



State of Utah

DEPARTMENT OF COMMERCE
DIVISION OF CONSUMER PROTECTION

POSTSECONDARY PROPRIETARY SCHOOL EXEMPTION APPLICATION FORM

Application fee: None

Applicant's Name

(This is the name of institution that is registering.)

Date of Application

OFFICE USE ONLY

Date Issued: _____

Permit Number: _____

Approved: _____

Review Approved: _____

Exempt: _____

Denied: _____

Expiration: _____

If you have any questions, please contact the Division at (801) 530-6601.

Please return the completed application form to:

Department of Commerce
Division of Consumer Protection
160 East 300 South, Second Floor
SM Box 146704
Salt Lake City, Utah 84114-6704

1. Applicant's Name: _____

2. Applicant's address:

A. Street Address: _____
(physical location of School) Street

_____ City State Zip Code

Telephone Number: _____ Facsimile Number: _____

B. Mailing Address: _____
Street

_____ City State Zip Code

Telephone Number: _____ Facsimile Number: _____

3. Contact Person: _____ Telephone Number: _____

4. Does Applicant have a parent organization? [] Yes [] No

If "yes", please indicate the following:

Name: _____

Address: _____

Street

_____ City State Zip Code

5. Exemption from registration under the Utah Postsecondary Proprietary School Act is requested for the reason(s) indicated below (please indicate the paragraph that applies and provide the additional information noted, if any):

(a)___Applicant is a Utah institution directly supported, to a substantial degree, with funds provided by the state, a local school district, or other Utah governmental subdivision.

Name of entity providing funds: _____

Address: _____

Telephone number: _____

(b)___Applicant is an institution which offers instruction exclusively at or below the 12th grade level.

(c)___Applicant is a lawful enterprise which offers only professional review programs, such as C.P.A. and bar examination review and preparation courses. Institutions that provide nonprofessional review courses, such as law enforcement and civil service, are not exempt, unless they are considered as workshops or seminars within the meaning of Section 13-34-105(h).

(d)___Applicant is a Utah private, postsecondary educational institution that is owned, controlled, operated, or maintained by a bona fide church or religious denomination, which is exempted from property taxation under the laws of this state. In order for the church or religious denomination to be "bona fide" such that the institution is exempt from registration, the institution may not be the church or religious denomination's primary purpose, function or asset.

Name of church: _____

Address: _____

Telephone number: _____

(e)___Applicant is a school or institution which is accredited by a regional or national accrediting agency recognized by the United States Department of Education. An institution, branch, extension, or facility operating within the state which is affiliated with an institution operating in another state must be separately approved by the affiliate's regional or national accrediting agency to qualify for this exemption.

Name of agency: _____

Address: _____

Telephone number: _____

Expiration date of current authorization: _____

Please attach a copy of the accrediting agency's authorization with the next renewal date of that authorization.

(f)___Applicant is a business organization, trade or professional association, fraternal society, or labor union that sponsors or conducts courses of instruction or study predominantly for bona fide employees or members and does not, in advertising, describe itself as a school. A business organization, trade or professional association, fraternal society, or labor union is considered to be conducting the course predominantly for bona fide employees or members if it hires a majority of the persons who successfully complete its course of instruction or study with a reasonable degree of proficiency and apply for employment with that same entity.

___% Percent of time spent by Applicant in training or instruction in relation to time spent in other business activity

___% Percentage of persons who are hired by the Applicant after successfully completing the course of instruction

To be exempt under this section, 13-34-105(f);

- (a) the training or instruction shall not be the primary activity of the organization, association, society, labor union, or franchise system; or
- (b) the organization, association, society, labor union, or franchise system shall meet the following requirements:

- i. the organization, association, society, labor union, or franchise system does not recruit students;
- ii. the organization, association, society, labor union, or franchise system provides courses of instruction only to students who are currently employed;
- iii. the cost of the course of instruction is paid for by the employer of the student, not the student; and
- iv. enrollment in each individual course of instruction is limited to those who are bona fide employees of the employer.

(g)___Applicant is an institution that exclusively offers general education courses or instruction that is solely remedial, avocational, nonvocational, or recreational in nature, and which does not advertise occupation objectives or grant educational credentials.

(h)___Applicant is an institution which offers only workshops or seminars lasting no longer than three calendar days and for which academic credit is not awarded.

(i)___Applicant is an institution which offers programs in barbering, cosmetology, real estate, or insurance that are regulated and approved by a state or federal governmental agency.

Type of license: _____

Name of agency: _____

Address: _____

Telephone number: _____

Expiration date of current authorization: _____

Please attach a copy of the respective agency's authorization for your current period of authorization.

(j)___Applicant is an education provider certified by the Division of Real Estate under Section 61-2c-103.

(k)___Applicant is an institution that offers aviation training if the institution: (A) is approved under Part 141, Federal Aviation Regulations, 14 C.F.R. Chapter 141; or (B) provides aviation training under Part 61, Federal Aviation Regulations, 14 C.F.R. Chapter 61; and exclusively offers aviation training that a student fully receives within 24 hours after the student pays any tuition, fee, or other charge for the aviation training.

(l)___Applicant is an institution that provides emergency medical services training if all of the institution's instructors, course coordinators, and courses are approved by the Department of Health.

6. The undersigned acknowledges that pursuant to UCA 13-34-105(2) the Division may contact the appropriate state or federal government agency and request corrective action if the available evidence suggests that Applicant is not in compliance with the standards of registration under the Utah Postsecondary Proprietary School Act.

7. The undersigned acknowledges that Applicant is required to notify the Division within thirty (30) days of a material change in circumstances which may affect its exempt status.

I declare the foregoing is true and correct. I understand that if a postsecondary proprietary school operates without obtaining an effective registration statement, the division director may issue a cease and desist order; and impose an administrative fine of up to: \$100 per day that a proprietary school operates without an effective certificate of registration if the violation is not an intentional violation; \$1,000 for each violation that is described in § 13-34-101 Subsection (3)(a)(ii)(A); or an intentional violation; or \$5,000 for each intentional violation of the Postsecondary Proprietary School Act.

DATED: _____

APPLICANT:

BY _____
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