



Delaware Department of
Education
Collette Center
35 Commerce Way, Suite 1
Dover, Delaware 19904

Susan S. Bunting, Ed.D.
Secretary of Education

**APPLICATION FOR AN ORIGINAL
DELAWARE CERTIFICATE OF APPROVAL
TO OPERATE A PRIVATE BUSINESS AND TRADE SCHOOL
UNDER 14 DEL.C. CHAPTER 85**

I. SCHOOL AND CONTACT INFORMATION

a. **Name of School:** _____

Address of Location of Instruction: _____

Telephone: _____ Fax: _____

Location of Operation. Check one:

School operating in
Delaware

School operating outside
of Delaware

School operating in Delaware
and outside of Delaware

Type of School. Check all that apply:

Business Trade Technical Correspondence Other: _____

The certificate holder is a/an: Individual Corporation* Partnership

Name of Certificate Holder: (*If a corporation owns the school, list the corporation as the certificate holder.
Provide the complete name of the corporation, *not the name of the owner.*)

Certificate Holder's Address: _____

Telephone: _____ Fax: _____

E-mail: _____

If a corporation, what is the state of incorporation? _____

Name(s) of all Controlling Officers of the corporation _____
(use an additional sheet of paper if more than 3)

I. SCHOOL AND CONTACT INFORMATION

b. Approval and Accreditation Information

Check one:

- The school is **not** licensed, certified, or approved by any other certifying or licensing body.
- The school **is** licensed, certified, or approved by another certifying or licensing body.

Provide information for all licenses, certifications, and/or approvals.

In the State or Commonwealth of: _____

By the State Board of Education of: _____

By the Division or Department of: _____

By Other (specify): _____

Enclose a copy of each certificate of approval or license checked above. Mark as Attachment N.

Check one:

- The school is **not** accredited by any national accrediting association.
- The school is accredited by a national accrediting association.

List all accreditations/certifications: _____

Enclose a copy of each certificate of accreditation listed above. Mark as Attachment O.

c. The school has been in operation since _____ (month) _____ (year).

The school has been in operation under the ownership specified in I. (b) on page 1 of this application since _____ (month) _____ (year).

d. Name of Administrator in Charge of School: _____

Title: _____

Telephone: _____

Fax: _____

E-mail: _____

I. SCHOOL AND CONTACT INFORMATION

e. Name of Contact for DOE: _____

Address: _____

Title: _____ Telephone: _____

Fax: _____ E-mail: _____

f. Name of Contact for Prospective Students: _____

Address: _____

Title: _____ Telephone: _____

Fax: _____ E-mail: _____

g. Website Information

If your school or organization has a website, provide its address (URL) below:

II. COMMITMENTS

The following commitments are required under 14 Del.C. Ch. 85.

(I) (We) solemnly certify or agree as follows:

1. My position with the applicant school is _____ and I am authorized to make these and representations on behalf of the school *
2. To conduct the school in accordance with Delaware Code (Law) and standards, rules, and regulations from time to time established by the Department of Education of the State of Delaware.
3. To maintain a surety bond for the protection of the contractual rights of students in the form and amount required by the Department of Education.
4. To abide by the refund policy established in 14 Del.C. Ch. 85 for cancellation of the contract or agreement or by the policy of the U.S. Department of Veterans Affairs.
5. That, within the 72-hour grace period reserved for cancellation, the school will not discount any evidence of indebtedness given by a student applicant, or on his behalf, or in any other way place such evidence of indebtedness into the hands of a holder in due course.
6. To permit the Department to inspect the school or classes thereof from time to time; and to make available to the Department, at any time when required to do so, information pertaining to the activities of the school required for the administration of 14 Del.C. Ch. 85.
7. That all advertising and solicitation by the school will be free from misrepresentation, deception, or fraud, and that no fraudulent or deceptive statements shall be made as to possible future employment opportunities or wage expectations.
8. That the certificate of approval shall be prominently displayed at some place on the premises of the school open to the inspection of all interested persons.

(I) (We) do solemnly swear or affirm that the agreements and certifications made and the information set forth in the original approval application and in the attachments thereto are true and complete.

Date: _____ Signature(s)*: _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____, _____.

My commission expires:

 Date Name of Notary Public (print or type)

 Signature of Notary Public

**Each application for a certificate of approval shall be signed by the applicant. If the applicant is a partnership, it shall be signed by each member thereof. If the applicant is a corporation, any officer thereof shall sign it. 14 Del.C. Ch. 85.*

III. NOTARIZED STATEMENT OF REVENUE SUBJECT TO SURETY BOND IF SCHOOL IS (1) OUTSIDE OF DELAWARE, OR (2) IN DELAWARE BUT SCHOOL DOES NOT RECEIVE REVENUES DIRECTLY FROM STUDENTS)

All surety bonds must be valid for the entire year for which the school is approved.

Complete this page ONLY IF:

(1) Your school is located outside of Delaware and only solicits students in the State

OR

(2) Your school is located **in Delaware** and does **not** receive any revenue **directly** from students. Such schools shall be required to post a bond in the amount of \$25,000 (14 Del.C. Ch. 85).

The school's surety bond, payable to the State of Delaware, Department of Education, is in the amount of \$25,000 and is in effect through _____ (expiration date) OR is a currently valid continuous surety

bond that must be renewed on _____ (date of next renewal payment).

Surety Bond Company Name: _____

Surety Bond Company Address: _____

Contact Person at Surety Bond Company: _____

Telephone Number: _____ E-mail: _____

Fax: _____

I certify that the preceding information is true and correct to the best of my knowledge.

Date: _____

Name (print or type)

Position or Title

Signature

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, 200__.

My commission expires: _____
Date

Name of Notary Public (print or type)

Signature of Notary Public

Surety bonds may only be cancelled during or at the end of any annual term by the bonding agency by giving 45 days prior notice in writing by certified mail, return receipt requested, to the Administrator, Private Business and Trade Schools, Delaware Department of Education, 401 Federal Street, Suite #2, Dover, DE 19904-3639. 14 Del.C. Ch. 85.

III. NOTARIZED STATEMENT OF REVENUE SUBJECT TO SURETY BOND IF SCHOOL IS LOCATED IN DELAWARE

All surety bonds must be valid for the entire year for which the school is approved.

Complete this page and the following page IF your school is **located in Delaware** and receives revenue directly from students. The surety bond for these schools is in the amount equal to the highest anticipated gross prepaid tuition for students enrolled on any given day in the calendar year for which a certificate of approval is requested (14 Del.C. Ch. 85).

During this last year, 20____, the highest amount of gross prepaid tuition for students enrolled that (name of school) _____ had on account on any given day was \$_____. The day on which this occurred was _____, 20____. The number of students enrolled on that date was _____.

In the next calendar year, 20____, the highest amount of gross prepaid tuition for students enrolled that (name of school) _____ expects to have on account on any given day is \$_____. This estimate is based on (the expected number of students) _____ enrolled on that given day.

The school's surety bond, payable to the State of Delaware, Department of Education, is in the amount of \$_____ and is in effect through _____ (expiration date) OR is a currently valid continuous surety bond that must be renewed on _____ (date of next renewal payment).

III. NOTARIZED STATEMENT OF REVENUE SUBJECT TO SURETY BOND

Surety Bond Company Name: _____

Surety Bond Company Address: _____

Contact Person at Surety Bond Company: _____

Telephone Number: _____

E-mail: _____

Fax: _____

I certify that the preceding information is true and correct to the best of my knowledge.

Date: _____

Name (print or type)

Position or Title

Signature

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, _____.

My commission expires: _____
Date

Name of Notary Public (print or type)

Signature of Notary Public

Surety bonds may only be cancelled during or at the end of any annual term by the bonding agency by giving 45 days prior notice in writing by certified mail, return receipt requested, to the Administrator, Private Business and Trade Schools, Delaware Department of Education, 401 Federal Street, Suite #2, Dover, Delaware 19901-3639. 14 DeL.C. Ch. 85.

**IV. DISPOSITION OF STUDENT RECORDS IF SCHOOL IS IN DELAWARE
(SCHOOLS OUTSIDE OF DELAWARE DO NOT NEED TO COMPLETE THIS
PAGE)**

Delaware Law-14 *Del. C. § 8530* states:

(a) Notwithstanding any exemptions to the contrary in this chapter, all postsecondary institutions authorized, approved or licensed by the Department of Education to operate in the State under this chapter or under § 125 of Title 8 prior to discontinuing operation shall perform the following duties:

- (1) Notify in writing the Department of Education and all currently enrolled students of the decision to cease operation;
- (2) Notify in writing all currently enrolled students, and students enrolled during the 5 prior years, that information concerning student records may be obtained from the Department of Education;
- (3) Convey all student records to the Department of Education, or to another location designated by the Department, for safekeeping and for reproduction as requested by the students.

(b) As used in this section, "student records" shall mean all those documents that are necessary to provide a meaningful record of student performance and financial aid and shall include, but not be limited to, the following:

- (1) Academic records, including written evaluations, competency assessments, etc.
- (2) Catalogues;
- (3) Change of grade forms;
- (4) Class lists, including original grade sheets;
- (5) Commencement programs/graduation lists;
- (6) Schedules of classes;
- (7) Financial aid transcripts and supporting documents (65 Del Laws, c. 103, § 1; 71 Del Laws, c. 180, § 190.)

I have read the above law relating to the disposition of student records and understand that, as an approved Private and Business and Trade School, I will be required to comply with the provisions of 14 *Del. C. § 8530* and do hereby agree to accept the obligations set forth in Section § 8530 should my school cease to operate in Delaware.

Date _____ Owner's/Officer's/Partners Signature(s) _____

V. REQUIRED ATTACHMENTS/ENCLOSURES

Supply each of the following. Use spaces at the left to check off your attachments/enclosures to ensure a complete application.

- _____ **A. A current catalogue.** Mark clearly as Attachment A.
- _____ **B. A description or chart of the managerial organization of the school.** Mark clearly as Attachment B. If it is in your catalogue, state the page on which it can be found: _____.
- _____ **C. The names of all instructional staff, their qualifications, and the courses they teach.** If licensure or other qualifications are necessary to teach the course, they must be listed. If licensure or certification or other qualifications are necessary, attach a copy of the staff member's current license, certificate, or other credentials as documentation.
If in your catalogue, state the page on which it can be found: _____,
or clearly mark the staff information and other supporting documentation as Attachment C.
- _____ **D. A description of all courses or programs of instruction.** Use the Attachment D form.
- _____ **E. A list of major equipment** made available for instruction for each program or course.
Use the Attachment E form.
- _____ **F. A labeled drawing of your school's physical and sanitary facilities** (such as the buildings, classrooms, labs, clinics, offices, and be sure to include rest rooms). Mark clearly as Attachment F.
If in your catalogue, state the page on which it can be found: _____.
- _____ **G. Copies of all advertisement or promotional materials** used now or in the last year, including a transcription of any radio/TV spots. Mark clearly as Attachment G.
If none, check here and initial _____.
- _____ **H. A blank copy of the school's student application.** Mark clearly as Attachment H.
If in your catalogue, state the page on which it can be found: _____.
- _____ **I. A blank copy of the school's student enrollment agreement/contract.** Mark clearly as Attachment I.
If in your catalogue, state the page on which it can be found: _____.
- _____ **J. A statement of enrollment figures** for the past year, showing the number of students from Delaware, those from out-of-Delaware, and the total enrollment. Use the Attachment J form.
- _____ **K. A copy of the school's refund policy** that must comply with 14 *Del.C.* Ch. 85. Mark clearly as Attachment K.
If this is in your catalogue or on your application form or enrollment agreement/ contract, state the location or page on which it can be found: _____.

V. REQUIRED ATTACHMENTS/ENCLOSURES

- _____ **L.** A copy of the school's entrance policy that must comply with 14 *Del.C.* Ch. 85 or with the policy of the U.S. Department of Veterans Affairs. Mark clearly as Attachment L.
If in your catalogue or on your application form or enrollment agreement/contract, state the location or page on which it can be found: _____.
- _____ **M.** A copy of your school's complaint procedure. Mark clearly as Attachment M.
If in your catalogue, state the page on which it can be found: _____.
- _____ **N.** A copy of any current certificates of approval, licensure, or certification that the school may hold. Mark clearly as Attachment N.
If none, check here and initial _____.
- _____ **O.** A copy of any current certificates of accreditation that the school may hold. Mark clearly as Attachment O.
If none check here and initial _____.
- _____ **P.** Proof of a surety bond valid for calendar year: The surety bond is in the amount of \$_____ and is in compliance with 14 *Del.C.* Ch. 85. Proof is required for all surety bonds, including continuous ones.
- _____ **Q.** Proof of corporate status if a corporation owns the school. Include an original certificate of good standing (short form) dated for the current year. Mark clearly as Attachment Q.
- _____ **R.** A non-refundable check or money order of \$100.00 made payable to the State of Delaware, Department of Education. Attach to the front of the original approval application.
- _____ **S.** Inspection Form from the Fire Marshall. Mark clearly as Attachment S.
- _____ **T.** Proof of ownership or lease of the school building, such as a copy of the certificate of occupancy or a rental agreement. Mark clearly as Attachment T.

ATTACHMENT D

PROGRAM OR COURSE DESCRIPTION

(Duplicate this form and complete for EACH course/program for which you are seeking approval)

Provide all information for each course or program for which you are seeking approval in 2010. Copy and use Attachment D if you are seeking approval for more than one course or program.

Name of School: _____

Name of Course or Program: _____

Entrance requirements: _____

Specific Vocational Objective(s): _____

Units and Hours of Instruction					Assessments Given (check all that apply)		
Number of Units of Instruction	Theory/classroom hours per week	Lab/shop/practicum hours per week	Total weeks of course/program	Total hours of course/program	During instruction	Midterm	Final

Tuition, Fees, and Other Course/Program Costs					
Registration fees	Cost of course/program (tuition)	Books	Materials and supplies	Other	Total cost of course/program

ATTACHMENT J
PROJECTED ENROLLMENT FIGURES
SCHOOL YEAR 200_ -200_

Name of School: _____

New school, projected enrollment figures

Students enrolled from Delaware: _____

Students enrolled from out-of-Delaware: _____

Total student enrollment: _____

For new schools, the bond must be based on projected enrollment figures

Out-of-State Operating School, the enrollment data are as follows:

Students enrolled from Delaware: _____

Students enrolled from out-of-Delaware: _____

Total student enrollment: _____

For out-of-state operating schools, the bond must be based on present enrollment figures of Delaware students

**ORIGINAL APPLICATION
FOR A PERMIT TO ACT AS AN AGENT IN DELAWARE
FOR A PRIVATE BUSINESS OR TRADE SCHOOL**

Year: 200

Application is hereby made for an **original** permit to represent a private business or trade school, in accordance with 14 *Del.C.* Ch. 85. A separate permit is needed for each agent for each school represented.

I. Name of Applicant: _____

Address: _____

II. Name of School: _____

Address: _____

Location of Operation. Check one:

School operating in
Delaware

School operating outside
of Delaware

School operating in and
outside of Delaware

Type of School. Check all that apply:

Business

Trade

Technical

Correspondence

Other: _____

III. Attachments. Supply the following additional materials with this application. Use spaces at the left to check off your attachments to ensure a complete application.

_____ **A. Completed character references.** Each agent must supply two.

_____ **B. Check for ten dollars (\$10.00),** made payable to the State of Delaware, Delaware Department of Education (not refundable). The fee is not required if the agent is also a principal owner of the school.

**ORIGINAL APPLICATION
FOR A PERMIT TO ACT AS AN AGENT IN DELAWARE
FOR A PRIVATE BUSINESS OR TRADE SCHOOL**

IV. Verification of Employment

I, the undersigned, do solemnly swear or affirm that the information set forth in this verification of employment and the attachments thereto are true and complete. (Name of Applicant) _____ is presently employed by us and is to act as our agent to represent our school in the State of Delaware for the purpose of soliciting students. (He)(She) has been in our employ for _____ years and _____ months and is found by us to be truthful, honest, and of good reputation. I request that a permit be granted to said person for purposes of soliciting students in Delaware.

Date

Name of Employer (print or type)

Position

Signature of Employer

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, 200_.

My commission expires: _____

Name of Notary Public (print or type)

Signature of Notary Public

**ORIGINAL APPLICATION
FOR A PERMIT TO ACT AS AN AGENT IN DELAWARE
FOR A PRIVATE BUSINESS OR TRADE SCHOOL**

V. Commitments and Verification of Applicant

I, the undersigned, do solemnly agree and swear or affirm that:

- A. The information set forth in this application and the attachments thereto are true and complete.
- B. I will carry out all of the activities of representing and acting as an agent of
(Name of school) _____ in a truthful and honest manner.
- C. I will represent the school in accordance with Delaware Law and standards, rules, and regulations from time to time established by the Department of Education of the State of Delaware.
- D. All advertising and solicitation by the school will be free from misrepresentation, deception, or fraud and that no fraudulent or deceptive statements shall be made as to possible future employment opportunities or wage expectations.
- E. I am a person who is honest, truthful, and of good reputation.

Date

Name of Applicant (print or type)

Signature of Applicant

SWORN TO AND SUBSCRIBED before me on this _____ day of _____,
_____.

My commission expires: _____
Date

Name of Notary Public (print or type)

Signature of Notary Public

**CHARACTER REFERENCE FOR AN AGENT
REPRESENTING A PRIVATE BUSINESS AND TRADE SCHOOL
IN DELAWARE UNDER 14 DEL.C. CH. 85**

Recommendation

Pursuant to 14 Del.C. Ch. 85, regarding the issuance of permits to agents representing private business and trade schools in Delaware, I (name), _____, do hereby attest that the applicant identified below has been found to be truthful, honest, and of good reputation and I recommend that a permit be granted to serve as an agent for the school as named.

Name of Agent: _____

Address: _____

Name of School: _____

Address: _____

Basis for Recommendation

I have know the applicant for _____ years in the capacity of _____

(co-worker, employer, friend, etc.).

Comments About the Applicant (Required)

**CHARACTER REFERENCE FOR AN AGENT
REPRESENTING A PRIVATE BUSINESS AND TRADE SCHOOL
IN DELAWARE UNDER 14 DEL.C. CH. 85**

Recommendation

Pursuant to 14 Del.C. Ch. 85, regarding the issuance of permits to agents representing private business and trade schools in Delaware, I (name), _____, do hereby attest that the applicant identified below has been found to be truthful, honest, and of good reputation and I recommend that a permit be granted to serve as an agent for the school as named.

Name of Agent: _____

Address: _____

Name of School: _____

Address: _____

Basis for Recommendation

I have know the applicant for _____ years in the capacity of _____

(co-worker, employer, friend, etc.).

Comments About the Applicant (Required)
