

*STATE OF MISSISSIPPI*  
*STATE BOARD FOR COMMUNITY*  
*AND JUNIOR COLLEGES*



*COMMISSION ON PROPRIETARY SCHOOL AND*  
*COLLEGE REGISTRATION*

*REGULATIONS*  
*FOR*

*MISSISSIPPI PROPRIETARY SCHOOL*  
*AND COLLEGE REGISTRATION*

*ADOPTED: DECEMBER 1992*  
*Revised August 2003*

**COMMISSION ON PROPRIETARY SCHOOL AND  
COLLEGE REGISTRATION**

**REGULATIONS**

**FOR**

**MISSISSIPPI PROPRIETARY SCHOOL  
AND COLLEGE REGISTRATION**

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**MEMBERS**  
**STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES**

**FIRST CONGRESSIONAL DISTRICT**

**Chip Crane**  
508 South Spring Street  
Fulton, MS 38843

**Edwin (Ed) Perry**  
P. O. Box 70  
Oxford, MS 38655

**SECOND CONGRESSIONAL DISTRICT**

**Bobby Steinriede**  
P. O. Box 667  
Hollandale, MS 38748

**George Walker**  
1422 Shady Lane  
Clarksdale, MS 38614

**THIRD CONGRESSIONAL DISTRICT**

**Bruce Martin**  
P. O. Box 1729  
Meridian, MS 39302

**Henry (Bubba) Hudspeth**  
306 E. Ridge Drive  
Louisville, MS 39339

**FOURTH CONGRESSIONAL DISTRICT**

**Patricia Dickens**  
136 Duster Drive  
Natchez, MS 39120

**Napolean Moore**  
6230 North Lake Circle  
Jackson, MS 39211

**FIFTH CONGRESSIONAL DISTRICT**

**Max Huey**  
121 E. Canal Street  
Picayune, MS 39466

**Dr. Eric Clark**  
**Executive Director**

**COMMISSION ON PROPRIETARY SCHOOL  
AND COLLEGE REGISTRATION**

**MEMBERS**

**Dr. Shirley Hopkins-Davis, Chair  
Hinds Community College  
Post Office Box 463  
Clinton, MS 39060**

**Stan Sullivan, Vice-Chair  
P. O. Box 320970  
Jackson, MS 39232**

**Mr. Otis Stanford  
P. O. Box 1074  
Clarksdale, MS 38614**

**Donald R. Benjamin  
P.O. Box 74  
Pontotoc, MS 38863**

**Dr. Barry Mellinger  
66 Bluff Creek Road  
Wiggins, MS 39577**

## **COMMISSION ON PROPRIETARY SCHOOL AND COLLEGE REGISTRATION**

The Commission on Proprietary School and College Registration is responsible for the administration of the Mississippi Proprietary School and College Registration Law, Title 75, Chapter 60, Mississippi Code of 1972, as amended. The purpose of the Commission on Proprietary School and College Registration is to establish and implement the registration process for obtaining and maintaining a certificate of registration, and an agent's permit. This administration is enacted via licensure.

### **2.1 MEMBERSHIP**

The Commission on Proprietary School and College Registration is composed of five (5) members appointed by the State Board for Community and Junior Colleges. One (1) appointed from each of the five (5) Congressional districts. Members shall have held a teaching, managerial, or other similar position with any public, private, trade, technical or other school; provided however, that one (1) member shall be actively engaged in some capacity with a privately owned trade, technical, or other school. Initial terms are for three (3) to five (5) years as provided by the enabling legislation; subsequent terms are for five (5) years.

### **STAFF**

### **2.2**

The State Board for Community and Junior Colleges shall appoint such staff as may be required for the performance of the Commission's duties and provide necessary facilities. The Administrator for the Commission is the Director for Proprietary School and College Registration. The Director will be located at:

State Board for Community and Junior Colleges  
3825 Ridgewood Road  
Jackson, MS 39211

Telephone: (601) 432-6518

### **POWERS AND DUTIES**

### **2.3**

The powers and duties of the Commission on Proprietary School and College Registration shall be:

- (a) To adopt rules and regulations for implementing the registration process. ( 85 - 87)
- (b) To develop application forms to apply for:
  - 1. A certificate of registration and renewal
  - 2. An agent's permit and renewal
  - 3. A program of study or individual course
  - 4. A new instructor
  - 5. A school director

- (c) To appoint a duly authorized hearing officer to hear all controversies involving registration. ( 87 - 103 )
- (d) To determine which categories of courses, schools, or colleges for which Title 75, Chapter 60, as amended, does not apply based on Section 75-60-5. ( 106 - 150 )
- (e) To determine whether a tutorial course involving only one student is for the purpose of preparing for a vocational objective. ( 144 - 148 )
- (f) To issue the certificate of registration and the agent's permit.
- (g) To withhold a certificate of registration based upon Section 75-60-11. ( 194 - 203)
- (h) To assign a registration number to certificate of registration holders. ( 208 - 211)
- (i) To assign an agent's permit number to agent permit holders. ( 660 - 664)
- (j) To approve all new programs of study and/or individual courses offered by a registered school. ( 251 - 254 )
- (k) To prescribe the conditions of the surety bond requirement for both the certificate of registration and the agent's permit based upon Sections 75-60-17 and 75-60-29 respectively.
- (l) To suspend, revoke, or cancel a certificate of registration for any one or a combination of the violations listed in Section 75-60-19.
- (m) To maintain a written record of all complaints. ( 496 - 498 )
- (n) To investigate complaints. ( 503 - 511 )
- (o) To, when necessary, designate an impartial hearing officer to conduct hearings to determine if any violations of Section 75-60-19 have been committed by a proprietary school or college. ( 534 - 576)
- (p) To act by and through a hearing officer to issue subpoenas in accordance with Section 75-60-19(4). ( 534 - 576)
- (q) To impose civil penalties and administrative sanctions as prescribed in Section 75-60-19(6), for any violations prescribed in Section 75-60-19. ( 577 - 617 )
- (r) To petition the Chancery Court of the county in which a person or agent performs without registration. ( 629 -640 )
- (s) To request to be represented by the Attorney General, or District Attorney of the county where action is brought against a school or person performing without registration. ( 637 - 640 )
- (t) To issue a temporary certificate of registration or agent's permit in accordance with Sections 75-60-11 and 75-60-25 respectively.
- (u) To revoke an agent's permit in accordance with Section 75-60-33.

**NOTE: THE NUMBERS IN PARENTHESES AT THE END OF EACH ITEM REFERENCE LINE NUMBERS OF SENATE BILL 2636.**



**POLICIES GOVERNING COMMISSION ON PROPRIETARY SCHOOL  
AND COLLEGE REGISTRATION ACTIVITY**

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## COMMISSION MEETING SCHEDULE

3.1

1. The Commission may take action only when in official session, and as reflected by Commission's minutes. Opinions and personal comments of individual Commission members are non-binding and do not constitute an official position of the Commission.
2. Regular Scheduled Meetings  

The Commission on Proprietary School and College Registration shall meet bimonthly on the third Thursday, at 1:00 P.M., 3825 Ridgewood Road, Room 507, Jackson, MS 39211, beginning with the month of August, 1992.
3. Called Meetings  

The Commission on Proprietary School and College Registration shall meet for called meetings, on Tuesdays, at 1:00 P.M., 3825 Ridgewood Road, Room 507, Jackson, MS 39211.
4. The Commission may change or alter its meeting time by official action of the Commission and appropriate notification of such changes to members, the media, and schools.

## COMMISSION AGENDA

3.2

1. The Chairperson and Director shall confer and prepare the agenda which is to be considered by the Commission. Matters of emergency which arise after this process or items which could not have been anticipated may be presented for discussion by the Commission.
2. Any item may be placed on the agenda by any Commission Member.
3. All requests for items to be placed on the agenda shall be received by the Director, at least twelve (12) calendar days prior to the scheduled bimonthly meeting.
4. Matters not on the agenda will not be considered by the Commission except when a majority of the Commission is present and voting concurs that an additional item be included which did not arise in time to be placed on the regular agenda, or items which were omitted by clerical error, and which are of such a nature that the Commission's consideration is required in the current meeting.
5. The Standard Format for the Agenda will be as follows:

**REGULAR SCHEDULED MEETING**  
**COMMISSION ON PROPRIETARY SCHOOL AND COLLEGE REGISTRATION**  
**DATE**  
**1:00 P.M.**  
**Jackson, Mississippi**

**AGENDA**

- I. CALL TO ORDER**
  
- II. PRELIMINARIES**
  - A. Invocation**
  - B. Acknowledgments/Introductions**
  - C. Adjustments/Approval of Agenda**
  - D. Approval of Minutes**
  
- III. DIRECTOR'S REPORT**
  
- IV. PUBLIC PARTICIPATION (15 MINUTES)**
  
- V. REPORTS**
  - A. Current Listing**
  - B. Complaints**
  - C. Other**
  
- VI. ACTION**
  - A. Old Business**
    - 1. Applications**
    - 2. Complaints**
    - 3. Other**
  - B. New Business**
    - 1. Applications**
    - 2. Complaints**
    - 3. Other**
  
- VII. ADJOURNMENT**

## **NOTICES TO COMMISSION MEMBERS**

**3.3**

1. All notices to members shall be mailed postage prepaid to members at their official mailing address shown in the office of the State Board for Community and Junior Colleges.
2. Each member shall submit in writing to the Director for Proprietary School and College Registration any change in the member's mailing address for receipt of official mail.

## **MEMBERS' VOTING**

**3.4**

1. In order for the Commission to conduct its business a quorum of at least three members must be present.
2. A member present may vote for or against any motion, or the member may abstain. Voting by proxy is not permitted.
3. The minutes of the Commission shall reflect the vote of each member on each matter. A unanimous vote may be reflected.
4. Any commission member who may obtain pecuniary benefit from action on any application, either for himself/herself, a relative or for any business for which he/she is associated, shall not vote on said application. Such member shall however be allowed to present information to the members of the commission as a representative of the institution through which the pecuniary benefit is associated, but shall not be involved in commission deliberations regarding such application.

## **COMMISSION MINUTES**

**3.5**

1. The minutes of the Commission shall be the responsibility of the Director. In instances when the Commission may find it necessary to excuse the Director from the meeting, the Commission Chairperson shall appoint a member to record the minutes.
2. All proposed minutes shall become the official minutes upon approval by the Commission.
3. The director may secure such assistance as is necessary for the preparation of the minutes or may designate staff to prepare the minutes.
4. Approved minutes will be on file in the office of the Director for Proprietary School and College Registration.

## **COMMISSION OFFICERS AND THEIR SELECTION**

**3.6**

1. There shall be the following officer for the Commission:
  - A. Chairperson
2. This officer of the Commission shall be elected annually in the June meeting, for a term of one year, with terms to commence on July 1st.

## **COMMISSION ADMINISTRATIVE PROCEDURES**

**3.7**

1. When the Commission adopts, amends or repeals any of its policies or procedures, the Director shall file with the Secretary of State notice of such intended action, and provide notice as required.
2. Notice of such action shall be filed at least thirty (30) days prior to the adoption of the rule, amendment, or repeal except when imminent peril to the public health, safety or welfare requires adoption of a rule upon fewer than thirty (30) days notice. Thereafter, when the Commission adopts a rule, amendment, or repeal, the Director shall file with the Secretary of State a certified copy of the rule, amendment, or repeal. The action shall become final thirty (30) days after the filing of the certified copy with the Secretary of State.

## **COMMISSION MEMBERS' COMPENSATION/REIMBURSEMENT**

**3.8**

1. The members of the Commission shall receive no annual salary, but may receive per diem compensation as authorized by Section 25-3-69, Mississippi code of 1972, for each day or fraction thereof devoted to the discharge of Commission duties or official Commission meetings.
2. The members of the Commission shall be entitled to reimbursement for expenses such as meals, lodging and other necessary expenses incurred in the discharge of their duties, including the current rate per mile actually and necessarily traveled as authorized by Section 25-3-41, Mississippi Code of 1972.
3. The discharge of official Commission duties shall consist of attending regular and called meetings of the Commission, and attending official meetings at which the attendance of the Commission member(s) is required as an official assignment by the State Board for Community and Junior Colleges.

## **DISTRIBUTION OF REGULATIONS**

**3.9**

Copies of the Commission on Proprietary School and College Registration Regulations for Mississippi Proprietary School and College Registration are available for distribution to the public for a fee of twenty-five cents (\$.25) per page. These copies are available at the following address:

State Board for Community and Junior Colleges  
Proprietary School and College Registration  
3825 Ridgewood Road  
Jackson, Mississippi 39211

## **PUBLIC ACCESS TO COMMISSION RECORDS**

**3.10**

1. Except where prohibited by law, any person shall have the right to inspect or obtain reproduction of any public record of the Commission on Proprietary School and College Registration.
2. The right to inspect public records shall be acquired by a written request. Within five (5) working days after the receipt of the request, written notification of the time, place and method of access shall be provided.
3. The right to obtain a reproduction of a public record shall be acquired by written request. The request must specify which record(s) are to be reproduced and whether the reproductions are to be mailed or received in person. Copies of public records will be available at a cost of twenty-five cents (\$.25) per page or an established fee for specific records.
4. Denial of a request for access to or copies of Commission on Proprietary School and College Registration public records will be in writing and will contain a statement of the specific reasons for the denial.
5. The provisions of this section do not apply to the following:

Government Officials      State Legislators      State Agencies

## **SCHOOL LISTINGS**

**3.11**

1. The Commission on Proprietary School and College Registration will maintain a list of schools holding a valid certificate of registration. This list will be available to the public at a cost of five dollars (\$5.00).
2. The provisions of this section do not apply to the following:

Government Officials      State Legislators      State Agencies

**REPLACEMENT OF CERTIFICATES OF REGISTRATION AND AGENT'S PERMITS**

**3.12**

1. If for any reason, a certificate of registration or agent's permit must be replaced, the school owner or agent must submit the appropriate Affidavit Form and replacement fee to the Commission on Proprietary School and College Registration. The replacement fee for a duplicate certificate of registration or a duplicate agent's permit is five dollars (\$5.00).

**CPSCR FORM- 11** for the certificate of registration

**CPSCR FORM- 13** for the agent's permit.

**Payments should be made to:**

**The Commission on Proprietary School and College Registration**

**DISCLOSURE OF INFORMATION**

**3.13**

1. Any Commission member who may obtain pecuniary benefit from action on any application either for himself/herself, a relative, or for any business for which he/she is associated, shall inform the Director for Proprietary School and College Registration in writing of his/her affiliation with the applicant or application.

The Director for Proprietary School and College Registration shall provide a docket of all applications to be considered for action by the Commission to Commission members along with the meeting notices.

**COMMISSION MEMBERS' PARTICIPATION**

**3.14**

1. Commission members shall be allowed to present information to the commission as a representative of an institution for which a pecuniary benefit is associated. The commission member shall not however be involved in commission deliberations regarding such application.

**APPLICATION REVIEW**

**3.15**

1. All information requested on any application must be submitted in its entirety. Applicants who submit incomplete applications will be notified and allowed fourteen (14) calendar days to submit the required information. If this information is not received within the specified time period, denial of the application will be recommended to the commission at the next commission meeting.
2. All sections of any application must be seemed sufficient and appropriate prior to application approval. If any section of any application is deemed insufficient or inappropriate, the applicant will be notified of the deficiency and the Commission may request additional information from said applicant. Applications will be reviewed based on statutory and

regulatory requirements. After the review of an application the Commission will be informed of any significant findings.

**3. The following provides information regarding analysis of financial resources for the certificate of registration application:**

Sufficient financial information must be submitted so that financial stability can be determined.

A. Financial resources and practices must be such that the following exist:

- (1). There is reasonable expectation of sound financial practices.
- (2). There is evidence presented to suggest that the potential exist for the business to be successful.
- (3). There is reasonable expectation that the business will continue to exist.
- (4). There is evidence presented which indicates sufficient planning has been conducted to provide for the necessary financial obligations required to assume the essential cost associated with operating the business.

B. The following items will also be examined:

- (1). Whether financial statements are associated with an independent licensed certified public accountant or public accountant registered with the appropriate state board of accountancy.
- (2). The Current Ratio
- (3). Whether or not there are past due liabilities.
- (4). Working Capital
- (5). Stockholder's Equity or Net Worth.

**4. Instructional resources must be such that adequate items are available for individual student use.**

***REGULATIONS***



***FOR***  
***MISSISSIPPI COMMISSION ON PROPRIETARY SCHOOL***  
***AND COLLEGE REGISTRATION***

## **REGULATION SECTIONS**

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## **I. INTRODUCTION**

**4.1**

In 1992, Mississippi Senate Bill 2636 transferred the administration of Proprietary School and College Registration from the State Department of Education to the Commission on Proprietary School and College Registration under the State Board for Community and Junior Colleges. The Commission on Proprietary School and College Registration established these regulations to implement Title 75, Chapter 60, Mississippi Code of 1972, as amended.

The mission of proprietary schools applying for registration under the Mississippi Proprietary School and College Registration Law varies greatly, from those with a single program and purpose, to those with many programs that are highly complex. The purpose of the law and regulations is to allow proprietary schools and colleges that have adequate facilities, resources, and faculty, the opportunity to obtain a certificate of registration. The law and regulations are further designed to insure that students are provided learning experiences which are conducive to the achievement of the objectives of the programs being provided to them in exchange for their enrollment fees.

## **II. PROCEDURE FOR OBTAINING APPLICATIONS**

**4.2**

- A. Any person interested in making application for a certificate of registration or an agent's permit under the Mississippi Proprietary School and College Registration Law should contact, in writing:

State Board for Community and Junior Colleges  
Commission on Proprietary School and College Registration  
3825 Ridgewood Road  
Jackson, MS 39211

Telephone: (601) 432-6518

- B. The application packet fee is \$25.00 and must be submitted by check or money order.
- C. After receipt of the written request, and a \$25.00 application fee, each prospective applicant will be mailed a copy of the Mississippi Proprietary School and College Registration Regulations and a copy of the application packet.

## **III. ISSUANCE OF CERTIFICATES OF REGISTRATION**

**4.3**

- A. A certificate of registration shall be granted or denied within sixty (60) days after receipt of the completed application by the Commission on Proprietary School and College Registration. If a certificate cannot be issued within the 60-day period and

the school has submitted all the required information, the Commission on Proprietary School and College Registration may issue a temporary certificate. A temporary certificate will be valid until the Commission on Proprietary School and College Registration makes its determination.

- B. A certificate of registration is only valid for the school and courses for which it is issued. A certificate of registration does not include other schools or additional locations, unless the Commission on Proprietary School and College Registration has approved annex or franchise locations on the certificate of registration application or certificate of registration renewal application.
- C. The Commission on Proprietary School and College Registration may suspend, revoke, or cancel a certificate of registration for any one or a combination of the causes specified in Section 75-60-19, Mississippi Code of 1972, as amended. In the event that the Commission on Proprietary School and College Registration has cause to suspend, revoke, or cancel a certificate, the procedure outlined in Section 75-60-19 will be followed.

#### **IV. ISSUANCE OF AGENT'S PERMITS**

**4.4**

- A. In order for an individual to sell a course of instruction for a school or solicit students to enroll in a course of instruction at a school, he/she must first secure an agent's permit from the Commission on Proprietary School and College Registration.
- B. The application for an agent's permit will be approved or denied within thirty (30) days after the completed application has been received by the Commission.
- C. A pocket card will be issued to the applicant upon approval for a permit. This card will give the agent's name, address, permit number and the name and address of the employing school, and will certify that the person whose name appears on the card is an authorized agent of the school.
- D. The permit is valid for one (1) year from the date on which it was issued.
- E. If the Commission has not made a determination within the allotted time period, it may issue a temporary permit. A temporary permit will be valid until the Commission makes its determination.

#### **V. EXEMPTIONS FOR A CERTIFICATE OF REGISTRATION**

**4.5**

Section 75-60-5, Mississippi Code of 1972, as amended, identifies categories of courses, schools or colleges for which the Mississippi Proprietary School and College Registration Law and Regulations do not apply.

## **VI. ADDITIONAL LOCATIONS THAT A CERTIFICATE OF REGISTRATION MAY INCLUDE**

**4.6**

A certificate of registration is valid only for the school and courses for which it is issued. The certificate of registration does not include other schools or additional locations of a school, unless the Commission on Proprietary School and College Registration has approved these locations on the certificate of registration application or certificate of registration renewal application.

### **A. Annex Locations**

1. An annex is an additional location that a certificate of registration may include if:
  - a. The location offers exactly the same courses as the registered school location; and
  - b. The location is under the same ownership, management and control as that of the registered location (Please refer to the glossary for definitions of these terms).
2. An annex location must be applied for on the certificate of registration application or certificate of registration renewal application.
3. Gross annual tuition revenues for the registered location and each individual annex location must be combined for the purpose of determining fees payable. Tuition for each location must be reported individually on CPSCR FORM- 8 (See Appendix B).

These fees include:

1. The Additional Fee (required for the initial certificate of registration)
  2. The Renewal Fee
  3. The Delinquent Fee
4. The annex location must meet all the requirements set forth in Title 75, Chapter 60, Mississippi Code of 1972, as amended, and in these Regulations.
  5. Annex locations are subject to the same requirements as any other institution licensed by the Commission on Proprietary School and College Registration. This shall include, but is not limited to the following:
    - a. Providing complete verification of all information and commitments made in the application for a certificate of registration or renewal, including but not limited to the following:

General School Information

Instructional Equipment  
 Job Placement Services  
 The Student Enrollment Contract  
 Additional Information  
 Annex Locations  
 Facility Information  
 Program of Study Information  
 Instructors  
 Student Grievance Procedure  
 School Ownership  
 Evaluation System  
 Disclosure of Information to Students  
 Documents Verifying Completion of A Program of Study  
 Financial Resources Information  
 Adherence to Refund Policy  
 Administrators  
 Bond Information

- b. Making available all records related to the above statement, and that such records are current and available upon request.
- c. Meeting all applicable health and safety standards that may be required by local, state and federal agencies.
- d. The Agreement to notify the Commission of changes in any of the following:

Ownership	Job Placement Service
Agents	School Director
Instructors	Financial Stability
Programs of Study	Evaluation System
Facility Standards	School Name
A Cohort Default Rate>19%	Instructional Equipment
The loss of financial aid program eligibility	

- e. Agreement to maintain all premises, equipment, and facilities of the school in adequate, safe, and sanitary condition.
  - f. Agreement to make enrollees accessible to be interviewed for the purpose of securing information to verify compliance with the conditions of the application for a certificate of registration or certificate of registration renewal.
6. Annex locations are subject to announced and unannounced visitation by representatives of the Commission on Proprietary School and College Registration, and/or State Board for Community and Junior Colleges.

7. Annex locations must have the same name as the registered location, distinguishable by individual site location.
8. All policies, procedures, tuition, fees, catalogs, and academic calendars utilized at the registered location must also be utilized at the annex location.
9. If a certificate of registration is suspended, revoked, or canceled by the Commission on Proprietary School and College Registration, the registered school and all annex locations must comply.
10. The approved annex location will be a permanent additional location of the registered school. This location must always be identified as an annex location on each application for a certificate of registration renewal.

## **VII. REFUND POLICY**

**4.7**

Each school is required to take and keep a record of student attendance for each individual course meeting.

Any school issued a certificate of registration by the Commission on Proprietary School and College Registration must comply with the pro rata student tuition refund policy provided in Section 75-60-18, Mississippi Code of 1972, as amended.

## **VIII. DISCLOSURE OF INFORMATION TO STUDENTS**

**4.8**

Prospective students are entitled to sufficient data which will assist them with making informed decisions regarding training opportunities and institutions. A school is therefore obligated to provide sufficiently detailed data in advance of enrollment to enable prospective students to clearly understand their opportunities, limitations and obligations.

The following information must be fully disclosed to prospective students prior to enrollment and prior to the signing of an enrollment contract or agreement.

- \*A. Recruiting Policies
- \*B. Admission Requirements
- \*C. Academic Calendars
- \*D. Grading System Used By the School
- \*E. Graduation Policy
- \*F. Program Length
- \*G. Objectives of the Programs of Study
- \*H. Licensing Requirements for Jobs
- \*I. Student Support Services
- \*J. Campus Security Policy
- K. School's Refund Policy

- \*L. Withdrawal Procedures
- M. Tuition and Fees
- N. The percentage of students who have completed their program of study within 150% of the normal time for completion of or graduation from the program of study (Normal Time defined in Glossary)
- O. The percentage of your graduates employed in their field of study or related field, within six months after completion of or graduation from their program of study
- P. The percentage of student mastery of stated program of study goals (Student Mastery defined in Glossary)
- Q. A list of postsecondary educational institutions that have accepted credits from your institution

\*The items listed above that are marked with an asterisk may be disclosed via the student catalog.

The items listed above that are not marked with an asterisk must be provided separately from the student catalog and enrollment contract or agreement. This information must be provided to prospective students via CPSCR FORM- 14 (INSTITUTION DISCLOSURE OF INFORMATION FORM). This form must be maintained by the school for verification of compliance with this regulatory requirement.

## **IX. ADMISSIONS & RECRUITMENT 4.9**

- A. Admissions
  - 1. The admission policy shall conform to the school's philosophy and objectives, shall be publicly stated, (printed and made available to its students) and shall be administered as written.
  - 2. The school is required to maintain student records which reflect the requirements for admission of all students.
- B. Recruitment
  - 1. Recruiting shall be ethical and compatible with the educational objectives of the school.
  - 2. The school should provide, in writing, the information being communicated to students. This will insure that each representative is communicating current and accurate information. Recruitment information should include the following:
    - a. Programs of Study and Individual Courses
    - b. Tuition and Fees
    - c. Terms
    - d. School Operating Policies



- e. Certificates
  - f. Diplomas
  - g. Transfer of Credit Hours
  - h. Graduation Policies
  - I. The percentage of students who have completed their program of study within 150% of the normal time for completion of or graduation from the program of study (Normal Time defined in Glossary)
  - j. The percentage of your graduates employed in their field of study or related field, within six months after completion of or graduation from their program of study
3. Representatives of the school shall use only those titles which accurately reflect their actual duties and responsibilities.

**X. ADVERTISEMENT 4.10**

- A. Any promotional literature used by a school must be presented in such a manner as to be factual with respect to services offered and/or benefits received.
- B. A school licensed by the Commission on Proprietary School and College Registration shall use the statement "Licensed by the Mississippi Commission on Proprietary School and College Registration, Certificate No. \_\_\_\_\_" on all advertising, both oral and written, and on all school publications.

**XI. RECORDS 4.11**

- A. Each school shall develop and maintain adequate records pertaining to students and the school's administrative operations. These records should include, but are not limited to the following:
  - 1. Student attendance for each individual course meeting.
  - 2. Administrators
  - 3. Instructors
  - 4. Staff
  - 5. Student activities
  - 6. Student academic records
  - 7. Student enrollment
  - 8. Student admission
  - 9. Student enrollment contracts
  - 10. Financial aid information
  - 11. Job placement service information
  - 12. Program of study and individual courses
  - 13. Graduation information
  - 14. Instructional supplies and equipment
  - 15. The Library or the Instructional Resource Center
  - 16. The physical facility

17. Student withdrawals
  18. Student refund policy
  19. Student financial records (tuition, fees, payments, refunds, etc.)
  20. Student complaints
- B. A permanent academic record (transcript) shall be maintained of the student's progress. Compatible with the school's philosophy and objectives, the transcript shall indicate student accomplishment in terms of clock hours, units of credit, or some other recognized system. The grading system used shall be fully explained on the transcript.
  - C. Each school shall maintain a record listing of all students who enroll which shall include, but is not limited to the student's name, address, telephone number, social security number, programs of study, start date, and anticipated graduation date. This information should be current as of the date on which the student enrolls and shall be available for inspection by or submission to the Commission on Proprietary School and College Registration.
  - D. All basic records and reports pertaining to students and staff shall be maintained so that they will be safe from theft, fire, or other possible loss.
  - E. In the event that a school closes its facility, the Commission on Proprietary School and College Registration must be informed of:
    1. The location of all student records; and
    2. Information pertaining to how students may obtain these records.

**XII. CERTIFICATES OR DIPLOMAS 4.12**

The conferring of **diplomas, degrees, certificates, or other written evidence of proficiency** issued by a school shall be consistent with applicable state laws.

**XIII. INSTRUCTIONAL RESOURCES AND MATERIALS 4.13**

- A. The instructional resources, including audiovisual teaching equipment and instructional materials, shall meet the needs of the school's educational program.
- B. An evaluation of this material may be conducted to verify items listed on the application under Section XIX- Equipment.
- C. A business school should have available, and make easily accessible, to faculty and students such standard reference works as a current unabridged dictionary, a current world almanac, thesaurus, recent editions of handbooks appropriate to the curriculum, current periodicals, a set of encyclopedias, and other references relative to the educational philosophy and objectives of the school.

Major consideration will be given to the variety of volumes and periodicals readily available to students and faculty, the date of publication, appropriateness, and usefulness to the program.

- D. Each individual trade area shall have a carefully chosen text for each student with adequate, up-to-date reference materials and periodicals in the particular area of training.
- E. The instructional resources may be consolidated or may be distributed throughout the educational facility. Easy access to and use of reference materials and periodicals are of prime importance in determining if the school is meeting the educational needs of its students and faculty. Availability and utilization of audiovisual equipment is also important.

#### **XIV. EDUCATIONAL FACILITIES**

**4.14**

- A. Each school must provide an environment that is conducive to effective instruction, promotes learning, and supports the educational programs offered by the school.
- B. The buildings, classrooms, equipment, furniture, grounds, instructional tools, instructional facilities, machinery, and other physical requirements of the educational program shall be appropriate and shall contribute to the achievement of the educational philosophy and objectives of the school.
- C. The school shall meet the general test of safety, usefulness, cleanliness, maintenance, health, lighting, and compliance with any local or state laws governing physical facilities, particularly with respect to fire, safety, and sanitation.

#### **XV. CLASSROOM FACILITIES**

**4.15**

##### **A. Academic Classes**

##### **1. Classroom size**

Regular classrooms shall contain a minimum of 600 square feet of floor space, or a minimum of 20 square feet per student enrolled, whichever is greatest.

##### **2. Equipment**

Every classroom shall provide appropriate equipment for students and teachers.

- a. Individual student seats and desks or tables and chairs chosen for comfort
- b. Teacher's desk
- c. Filing and storage facilities
- d. Sufficient amounts of chalkboard and tack board
- e. Shades or venetian blinds to improve visual comfort and efficiency
- f. Adequate laboratory facilities, equipment, and supplies for courses offered

B. Technical and Apprenticeship Trades

1. Classroom Size

The minimum size of the classroom shall be 600 square feet and equipped to provide the greatest possible learning experience.

2. Classroom Equipment will conform to the section under academic.

3. Shop Area Size

The shop size shall meet the standards prescribed by the Bureau of Vocational-Technical Education of the State Department of Education for a particular trade.

4. Shop Equipment

The shop equipment shall meet the minimum standard equipment list that is prepared by the Bureau of Vocational-Technical Education of the State Department of Education for each of the different trade areas.

**XVI. TEACHER QUALIFICATIONS**

**4.16**

A. Academic Classes

1. The classroom teacher shall have a high school diploma or equivalent.

2. The classroom teacher shall also have additional training as follows:

- a. A degree, certificate, or license in subject area; or related area; or
- b. 18 semester hours of credit from an accredited institution in the subject area in which he/she is teaching; or
- c. 12 semester hours in methods and techniques of teaching; and/or
- d. A minimum of 3 years work experience in the subject area.

B. Technical or Apprenticeship Trades

1. Qualifications of the Instructor of Technical Education

a. The classroom teacher shall have a high school diploma or equivalent.

b. The classroom teacher shall also have additional training as follows:

- (1) Certificate, license or degree in the subject area or related field; or

- (2) 18 hours of credit from an accredited institution in mathematics and/or science, or courses related to the subject area; or
- (3) 3 years work experience in the technical area, or related area.

2. Qualifications of the Instructor of Apprenticeship Trades

- a. The teacher shall have a high school diploma or equivalent
- b. The teacher shall also have additional training as follows:

- (1) The teacher shall have 3 years work experience above the learner's level in the trade to be taught; and

- (2) The teacher shall have recognized standing as a tradesman or specialist supported by evidence from previous employers.

- C. When, in cases of emergency, sickness, etc., a regularly approved instructor is unable to perform his/her duties, and an alternate instructor is required to substitute for more than two consecutive weeks, the Commission on Proprietary School and College Registration must be notified and the credentials of the substitute submitted to the Commission. In the event that a teacher leaves and a new teacher is employed to replace that instructor, the school shall give the Commission notice of the fact within ten (10) days and submit an Instructor Data Form (CPSCR FORM- 7) for the new instructor.
- D. The Commission on Proprietary School and College Registration does not appoint teachers; however, the Commission has a direct duty and responsibility in passing upon their qualifications. The right of acceptance carries with it the right of revoking such acceptance for cause.

**XVII. STUDENT - INSTRUCTOR RATIO**

**4.17**

- A. The student-teacher ratio should be reasonable at all times in keeping with general accepted teaching modes for the subject matter. Skills training require more individual instruction or attention thereby requiring smaller classes.
- B. Academic Classes
  1. No classroom teacher shall have over (30) students enrolled and/or the school average shall not exceed 29 students per teacher, except as specifically approved by the Commission on Proprietary School and College Registration.
  2. Ratios for laboratory or clinical instruction shall not exceed 15 students per teacher.
- C. Technical or Apprenticeship Trades

1. The student-teacher ratio shall not exceed 20 to 1.
2. Ratios for laboratory or clinical instruction shall not exceed 15 students per teacher.

## **XVIII. EDUCATIONAL STANDARDS**

**4.18**

- A. The course content and length of instruction shall be of such nature and quality as to assure that the students will adequately develop the job skills and knowledge necessary for obtaining employment in the occupation for which the instruction is offered.
- B. Any educational institution licensed by the Commission on Proprietary School and College Registration shall be maintained and operated in compliance with the following standards:
  1. Instructional content and length
    - a. All programs must be of vocational nature by developing competencies needed for employment in a recognized occupation as defined in the current edition of Dictionary of Occupational Titles, published by the United States Department of Labor, or occupations generally recognized by the industry in which the occupation is classified.
    - b. Programs of study must adequately cover the subject, must be clearly presented, and must be in accordance with the best current knowledge and practice of trade, professional or manufacturing standards. Study must extend over a period of time sufficient to complete the work with standards appropriate for employment in the occupation for which trained or in a closely related occupation.
    - c. The programs of study must be consistent in quality, content, and length with similar programs in public or private institutions in the state which are approved by the State Department of Education for vocational education.
  2. Instructional practices: Schools shall provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes (a) well defined instructional objectives, (b) systematic planning, (c) selection and use of varied types of learning materials and experiences, (d) adaptation of organization and instructional procedures to student needs, (e) use of varied evaluation instruments and procedures, and (f) good student and teacher morale.

- C. The Commission on Proprietary School and College Registration will evaluate course content and length of instruction on individual applications.

**XIX. COMPLAINTS REGISTERED AGAINST A LICENSED AGENT 4.19**

- A. A complaint relative to any of the violations and causes specified under Section 75-60-33, Mississippi Code of 1972, as amended, must be submitted in writing to the Commission on Proprietary School and College Registration by a parent and/or student.
- B. Upon receipt of the written complaint, the Commission will maintain a written record of the complaint.
- C. The Commission will notify the complainant of receipt of the complaint and request further information if necessary.
- D. Evaluation of the complaint will be based on the violations and causes specified under Section 75-60-33, Mississippi Code of 1972, as amended.
- E. The Commission will notify the school, in writing, of the complaint. An informal conference with the agent and a school representative may be scheduled at this time, if needed. A written response to the issues in the complaint may be requested.
- F. If the complaint is resolved, at this time, written documentation of the resolution will be placed in the school file. The complainant and school will be notified of the resolution agreement.
- G. If the complaint is not resolved by the Commission, agent, school representative, and complainant, a public hearing may be scheduled in an effort to resolve the differences. The person(s) making the complaint and representative(s) of the school will be notified to appear at the scheduled hearing in accordance with Sections 75-60-19 and 75-60-33, Mississippi Code of 1972, as amended.

At the hearing, the Hearing Officer will allow representative(s) of the school and the complainant(s) to give in detail the circumstances relating to the complaint. The Hearing Officer will make a recommendation to the Commission based on the evidence presented. Both the school and the complainant(s) will be advised, in writing, of the Commission's decision within thirty (30) days after the Commission has made its decision.

- H. Complainants whose complaints are not relative to Section 75-60-19, will be given referrals to the appropriate source if such information is available.

**XX. COMPLAINTS REGISTERED AGAINST A LICENSED SCHOOL OR COLLEGE 4.20**

- A. Any complaints relative to any of the violations and causes specified under Section 75-60-19, Mississippi Code of 1972, as amended, must be submitted in writing to the Commission on Proprietary School and College Registration by a parent and/or student.
- B. The complaint must be submitted within two (2) years of the alleged violation.
- C. Upon receipt of the written complaint, the Commission will maintain a written record of the complaint.
- D. The Commission will notify the complainant of receipt of the complaint and request further information if necessary.
- E. The School Director will be notified that a complaint has been made and, where appropriate, the nature of the complaint.
- F. An investigation will be commenced within twenty (20) days of receipt of the complaint.
- G. A written finding will be issued within ninety (90) days of receipt of the complaint. This finding will be sent to the complainant, the School Director, and placed in the school file.
- H. If it is determined that a violation of Section 75-60-19, Mississippi Code of 1972, as amended, has occurred, the procedure outlined in Section 75-60-19 of the above referenced Code will be employed.

**XXI. HEARING PROCEDURE**

4.21

Upon a finding that there is good cause to believe that a school, or an officer, agent, employee, partner or teacher, has committed a violation of Section 75-60-19, Mississippi Code of 1972, as amended.

- A. The Commission shall initiate proceedings by serving a notice of hearing upon each and every such party subject to the administrative action. The school or such party shall be given reasonable notice of the hearing, including the time, place and nature of the hearing and a statement sufficiently particular to give notice of the transactions or occurrences intended to be proved, the material elements of each cause of action and the civil penalties and/or administrative sanctions sought.
- B. Opportunity shall be afforded to the party to respond and present evidence and argument on the issues involved in hearing including the right of cross-examination. In a hearing, the school or such party shall be accorded the right to have its representative appear in person or with counsel or other representative. Disposition may be made in any hearing by stipulation, agreed settlement, consent order, default or other informal method.



- C. The Commission shall designate an impartial hearing officer to conduct the hearing, who shall be empowered to:
1. Administer oaths and affirmations; and
  2. Regulate the course of the hearings, set the time and place for continued hearings, and fix the time for filing of briefs and other documents; and
  3. Direct the school or such party to appear and confer to consider the simplification of the issues by consent; and
  4. Grant a request for an adjournment of the hearing only upon good cause shown. The strict legal rules of evidence shall not apply, but the decision shall be supported by substantial evidence in the record.
- D. The Commission, acting by and through its hearing officer, is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers at such hearing. Process issued by the Commission shall extend to all parts of the state and shall be served by any person designated by the Commission for such service. Where, in any proceeding before the hearing officer, any witness fails or refuses to attend upon a subpoena issued by the Commission, refuses to testify, or refuses to produce any books and papers the production of which is called for by a subpoena, the attendance of such witness, the giving of his testimony or the production of the books and papers shall be enforced by any court of competent jurisdiction of this state in the manner provided for the enforcement of attendance and testimony of witnesses in civil cases in the courts of this state.
- E. Decision after hearing. The hearing officer shall make written findings of fact and conclusions of law, and shall also recommend in writing to the Commission a final decision, including penalties. The hearing officer shall mail a copy of his findings of fact, conclusions of law and recommended penalty to the party and his attorney, or representative. The commission shall make the final decision, which shall be based exclusively on evidence and other materials introduced at the hearing. It is determined that a party has committed a violation, the Commission shall send by certified mail, return receipt requested, a copy of the final order to the party and his attorney, or representative. The Commission shall, at the request of the school or such party, furnish a copy of the transcript or any part thereof upon payment of the cost thereof.
- F. Civil penalties and administrative sanctions.
1. A hearing officer may recommend, and the Commission may impose, a civil penalty not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for any violation of this section. In the case of a second or further violation committed within the previous five (5) years, the liability shall be a civil penalty not to exceed Five Thousand Dollars (\$5,000.00) for each violation.
  2. Notwithstanding the provisions of paragraph (a) of this section 75-60-19(6), Mississippi Code of 1972, as amended, a hearing officer may recommend and the

Commission may impose a civil penalty not to exceed Twenty-five Thousand Dollars (\$25,000.00) for any of the following violations:

- a. operation of a school without a registration in violation of this chapter;
  - b. operation of a school knowing that the school's registration has been suspended or revoked;
  - c. use of false, misleading, deceptive fraudulent advertising;
  - d. employment of recruiters on the basis of a commission, bonus or quota, except as authorized by the commission;
  - e. directing or authorizing recruiters to offer guarantees of jobs upon completion of a program of study or individual course;
  - f. failure to make a tuition refund when such failure is part of a pattern of misconduct; or
  - g. violation of any other provision of this chapter, or any rule or regulation promulgated pursuant thereto, when such violation constitutes part of a pattern of misconduct which significantly impairs the educational quality of the program or programs being offered by the school. For each enumerated offense, a second or further violation committed within the previous five (5) years shall be subject to a civil penalty not to exceed Fifty Thousand Dollars (50,000.00) for each such violation.
3. In addition to the penalties authorized in paragraphs (a) and (b) of section 75-60-19(6), Mississippi Code of 1972, as amended, a hearing officer may recommend and the commission may impose any of the following administrative sanctions: (i) a cease and desist order; (ii) a mandatory direction; (iii) A suspension or revocation of a certificate of registration; (iv) a probation order; or (v) an order of restitution.
  4. The Commission may suspend a registration upon the failure of a school to pay any fee, fine or penalty as required by this chapter unless such a failure is determined by the Commission to be for good cause.
  5. All Civil penalties, fines and settlements received shall accrue to the credit of the State General Fund.
- G. Any penalty or administrative sanction imposed by the Commission under this section may be appealed by the school, college or other person affected to the State Board for Community and Junior Colleges as provided in Section 75-60-4(3), Mississippi Code of 1972, as amended, which appeal shall be on the record previously made before the commission's hearing officer. All appeals from the State Board for Community and Junior Colleges shall be on the record and shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi.

## **XXII. EMPLOYMENT BASED ON COMMISSION**

### **4.22**

No school may employ a recruiter on the basis of a commission, bonus or quota.

### **XXIII. CHANGES DURING THE TWO-YEAR LICENSURE PERIOD**

**4.23**

A. The Commission on Proprietary School and College Registration must be informed of any changes in the following areas:

1. Ownership
2. Agents
3. Instructors
4. Programs of Study
5. Evaluation Methods
6. Job Placement Service
7. Administrators
8. Financial Stability
9. School Name
10. A Cohort Default Rate > 19%
11. The loss of financial aid program eligibility

B. Change of Ownership

Certificates of registration are not transferrable, therefore in the event of a change of ownership of a school, the new owner must apply for a certificate of registration within thirty days after the change of ownership has occurred.

If the Commission on Proprietary School and College Registration grants the certificate of registration it becomes valid upon the Commission's receipt of legal verification of the change of ownership.

### **XXIV. EVALUATION OF A SCHOOL**

**4.24**

The Commission on Proprietary School and College Registration may conduct periodic announced and unannounced evaluations of a school.

These evaluations will be to determine if the school is complying with the Mississippi Proprietary School and College Registration Law and Regulations. This evaluation will also be used to verify that the school is in compliance with material presented in its application.

Any of the following areas may be evaluated during visitation:

- A. General School Information (Location, Telephone, Advertisements, etc.)
- B. Type of Ownership
- C. Personnel
- D. Equipment
- E. Evaluation System
- F. Job Placement Services
- G. Disclosure of Required Information to Students
- H. Financial Resources

- I. Facilities
- J. Refund Policy Procedures
- K. Program of Study and Individual Course Information

The school will be notified of the results of the evaluation, and may be requested to provide information concerning any questionable areas.

## **XXV. SCHOOL CLOSING**

**4.25**

In the event that a school closes a facility, the following is required:

- A. The Commission on Proprietary School and College Registration must be informed within sixty (60) days of:
  - 1. Proof of official closing date.
  - 2. Proof of reason for the closure.
  - 3. Proof of method developed to assist students with the completion of their program of study and individual courses.
  - 4. Proof of notice sent to all currently enrolled students, notifying them of the closure.
  - 5. Proof of notice given to students indicating where they may obtain any of their records.
  - 6. Proof of disposition of student records, with a contact person, complete address, and telephone number and how students may be obtained.
  - 7. Proof of notice sent to all students who have paid for any tuition and/or fees for future enrollment in a program of study or individual course informing them of the closure, and refund information.
- B. In the event a school files a bankruptcy petition, a certified copy must be filed with the Commission on Proprietary School and College Registration.

## **XXVI. SCHOOL LISTING**

**4.26**

The Commission on Proprietary School and College Registration will maintain a list of schools holding a valid certificate of registration in accordance with Title 75, Chapter 60, Mississippi Code of 1972, as amended. This list will be available to the public at a cost of \$5.00.

## **XXVII. REQUIREMENTS FOR SUBMITTING APPLICATIONS**

**4.27**

This section provides the requirements for submitting applications to the Commission on Proprietary School and College Registration. Please be advised that the Commission may request additional information needed to make a determination regarding any application.

- A. Certificate of Registration

The following information must be returned simultaneously to the Commission on Proprietary School and College Registration for action.

1. The application form completed in its entirety and signed by the school owner. Be certain that all sections (I -XXIV) are completed and included.
2. A non-refundable application fee of Five Hundred Dollars (\$500.00) payable to the Commission on Proprietary School and College Registration must accompany the application. The initial fee for all approved applicants also includes an additional fee. Such fee is based upon the applicant school's gross tuition income collected during the first year after registration, and according to the following schedule (Please be advised that the gross annual tuition income for all annex locations must be included):

Gross Annual Tuition Income	Fee
0 - \$1,249,999	2/10 of 1%
\$1,250,000 or above	1/10 of 1%

The maximum fee is \$10,000.00. The minimum fee is \$50.00.

This additional fee is to be paid within thirty (30) days after the first year of registration ends.

3. A surety bond in the penal sum of Fifty Thousand Dollars (\$50,000.00). The bond form must be completed by the Insurance Company or Agency and signed by a Mississippi Resident Agent. CPSCR FORM- 2 for the School Bond is included in the application packet.

Applicants may file in lieu of the bond, cash, a certificate of deposit or government bonds in the amount of Fifty Thousand Dollars (\$50,000.00).

#### B. Certificate of Registration Renewal

The following information must be returned simultaneously to the Commission on Proprietary School and College Registration at least thirty (30) days prior to the expiration date of the current certificate.

1. The Certificate of Registration Renewal Application completed in its entirety, and signed by the school owner. Be certain that all sections (I - XXIV) are completed and included.
2. An application renewal fee of \$250 is payable to the Commission on Proprietary School and College Registration. The gross annual tuition renewal fee is based upon the school's gross tuition income collected during the previous license year, and according to the following schedule (Please be advised that the gross annual tuition income for all annex locations must be included):

Gross Tuition Income	Fee
0 - \$1,249,999.00	2/10 of 1%
\$1,250,000.00 or above	1/10 of 1%

The maximum fee is \$10,000.00. The minimum fee is \$50.00.

The renewal fee must accompany the application. Both the renewal application and renewal fee must be received in the office of the Director for Proprietary School and College Registration at least thirty (30) days prior to the expiration date of the school's current certificate of registration.

3. If the renewal fee and application are not received at least thirty (30) days prior to the expiration date of the school's current certificate of registration, in addition to the renewal fee, a delinquent fee will be charged.

The amount of the delinquent fee will be as follows:

1/10 of 1% of the school's gross tuition income collected during the previous license year.

For school's with annex locations the gross tuition income for the registered school must be combined with the gross tuition income of all annex locations to determine the amount of the delinquent fee payable.

This information must be reported individually for each location on CPSCR FORM-8.

4. If the renewal application and renewal fee are not received by the expiration date of the current certificate of registration:
  - a. The current certificate of registration will expire and the school or college must reapply as a new applicant.
  - b. The registered school and all annex and franchise locations will be notified to cease operation. A copy of this notification will be sent to the Attorney General's Office.

### C. Program of Study

1. Refer to the Glossary for the definitions of a program of study and individual course.
2. The following information must be returned simultaneously to the Commission on Proprietary School and College Registration for action:

- a. The application for Program of Study-Description.
- b. The application fee of One Hundred Dollars (\$100.00).
- c. The Instructor Data Form for all new instructors required to implement the new program of study.

3. All programs of study must be approved by the Commission on Proprietary School and College Registration prior to being offered to students.

D. The Instructor Data Form

The Commission on Proprietary School and College Registration does not appoint teachers; however, the Commission has a direct duty and responsibility in passing upon their qualifications.

The Instructor Data Form must be completed in its entirety and submitted to the Commission on Proprietary School and College Registration. Transcripts, certificates, licenses, and verification of High School graduation must accompany the application.

E. The School Director Data Form

The Commission on Proprietary School and College Registration does not appoint administrators; however, the Commission has the authority and responsibility to pass upon their qualifications.

The School Director Data Form must be completed in its entirety and submitted to the Commission on Proprietary School and College Registration.

F. An Agent's Permit

1. The following information must be returned simultaneously to the Commission:

- a. The application for an agent's permit completed in its entirety.
- b. The surety bond requirement of Ten Thousand Dollars (\$10,000.00).
- c. The application fee of One Hundred Dollars (\$100.00), payable to the Commission on Proprietary School and College Registration.

2. If the school does not have a certificate of registration for the State of Mississippi, the following must be submitted along with the application:

- a. A copy of the certificate of registration for the school submitting the application must be included; and
- b. A copy of the school's catalog that will be utilized during the one-year effective period of the agent's permit.

G. Agent's Permit Renewal

1. The following items must be returned simultaneously to the Commission on Proprietary School and College Registration at least thirty (30) days prior to the expiration date of the current agent permit.
  - a. The application for an agent's permit completed in its entirety.
  - b. The surety bond requirement of Ten Thousand Dollars (\$10,000.00).
  - c. The application fee of One Hundred Dollars (\$100.00), payable to the Commission on Proprietary School and College Registration.
  - d. A notice of continuation on the Ten Thousand Dollar (\$10,000.00) Surety Bond from the Insurance Company or a new bond if the previous bond has been canceled, or is not in the penal sum of Ten Thousand Dollars (\$10,000.00).
2. If the application for renewal of an agent's permit is not received by the expiration date, the school will be notified that the agent cannot solicit students for the school. A copy of this letter will be sent to the Attorney General's Office.

The applicant must then reapply as a new applicant.



## *APPENDICES*

APPENDIX A

APPLICATION FEES

(These fees are not subject to Refund)

1. Certificate of Registration

- A. An initial fee of \$500 must accompany each application, plus an additional fee based upon the school's gross tuition income collected during the first year after registration (Please be advised that the gross annual tuition income for all annex locations must be included):

<u>Gross Annual Tuition Income</u>	<u>Fee</u>
0 - \$1,249,999	2/10 of 1%
\$1,250,000 or above	1/10 of 1%

\*\*\* The maximum fee is \$10,000. The minimum fee is \$50. \*\*\*

This fee is to be paid within thirty (30) days after the end of this year.

- B. The application for a certificate of registration must be accompanied by a surety bond in the penal sum of \$50,000. Applicants may file in lieu of the bond, cash, a certificate of deposit, or government bonds in the amount of \$50,000.

2. Certificate of Registration Renewal

- A. An application renewal fee of \$250 is payable to the Commission on Proprietary School and College Registration. The gross annual tuition renewal fee is based upon school's gross tuition income collected during the previous license year, and according to the following schedule (Please be advised that the gross annual tuition income for all annex locations must be included):

<u>Gross Annual Tuition Income</u>	<u>Fee</u>
0 - \$1,249,999	2/10 of 1%
\$1,250,000 or above	1/10 of 1%

\*\*\* The maximum fee is \$10,000. The minimum fee is \$50. \*\*\*

- B. Applications for renewal must be accompanied by a surety bond in the penal sum of \$50,000 if a continuous bond has not been furnished in the penal sum of \$50,000. Applicants may file in lieu of the bond, cash, a certificate of deposit, or government bonds in the amount of \$50,000.

3. Delinquent Fee

- A. A delinquent fee is required if a renewal fee is not paid at least thirty (30) days prior to the expiration date of a school's current certificate of registration. This delinquent fee is in addition to the renewal fee. The delinquent fee is 1/10 of 1% of the school's gross tuition revenues collected during the previous registration year (Please be advised that the gross annual tuition income for all annex locations must be included):

\*\*\* The maximum fee is \$2,500. The minimum fee is \$25. \*\*\*

- B. Failure to pay the assessed delinquent fee may lead to the suspension of the certificate of registration. The reinstatement registration fee for a suspended school is Five Hundred dollars (\$500).

4. Agent Permit

- A. The application for a permit shall be accompanied by a fee of \$100.
- B. The application for a permit shall be accompanied by a surety bond in the penal sum of \$10,000.

5. Agent Permit Renewal

- A. The application for renewal of an agent permit must be accompanied by a fee of \$100.
- B. The application for renewal must be accompanied by a surety bond in the penal sum of \$10,000, if a continuous bond has not been furnished in the penal sum of \$10,000.

6. Application for New Program of Study

- A. Each application for the original registration of a new course must be accompanied by a fee of \$100.

7. Reinstatement Fee

- A. The reinstatement fee for a suspended school is \$500.

**All payments should be made to:  
Commission on Proprietary School & College Registration  
CPSCR**

**PLEASE READ CAREFULLY**

A. ANNEX LOCATIONS

If your certificate of registration is valid for an annex location, to determine the amount of fees payable based on the school's gross tuition income, the gross tuition income for the registered location must be combined with the gross tuition income for each individual annex location.

B. THE FIRST YEAR AFTER REGISTRATION

Twelve (12) calendar months following the effective date of the certificate of registration.

C. THE PREVIOUS LICENSE YEAR

Thirteen (13) calendar months prior to the expiration date of the current certificate of registration.

***APPENDIX B  
(CPSCR FORMS)***



STATE OF MISSISSIPPI  
Commission on Proprietary School  
and College Registration  
3825 Ridgewood Road  
Jackson, Mississippi 39211

**AGENT'S PERMIT AFFIDAVIT**  
**(THIS FORM MUST BE NOTARIZED)**

SCHOOL NAME AND ADDRESS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I \_\_\_\_\_ hereby certify that Agent's Permit Number \_\_\_\_\_ issued to me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, was lost, stolen, or destroyed and is no longer in my possession. My signature below certifies that I understand that providing false information on this form may lead to the cancellation of my Agent's Permit and may also result in appropriate legal action.

AGENT \_\_\_\_\_ DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_ OF \_\_\_\_\_

*Have your Notary Public complete this section.*

*Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

*Notary Public*

*My Commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

**PLEASE AFFIX YOUR SEAL TO THIS DOCUMENT.**

## **GLOSSARY**

### **ACID-TEST RATIO**

The ratio of cash plus readily marketable securities plus net receivables to total current liabilities.

### **AGENT**

Any individual who solicits prospective students in Mississippi to enroll for a fee in a course of instruction.

### **ANNEX LOCATION**

An annex is an additional location that a certificate of registration may include if:

1. The location offers exactly the same courses as the registered school location; and
2. The location is under the same ownership, management and control as that of the registered location.

### **BOARD**

The State Board for Community and Junior Colleges established in Section 37-4-3, et seq., Mississippi Code of 1972.

### **CHANGE OF OWNERSHIP**

Any one or a combination of the following:

1. The sale of the institution or the majority of its assets;
2. The division of one (1) or more institutions into two (2) or more institutions;
3. The transfer of the controlling interest in stock of the institution or its parent corporation;
4. The transfer of the controlling interest in stock of the institution to its parent corporation;
5. The transfer of the liabilities of the institution to its parent corporation;
6. The lease of any institution; or
7. The rental of any institution.

### **COMMISSION**

The Commission on Proprietary School and College Registration established under MS Code



75-60-1, Senate Bill 2636.

**COURSE OF INSTRUCTION**

The offering of instruction to individuals for a charge, fee or contribution of any kind, to a person or persons for the purpose of training or preparing such person(s) for a field of endeavor in a business, trade, technical or industrial occupation.

**CURRENT RATIO**

The ratio of current assets to current liabilities. A ratio of 2:1 would mean that current assets are at least twice the amount of current liabilities. To calculate, divide current assets by current liabilities. Current ratios and acid-test ratios are used to determine liquidity or the ability of an entity to meet its short-term financial obligations when and as they fall due.

**DEBT TO EQUITY**

Total Liabilities divided by Owners' Equity provides insight into the extent to which nonequity capital is used to finance the assets of an entity.

**DIRECTOR**

The Director for Proprietary School and College Registration.

**FIRST YEAR AFTER REGISTRATION**

Twelve (12) calendar months immediately following the effective date of the certificate of registration.

**GRADUATE**

Any student (full or part-time) who upon completion of a program of study receives a certificate, license, or diploma from a proprietary school licensed by the Commission.

**INDEPENDENT VERIFICATION**

The right of the Commission and/or State Board for Community and Junior Colleges' Personnel to:

1. Observe the administration of an exam; or
2. Actually administer the exam.

**INDIVIDUAL COURSE**

A series of lectures or other matter dealing with a subject.

### **LAST DAY OF STUDENT ATTENDANCE**

1. The date the student gives written notice to the school that he/she has withdrawn; or
2. The date on which the student is deemed withdrawn, according to item a. below.
  - a. A student is considered withdrawn, if all of the following are met:
    - (1) The student has failed to attend classes for a period of thirty (30) calendar days; and
    - (2) The school has notified the student, and the Director for Proprietary School and College Registration, that the student will be considered withdrawn if the student does not notify the school to the contrary within twelve (12) calendar days from the date on which the letter is mailed (postmarked); or
    - (3) The student fails to respond within the twelve (12) day period.

### **MANAGEMENT AND CONTROL**

The policies and procedures through which a school's administrative and operational activities are implemented, and all personnel responsible for and involved with the execution of administrative and operational activities. Personnel would include the following:

- a. School Director
- b. Advisory Board or Council
- c. Administrators
- d. President

### **NORMAL TIME**

The pre-determined time period required to complete a program of study.

### **PREVIOUS LICENSE YEAR**

Thirteen (13) calendar months prior to the expiration date of the current certificate of registration.

### **PROGRAM OF STUDY**

A curriculum (set of individual courses) in a particular area of specialization for which a diploma, degree, certificate or other written evidence of proficiency or achievement is offered or awarded.

### **QUARTER**

A term of up to fourteen (14) weeks.

### **RECRUITER**

Any person employed by a school or college licensed by the Commission, regardless of job title, job description, full-time or part-time employment status, who either directly, or indirectly influences the decision of any prospective student to enroll for a fee in a course of instruction.

**REGISTERED LOCATION**

The location for which a certificate of registration is valid excluding, any annex or franchise locations.

**RETURN ON OWNER'S EQUITY**

Refers to the ability of an entity to generate revenues in excess of expenses; net income divided by average owners' equity.

**SCHOOL DIRECTOR**

Person responsible for the daily operations of the school.

**SCHOOL OWNER OR OWNERSHIP**

If the school is owned by an individual, that individual; if the school is owned by a partnership, all partners; if the school is owned by a corporation, the officers and directors of the corporation.

**SEMESTER**

A term of fifteen (15), sixteen (16), seventeen (17), or eighteen (18) weeks.

**STUDENT**

Any person who enters into a student enrollment contract or agreement.

**STUDENT CATALOG**

A typed and bound publication which is readily identifiable as a catalog. The catalog must be designed and written to convey accurate impressions of the school. The catalog must avoid false, or misleading statements. The catalog should provide sufficient detailed data to enable prospective students to clearly understand their opportunities, limitations, and obligations. Each student must be given a copy of this catalog upon enrollment.

**TERM**

The amount of instructional time that an enrollment period covers.

**WORKING CAPITAL**

Current assets less current liabilities; it is a measure of whether a company will have sufficient resources to meet short term debts.

*STATE OF MISSISSIPPI*  
*STATE BOARD FOR COMMUNITY*  
*AND JUNIOR COLLEGES*



*COMMISSION ON PROPRIETARY SCHOOL AND*  
*COLLEGE REGISTRATION*

*REGULATIONS*  
*FOR*

*MISSISSIPPI PROPRIETARY SCHOOL*  
*AND COLLEGE REGISTRATION*

*ADOPTED: DECEMBER 1992*  
*Revised August 2003*

**COMMISSION ON PROPRIETARY SCHOOL AND  
COLLEGE REGISTRATION**

**REGULATIONS**

**FOR**

**MISSISSIPPI PROPRIETARY SCHOOL  
AND COLLEGE REGISTRATION**

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**MEMBERS**  
**STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES**

**FIRST CONGRESSIONAL DISTRICT**

**Chip Crane**  
**508 South Spring Street**  
**Fulton, MS 38843**

**Edwin (Ed) Perry**  
**P. O. Box 70**  
**Oxford, MS 38655**

**SECOND CONGRESSIONAL DISTRICT**

**Bobby Steinriede**  
**P. O. Box 667**  
**Hollandale, MS 38748**

**George Walker**  
**1422 Shady Lane**  
**Clarksdale, MS 38614**

**THIRD CONGRESSIONAL DISTRICT**

**Bruce Martin**  
**P. O. Box 1729**  
**Meridian, MS 39302**

**Henry (Bubba) Hudspeth**  
**306 E. Ridge Drive**  
**Louisville, MS 39339**

**FOURTH CONGRESSIONAL DISTRICT**

**Patricia Dickens**  
**136 Duster Drive**  
**Natchez, MS 39120**

**Napolean Moore**  
**6230 North Lake Circle**  
**Jackson, MS 39211**

**FIFTH CONGRESSIONAL DISTRICT**

**Max Huey**  
**121 E. Canal Street**  
**Picayune, MS 39466**

**Dr. Eric Clark**  
**Executive Director**

**COMMISSION ON PROPRIETARY SCHOOL  
AND COLLEGE REGISTRATION**

**MEMBERS**

**Dr. Shirley Hopkins-Davis, Chair  
Hinds Community College  
Post Office Box 463  
Clinton, MS 39060**

**Stan Sullivan, Vice-Chair  
P. O. Box 320970  
Jackson, MS 39232**

**Mr. Otis Stanford  
P. O. Box 1074  
Clarksdale, MS 38614**

**Donald R. Benjamin  
P.O. Box 74  
Pontotoc, MS 38863**

**Dr. Barry Mellinger  
66 Bluff Creek Road  
Wiggins, MS 39577**

## **COMMISSION ON PROPRIETARY SCHOOL AND COLLEGE REGISTRATION**

The Commission on Proprietary School and College Registration is responsible for the administration of the Mississippi Proprietary School and College Registration Law, Title 75, Chapter 60, Mississippi Code of 1972, as amended. The purpose of the Commission on Proprietary School and College Registration is to establish and implement the registration process for obtaining and maintaining a certificate of registration, and an agent's permit. This administration is enacted via licensure.

### **2.1 MEMBERSHIP**

The Commission on Proprietary School and College Registration is composed of five (5) members appointed by the State Board for Community and Junior Colleges. One (1) appointed from each of the five (5) Congressional districts. Members shall have held a teaching, managerial, or other similar position with any public, private, trade, technical or other school; provided however, that one (1) member shall be actively engaged in some capacity with a privately owned trade, technical, or other school. Initial terms are for three (3) to five (5) years as provided by the enabling legislation; subsequent terms are for five (5) years.

### **STAFF**

### **2.2**

The State Board for Community and Junior Colleges shall appoint such staff as may be required for the performance of the Commission's duties and provide necessary facilities. The Administrator for the Commission is the Director for Proprietary School and College Registration. The Director will be located at:

State Board for Community and Junior Colleges  
3825 Ridgewood Road  
Jackson, MS 39211

Telephone: (601) 432-6518

### **POWERS AND DUTIES**

### **2.3**

The powers and duties of the Commission on Proprietary School and College Registration shall be:

- (a) To adopt rules and regulations for implementing the registration process. ( 85 - 87)
- (b) To develop application forms to apply for:
  - 1. A certificate of registration and renewal
  - 2. An agent's permit and renewal
  - 3. A program of study or individual course
  - 4. A new instructor
  - 5. A school director

- (c) To appoint a duly authorized hearing officer to hear all controversies involving registration. ( 87 - 103 )
- (d) To determine which categories of courses, schools, or colleges for which Title 75, Chapter 60, as amended, does not apply based on Section 75-60-5. ( 106 - 150 )
- (e) To determine whether a tutorial course involving only one student is for the purpose of preparing for a vocational objective. ( 144 - 148 )
- (f) To issue the certificate of registration and the agent's permit.
- (g) To withhold a certificate of registration based upon Section 75-60-11. ( 194 - 203)
- (h) To assign a registration number to certificate of registration holders. ( 208 - 211)
- (i) To assign an agent's permit number to agent permit holders. ( 660 - 664)
- (j) To approve all new programs of study and/or individual courses offered by a registered school. ( 251 - 254 )
- (k) To prescribe the conditions of the surety bond requirement for both the certificate of registration and the agent's permit based upon Sections 75-60-17 and 75-60-29 respectively.
- (l) To suspend, revoke, or cancel a certificate of registration for any one or a combination of the violations listed in Section 75-60-19.
- (m) To maintain a written record of all complaints. ( 496 - 498 )
- (n) To investigate complaints. ( 503 - 511 )
- (o) To, when necessary, designate an impartial hearing officer to conduct hearings to determine if any violations of Section 75-60-19 have been committed by a proprietary school or college. ( 534 - 576)
- (p) To act by and through a hearing officer to issue subpoenas in accordance with Section 75-60-19(4). ( 534 - 576)
- (q) To impose civil penalties and administrative sanctions as prescribed in Section 75-60-19(6), for any violations prescribed in Section 75-60-19. ( 577 - 617 )
- (r) To petition the Chancery Court of the county in which a person or agent performs without registration. ( 629 -640 )
- (s) To request to be represented by the Attorney General, or District Attorney of the county where action is brought against a school or person performing without registration. ( 637 - 640 )
- (t) To issue a temporary certificate of registration or agent's permit in accordance with Sections 75-60-11 and 75-60-25 respectively.
- (u) To revoke an agent's permit in accordance with Section 75-60-33.

**NOTE: THE NUMBERS IN PARENTHESES AT THE END OF EACH ITEM REFERENCE LINE NUMBERS OF SENATE BILL 2636.**

**POLICIES GOVERNING COMMISSION ON PROPRIETARY SCHOOL  
AND COLLEGE REGISTRATION ACTIVITY**

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## COMMISSION MEETING SCHEDULE

3.1

1. The Commission may take action only when in official session, and as reflected by Commission's minutes. Opinions and personal comments of individual Commission members are non-binding and do not constitute an official position of the Commission.
2. Regular Scheduled Meetings  

The Commission on Proprietary School and College Registration shall meet bimonthly on the third Thursday, at 1:00 P.M., 3825 Ridgewood Road, Room 507, Jackson, MS 39211, beginning with the month of August, 1992.
3. Called Meetings  

The Commission on Proprietary School and College Registration shall meet for called meetings, on Tuesdays, at 1:00 P.M., 3825 Ridgewood Road, Room 507, Jackson, MS 39211.
4. The Commission may change or alter its meeting time by official action of the Commission and appropriate notification of such changes to members, the media, and schools.

## COMMISSION AGENDA

3.2

1. The Chairperson and Director shall confer and prepare the agenda which is to be considered by the Commission. Matters of emergency which arise after this process or items which could not have been anticipated may be presented for discussion by the Commission.
2. Any item may be placed on the agenda by any Commission Member.
3. All requests for items to be placed on the agenda shall be received by the Director, at least twelve (12) calendar days prior to the scheduled bimonthly meeting.
4. Matters not on the agenda will not be considered by the Commission except when a majority of the Commission is present and voting concurs that an additional item be included which did not arise in time to be placed on the regular agenda, or items which were omitted by clerical error, and which are of such a nature that the Commission's consideration is required in the current meeting.
5. The Standard Format for the Agenda will be as follows:

**REGULAR SCHEDULED MEETING  
COMMISSION ON PROPRIETARY SCHOOL AND COLLEGE REGISTRATION**

**DATE  
1:00 P.M.  
Jackson, Mississippi**

**AGENDA**

- I. CALL TO ORDER**
- II. PRELIMINARIES**
  - A. Invocation**
  - B. Acknowledgments/Introductions**
  - C. Adjustments/Approval of Agenda**
  - D. Approval of Minutes**
- III. DIRECTOR'S REPORT**
- IV. PUBLIC PARTICIPATION (15 MINUTES)**
- V. REPORTS**
  - A. Current Listing**
  - B. Complaints**
  - C. Other**
- VI. ACTION**
  - A. Old Business**
    - 1. Applications**
    - 2. Complaints**
    - 3. Other**
  - B. New Business**
    - 1. Applications**
    - 2. Complaints**
    - 3. Other**
- VII. ADJOURNMENT**

## **NOTICES TO COMMISSION MEMBERS**

**3.3**

1. All notices to members shall be mailed postage prepaid to members at their official mailing address shown in the office of the State Board for Community and Junior Colleges.
2. Each member shall submit in writing to the Director for Proprietary School and College Registration any change in the member's mailing address for receipt of official mail.

## **MEMBERS' VOTING**

**3.4**

1. In order for the Commission to conduct its business a quorum of at least three members must be present.
2. A member present may vote for or against any motion, or the member may abstain. Voting by proxy is not permitted.
3. The minutes of the Commission shall reflect the vote of each member on each matter. A unanimous vote may be reflected.
4. Any commission member who may obtain pecuniary benefit from action on any application, either for himself/herself, a relative or for any business for which he/she is associated, shall not vote on said application. Such member shall however be allowed to present information to the members of the commission as a representative of the institution through which the pecuniary benefit is associated, but shall not be involved in commission deliberations regarding such application.

## **COMMISSION MINUTES**

**3.5**

1. The minutes of the Commission shall be the responsibility of the Director. In instances when the Commission may find it necessary to excuse the Director from the meeting, the Commission Chairperson shall appoint a member to record the minutes.
2. All proposed minutes shall become the official minutes upon approval by the Commission.
3. The director may secure such assistance as is necessary for the preparation of the minutes or may designate staff to prepare the minutes.
4. Approved minutes will be on file in the office of the Director for Proprietary School and College Registration.



## **COMMISSION OFFICERS AND THEIR SELECTION**

**3.6**

1. There shall be the following officer for the Commission:
  - A. Chairperson
2. This officer of the Commission shall be elected annually in the June meeting, for a term of one year, with terms to commence on July 1st.

## **COMMISSION ADMINISTRATIVE PROCEDURES**

**3.7**

1. When the Commission adopts, amends or repeals any of its policies or procedures, the Director shall file with the Secretary of State notice of such intended action, and provide notice as required.
2. Notice of such action shall be filed at least thirty (30) days prior to the adoption of the rule, amendment, or repeal except when imminent peril to the public health, safety or welfare requires adoption of a rule upon fewer than thirty (30) days notice. Thereafter, when the Commission adopts a rule, amendment, or repeal, the Director shall file with the Secretary of State a certified copy of the rule, amendment, or repeal. The action shall become final thirty (30) days after the filing of the certified copy with the Secretary of State.

## **COMMISSION MEMBERS' COMPENSATION/REIMBURSEMENT**

**3.8**

1. The members of the Commission shall receive no annual salary, but may receive per diem compensation as authorized by Section 25-3-69, Mississippi code of 1972, for each day or fraction thereof devoted to the discharge of Commission duties or official Commission meetings.
2. The members of the Commission shall be entitled to reimbursement for expenses such as meals, lodging and other necessary expenses incurred in the discharge of their duties, including the current rate per mile actually and necessarily traveled as authorized by Section 25-3-41, Mississippi Code of 1972.
3. The discharge of official Commission duties shall consist of attending regular and called meetings of the Commission, and attending official meetings at which the attendance of the Commission member(s) is required as an official assignment by the State Board for Community and Junior Colleges.

## **DISTRIBUTION OF REGULATIONS**

**3.9**

Copies of the Commission on Proprietary School and College Registration Regulations for Mississippi Proprietary School and College Registration are available for distribution to the public for a fee of twenty-five cents (\$.25) per page. These copies are available at the following address:

State Board for Community and Junior Colleges  
Proprietary School and College Registration  
3825 Ridgewood Road  
Jackson, Mississippi 39211

## **PUBLIC ACCESS TO COMMISSION RECORDS**

**3.10**

1. Except where prohibited by law, any person shall have the right to inspect or obtain reproduction of any public record of the Commission on Proprietary School and College Registration.
2. The right to inspect public records shall be acquired by a written request. Within five (5) working days after the receipt of the request, written notification of the time, place and method of access shall be provided.
3. The right to obtain a reproduction of a public record shall be acquired by written request. The request must specify which record(s) are to be reproduced and whether the reproductions are to be mailed or received in person. Copies of public records will be available at a cost of twenty-five cents (\$.25) per page or an established fee for specific records.
4. Denial of a request for access to or copies of Commission on Proprietary School and College Registration public records will be in writing and will contain a statement of the specific reasons for the denial.
5. The provisions of this section do not apply to the following:

Government Officials      State Legislators      State Agencies

## **SCHOOL LISTINGS**

**3.11**

1. The Commission on Proprietary School and College Registration will maintain a list of schools holding a valid certificate of registration. This list will be available to the public at a cost of five dollars (\$5.00).
2. The provisions of this section do not apply to the following:

Government Officials      State Legislators      State Agencies

## **REPLACEMENT OF CERTIFICATES OF REGISTRATION AND AGENT'S PERMITS**

**3.12**

1. If for any reason, a certificate of registration or agent's permit must be replaced, the school owner or agent must submit the appropriate Affidavit Form and replacement fee to the Commission on Proprietary School and College Registration. The replacement fee for a duplicate certificate of registration or a duplicate agent's permit is five dollars (\$5.00).

**CPSCR FORM- 11** for the certificate of registration  
**CPSCR FORM- 13** for the agent's permit.

**Payments should be made to:**

**The Commission on Proprietary School and College Registration**

## **DISCLOSURE OF INFORMATION**

**3.13**

1. Any Commission member who may obtain pecuniary benefit from action on any application either for himself/herself, a relative, or for any business for which he/she is associated, shall inform the Director for Proprietary School and College Registration in writing of his/her affiliation with the applicant or application.

The Director for Proprietary School and College Registration shall provide a docket of all applications to be considered for action by the Commission to Commission members along with the meeting notices.

## **COMMISSION MEMBERS' PARTICIPATION**

**3.14**

1. Commission members shall be allowed to present information to the commission as a representative of an institution for which a pecuniary benefit is associated. The commission member shall not however be involved in commission deliberations regarding such application.

## **APPLICATION REVIEW**

**3.15**

1. All information requested on any application must be submitted in its entirety. Applicants who submit incomplete applications will be notified and allowed fourteen (14) calendar days to submit the required information. If this information is not received within the specified time period, denial of the application will be recommended to the commission at the next commission meeting.
2. All sections of any application must be deemed sufficient and appropriate prior to application approval. If any section of any application is deemed insufficient or inappropriate, the applicant will be notified of the deficiency and the Commission may request additional information from said applicant. Applications will be reviewed based on statutory and

regulatory requirements. After the review of an application the Commission will be informed of any significant findings.

**3. The following provides information regarding analysis of financial resources for the certificate of registration application:**

Sufficient financial information must be submitted so that financial stability can be determined.

A. Financial resources and practices must be such that the following exist:

- (1). There is reasonable expectation of sound financial practices.
- (2). There is evidence presented to suggest that the potential exist for the business to be successful.
- (3). There is reasonable expectation that the business will continue to exist.
- (4). There is evidence presented which indicates sufficient planning has been conducted to provide for the necessary financial obligations required to assume the essential cost associated with operating the business.

B. The following items will also be examined:

- (1). Whether financial statements are associated with an independent licensed certified public accountant or public accountant registered with the appropriate state board of accountancy.
- (2). The Current Ratio
- (3). Whether or not there are past due liabilities.
- (4). Working Capital
- (5). Stockholder's Equity or Net Worth.

**4. Instructional resources must be such that adequate items are available for individual student use.**

***REGULATIONS***

***FOR***  
***MISSISSIPPI COMMISSION ON PROPRIETARY SCHOOL***  
***AND COLLEGE REGISTRATION***

## **REGULATION SECTIONS**

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## **I. INTRODUCTION**

**4.1**

In 1992, Mississippi Senate Bill 2636 transferred the administration of Proprietary School and College Registration from the State Department of Education to the Commission on Proprietary School and College Registration under the State Board for Community and Junior Colleges. The Commission on Proprietary School and College Registration established these regulations to implement Title 75, Chapter 60, Mississippi Code of 1972, as amended.

The mission of proprietary schools applying for registration under the Mississippi Proprietary School and College Registration Law varies greatly, from those with a single program and purpose, to those with many programs that are highly complex. The purpose of the law and regulations is to allow proprietary schools and colleges that have adequate facilities, resources, and faculty, the opportunity to obtain a certificate of registration. The law and regulations are further designed to insure that students are provided learning experiences which are conducive to the achievement of the objectives of the programs being provided to them in exchange for their enrollment fees.

## **II. PROCEDURE FOR OBTAINING APPLICATIONS**

**4.2**

- A. Any person interested in making application for a certificate of registration or an agent's permit under the Mississippi Proprietary School and College Registration Law should contact, in writing:

State Board for Community and Junior Colleges  
Commission on Proprietary School and College Registration  
3825 Ridgewood Road  
Jackson, MS 39211

Telephone: (601) 432-6518

- B. The application packet fee is ~~\$25.00~~ and as specified by the State Board for Community and Junior Colleges must be submitted by check or money order.
- C. After receipt of the written request, and a \$25.00 application fee, each prospective applicant will be mailed a copy of the Mississippi Proprietary School and College Registration Regulations and a copy of the application packet.

## **III. ISSUANCE OF CERTIFICATES OF REGISTRATION**

**4.3**

- A. A certificate of registration shall be granted or denied within sixty (60) days after receipt of the completed application by the Commission on Proprietary School and College Registration. If a certificate cannot be issued within the 60-day period and

the school has submitted all the required information, the Commission on Proprietary School and College Registration may issue a temporary certificate. A temporary certificate will be valid until the Commission on Proprietary School and College Registration makes its determination.

- B. A certificate of registration is only valid for the school and courses for which it is issued. A certificate of registration does not include other schools or additional locations, unless the Commission on Proprietary School and College Registration has approved annex or franchise locations on the certificate of registration application or certificate of registration renewal application.
- C. The Commission on Proprietary School and College Registration may suspend, revoke, or cancel a certificate of registration for any one or a combination of the causes specified in Section 75-60-19, Mississippi Code of 1972, as amended. In the event that the Commission on Proprietary School and College Registration has cause to suspend, revoke, or cancel a certificate, the procedure outlined in Section 75-60-19 will be followed.

#### **IV. ISSUANCE OF AGENT'S PERMITS**

**4.4**

- A. In order for an individual to sell a course of instruction for a school or solicit students to enroll in a course of instruction at a school, he/she must first secure an agent's permit from the Commission on Proprietary School and College Registration.
- B. The application for an agent's permit will be approved or denied within thirty (30) days after the completed application has been received by the Commission.
- C. A pocket card will be issued to the applicant upon approval for a permit. This card will give the agent's name, address, permit number and the name and address of the employing school, and will certify that the person whose name appears on the card is an authorized agent of the school.
- D. The permit is valid for one (1) year from the date on which it was issued.
- E. If the Commission has not made a determination within the allotted time period, it may issue a temporary permit. A temporary permit will be valid until the Commission makes its determination.

#### **V. EXEMPTIONS FOR A CERTIFICATE OF REGISTRATION**

**4.5**

Section 75-60-5, Mississippi Code of 1972, as amended, identifies categories of courses, schools or colleges for which the Mississippi Proprietary School and College Registration Law and Regulations do not apply.



## **VI. ADDITIONAL LOCATIONS THAT A CERTIFICATE OF REGISTRATION MAY INCLUDE**

**4.6**

A certificate of registration is valid only for the school and courses for which it is issued. The certificate of registration does not include other schools or additional locations of a school, unless the Commission on Proprietary School and College Registration has approved these locations on the certificate of registration application or certificate of registration renewal application.

### **A. Annex Locations**

1. An annex is an additional location that a certificate of registration may include if:
  - a. The location offers exactly the same courses as the registered school location; and
  - b. The location is under the same ownership, management and control as that of the registered location (Please refer to the glossary for definitions of these terms).
2. An annex location must be applied for on the certificate of registration application or certificate of registration renewal application.
3. Gross annual tuition revenues for the registered location and each individual annex location must be combined for the purpose of determining fees payable. Tuition for each location must be reported individually on CPSCR FORM- 8 (See Appendix B).

These fees include:

1. The Additional Fee (required for the initial certificate of registration)
  2. The Renewal Fee
  3. The Delinquent Fee
4. The annex location must meet all the requirements set forth in Title 75, Chapter 60, Mississippi Code of 1972, as amended, and in these Regulations.
  5. Annex locations are subject to the same requirements as any other institution licensed by the Commission on Proprietary School and College Registration. This shall include, but is not limited to the following:
    - c. Providing complete verification of all information and commitments made in the application for a certificate of registration or renewal, including but not limited to the following:

General School Information

Instructional Equipment  
 Job Placement Services  
 The Student Enrollment Contract  
 Additional Information  
 Annex Locations  
 Facility Information  
 Program of Study Information  
 Instructors  
 Student Grievance Procedure  
 School Ownership  
 Evaluation System  
 Disclosure of Information to Students  
 Documents Verifying Completion of A Program of Study  
 Financial Resources Information  
 Adherence to Refund Policy  
 Administrators  
 Bond Information

- d. Making available all records related to the above statement, and that such records are current and available upon request.
- c. Meeting all applicable health and safety standards that may be required by local, state and federal agencies.
- d. The Agreement to notify the Commission of changes in any of the following:

Ownership	Job Placement Service
Agents	School Director
Instructors	Financial Stability
Programs of Study	Evaluation System
Facility Standards	School Name
A Cohort Default Rate>19%	Instructional Equipment
The loss of financial aid program eligibility	

- e. Agreement to maintain all premises, equipment, and facilities of the school in adequate, safe, and sanitary condition.
- g. Agreement to make enrollees accessible to be interviewed for the purpose of securing information to verify compliance with the conditions of the application for a certificate of registration or certificate of registration renewal.

- 6. Annex locations are subject to announced and unannounced visitation by representatives of the Commission on Proprietary School and College Registration, and/or State Board for Community and Junior Colleges.

7. Annex locations must have the same name as the registered location, distinguishable by individual site location.
8. All policies, procedures, tuition, fees, catalogs, and academic calendars utilized at the registered location must also be utilized at the annex location.
9. If a certificate of registration is suspended, revoked, or canceled by the Commission on Proprietary School and College Registration, the registered school and all annex locations must comply.
10. The approved annex location will be a permanent additional location of the registered school. This location must always be identified as an annex location on each application for a certificate of registration renewal.

## **VII. REFUND POLICY**

**4.7**

Each school is required to take and keep a record of student attendance for each individual course meeting.

Any school issued a certificate of registration by the Commission on Proprietary School and College Registration must comply with the pro rata student tuition refund policy provided in Section 75-60-18, Mississippi Code of 1972, as amended.

## **VIII. DISCLOSURE OF INFORMATION TO STUDENTS**

**4.8**

Prospective students are entitled to sufficient data which will assist them with making informed decisions regarding training opportunities and institutions. A school is therefore obligated to provide sufficiently detailed data in advance of enrollment to enable prospective students to clearly understand their opportunities, limitations and obligations.

The following information must be fully disclosed to prospective students prior to enrollment and prior to the signing of an enrollment contract or agreement.

- \*A. Recruiting Policies
- \*B. Admission Requirements
- \*C. Academic Calendars
- \*D. Grading System Used By the School
- \*E. Graduation Policy
- \*F. Program Length
- \*G. Objectives of the Programs of Study
- \*H. Licensing Requirements for Jobs
- \*I. Student Support Services
- \*J. Campus Security Policy
- K. School's Refund Policy

- \*L. Withdrawal Procedures
- M. Tuition and Fees
- N. The percentage of students who have completed their program of study within 150% of the normal time for completion of or graduation from the program of study (Normal Time defined in Glossary)
- O. The percentage of your graduates employed in their field of study or related field, within six months after completion of or graduation from their program of study
- P. The percentage of student mastery of stated program of study goals (Student Mastery defined in Glossary)
- Q. A list of postsecondary educational institutions that have accepted credits from your institution

\*The items listed above that are marked with an asterisk may be disclosed via the student catalog.

The items listed above that are not marked with an asterisk must be provided separately from the student catalog and enrollment contract or agreement. This information must be provided to prospective students via CPSCR FORM- 14 (INSTITUTION DISCLOSURE OF INFORMATION FORM). This form must be maintained by the school for verification of compliance with this regulatory requirement.

## **IX. ADMISSIONS & RECRUITMENT 4.9**

- A. Admissions
  - 1. The admission policy shall conform to the school's philosophy and objectives, shall be publicly stated, (printed and made available to its students) and shall be administered as written.
  - 2. The school is required to maintain student records which reflect the requirements for admission of all students.
- B. Recruitment
  - 1. Recruiting shall be ethical and compatible with the educational objectives of the school.
  - 2. The school should provide, in writing, the information being communicated to students. This will insure that each representative is communicating current and accurate information. Recruitment information should include the following:
    - a. Programs of Study and Individual Courses
    - b. Tuition and Fees
    - c. Terms
    - d. School Operating Policies

- e. Certificates
  - f. Diplomas
  - g. Transfer of Credit Hours
  - h. Graduation Policies
  - I. The percentage of students who have completed their program of study within 150% of the normal time for completion of or graduation from the program of study (Normal Time defined in Glossary)
  - j. The percentage of your graduates employed in their field of study or related field, within six months after completion of or graduation from their program of study
3. Representatives of the school shall use only those titles which accurately reflect their actual duties and responsibilities.

**X. ADVERTISEMENT 4.10**

- A. Any promotional literature used by a school must be presented in such a manner as to be factual with respect to services offered and/or benefits received.
- B. A school licensed by the Commission on Proprietary School and College Registration shall use the statement "Licensed by the Mississippi Commission on Proprietary School and College Registration, Certificate No. \_\_\_\_\_" on all advertising, both oral and written, and on all school publications.

**XII. RECORDS 4.11**

- A. Each school shall develop and maintain adequate records pertaining to students and the school's administrative operations. These records should include, but are not limited to the following:
  - 1. Student attendance for each individual course meeting.
  - 2. Administrators
  - 3. Instructors
  - 4. Staff
  - 5. Student activities
  - 6. Student academic records
  - 7. Student enrollment
  - 8. Student admission
  - 9. Student enrollment contracts
  - 10. Financial aid information
  - 11. Job placement service information
  - 12. Program of study and individual courses
  - 13. Graduation information
  - 14. Instructional supplies and equipment
  - 15. The Library or the Instructional Resource Center
  - 16. The physical facility

17. Student withdrawals
  18. Student refund policy
  19. Student financial records (tuition, fees, payments, refunds, etc.)
  20. Student complaints
- B. A permanent academic record (transcript) shall be maintained of the student's progress. Compatible with the school's philosophy and objectives, the transcript shall indicate student accomplishment in terms of clock hours, units of credit, or some other recognized system. The grading system used shall be fully explained on the transcript.
  - C. Each school shall maintain a record listing of all students who enroll which shall include, but is not limited to the student's name, address, telephone number, social security number, programs of study, start date, and anticipated graduation date. This information should be current as of the date on which the student enrolls and shall be available for inspection by or submission to the Commission on Proprietary School and College Registration.
  - D. All basic records and reports pertaining to students and staff shall be maintained so that they will be safe from theft, fire, or other possible loss.
  - E. In the event that a school closes its facility, the Commission on Proprietary School and College Registration must be informed of:
    1. The location of all student records; and
    2. Information pertaining to how students may obtain these records.

**XII. CERTIFICATES OR DIPLOMAS 4.12**

The conferring of **diplomas, degrees, certificates, or other written evidence of proficiency** issued by a school shall be consistent with applicable state laws.

**XIII. INSTRUCTIONAL RESOURCES AND MATERIALS 4.13**

- A. The instructional resources, including audiovisual teaching equipment and instructional materials, shall meet the needs of the school's educational program.
- B. An evaluation of this material may be conducted to verify items listed on the application under Section XIX- Equipment.
- C. A business school should have available, and make easily accessible, to faculty and students such standard reference works as a current unabridged dictionary, a current world almanac, thesaurus, recent editions of handbooks appropriate to the curriculum, current periodicals, a set of encyclopedias, and other references relative to the educational philosophy and objectives of the school.

Major consideration will be given to the variety of volumes and periodicals readily available to students and faculty, the date of publication, appropriateness, and usefulness to the program.

- D. Each individual trade area shall have a carefully chosen text for each student with adequate, up-to-date reference materials and periodicals in the particular area of training.
- E. The instructional resources may be consolidated or may be distributed throughout the educational facility. Easy access to and use of reference materials and periodicals are of prime importance in determining if the school is meeting the educational needs of its students and faculty. Availability and utilization of audiovisual equipment is also important.

#### **XIV. EDUCATIONAL FACILITIES**

**4.14**

- A. Each school must provide an environment that is conducive to effective instruction, promotes learning, and supports the educational programs offered by the school.
- B. The buildings, classrooms, equipment, furniture, grounds, instructional tools, instructional facilities, machinery, and other physical requirements of the educational program shall be appropriate and shall contribute to the achievement of the educational philosophy and objectives of the school.
- C. The school shall meet the general test of safety, usefulness, cleanliness, maintenance, health, lighting, and compliance with any local or state laws governing physical facilities, particularly with respect to fire, safety, and sanitation.

#### **XV. CLASSROOM FACILITIES**

**4.15**

##### **A. Academic Classes**

##### **1. Classroom size**

Regular classrooms shall contain a minimum of 600 square feet of floor space, or a minimum of 20 square feet per student enrolled, whichever is greatest.

##### **2. Equipment**

Every classroom shall provide appropriate equipment for students and teachers.

- a. Individual student seats and desks or tables and chairs chosen for comfort
- b. Teacher's desk
- c. Filing and storage facilities
- d. Sufficient amounts of chalkboard and tack board
- e. Shades or venetian blinds to improve visual comfort and efficiency
- f. Adequate laboratory facilities, equipment, and supplies for courses offered

B. Technical and Apprenticeship Trades

2. Classroom Size

The minimum size of the classroom shall be 600 square feet and equipped to provide the greatest possible learning experience.

2. Classroom Equipment will conform to the section under academic.

3. Shop Area Size

The shop size shall meet the standards prescribed by the Bureau of Vocational-Technical Education of the State Department of Education for a particular trade.

4. Shop Equipment

The shop equipment shall meet the minimum standard equipment list that is prepared by the Bureau of Vocational-Technical Education of the State Department of Education for each of the different trade areas.

**XVI. TEACHER QUALIFICATIONS**

**4.16**

A. Academic Classes

1. The classroom teacher shall have a high school diploma or equivalent.

2. The classroom teacher shall also have additional training as follows:

- a. A degree, certificate, or license in subject area; or related area; or
- b. 18 semester hours of credit from an accredited institution in the subject area in which he/she is teaching; or
- c. 12 semester hours in methods and techniques of teaching; and/or
- d. A minimum of 3 years work experience in the subject area.

B. Technical or Apprenticeship Trades

1. Qualifications of the Instructor of Technical Education

a. The classroom teacher shall have a high school diploma or equivalent.

b. The classroom teacher shall also have additional training as follows:

- (1) Certificate, license or degree in the subject area or related field; or



- (2) 18 hours of credit from an accredited institution in mathematics and/or science, or courses related to the subject area; or
- (3) 3 years work experience in the technical area, or related area.

2. Qualifications of the Instructor of Apprenticeship Trades

- a. The teacher shall have a high school diploma or equivalent
- b. The teacher shall also have additional training as follows:

- (2) The teacher shall have 3 years work experience above the learner's level in the trade to be taught; and

- (2) The teacher shall have recognized standing as a tradesman or specialist supported by evidence from previous employers.

- C. When, in cases of emergency, sickness, etc., a regularly approved instructor is unable to perform his/her duties, and an alternate instructor is required to substitute for more than two consecutive weeks, the Commission on Proprietary School and College Registration must be notified and the credentials of the substitute submitted to the Commission. In the event that a teacher leaves and a new teacher is employed to replace that instructor, the school shall give the Commission notice of the fact within ten (10) days and submit an Instructor Data Form (CPSCR FORM- 7) for the new instructor.
- D. The Commission on Proprietary School and College Registration does not appoint teachers; however, the Commission has a direct duty and responsibility in passing upon their qualifications. The right of acceptance carries with it the right of revoking such acceptance for cause.

**XVII. STUDENT - INSTRUCTOR RATIO**

**4.17**

- A. The student-teacher ratio should be reasonable at all times in keeping with general accepted teaching modes for the subject matter. Skills training require more individual instruction or attention thereby requiring smaller classes.
- B. Academic Classes
  1. No classroom teacher shall have over (30) students enrolled and/or the school average shall not exceed 29 students per teacher, except as specifically approved by the Commission on Proprietary School and College Registration.
  2. Ratios for laboratory or clinical instruction shall not exceed 15 students per teacher.
- C. Technical or Apprenticeship Trades

1. The student-teacher ratio shall not exceed 20 to 1.
2. Ratios for laboratory or clinical instruction shall not exceed 15 students per teacher.

## **XVIII. EDUCATIONAL STANDARDS**

**4.18**

- A. The course content and length of instruction shall be of such nature and quality as to assure that the students will adequately develop the job skills and knowledge necessary for obtaining employment in the occupation for which the instruction is offered.
- B. Any educational institution licensed by the Commission on Proprietary School and College Registration shall be maintained and operated in compliance with the following standards:
  1. Instructional content and length
    - a. All programs must be of vocational nature by developing competencies needed for employment in a recognized occupation as defined in the current edition of Dictionary of Occupational Titles, published by the United States Department of Labor, or occupations generally recognized by the industry in which the occupation is classified.
    - b. Programs of study must adequately cover the subject, must be clearly presented, and must be in accordance with the best current knowledge and practice of trade, professional or manufacturing standards. Study must extend over a period of time sufficient to complete the work with standards appropriate for employment in the occupation for which trained or in a closely related occupation.
    - c. The programs of study must be consistent in quality, content, and length with similar programs in public or private institutions in the state which are approved by the State Department of Education for vocational education.
  2. Instructional practices: Schools shall provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes (a) well defined instructional objectives, (b) systematic planning, (c) selection and use of varied types of learning materials and experiences, (d) adaptation of organization and instructional procedures to student needs, (e) use of varied evaluation instruments and procedures, and (f) good student and teacher morale.

- C. The Commission on Proprietary School and College Registration will evaluate course content and length of instruction on individual applications.

**XIX. COMPLAINTS REGISTERED AGAINST A LICENSED AGENT 4.19**

- A. A complaint relative to any of the violations and causes specified under Section 75-60-33, Mississippi Code of 1972, as amended, must be submitted in writing to the Commission on Proprietary School and College Registration by a parent and/or student.
- B. Upon receipt of the written complaint, the Commission will maintain a written record of the complaint.
- C. The Commission will notify the complainant of receipt of the complaint and request further information if necessary.
- D. Evaluation of the complaint will be based on the violations and causes specified under Section 75-60-33, Mississippi Code of 1972, as amended.
- E. The Commission will notify the school, in writing, of the complaint. An informal conference with the agent and a school representative may be scheduled at this time, if needed. A written response to the issues in the complaint may be requested.
- F. If the complaint is resolved, at this time, written documentation of the resolution will be placed in the school file. The complainant and school will be notified of the resolution agreement.
- G. If the complaint is not resolved by the Commission, agent, school representative, and complainant, a public hearing may be scheduled in an effort to resolve the differences. The person(s) making the complaint and representative(s) of the school will be notified to appear at the scheduled hearing in accordance with Sections 75-60-19 and 75-60-33, Mississippi Code of 1972, as amended.

At the hearing, the Hearing Officer will allow representative(s) of the school and the complainant(s) to give in detail the circumstances relating to the complaint. The Hearing Officer will make a recommendation to the Commission based on the evidence presented. Both the school and the complainant(s) will be advised, in writing, of the Commission's decision within thirty (30) days after the Commission has made its decision.

- H. Complainants whose complaints are not relative to Section 75-60-19, will be given referrals to the appropriate source if such information is available.

**XX. COMPLAINTS REGISTERED AGAINST A LICENSED SCHOOL OR COLLEGE 4.20**

- A. Any complaints relative to any of the violations and causes specified under Section 75-60-19, Mississippi Code of 1972, as amended, must be submitted in writing to the Commission on Proprietary School and College Registration by a parent and/or student.
- B. The complaint must be submitted within two (2) years of the alleged violation.
- C. Upon receipt of the written complaint, the Commission will maintain a written record of the complaint.
- D. The Commission will notify the complainant of receipt of the complaint and request further information if necessary.
- E. The School Director will be notified that a complaint has been made and, where appropriate, the nature of the complaint.
- F. An investigation will be commenced within twenty (20) days of receipt of the complaint.
- G. A written finding will be issued within ninety (90) days of receipt of the complaint. This finding will be sent to the complainant, the School Director, and placed in the school file.
- H. If it is determined that a violation of Section 75-60-19, Mississippi Code of 1972, as amended, has occurred, the procedure outlined in Section 75-60-19 of the above referenced Code will be employed.

**XXI. HEARING PROCEDURE**

**4.21**

Upon a finding that there is good cause to believe that a school, or an officer, agent, employee, partner or teacher, has committed a violation of Section 75-60-19, Mississippi Code of 1972, as amended.

- A. The Commission shall initiate proceedings by serving a notice of hearing upon each and every such party subject to the administrative action. The school or such party shall be given reasonable notice of the hearing, including the time, place and nature of the hearing and a statement sufficiently particular to give notice of the transactions or occurrences intended to be proved, the material elements of each cause of action and the civil penalties and/or administrative sanctions sought.
- B. Opportunity shall be afforded to the party to respond and present evidence and argument on the issues involved in hearing including the right of cross-examination. In a hearing, the school or such party shall be accorded the right to have its representative appear in person or with counsel or other representative. Disposition may be made in any hearing by stipulation, agreed settlement, consent order, default or other informal method.

- C. The Commission shall designate an impartial hearing officer to conduct the hearing, who shall be empowered to:
1. Administer oaths and affirmations; and
  2. Regulate the course of the hearings, set the time and place for continued hearings, and fix the time for filing of briefs and other documents; and
  3. Direct the school or such party to appear and confer to consider the simplification of the issues by consent; and
  4. Grant a request for an adjournment of the hearing only upon good cause shown. The strict legal rules of evidence shall not apply, but the decision shall be supported by substantial evidence in the record.
- D. The Commission, acting by and through its hearing officer, is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers at such hearing. Process issued by the Commission shall extend to all parts of the state and shall be served by any person designated by the Commission for such service. Where, in any proceeding before the hearing officer, any witness fails or refuses to attend upon a subpoena issued by the Commission, refuses to testify, or refuses to produce any books and papers the production of which is called for by a subpoena, the attendance of such witness, the giving of his testimony or the production of the books and papers shall be enforced by any court of competent jurisdiction of this state in the manner provided for the enforcement of attendance and testimony of witnesses in civil cases in the courts of this state.
- E. Decision after hearing. The hearing officer shall make written findings of fact and conclusions of law, and shall also recommend in writing to the Commission a final decision, including penalties. The hearing officer shall mail a copy of his findings of fact, conclusions of law and recommended penalty to the party and his attorney, or representative. The commission shall make the final decision, which shall be based exclusively on evidence and other materials introduced at the hearing. It is determined that a party has committed a violation, the Commission shall send by certified mail, return receipt requested, a copy of the final order to the party and his attorney, or representative. The Commission shall, at the request of the school or such party, furnish a copy of the transcript or any part thereof upon payment of the cost thereof.
- F. Civil penalties and administrative sanctions.
1. A hearing officer may recommend, and the Commission may impose, a civil penalty not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for any violation of this section. In the case of a second or further violation committed within the previous five (5) years, the liability shall be a civil penalty not to exceed Five Thousand Dollars (\$5,000.00) for each violation.
  2. Notwithstanding the provisions of paragraph (a) of this section 75-60-19(6), Mississippi Code of 1972, as amended, a hearing officer may recommend and the

Commission may impose a civil penalty not to exceed Twenty-five Thousand Dollars (\$25,000.00) for any of the following violations:

- a. operation of a school without a registration in violation of this chapter;
  - b. operation of a school knowing that the school's registration has been suspended or revoked;
  - c. use of false, misleading, deceptive fraudulent advertising;
  - d. employment of recruiters on the basis of a commission, bonus or quota, except as authorized by the commission;
  - e. directing or authorizing recruiters to offer guarantees of jobs upon completion of a program of study or individual course;
  - f. failure to make a tuition refund when such failure is part of a pattern of misconduct; or
  - g. violation of any other provision of this chapter, or any rule or regulation promulgated pursuant thereto, when such violation constitutes part of a pattern of misconduct which significantly impairs the educational quality of the program or programs being offered by the school. For each enumerated offense, a second or further violation committed within the previous five (5) years shall be subject to a civil penalty not to exceed Fifty Thousand Dollars (50,000.00) for each such violation.
3. In addition to the penalties authorized in paragraphs (a) and (b) of section 75-60-19(6), Mississippi Code of 1972, as amended, a hearing officer may recommend and the commission may impose any of the following administrative sanctions: (i) a cease and desist order; (ii) a mandatory direction; (iii) A suspension or revocation of a certificate of registration; (iv) a probation order; or (v) an order of restitution.
  4. The Commission may suspend a registration upon the failure of a school to pay any fee, fine or penalty as required by this chapter unless such a failure is determined by the Commission to be for good cause.
  5. All Civil penalties, fines and settlements received shall accrue to the credit of the State General Fund.
- G. Any penalty or administrative sanction imposed by the Commission under this section may be appealed by the school, college or other person affected to the State Board for Community and Junior Colleges as provided in Section 75-60-4(3), Mississippi Code of 1972, as amended, which appeal shall be on the record previously made before the commission's hearing officer. All appeals from the State Board for Community and Junior Colleges shall be on the record and shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi.

## **XXII. EMPLOYMENT BASED ON COMMISSION**

### **4.22**

No school may employ a recruiter on the basis of a commission, bonus or quota.

### **XXIII. CHANGES DURING THE TWO-YEAR LICENSURE PERIOD**

**4.23**

A. The Commission on Proprietary School and College Registration must be informed of any changes in the following areas:

12. Ownership
13. Agents
14. Instructors
15. Programs of Study
16. Evaluation Methods
17. Job Placement Service
18. Administrators
19. Financial Stability
20. School Name
21. A Cohort Default Rate > 19%
22. The loss of financial aid program eligibility

B. Change of Ownership

Certificates of registration are not transferrable, therefore in the event of a change of ownership of a school, the new owner must apply for a certificate of registration within thirty days after the change of ownership has occurred.

If the Commission on Proprietary School and College Registration grants the certificate of registration it becomes valid upon the Commission's receipt of legal verification of the change of ownership.

### **XXIV. EVALUATION OF A SCHOOL**

**4.24**

The Commission on Proprietary School and College Registration may conduct periodic announced and unannounced evaluations of a school.

These evaluations will be to determine if the school is complying with the Mississippi Proprietary School and College Registration Law and Regulations. This evaluation will also be used to verify that the school is in compliance with material presented in its application.

Any of the following areas may be evaluated during visitation:

- A. General School Information (Location, Telephone, Advertisements, etc.)
- B. Type of Ownership
- C. Personnel
- D. Equipment
- E. Evaluation System
- F. Job Placement Services
- G. Disclosure of Required Information to Students
- H. Financial Resources

- I. Facilities
- J. Refund Policy Procedures
- K. Program of Study and Individual Course Information

The school will be notified of the results of the evaluation, and may be requested to provide information concerning any questionable areas.

## **XXV. SCHOOL CLOSING**

**4.25**

In the event that a school closes a facility, the following is required:

- A. The Commission on Proprietary School and College Registration must be informed within sixty (60) days of:
  - 1. Proof of official closing date.
  - 2. Proof of reason for the closure.
  - 3. Proof of method developed to assist students with the completion of their program of study and individual courses.
  - 4. Proof of notice sent to all currently enrolled students, notifying them of the closure.
  - 5. Proof of notice given to students indicating where they may obtain any of their records.
  - 6. Proof of disposition of student records, with a contact person, complete address, and telephone number and how students may be obtained.
  - 7. Proof of notice sent to all students who have paid for any tuition and/or fees for future enrollment in a program of study or individual course informing them of the closure, and refund information.
  
- C. In the event a school files a bankruptcy petition, a certified copy must be filed with the Commission on Proprietary School and College Registration.

## **XXVI. SCHOOL LISTING**

**4.26**

The Commission on Proprietary School and College Registration will maintain a list of schools holding a valid certificate of registration in accordance with Title 75, Chapter 60, Mississippi Code of 1972, as amended. This list will be available to the public at a cost of \$5.00.

## **XXVII. REQUIREMENTS FOR SUBMITTING APPLICATIONS**

**4.27**

This section provides the requirements for submitting applications to the Commission on Proprietary School and College Registration. Please be advised that the Commission may request additional information needed to make a determination regarding any application.

- A. Certificate of Registration



The following information must be returned simultaneously to the Commission on Proprietary School and College Registration for action.

1. The application form completed in its entirety and signed by the school owner. Be certain that all sections (I -XXIV) are completed and included.
2. A non-refundable application fee of ~~Five Hundred Dollars (\$500.00)~~ as specified by the State Board for Community and Junior Colleges and payable to the Commission on Proprietary School and College Registration must accompany the application. ~~The initial fee for all approved applicants also includes an additional fee. Such fee is based upon the applicant school's gross tuition income collected during the first year after registration, and according to the following schedule (Please be advised that the gross annual tuition income for all annex locations must be included):~~

<del>Gross Annual Tuition Income</del>	<del>Fee</del>
<del>0 - \$1,249,999</del>	<del>2/10 of 1%</del>
<del>\$1,250,000 or above</del>	<del>1/10 of 1%</del>

~~The maximum fee is \$10,000.00. The minimum fee is \$50.00. This additional fee is to be paid within thirty (30) days after the first year of registration ends.~~

3. A surety bond in the penal sum of Fifty Thousand Dollars (\$50,000.00). The bond form must be completed by the Insurance Company or Agency and signed by a Mississippi Resident Agent. CPSCR FORM- 2 for the School Bond is included in the application packet.

Applicants may file in lieu of the bond, cash, a certificate of deposit or government bonds in the amount of Fifty Thousand Dollars (\$50,000.00).

#### B. Certificate of Registration Renewal

The following information must be returned simultaneously to the Commission on Proprietary School and College Registration at least thirty (30) days prior to the expiration date of the current certificate.

1. The Certificate of Registration Renewal Application completed in its entirety, and signed by the school owner. Be certain that all sections (I - XXIV) are completed and included.
2. An application renewal fee of ~~\$250~~ as specified by the State Board for Community and Junior Colleges is payable to the Commission on Proprietary School and College Registration. ~~The gross annual tuition renewal fee is based upon the school's gross tuition income collected during the previous license year, and~~

~~according to the following (please be advised that the gross annual tuition income for all annex locations must be included):~~

<del>Gross Tuition Income</del>	<del>Fee</del>
<del>0 — \$1,249,999.00</del>	<del>2/10 of 1%</del>
<del>\$1,250,000.00 or above</del>	<del>1/10 of 1%</del>

~~The maximum fee is \$10,000.00. The minimum fee is \$50.00.~~

The renewal fee must accompany the application. Both the renewal application and renewal fee must be received in the office of the Director for Proprietary School and College Registration at least thirty (30) days prior to the expiration date of the school's current certificate of registration.

3. If the renewal fee and application are not received at least thirty (30) days prior to the expiration date of the school's current certificate of registration, in addition to the renewal fee, a delinquent fee will be charged.

The amount of the delinquent fee ~~will be as follows:~~

~~1/10 of 1% of the school's gross tuition income collected during the previous license year. Is specified by the State Board for Community and Junior Colleges.~~

~~For school's with annex locations the gross tuition income for the registered school must be combined with the gross tuition income of all annex locations to determine the amount of the delinquent fee payable.~~

~~This information must be reported individually for each location on CPSCR FORM-8.~~

4. If the renewal application and renewal fee are not received by the expiration date of the current certificate of registration:
  - a. The current certificate of registration will expire and the school or college must reapply as a new applicant.
  - b. The registered school and all annex and franchise locations will be notified to cease operation. A copy of this notification will be sent to the Attorney General's Office.

### C. Program of Study

1. Refer to the Glossary for the definitions of a program of study and individual course.

2. The following information must be returned simultaneously to the Commission on Proprietary School and College Registration for action:
  - a. The application for Program of Study-Description.
  - b. The application fee of One Hundred Dollars (\$100.00).
  - c. The Instructor Data Form for all new instructors required to implement the new program of study.
3. All programs of study must be approved by the Commission on Proprietary School and College Registration prior to being offered to students.

D. The Instructor Data Form

The Commission on Proprietary School and College Registration does not appoint teachers; however, the Commission has a direct duty and responsibility in passing upon their qualifications.

The Instructor Data Form must be completed in its entirety and submitted to the Commission on Proprietary School and College Registration. Transcripts, certificates, licenses, and verification of High School graduation must accompany the application.

E. The School Director Data Form

The Commission on Proprietary School and College Registration does not appoint administrators; however, the Commission has the authority and responsibility to pass upon their qualifications.

The School Director Data Form must be completed in its entirety and submitted to the Commission on Proprietary School and College Registration.

F. An Agent's Permit

1. The following information must be returned simultaneously to the Commission:
  - a. The application for an agent's permit completed in its entirety.
  - b. The surety bond requirement of Ten Thousand Dollars (\$10,000.00).
  - c. The application fee of ~~One Hundred Dollars (\$100.00)~~ as specified by the State Board for Community and Junior Colleges is payable to the Commission on Proprietary School and College Registration.
2. If the school does not have a certificate of registration for the State of Mississippi, the following must be submitted along with the application:
  - a. A copy of the certificate of registration for the school submitting the application must be included; and

- b. A copy of the school's catalog that will be utilized during the one-year effective period of the agent's permit.

G. Agent's Permit Renewal

1. The following items must be returned simultaneously to the Commission on Proprietary School and College Registration at least thirty (30) days prior to the expiration date of the current agent permit.
  - a. The application for an agent's permit completed in its entirety.
  - b. The surety bond requirement of Ten Thousand Dollars (\$10,000.00).
  - a. c. ~~The application fee of One Hundred Dollars (\$100.00) as specified by the~~ State Board for Community and Junior Colleges is payable to the Commission on Proprietary School and College Registration.
  - d. A notice of continuation on the Ten Thousand Dollar (\$10,000.00) Surety Bond from the Insurance Company or a new bond if the previous bond has been canceled, or is not in the penal sum of Ten Thousand Dollars (\$10,000.00).
2. If the application for renewal of an agent's permit is not received by the expiration date, the school will be notified that the agent cannot solicit students for the school. A copy of this letter will be sent to the Attorney General's Office.

The applicant must then reapply as a new applicant.

*APPENDICES*

APPENDIX A

APPLICATION FEES

(These fees are not subject to Refund)

1. Certificate of Registration

- A. An initial fee of ~~\$500~~ as specified by the State Board for Community and Junior Colleges must accompany each application. ~~, plus an additional fee based upon the school's gross tuition income collected during the first year after registration (Please be advised that the gross annual tuition income for all annex locations must be included):~~

<u>Gross Annual Tuition Income</u>	<u>Fee</u>
<del>0 - \$1,249,999</del>	<del>2/10 of 1%</del>
<del>\$1,250,000 or above</del>	<del>1/10 of 1%</del>

~~\*\*\* The maximum fee is \$10,000. The minimum fee is \$50. \*\*\*~~

~~This fee is to be paid within thirty (30) days after the end of this year.~~

- B. The application for a certificate of registration must be accompanied by a surety bond in the penal sum of \$50,000. Applicants may file in lieu of the bond, cash, a certificate of deposit, or government bonds in the amount of \$50,000.

2. Certificate of Registration Renewal

- A. An application renewal fee of ~~\$250~~ as specified by the State Board for Community and Junior Colleges is payable to the Commission on Proprietary School and College Registration. ~~The gross annual tuition renewal fee is based upon school's gross tuition income collected during the previous license year, and according to the following schedule (Please be advised that the gross annual tuition income for all annex locations must be included):~~

<u>Gross Annual Tuition Income</u>	<u>Fee</u>
<del>0 - \$1,249,999</del>	<del>2/10 of 1%</del>
<del>\$1,250,000 or above</del>	<del>1/10 of 1%</del>

~~\*\*\* The maximum fee is \$10,000. The minimum fee is \$50. \*\*\*~~

- B. Applications for renewal must be accompanied by a surety bond in the penal sum of \$50,000 if a continuous bond has not been furnished in the penal sum of \$50,000. Applicants may file in lieu of the bond, cash, a certificate of deposit, or government bonds in the amount of \$50,000.

3. Delinquent Fee

- A. A delinquent fee is required if a renewal fee is not paid at least thirty (30) days prior to the expiration date of a school's current certificate of registration. This delinquent fee is in addition to the renewal fee. The delinquent fee is ~~1/10 of 1% of the school's gross tuition revenues collected during the previous registration year~~ is specified by the State Board for Community and Junior Colleges. ~~—(Please be advised that the gross annual tuition income for all annex locations must be included):~~

~~\*\*\* The maximum fee is \$2,500. The minimum fee is \$25. \*\*\*~~

- B. Failure to pay the assessed delinquent fee may lead to the suspension of the certificate of registration. The reinstatement registration fee for a suspended school is Five Hundred dollars (\$500).

4. Agent Permit

- A. The application for a permit shall be accompanied by a fee ~~of \$100~~ as specified by the State Board for Community and Junior Colleges.
- B. The application for a permit shall be accompanied by a surety bond in the penal sum of \$10,000.

5. Agent Permit Renewal

- A. The application for renewal of an agent permit must be accompanied by a fee ~~of \$100~~ as specified by the State Board for Community and Junior Colleges.
- B. The application for renewal must be accompanied by a surety bond in the penal sum of \$10,000, if a continuous bond has not been furnished in the penal sum of \$10,000.

6. Application for New Program of Study

- A. Each application for the original registration of a new course must be accompanied by a fee ~~of \$100~~ as specified by the State Board for Community and Junior Colleges.

7. Reinstatement Fee

- A. The reinstatement fee for a suspended school is ~~\$500~~ specified by the State Board for Community and Junior Colleges

**All payments should be made to:  
Commission on Proprietary School & College Registration  
CPSCR**

**PLEASE READ CAREFULLY**

A. ANNEX LOCATIONS

If your certificate of registration is valid for an annex location, to determine the amount of fees payable based on the school's gross tuition income, the gross tuition income for the registered location must be combined with the gross tuition income for each individual annex location.

B. THE FIRST YEAR AFTER REGISTRATION

Twelve (12) calendar months following the effective date of the certificate of registration.

C. THE PREVIOUS LICENSE YEAR

Thirteen (13) calendar months prior to the expiration date of the current certificate of registration.

***APPENDIX B***



*(CPSCR FORMS)*



**STATE OF MISSISSIPPI  
Commission on Proprietary School  
and College Registration  
3825 Ridgewood Road  
Jackson, Mississippi 39211**

**AGENT'S PERMIT AFFIDAVIT  
(THIS FORM MUST BE NOTARIZED)**

SCHOOL NAME AND ADDRESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I \_\_\_\_\_ hereby certify that Agent's Permit Number \_\_\_\_\_ issued to me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, was lost, stolen, or destroyed and is no longer in my possession. My signature below certifies that I understand that providing false information on this form may lead to the cancellation of my Agent's Permit and may also result in appropriate legal action.

\_\_\_\_\_ SIGNATURE OF  
AGENT DATE

\_\_\_\_\_

*Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

*Notary Public*

*My Commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

***PLEASE AFFIX YOUR SEAL TO THIS DOCUMENT.***

**GLOSSARY**

**ACID-TEST RATIO**

The ratio of cash plus readily marketable securities plus net receivables to total current liabilities.

**AGENT**

Any individual who solicits prospective students in Mississippi to enroll for a fee in a course of instruction.

**ANNEX LOCATION**

An annex is an additional location that a certificate of registration may include if:

1. The location offers exactly the same courses as the registered school location; and
2. The location is under the same ownership, management and control as that of the registered location.

**BOARD**

The State Board for Community and Junior Colleges established in Section 37-4-3, et seq., Mississippi Code of 1972.

**CHANGE OF OWNERSHIP**

Any one or a combination of the following:

1. The sale of the institution or the majority of its assets;
2. The division of one (1) or more institutions into two (2) or more institutions;
3. The transfer of the controlling interest in stock of the institution or its parent corporation;
4. The transfer of the controlling interest in stock of the institution to its parent corporation;
5. The transfer of the liabilities of the institution to its parent corporation;
6. The lease of any institution; or
7. The rental of any institution.

**COMMISSION**

The Commission on Proprietary School and College Registration established under MS Code 75-60-1, Senate Bill 2636.

**COURSE OF INSTRUCTION**

The offering of instruction to individuals for a charge, fee or contribution of any kind, to a person or persons for the purpose of training or preparing such person(s) for a field of endeavor in a business, trade, technical or industrial occupation.

**CURRENT RATIO**

The ratio of current assets to current liabilities. A ratio of 2:1 would mean that current assets are at least twice the amount of current liabilities. To calculate, divide current assets by current liabilities.

Current ratios and acid-test ratios are used to determine liquidity or the ability of an entity to meet its short-term financial obligations when and as they fall due.

### **DEBT TO EQUITY**

Total Liabilities divided by Owners' Equity provides insight into the extent to which nonequity capital is used to finance the assets of an entity.

### **DIRECTOR**

The Director for Proprietary School and College Registration.

### **FIRST YEAR AFTER REGISTRATION**

Twelve (12) calendar months immediately following the effective date of the certificate of registration.

### **GRADUATE**

Any student (full or part-time) who upon completion of a program of study receives a certificate, license, or diploma from a proprietary school licensed by the Commission.

### **INDEPENDENT VERIFICATION**

The right of the Commission and/or State Board for Community and Junior Colleges' Personnel to:

1. Observe the administration of an exam; or
2. Actually administer the exam.

### **INDIVIDUAL COURSE**

A series of lectures or other matter dealing with a subject.

### **LAST DAY OF STUDENT ATTENDANCE**

1. The date the student gives written notice to the school that he/she has withdrawn; or
2. The date on which the student is deemed withdrawn, according to item a. below.
  - a. A student is considered withdrawn, if all of the following are met:
    - (1) The student has failed to attend classes for a period of thirty (30) calendar days; and
    - (2) The school has notified the student, and the Director for Proprietary School and College Registration, that the student will be considered withdrawn if the student does not notify the school to the contrary within twelve (12) calendar days from the date on which the letter is mailed (postmarked); or

- (3) The student fails to respond within the twelve (12) day period.

**MANAGEMENT AND CONTROL**

The policies and procedures through which a school's administrative and operational activities are implemented, and all personnel responsible for and involved with the execution of administrative and operational activities. Personnel would include the following:

- a. School Director
- b. Advisory Board or Council
- c. Administrators
- d. President

**NORMAL TIME**

The pre-determined time period required to complete a program of study.

**PREVIOUS LICENSE YEAR**

Thirteen (13) calendar months prior to the expiration date of the current certificate of registration.

**PROGRAM OF STUDY**

A curriculum (set of individual courses) in a particular area of specialization for which a diploma, degree, certificate or other written evidence of proficiency or achievement is offered or awarded.

**QUARTER**

A term of up to fourteen (14) weeks.

**RECRUITER**

Any person employed by a school or college licensed by the Commission, regardless of job title, job description, full-time or part-time employment status, who either directly, or indirectly influences the decision of any prospective student to enroll for a fee in a course of instruction.

**REGISTERED LOCATION**

The location for which a certificate of registration is valid excluding, any annex or franchise locations.

**RETURN ON OWNER'S EQUITY**

Refers to the ability of an entity to generate revenues in excess of expenses; net income divided by average owners' equity.

**SCHOOL DIRECTOR**

Person responsible for the daily operations of the school.

**SCHOOL OWNER OR OWNERSHIP**

If the school is owned by an individual, that individual; if the school is owned by a partnership, all partners; if the school is owned by a corporation, the officers and directors of the corporation.

**SEMESTER**

A term of fifteen (15), sixteen (16), seventeen (17), or eighteen (18) weeks.

**STUDENT**

Any person who enters into a student enrollment contract or agreement.

**STUDENT CATALOG**

A typed and bound publication which is readily identifiable as a catalog. The catalog must be designed and written to convey accurate impressions of the school. The catalog must avoid false, or misleading statements. The catalog should provide sufficient detailed data to enable prospective students to clearly understand their opportunities, limitations, and obligations. Each student must be given a copy of this catalog upon enrollment.

**TERM**

The amount of instructional time that an enrollment period covers.

**WORKING CAPITAL**

Current assets less current liabilities; it is a measure of whether a company will have sufficient resources to meet short term debts.

Reference: Mississippi Code 75-60-1 et seq.