

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 751

By: Ikley-Freeman

AS INTRODUCED

An Act relating to private schools; amending 70 O.S. 2011, Section 21-106, as amended by Section 10, Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2018, Section 21-106), which relates to licensure by the Oklahoma Board of Private Vocational Schools; requiring a school to have certain reserve fund for license to be effective or renewed; updating statutory references; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 21-106, as amended by Section 10, Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2018, Section 21-106), is amended to read as follows:

Section 21-106. A. A license issued pursuant to ~~this act~~ Section 21-101 et seq. of this title shall expire annually on June 30. Such license shall be renewed annually with the complete renewal application and any and all appropriate fees due prior to expiration annually on or before June 1. Licenses shall be renewed by the Oklahoma Board of Private Vocational Schools if the Board determines that such school remains in compliance with the standards

1 or other requirements set by the Board. The license of any school
2 licensed by the Board to provide postsecondary education or other
3 limited offering may be revoked if the school is found to be in
4 violation of the Oklahoma Statutes, the minimum standards
5 established by the Board, or if an accreditation or other
6 governmental entity's approval, material to the continuity of the
7 school, is revoked.

8 B. A license of a school shall not be effective unless the
9 private school has filed with the Board a corporate surety bond or a
10 certificate of deposit in a manner and in an amount as is required
11 by the Board.

12 C. A license of a school shall not be effective or renewed
13 unless the private school has provided the Board documentation that
14 it has reserve funds equal to the amount of tuition being charged
15 students for the applicable calendar year.

16 D. Private schools or applicants shall pay the following base
17 fees:

18 1. One Thousand Two Hundred Dollars (\$1,200.00) per license
19 shall be paid to the Board for the issuance of an initial license
20 for a school, seminar, or workshop to provide postsecondary
21 education or other vocational-technical education or training
22 pursuant to the provisions of ~~this act~~ Section 21-101 et seq. of
23 this title;

2. Three Hundred Dollars (\$300.00) shall be paid for the initial license of each new branch. A branch's renewal fee shall be based on the tuition it collected;

3. For each renewal of a license, a fee based on the tuition collected by a school, workshop or seminar from residents of Oklahoma or other persons present in Oklahoma, as shown in the current financial statement of the school, shall be paid to the Board. If a school, workshop or seminar does not provide adequate details of its Oklahoma tuition, then the renewal fee shall be based on the nationwide tuition reported. For each main and branch school, seminar, or workshop, the renewal fees shall be calculated based upon the level of net tuition in the immediate prior calendar year as follows:

OKLAHOMA OR NATIONWIDE TUITION INCOME	RENEWAL FEE
\$50,000.00 or less	\$ 700.00
\$50,000.01 to \$250,000.00	\$ 800.00
\$250,000.01 to \$500,000.00	\$ 950.00
\$500,000.01 to \$1,000,000.00	\$1,100.00
\$1,000,000.01 to \$3,000,000.00	\$1,300.00
\$3,000,000.01 and above	\$1,500.00;

4. Solicitor license:

- a. Two Hundred Dollars (\$200.00) during the first licensing period of a school, seminar or workshop, for each license,

b. One Hundred Dollars (\$100.00) for the second and consecutive licensing periods of the school, seminar or workshop, for each license applied for or renewed;

5. Fifty Dollars (\$50.00) for the review of a new catalog or changes to an approved catalog;

6. In addition to the appropriate catalog change fee, a fee of Twenty-five Dollars (\$25.00) shall be paid whenever a main or branch private school changes location; and

7. One Hundred Dollars (\$100.00) shall be paid by each school to the Board for attendance at a school workshop or webinar by the school's required personnel, although one person may attend to represent multiple, related schools.

~~D.~~ E. If the annual licensing renewal application is not complete on or before the first day of June each year, the fee for license renewal shall become delinquent and the license shall not be renewed except upon payment of an additional late fee. Late fees shall be determined based upon the school's past history of submitting late filings. The appropriate late fees shall be paid in full prior to the Board's issuance of a renewal license in the following amounts:

1. Two Hundred Fifty Dollars (\$250.00) for a first violation;

2. Five Hundred Dollars (\$500.00) for a second violation within ten (10) years of the first late filing, whether consecutive or not; and

1 3. One Thousand Dollars (\$1,000.00) for a third violation
2 within ten (10) years of the first late filing, whether consecutive
3 or not.

4 Each violation beyond the third shall result in the school,
5 seminar or workshop being required to seek new or initial licensure
6 and only after payment of the full fee for a new license.

7 ~~E.~~ F. Twenty-five Dollars (\$25.00) for each license application
8 packet, although packets provided by one or more electronic means
9 shall be free of charge.

10 ~~F.~~ G. The Board shall be authorized to require reimbursement
11 for any fees charged by a financial institution or the State
12 Treasurer for a returned check or other failed form of payment. The
13 amount to be reimbursed shall be invoiced to an entity within forty-
14 five (45) days after the Board's first knowledge of the fee.

15 ~~G.~~ H. All fees, penalties and fines collected by the Board
16 pursuant to the provisions of ~~this act~~ Section 21-101 et seq. of
17 this title shall be deposited with the State Treasurer for credit to
18 the Oklahoma Board of Private Vocational Schools Revolving Fund.

19 SECTION 2. This act shall become effective July 1, 2019.

20 SECTION 3. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

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