agreement, above.

Attached with the Enrollment Agreement N/A to a Seminar Applicant.

- G. **Attach** a spreadsheet or other list(s) of books, tools, and major supplies for each course proposed to be offered. Divide the list(s) between the items that the School/Seminar will furnish and the items that a student will be required to purchase. For each item, include the approximate cost.

- H. **Attach** a thorough description of any education or training that may be provided to a person prior to High School Graduation/Equivalency or before exceeding the age of Compulsory Education.

- I. **Attach** one copy of each School Diploma or Certificate of Completion, or the Seminar's Completion or Attendance Certificate. Be sure a complete Address for the School/Seminar is shown on the face of the document(s), the student's Program Name, the hours of the Program (if other than a Degree), and the Program-Completion Date (**not** just the date the Diploma or Certificate was issued or signed).

- J. **Attach** one copy of each approval Oklahoma State Regents for Higher Education (or approval/declination based on a lack of physical presence in Oklahoma) for a Degree Offering(s).

- K. **Attach** one copy of each approval by an Accrediting Entity for the School organization and/or Programs. Required Accreditor approval copies would be from ABHES, ACCET, ACCSC, etc.

IT IS VERY IMPORTANT

for an Applicant to understand and to complete the Checklist on the next page!!

If there is anything you don't understand, please email or call the OBPVS Office.

An accurate Checklist AND as complete as possible of an Application facilitate a faster OBPVS review, result in fewer review questions or less documents to be revised AND potentially will expedite OBPVS license issuance.

VIII. NEW SCHOOL OR SEMINAR APPLICATION CHECKLIST
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Items shown highlighted in Yellow do not apply to a Seminar or Seminar Branch.

Do **NOT** use an "N/A" response for an item marked with "XXXX."

<u>Item and/or Enclosure</u>	<u>Enclosed, and Fully Completed, Using Consistent School and Owner Names</u>	<u>N/A</u>
1. This Application Form 1450CM fully completed <u>and</u> Attachments	<input type="checkbox"/>	XXXX
2. Application Fee with additional Solicitor Fee(s), if applicable	<input type="checkbox"/>	XXXX
3. Fee for (1) or More Solicitors at \$200/Person	<input type="checkbox"/>	<input type="checkbox"/>
4. Organization Chart showing Ownership Percentages (to 1%)	<input type="checkbox"/>	<input type="checkbox"/>
5. For each Solicitor, Forms 1155CM, 1180CM, and 1190CM	<input type="checkbox"/>	<input type="checkbox"/>
6. For a Single Proprietor Owner, each Partner of a Partnership, or each Manger of an LLC: Forms 1155CM and 1190CM	<input type="checkbox"/>	<input type="checkbox"/>
7. Form 1150CM and Form 1155CM for Director	<input type="checkbox"/>	XXXX
8. Form 1150CM and Form 1155CM for Authorized Admin. Official	<input type="checkbox"/>	XXXX
9. Form 1130CM , List of Instructors Submitted	<input type="checkbox"/>	XXXX
10. For each proposed Instructor: Forms 1140CM, 1145CM, and 1155CM	<input type="checkbox"/>	XXXX
11. A Surety Bond is provided on Form 1160CM with a Power of Attorney that is dated <u>with the same Date as the Bond</u> (or an earlier Date)	<input type="checkbox"/>	<input type="checkbox"/>
12. <u>Or</u> , a Certificate of Deposit Copy and Form 1170CM for Surety	<input type="checkbox"/>	<input type="checkbox"/>
13. Course Information Form 1100CM , or suitable substitute	<input type="checkbox"/>	XXXX
14. Course Outline Form 1280C for <u>each</u> multi-Course Program of Study	<input type="checkbox"/>	<input type="checkbox"/>
15. Thorough description of any education or training to be provided to a person before High School Graduation/Equivalency/Compulsory Age.	<input type="checkbox"/>	XXXX
16. List of Books, Tools, and Major Supplies for Students	<input type="checkbox"/>	XXXX
17. List of Instructional Equipment of more than \$500 per item	<input type="checkbox"/>	XXXX
18. Catalog Draft for School or Brochure, Etc. for Seminar	<input type="checkbox"/>	XXXX
19. Catalog Checklist Form 1210C	<input type="checkbox"/>	<input type="checkbox"/>
20. Enrollment Agreement Draft	<input type="checkbox"/>	XXXX
21. Enrollment Agreement Checklist Form 1220C	<input type="checkbox"/>	<input type="checkbox"/>
22. School Diploma/Certificate Draft or Seminar Completion/Attendance	<input type="checkbox"/>	XXXX
22. Building/ Facility Lease(s)	<input type="checkbox"/>	<input type="checkbox"/>
23. Building/Facility Floor Plan(s)	<input type="checkbox"/>	XXXX
24. Building/Facility Fire Marshal Inspection (or Certificate of Occupancy to be followed, after move- in by an actual Fire Marshal Inspection). Note: Usually a Fire Extinguisher Reports do not qualify.		
25. Applies to all except <u>limited</u> Public Buildings	<input type="checkbox"/>	<input type="checkbox"/>
26. Liability Insurance ACORD (usually 1-page) or Certificate of Insurance. Do not send a full and complete Insurance Policy.	<input type="checkbox"/>	XXXX
27. CPA or PA Financial Statements	<input type="checkbox"/>	XXXX
28. Compilation-type Financials Attestation for Compilations ONLY	<input type="checkbox"/>	<input type="checkbox"/>
29. Financial Projections for not less than 3-Months	<input type="checkbox"/>	XXXX
30. Signed and Notarized Certification of the Ap. (Page 10 of Form 1450CM)	<input type="checkbox"/>	XXXX

Form 1450CM to Replace the Ap. Elements of the Prior Form 1400CM, as of **March 13, 2017**

IX. CERTIFICATION OF COMPLIANCE

I certify that I have presented true statements throughout this Application and attachments submitted herewith to the best of my knowledge and belief.

I agree to conduct the School/Seminar in accordance with the Regulations of the Oklahoma Board of Private Vocational Schools (**70 O.S. §21-101, et seq., OAC 565:1, and OAC 565:10, et seq.**), and to notify the Board when changes are made to include, but not be limited to, any change in ownership, administration, location, instructors, an instructional program(s), tuition or any other change that will in any way affect the operations of this school.

No transfer of license if permissible, and a change of ownership requires a new Application to be submitted and approved by the Board.

I agree to submit for approval proposed changes to certain School/Seminar documents prior to implementation of the changes, as required by regulations.

I agree to permit official representatives of the Board of Private Vocational Schools to visit and/or inspect the school or classes thereof and review student and school records that relate to the Oklahoma licensing standards.

I authorize the Board to obtain such information as it may require concerning the statements made in this application.

Date

Signature of Authorized Administrative Official

Typed Name and School/Seminar Title

NOTARY STATEMENT

County of: _____

State of: _____

Sworn to and subscribed before me, this _____ day of _____, 20_____.

Notary Public Signature

My Commission Expires: _____, 20_____.

**[AFFIX NOTARY SEAL
TO THE RIGHT >>>>]**

[END OF APPLICATION FORM 1450CM]