

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER m: POSTSECONDARY SCHOOLS

PART 451
PRIVATE BUSINESS AND VOCATIONAL SCHOOLS

SUBPART A: SCHOOL APPROVAL

Section

- 451.10 Introduction
- 451.20 Application for Certificate of Approval
- 451.30 Out-of-State School Approval
- 451.40 Classroom Extensions
- 451.50 Supplementary Courses of Instruction
- 451.55 Short Course
- 451.60 Change of School Location
- 451.70 Change of School Ownership
- 451.80 School Closing/Change of Status
- 451.90 Warning, Suspension, Revocation of Accreditation
and/or Approval
- 451.100 Inspection and Periodic Review
- 451.110 Cease and Desist Orders
- 451.120 Comparison of Graduation or Completion Rates

SUBPART B: SCHOOL STRUCTURE AND OPERATIONS

Section

- 451.200 School Purpose
- 451.210 Administration and Organization
- 451.220 Financial Resources/Financial Recordkeeping
- 451.230 School Surety Bond
- 451.235 Liability Insurance
- 451.240 Recordkeeping
- 451.250 School Advertising
- 451.260 School Catalog/Bulletin
- 451.270 Instructional Program and Services
- 451.280 Additional Requirements for Home Study and Home
Study/In-Residence Schools
- 451.285 Additional Requirements for Distance Education
- 451.290 Student Work Experience
- 451.300 Instructional Equipment, Facilities and Materials

SUBPART C: SCHOOL PERSONNEL

Section

- 451.400 Administrator Qualifications
- 451.410 Faculty Qualifications

- 451.420 Sales Representatives
451.430 Sales Representative Bond

SUBPART D: STUDENTS

Section

- 451.500 Student Admissions Standards
451.510 Handicapped Students
451.520 Enrollment Agreements
451.530 Student Obligations, Cancellation and Refund
Policies
451.540 Student Personnel Services
451.550 Placement Assistance
451.555 Student Progress
451.560 Student Attendance and Tardiness
451.570 Student Conduct and Discipline
451.580 Student Rights
451.590 Student Complaints

AUTHORITY: Implementing and authorized by the Private Business and Vocational Schools Act [105 ILCS 425] and Section 11-2.1 of the Public Aid Code [305 ILCS 5/11-2.1].

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NOTE: Capitalization denotes statutory language.

SUBPART A: SCHOOL APPROVAL

Section 451.10 Introduction

- a) The State of Illinois recognizes the importance and significant public contributions of private schools offering occupational training to its citizens. It has delegated responsibility for rulemaking and approving and monitoring these schools to the State Board of Education and State Superintendent of Education in the Private Business and Vocational Schools Act [105 ILCS 425], hereinafter referred to as the Act. The Act provides for the establishment of rules and standards that schools and individuals must meet prior to the issuance of original certificates of approval or permits and the renewal of such certificates or permits.
- b) Schools or individuals making original application for approval shall meet all applicable requirements of this Part prior to a certificate of approval or permit being issued. Schools or sales representatives already holding valid certificates of approval or permits shall satisfy all provisions stated herein as a condition for the renewal of their certificate or permit(s).
- c) Each school shall have a copy of the Act and this Part available for reference by its staff and students at its principal location within Illinois.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.20 Application for Certificate of Approval

- a) A school, as defined in Section 1 of the Act, shall submit an original application for its first approval year on forms provided by the Superintendent, unless exempt under Section 1.1 of the Act.
- b) The school shall include with the original application the information required by Sections 6 and 7 of the Act, the fee(s) required by Section 10 of the Act, copies of its policies, procedures, and operations required by this Part, and its annual academic calendar.
- c) If the Superintendent finds that the original application is not complete, the application and fee(s) shall be returned to the school with a statement that certain required information is missing.
- d) If a completed original application is rejected, the Superintendent shall:
 - 1) issue a written report specifying the reason for the rejection within forty-five (45) business days from receipt of the application;
 - 2) issue a certificate of approval only after the reasons for rejecting the application have been removed.
- e) If a school is in disagreement with the Superintendent's findings regarding its original application, it may, within sixty (60) business days of receipt of the application deficiency report, petition the Superintendent in writing for a reexamination of the application. The petition shall include the reasons for disagreement with the Superintendent's findings, and documentation and exhibits supporting the school's contentions of approvability. If, based on the petition and reexamination of the application, the Superintendent finds and issues a report stating that the school still has not fulfilled all requirements for approval, the school may make a written request within thirty (30) business days of receipt of this report for an informal hearing to show why it believes it has satisfied all application requirements. The request will be granted within thirty (30) business days of receipt of that request. If, as a result of the presentation by the applicant, the Superintendent

determines that application deficiencies cannot be resolved, the Superintendent shall call for a hearing, as provided in Section 17 and Section 18 of the Act, to refuse to issue a Certificate of Approval; or if it appears that the school can resolve application deficiencies within the time limitations of subsection (f), the Superintendent shall allow the applicant to continue efforts to remove application deficiencies, subject to the provisions of subsection (f) of this Section.

- f) If the Superintendent finds a school has not satisfied the original application requirements within twelve (12) months from the date of receipt of the application, the school shall pay an additional \$500 original application fee if the school continues the application process.
- g) A school or school extension which has not provided instruction in any approval year and that desires to resume operations in Illinois shall file an original application and pay the original application fee.
- h) A school shall submit a renewal application by April 1 of each year on forms provided by the Superintendent which update the information previously submitted by the school and which call for information that has not been reported by the school since the filing of the original application.

Section 451.30 Out-of-State School Approval

In addition to the requirements set forth in Section 451.20, out-of-state schools shall also comply with the following:

- a) An out-of-state school shall annually provide the Superintendent with evidence (e.g., a certificate, license, or a letter from a responsible agency) of full approval or accreditation by the regulatory agency of each state in which the school is located or conducts business.
- b) At the time of original and renewal applications, an out-of-state school shall present the Superintendent with copies of any consent order entered into with the Federal Trade Commission.
- c) An out-of-state school shall not market its degree programs in Illinois without having first presented the Superintendent with evidence (e.g., copies of certificates, licenses, or correspondence from the degree granting authority) of degree granting authority from the state in which it is located.

Section 451.40 Classroom Extensions

- a) A school shall be permitted to provide instructional services at locations other than its principal location only upon filing a separate application for approval of each classroom extension and payment of the application fee specified in the Act. There shall be no instruction conducted at any extension site without the Superintendent's written approval of the site. If instruction has been conducted at the extension site during the previous approval year, the school shall make application for continued approval of the site with its annual renewal application.
- b) The approval year for extensions shall coincide with that of the original application or any renewal applications.
- c) Included in the original application for each extension shall be the following:
 - 1) the extension site's address and telephone number;
 - 2) the name, business address, and telephone number of the site's administrator(s) during hours of instruction;
 - 3) inventories of instructional equipment;
 - 4) facility plans showing space available for the school to deliver programs in accordance with Section 451.270;
 - 5) certificate of liability insurance coverage for the site or a rider to the certificate indicating site coverage;
 - 6) documentation verifying that the site meets local health and safety requirements (e.g., fire marshal reports, occupancy certificates, public health certificates);
 - 7) descriptions of the specific courses of instruction to be offered;
 - 8) projected enrollment figures;

- 9) description of the plans and procedures for ensuring supervision during the hours that instruction is being given and students are present;
 - 10) a list of all faculty and the subjects they are assigned to teach;
 - 11) verification of qualification of faculty and administrators pursuant to requirements in Sections 451.400 and 451.410;
 - 12) indication of surety bond coverage for the site (i.e., the surety bond indicating coverage of the site in the amount required in Section 6(9) of the Act);
 - 13) three copies of a new or revised catalog/bulletin or three copies of catalog/bulletin supplements which give information on the extension site;
 - 14) copies of advertising materials to be used for the extension site.
- d) A school shall have written policies and procedures for the administration and control of its extensions which describe provisions for continuous:
- 1) supervision and control of activities at the site during its hours of operation;
 - 2) evaluation of instructional activities at the site.
- e) If an administrator appointed under Section 451.400 of this Part is not at the site when students are present and instruction is being given, the policies and procedures shall provide for an administrator to be immediately on call to answer student and faculty questions and give direction for any contingencies which may occur. The school shall furnish students and faculty with the name, address, and telephone number of the extension administrator(s).

- f) The Superintendent will deny or revoke approval of an extension if it is found that the extension's instructional program is not comparable to that provided at the principal location or other extension sites; or a school has not provided instruction at the extension site during the previous year, unless the school presents the Superintendent with plans for correction of the problem.

- g) A school shall notify the Superintendent at least five (5) business days prior to closure of any extension during any approval year.

Section 451.50 Supplementary Courses of Instruction

- a) The school shall make application for approval of any supplementary course of instruction by completing forms provided by the Superintendent and paying the fee specified in the Act.
- b) Applications for approval of supplementary courses of instruction shall be submitted at least thirty (30) calendar days prior to the date instruction in the course will begin.
- c) Requirements for approval of supplementary courses of instruction shall be the same as those for original course approval under Section 451.270 of this Part.

Section 451.55 Short Course

- a) The school shall make application for approval of any short course, as defined in Section 1 of the Act [105 ILCS 425/1], by completing forms provided by the Superintendent and paying the fee specified in Section 10 of the Act [105 ILCS 425/10].
- b) Applications for approval of short courses shall be submitted at least 30 calendar days prior to the date that instruction in the course will begin.
- c) Requirements for approval of short courses shall be the same as those for course approval under Section 451.270 of this Part.

(Source: Added at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.60 Change of School Location

- a) A school shall notify the Superintendent at least thirty (30) calendar days in advance of any change of its principal location. It shall file an application on forms provided, pay the fee specified in the Act, and secure approval prior to operating at the new location.
- b) Included in the application for change of location shall be the following:
 - 1) the new location's address and telephone number;
 - 2) assurance that the site will be operated in accordance with the school's policies and guidelines as previously submitted to the Superintendent;
 - 3) inventories of instructional equipment if different from those previously submitted to the Superintendent;
 - 4) floor and training ground plans showing space available for the school to deliver programs in accordance with Section 451.270;
 - 5) certificate of liability coverage or a rider indicating coverage of the new site;
 - 6) documentation that the new site meets local health and safety requirements (e.g., fire marshal reports, occupancy certificates, public health certificates);
 - 7) documentation of bond coverage for sales representatives at the site (i.e., the bond covering the sales representatives);
 - 8) documentation of school surety bond coverage for the site (i.e., the surety bond indicating coverage of the site in the amount required in Section 6(9) of the Act);
 - 9) three (3) copies of the school's revised catalog/bulletins or catalog/bulletin supplements which give a description of the new site and its address;

- 10) academic calendar for the location.
- c) A school shall notify a designee of the Superintendent when it is prepared for a visit to the site of any changed location of the school, which shall be conducted prior to the Superintendent's issuing of a certificate of approval.

Section 451.70 Change of School Ownership

- a) Following a change of ownership the new owner(s) must obtain a certificate of approval in order to operate the school.
- b) When a school has a change of fifty (50) percent or more of the school's stock or assets, in one or a series of transactions occurring within a three year period, it shall immediately file a change of ownership application with the fee specified in Section 10 of the Act. Included in this application shall be the following:
 - 1) the names, addresses, and corporate titles of all persons or other entities having a financial interest of ten (10) percent or more of the ownership;
 - 2) evidence of liability insurance coverage for students and employees as required in Section 451.235;
 - 3) evidence of qualification for all new managing employees and faculty as required in Sections 451.400 and 451.410;
 - 4) a new or revised catalog/bulletin or a supplement which describes the changed operations;
 - 5) a financial report, including the information required in Section 451.220, on forms provided for schools making original application;
 - 6) a fully executed surety bond and, if sales representatives are employed, a fully executed sales representative bond;
 - 7) evidence of compliance with the laws in the state in which the school is located and, if it is an out-of-state school, a statement of consent pursuant to Section 25.1 of the Act that actions may be commenced against the applicant in the courts of Illinois;
 - 8) a report on any other changes made in the school's organization and operations since the last application was filed and approved by the Superintendent;

- 9) a report on arrangements made to ensure continuing operations and compliance with the Act and this Part during the change of school ownership.

- c) The Superintendent will review the application for change of ownership and, upon determining that the application is complete and the school is in compliance with the Act and regulations, issue a certificate of approval within 30 days of receipt of such application.

Section 451.80 School Closing/Change of Status

- a) A school shall have written plans designed to protect the contractual rights, as set forth in subsections (b) and (c), including the right to complete the course of instruction in which they were enrolled, of its students and graduates in the event the school closes or undergoes a change of status (e.g., if the school changes location or if its certificate of approval is revoked). It shall return its certificate of approval to the Superintendent immediately by mail upon cessation of instruction or termination of approved status.
- b) A school which is closing, either voluntarily or involuntarily, shall:
 - 1) inform the Superintendent of this action immediately by certified mail;
 - 2) give the Superintendent the name, address, and telephone number of the person who will be responsible for closing arrangements;
 - 3) provide the Superintendent with the name, address, and telephone number and the name of the course of instruction for each student who has not completed his or her course of instruction;
 - 4) provide the Superintendent with information on the amount of class time left for each student to complete the course with the amount of refund, if any, for which each student is eligible;
 - 5) furnish the Superintendent with copies of the written notice being mailed to all enrolled students explaining the procedures they are to follow to secure refunds or to continue their education;
 - 6) file procedures for disbursement of refunds with the Superintendent and set a date no later than thirty (30) days from the last day of instruction to issue refund checks in the full amount for which students are entitled;
 - 7) immediately at its closing, transfer its permanent student records to the Superintendent.

- c) If students are receiving instruction prior to the school's closing, the school shall file a plan including the information described in subsection (c)(1) with the Superintendent to ensure that the school's students will continue to receive training of the same quality and content as that for which they contracted, as indicated in subsection (c)(2).
 - 1) Arrangements for transferring students to a public or another approved private school shall be filed with the Superintendent prior to any student transfer.
 - 2) Prior to approving the school's arrangements for completing its teaching obligations to students, the Superintendent shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.

- d) The school shall refund all tuition, fees, and other charges if the Superintendent, in any situation in which students are receiving instruction prior to a school's closing, determines that
 - 1) the school has not fulfilled its contractual obligations, or
 - 2) a student has reasonable objections to transfer resulting from the closing.

Section 451.90 Warning, Suspension, Revocation of Accreditation
and/or Approval

A SCHOOL SHALL PROVIDE THE SUPERINTENDENT WITH A COPY OF ANY NOTICE OF WARNING, SUSPENSION, OR REVOCATION RECEIVED FROM ANY NATIONAL, REGIONAL, OR STATE ACCREDITING AND/OR APPROVAL AGENCY WITHIN FIFTEEN (15) DAYS OF RECEIPT OF SUCH NOTICE. THE SCHOOL SHALL AT THE SAME TIME INFORM THE SUPERINTENDENT IN WRITING OF ACTIONS BEING TAKEN TO CORRECT THE DEFICIENCIES CITED (Section 15.3 of the Private Business and Vocational Schools Act; Ill. Rev. Stat. 1988 Supp., ch. 144, par. 150.3).

Section 451.100 Inspection and Periodic Review

- a) A school shall provide the Superintendent and his/her designee(s) access to all information, records, physical facilities, virtual classrooms, school personnel, including advisory groups and administrators, students and graduates as may be necessary to verify compliance with the Act and this Part.
- b) A SCHOOL SHALL PERMIT THE SUPERINTENDENT OR HIS/HER DESIGNEE(S) TO INSPECT THE SCHOOL WITH OR WITHOUT NOTICE (Section 7(5) of the Act [105 ILCS 425/7(5)]).
- c) A school located in Illinois shall be inspected within the first 18 months after the issuance of its original Illinois certificate of approval.
- d) After an initial inspection prior to original approval, existing schools shall be inspected for the purposes of validating continuing compliance with the Act and this Part and to determine whether the school is adhering to its own policies and procedures and is providing its described programs and services.
- e) Whenever an inspection or other investigation reveals lack of compliance with the Act or this Part, the Superintendent shall send the school a report of deficiencies. The school shall have 15 calendar days to respond to the report on actions that have been taken to correct these deficiencies.
 - 1) The school's response shall indicate action that has been or will be taken to correct deficiencies cited.
 - 2) If violations cited are not corrected within 30 calendar days following the school's receipt of the report, the Superintendent shall proceed to a hearing to revoke, suspend, or place on probation the school's certificate of approval.
 - 3) A school whose certificate has been placed on suspension shall not be permitted to engage in any marketing or student enrollment activities or

begin the instruction of any new students during the period of suspension.

- f) For the purpose of conducting periodic inspections, with 30 calendar days' notice, the Superintendent may require schools located 50 or more miles outside Illinois to furnish in writing the same information reviewed during on-site inspections of schools located in Illinois.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.110 Cease and Desist Orders

- a) Under authority given in Section 17 of the Act, during any time which may be designated for remediating deficiencies prior to revocation or refusal to renew a certificate of approval, the Superintendent may issue a directive ordering a school to cease and desist all sales, advertising, marketing and enrollment activities for any cause enumerated in Section 16 of the Act exclusive of those causes enumerated in paragraphs 3 and 4 of that Section.
- b) On receipt of a cease and desist order the school shall immediately cease and desist from all sales, advertising, marketing and enrollment activities. It shall report to the Superintendent in writing within fifteen (15) days on actions which will be taken to correct the deficiencies cited. The report shall include the date(s) for completion of corrective activities.
- c) The Superintendent shall notify the school in writing immediately when conditions relating to issuance of the order have been rectified and the school is again eligible to resume its normal sales, advertising, marketing and enrollment functions.
- d) If deficiencies noted by the Superintendent are not corrected within thirty (30) days following the school's receipt of the report, the Superintendent shall proceed to a hearing to show why the school's certificate of approval should not be placed on probation, suspended or revoked.

Section 451.120 Comparison of Graduation or Completion Rates

- a) The following definitions shall apply for purposes of collecting data for comparison of graduation or completion rates as required in Section 14.1 of the Act [105 ILCS 425/14.1] and this Part:
- 1) "Business schools" include but are not limited to schools in which the majority of students are enrolled in courses of instruction or subjects such as accounting, business management, computer programming and operations, court reporting, data entry and reporting, fashion careers, hospitality/hotels, paralegal, retailing and merchandising, secretarial and office skills, securities and banking, travel, and word processing.
 - 2) "Technical or Vocational schools" include trade schools and other schools in which the majority of students are enrolled in courses of instruction or subjects such as art/design, aviation, appliance repair, automotive repair, bartending, commercial arts, computer maintenance, carpentry, cooking, diesel technology, dog-grooming, drafting, electronics technology, forestry, heating/air conditioning, horseshoeing, interior decoration, locksmithing, modeling, sign painting, radio/television broadcasting, shoe repair, truck driving, welding, and allied health occupations such as dental assistant, health aide, medical assistant, medical records, medical technician, nurse's aide/assistant, and pharmacy assistant.
- b) THE SUPERINTENDENT SHALL ANNUALLY REVIEW AND INVESTIGATE ALL APPROVED SCHOOLS AND COURSES OF INSTRUCTION. SUCH ANNUAL REVIEW SHALL INCLUDE A COMPARISON BETWEEN THE GRADUATION OR COMPLETION RATE FOR THE SCHOOL AND THE GRADUATION OR COMPLETION RATE FOR THE SCHOOLS WITHIN THE INDUSTRY THE SCHOOL REPRESENTS, SUCH AS BUSINESS, TECHNICAL OR VOCATIONAL SCHOOLS, FOR THE REPORTING PERIOD OF JULY 1 THROUGH JUNE 30. ANY SCHOOL THAT FAILS TO MAINTAIN A GRADUATION OR COMPLETION RATE GREATER THAN 50% OF THE AVERAGE GRADUATION OR COMPLETION RATE FOR SCHOOLS WITHIN THAT INDUSTRY SHALL BE PLACED ON PROBATION FOR

ONE YEAR. IF THAT SCHOOL'S GRADUATION OR COMPLETION RATE FAILS TO EXCEED 50% OF THE AVERAGE GRADUATION RATE FOR SCHOOLS WITHIN THAT INDUSTRY FOR THAT SCHOOL'S NEXT REPORTING PERIOD, THEN THE SUPERINTENDENT SHALL REVOKE THAT SCHOOL'S APPROVAL TO OPERATE IN THE STATE OF ILLINOIS (Section 14.1 of the Act).

- c) To satisfy this requirement schools shall submit data annually to the Superintendent that identifies graduation or completion rates.
- 1) Data shall be submitted on forms provided by the Superintendent at the time of application for renewal of the school's certificate of approval.
 - 2) Data shall be compiled for the school's last completed reporting period of July 1 through June 30 prior to filing a renewal application and shall be certified true and correct by the owner, officer, or chief managing employee.
 - 3) The graduation or completion rate shall be calculated by dividing the total number of students who completed the course of instruction or graduated in that year by the total number of students who were originally scheduled to complete the course of instruction or graduate in that year, as set forth in their enrollment agreements.
 - 4) Schools shall maintain records, available for the Superintendent's review, that substantiate the annual graduation or completion rate data submitted. Recordkeeping required in Section 451.240 of this Part will satisfy the requirements of this subsection (c)(4).

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

SUBPART B: SCHOOL STRUCTURE AND OPERATIONS

Section 451.200 School Purpose

The school shall prepare a statement of school purpose which describes its general aims and principles. The purpose shall be peculiar to the school, its staff and student body and feature the special characteristics of its occupational programs.

Section 451.210 Administration and Organization

Each school shall develop and maintain an administrative organization and organizational chart which will be submitted with its application. The organizational chart shall name the chief managing employee and any assistant chief managing employee(s) and specify their functions.

Section 451.220 Financial Resources/Financial Recordkeeping

- a) The school shall provide the following financial information with each original application and each annual renewal:
 - 1) Financial statements compiled in accordance with standards established by the American Institute of Certified Public Accountants (Codification of Statements on Standards for Accounting and Review Services, Nos. 1-7, January 1, 1993; no later amendments to or editions of these standards are incorporated) and including:
 - A) a balance sheet,
 - B) an income statement, and
 - C) a statement of cash flows; and
 - 2) When applicable:
 - A) an annual report, and
 - B) the prior year's financial history.
- b) If, after analyzing the school's financial reports and records, the Superintendent determines a school is not financially sound or that it has financial difficulties deemed serious enough to consider denial or revocation of approval or that its records are incomplete or inaccurate, the Superintendent shall require the school within 75 calendar days of written notice to submit:
 - 1) audited financial statements with the report of the independent auditors by whom the audit was performed; and
 - 2) its most recent federal and state income tax reports.

(Source: Amended at 17 Ill. Reg. 22527, effective December 16, 1993)

Section 451.230 School Surety Bond

- a) A school shall supply the Superintendent with the original copy of a fully executed, continuous surety bond written by a company authorized to do business in Illinois in the sum of no less than \$10,000.
 - 1) In the event that the school will have unearned prepaid tuition for Illinois students at any one time in an amount which exceeds \$10,000, it shall increase the amount of its bond by \$10,000 increments up to a maximum of \$100,000 so that the sum of the bond always exceeds the amount of the unearned prepaid tuition.
 - 2) If unearned prepaid tuition for Illinois students in the possession of the school will exceed \$100,000, the bond shall be in a sum at least equal to the greatest projected amount of unearned prepaid tuition which will be in the school's possession at any one time.
- b) The school shall submit its projection of greatest amount of unearned prepaid tuition with its initial application for a certificate and the actual amount, based upon the record of the previous fiscal year, with each succeeding application.
- c) Should the Superintendent determine after applying the provisions of this Section that the school must increase the amount of bond coverage, the school shall file a bond rider acknowledging increased coverage within thirty (30) calendar days of receipt of the Superintendent's notice requiring such increase.
- d) In the event of cancellation of the bond by a bonding company, the school shall furnish a fully executed replacement bond to the Superintendent within ninety (90) calendar days of the Superintendent's receipt of the notice of cancellation.
- e) The bonding company shall on the Superintendent's request provide reasons for bond termination within thirty (30) calendar days of the Superintendent's receipt of notice of such termination.
- f) Termination of the school's surety bond coverage shall be grounds for revocation of its certificate of approval.

- g) When the school provides instruction at extensions, the surety bond or riders attached thereto shall indicate coverage for all Illinois students at all sites where instruction is or will be given.

Section 451.235 Liability Insurance

- a) A school shall maintain continuous liability insurance from a company authorized to do business in Illinois for the protection of the school's students and employees.
 - 1) The liability insurance policy shall specify limits of liability of not less than \$100,000 per person and \$300,000 per occurrence for bodily injury liability and not less than \$50,000 per occurrence for property damage liability.
 - 2) Such insurance shall include coverage for off-campus learning experiences such as student commercial employment as a part of the instructional program, internships/externships, cooperative education, and experiential learning activities, unless the school furnishes the Superintendent a certificate of insurance evidencing such coverage is being provided by the employer or other person responsible for the off-campus learning experience.
- b) The school shall furnish the Superintendent with a certificate of insurance which indicates compliance with the minimum amounts of liability insurance required by this Section.
 - 1) The insurance policy shall provide that the company issuing the policy must give written notice to the Superintendent at least 30 days prior to the effective date of a cancellation.
 - 2) If the certificate does not so indicate, the insurer shall provide riders verifying coverage at all sites where instruction is being or will be given to Illinois students.

Section 451.240 Recordkeeping

- a) A school shall maintain and make available for inspection by the Superintendent a central repository of records necessary for its efficient and effective academic and business operations. Included shall be records for students, dropouts, and graduates.
- b) A school shall maintain permanent records suitable for transcript purposes for all Illinois students. Permanent student records shall be maintained for fifty (50) calendar years after the student has departed from the school and include at minimum:
 - 1) the name and address of the school;
 - 2) full name and address of the student;
 - 3) dates of attendance;
 - 4) course of instruction or subject;
 - 5) amount of credit, if any, for each subject;
 - 6) grade for each subject;
 - 7) statement of graduation or reason the student departed from the school.
- c) Any transcript issued shall, in addition to the information specified in subsection (b) of this Section, include the following:
 - 1) signature and title of certifying official;
 - 2) seal of the school, if any;
 - 3) date of issue.
- d) In addition to student permanent records, a school shall establish and maintain student records for Illinois students who commence study at the school for a period of at least 3 calendar years from the date of student departure which shall include:
 - 1) schedules of classes or required hours of attendance;

- 2) records of daily attendance and absences as maintained and reported to the chief managing employee by faculty and/or work supervisors;
 - 3) evidence of regular reports to students on grades and rates of academic progress (e.g., grade reports, test results, academic warnings);
 - 4) enrollment agreements and other contracts;
 - 5) the student's payment record;
 - 6) evidence of placement efforts (e.g., references provided to students, letters to employers, interview schedules) to secure employment for the student and the name, address, and telephone number of the graduate's employer if placement assistance is offered.
- e) A school shall not release, transfer, disclose or otherwise disseminate student records or information contained therein unless upon the student's written request, except: to an authorized employee or an official of the school; to a representative or designee of the school's nationally recognized accrediting agency; or persons authorized or required to have such information by state or federal law or pursuant to a court order; or to the Superintendent.
- f) Students shall have the right to review their student records, including grades and attendance.
- g) A school shall develop and enforce security measures to protect permanent student records from damage or destruction for the period required under Section 7(3) of the Act.

Section 451.250 School Advertising

- a) The school and its agents shall not make or cause to be made any oral, written, or visual presentation in connection with the offering or publicizing of a subject or course of instruction that is false, deceptive, inaccurate, or misleading.
- b) A school shall submit with its original application all materials designed for direct mailing or media presentation in Illinois to the Superintendent for review for compliance in accordance with standards set forth in this Part. In its advertising, a school shall:
 - 1) limit reference to its approved status to:
"Certificate of Approval To Operate Issued By the Illinois State Superintendent of Education";
 - 2) disclose whether it is a distance education, distance education/in-residence, home study or home study/in-residence school if it provides such instruction;
 - 3) use photographs or other illustrations of school facilities only if these are the facilities being used to provide instruction (in the case of national advertising, the facilities shown must be representative of those that will be used);
 - 4) use photographs or other illustrations in ways that accurately portray the size and location of the school, its equipment and facilities or the career for which the student is being trained (in the case of national advertising, the school, equipment, and facilities portrayed must be representative of those that will be used or provided);
 - 5) advertise starting salaries of its former students only if these claims can be documented for the most recent reporting period of July 1 through June 30.
- c) In its advertising, a school shall not:
 - 1) describe its courses of instruction and subjects in a manner other than the approved title

- designations recorded on its current certificate of approval;
- 2) represent that it is endorsed by or affiliated with a college or university or other school of higher learning unless such statement is true;
 - 3) advertise the transferability of its credits to colleges or universities unless it has written evidence on file of current acceptability of such credits from colleges and universities, state approval and accrediting authorities, or the American Council on Education;
 - 4) advertise it is endorsed by manufacturers, business establishments, or organizations engaged in the line of work for which it gives training unless it has on file written evidence of each such endorsement with the name and address of the endorser and the date of endorsement;
 - 5) advertise accredited status unless such status has been received from an accrediting body currently listed as recognized by the U.S. Department of Education;
 - 6) advertise as an employment agency or under the same or similar name as such an agency or knowingly advertise training courses in the "Help Wanted" section of any newspaper;
 - 7) make statements assuring or guaranteeing membership in a union or other organization as a result of completing the course of instruction unless this fact can be documented;
 - 8) advertise any tuition, fees, or other charges in amounts other than those currently on file with the Superintendent or advertise them without showing the total cost, including fees;
 - 9) represent that a course of instruction has been recently revised, that it has a revision system or service, or represent in any manner its ability to keep a course of instruction current unless this can be verified.
- d) A school making original application or seeking approval for a new course of instruction may submit a

written petition to the Superintendent requesting permission to advertise prior to receipt of approval. The school will be authorized to advertise for a period no longer than 90 calendar days prior to its projected starting date. The authorization will be granted within ten business days after receipt of:

- 1) a completed application; and
 - 2) the requisite fee, as specified in Section 10 of the Act.
- e) A school approved by the Superintendent that advertises or offers instruction via the Internet or other electronic telecommunication media shall state, both on the home page of its web site, if applicable, and in its catalog/bulletin, that the school is authorized for operation pursuant to the "Certificate of Approval To Operate Issued By the Illinois State Superintendent of Education, 100 North First Street, Springfield, Illinois 62777." In the case of an Internet site, the required statement must include a picture/button link to the State Board of Education's Private Business and Vocational Schools' home page that lists all the private business and vocational schools that the State Board of Education has approved for operation.
- f) The school receiving approval to advertise shall adhere to the requirements of this Section. It shall not advise or advertise it is approved until a certificate of approval has been received from the Superintendent.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.260 School Catalog/Bulletin

- a) The catalog/bulletin shall be the school's principal printed means to explain its operations and requirements to prospective and enrolled students. It shall be current, complete and accurate for each school term.
- b) A school shall furnish each applicant with a copy of its most recent catalog/bulletin, together with any supplements and/or errata sheets prior to the applicant's signing of an enrollment agreement.
- c) Descriptions of courses of instruction and subjects shall be consistent with curricula previously approved by the Superintendent.
- d) If the catalog/bulletin includes names of instructors, such names shall be accurate as of the date of issue of the school's certificate of approval.
- e) At the time of renewal application the school shall submit three copies of its current catalog/bulletin and supplements and errata sheets.
- f) The catalog/bulletin shall include the following information:
 - 1) the school's philosophy or mission and objectives;
 - 2) month and year of publication;
 - 3) names, addresses, and telephone numbers of the school's administrative offices and all teaching locations;
 - 4) a description of each course of instruction in clock hours or credit hours, including whether the delivery method is in-residence, home study, distance education or some combination of these methods;
 - 5) criteria for the issuance of certificates and/or diplomas;
 - 6) admissions policies, including prerequisites for admission;

- 7) grading scales and standards of student progress;
 - 8) specific policies on advanced standing, if any;
 - 9) schedule of tuition, fees and costs for books, supplies, equipment, services, rentals, deposits, housing costs;
 - 10) methods of student payment;
 - 11) the school's refund policy for unearned tuition, books, fees, and other charges;
 - 12) academic calendar;
 - 13) policies pertaining to absences and tardinesses and rules of conduct or a statement indicating where such policies may be found;
 - 14) procedures for obtaining student transcripts;
 - 15) a description of student services, if any;
 - 16) a description of the placement assistance offered, if any;
 - 17) minimum equipment, which shall include, but not be limited to, the specifications for hardware, modem, memory capacity and speed; software; and services that students must supply for participation in any course of instruction; and
 - 18) a description of the school's procedures for receiving and processing student complaints in conformance with the requirements of Section 451.590 of this Part.
- g) The catalog/bulletin shall include the following notice: "Certificate of Approval To Operate Issued By the Illinois State Superintendent of Education, 100 North First Street, Springfield, Illinois 62777."
- h) Supplements or errata sheets for the catalog/bulletin shall be filed with the Superintendent before or at the time of implementation of changes and shall include the date of printing thereon. In the event that information on a supplement or errata sheet supersedes other information in the catalog/bulletin, the sheet shall indicate this fact and identify the page and

location of the superseded information in the
catalog/bulletin.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1,
2000)

Section 451.270 Instructional Program and Services

- a) A school shall design courses of instruction that impart knowledge, develop skills, and effectively prepare students for employability in the occupations for which they are being trained.
 - 1) Approved courses shall be implemented fully and taught in accordance with conditions for approval set by the Superintendent as required in this Section.
 - 2) The school shall evaluate and update its approved curriculum on forms and with procedures of its own design.
- b) A school's objectives for its courses of instruction shall be consistent with its purpose and shall be supported by policies and procedures that develop performance standards to be used in measuring the accomplishment of its students.
- c) No course of instruction or subject shall be taught without written approval from the Superintendent in accordance with subsections (c)(1) and (c)(2).
 - 1) The school shall not make any major changes in its approved courses or subjects, including the method by which the course is delivered, without prior consent from the Superintendent.
 - 2) The Superintendent shall approve changed courses only after applying the same criteria set forth in this Section for granting original course and subject approval.
- d) A school shall establish explicit objectives regarding student learning for each course of instruction and subject offered. The objectives shall include statements of the specific knowledge and skills each student must achieve by the time of course completion.
- e) A school shall have current, comprehensive, organized, and detailed instructional outlines, courses of study, syllabi, teaching guides, and lesson plans that indicate scope and sequence of subject matter and learning experiences sufficient for students to achieve announced objectives for each course of instruction and subject.

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- f) A school shall determine the total number of hours required for completion of each course of instruction and subject and the total amount of time to be devoted to each phase within each course and subject.
- 1) The school shall establish the number of hours students are to spend in classroom, practice, and work experience.
 - 2) The school shall determine the educational content and length of the period of study for each course and subject only after considering and appraising information derived from research data, previous instructional experiences, the practices prevailing in public and other private schools and in military, business, and industrial training programs.
 - 3) The comprehensiveness, content, and length of the school's courses of instruction shall be consistent with its explicit learning objectives.
- g) A school shall utilize instructional methods that facilitate achievement of student learning objectives.
- 1) Instructors shall be competent in the methods the school has adopted as most appropriate for its curriculum and students.
 - 2) The chief managing employee shall ensure that instructors apply the methods adopted.
- h) The school shall use textbooks, instructional materials and/or software consistent with its identified curricular objectives for each of its courses of instruction and subjects.
- i) The school shall maintain the following information on its texts and home study and distance education lessons currently in use:
- 1) titles;
 - 2) authors and/or contributing subject matter specialists;
 - 3) publishers;

- 4) copyright dates.
- j) A school shall have samples of all tests and other student evaluation devices used by the school available for the Superintendent's inspection for a period of not less than one calendar year following such use.
- k) In-residence, home study/in-residence, and distance education schools shall maintain and, upon the request of the Superintendent, provide their policies for limiting:
 - 1) the number of classes an instructor may be assigned to teach on any day when the school is in session;
 - 2) the total number of students the instructor may be assigned to teach in any week;
 - 3) the total number of different subject preparations an instructor may be assigned to teach on any day in any week.
- l) In-residence, home study/in-residence, and distance education schools shall maintain and, upon request of the Superintendent, provide their policies for determining maximum student/instructor ratios for each course of instruction and each subject within the course. Student/instructor ratio policies shall:
 - 1) be varied to conform to the requirements for different courses of instruction and subjects;
 - 2) give the rationale used to determine how the maximum class sizes for different courses and subjects were determined.
- m) Except in circumstances where the school has presented evidence that the standards it uses are as effective in ensuring an opportunity for students to achieve stated course objectives, student-to-teacher ratios for classroom instruction shall not exceed 30:1 and for laboratory or clinical instruction shall not exceed 20:1.
- n) Home study schools, home study/in-residence schools and distance education schools shall maintain and, upon

request of the Superintendent, provide policies for determining the total number of instructor hours required weekly to process, correct, and return home study and distance education lessons and examinations. The policies shall provide for instructor responses to examinations with comments and suggestions for corrections of errors and apparent weaknesses to be returned within seven business days after receipt of the lessons and examinations at the school.

- o) In-residence schools shall not assign an instructor to teach more than one subject, or cause any instructor to be responsible for instruction in two separate classrooms, during the same class period. An instructor may teach more than one level of the same subject during the same class period, provided that in each such instance the school shall ensure that the instruction provided to each student is appropriate to his or her level. Evidence of compliance with this requirement shall be:
 - 1) individual instructional programs; or
 - 2) class grouping and instruction by ability level.
- p) Approval of a course of instruction shall be continuous, provided:
 - 1) the school continues to have approved status;
 - 2) the scope and sequence of the course is the same as that previously approved by the Superintendent;
 - 3) the course of instruction has been taught during the previous approval year;
 - 4) the school continues to have approved instructors for the course of instruction pursuant to Section 451.410 of this Part; and
 - 5) the method of delivery for the course of instruction has not changed.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.280 Additional Requirements for Home Study and Home Study/In-Residence Schools

- a) The Superintendent shall approve home study courses of instruction only after determining that they meet the requirements stated in this Section. The home study school shall provide the Superintendent with a description of each course indicating all materials supplied to the student. The Superintendent may request such materials for any of the courses, and the school shall supply the materials it sends to its students for that course.
- b) The home study course of instruction shall be:
 - 1) suitable for a student to learn by self-direction with assistance that will be provided by the school;
 - 2) consistent with the educational background, reading ability, and interests of the school's students;
 - 3) organized sequentially in units from rudimentary to advanced, with transitional materials to guide students through the course of instruction;
 - 4) designed to be current, and to meet actual job requirements for the school's graduates;
 - 5) developed with the content necessary to ensure students will master the necessary skills and knowledge required for employment in the occupation for which they are being trained;
 - 6) designed to permit the student to measure his/her progress and to apply knowledge learned (e.g., student checklist, examinations, sample problems and exercises).
- c) Except for material especially included to give instructions and to assist and encourage the student to complete his/her studies successfully, the home study course of instruction shall be limited to subject matter, pictures, and graphics that are relevant to the course's specific occupational objectives.
- d) Home study examinations shall:

- 1) measure the extent of the student's mastery of each lesson and of the total course of instruction;
 - 2) correspond with course objectives and the requirements for employment in the field.
- e) The home study school shall maintain a progress evaluation record.
- f) Prior to the approval of any course of instruction, the home study school shall provide the Superintendent with:
- 1) names of the authors and/or contributing subject matter specialists for all lessons and instructional materials, including a statement of their qualifications in the instructional field;
 - 2) minimum passing scores for its tests and examinations.
- g) A home study/in-residence school shall not use the home study portion as the principal basis for the in-residence phase of instruction.
- 1) The school may use home study materials for a short review at the beginning of the in-residence phase.
 - 2) The school shall not allow a student who has not successfully completed all home study examinations with passing grades to enter the in-residence phase of instruction.
- h) Unless otherwise specified, all requirements in this Part for in-residence schools shall apply to the in-residence phase of a home study/in-residence course of instruction.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.285 Additional Requirements for Distance Education

For the purposes of this Section, distance education courses of instruction include those in which all or any part of the instruction is delivered via the Internet or by other electronic telecommunication media.

- a) A school wishing to offer distance education courses of instruction shall meet the following conditions:
 - 1) have a physical presence in the State of Illinois, which is defined as:
 - A) an instructional site within the State; or
 - B) offering instruction within or originating from Illinois; or
 - C) using local advertising markets in the State; and
 - 2) meet the requirements of Section 1 of the Act and Sections 451.20 and 451.30 of this Part.
- b) For any new distance education course of instruction, the school offering the course also shall be subject to the requirements enumerated in Sections 451.270 and 451.280 of this Part.
- c) Any school proposing to offer via distance education methods an existing course of instruction that has already been approved under Sections 451.270 and 451.280 of this Part also shall meet the requirements of this Section.
- d) The school offering distance education courses of instruction shall provide to the Superintendent:
 - 1) a description of each distance education course indicating all of the materials, including software, necessary for course completion. If software is to be required, then a copy of each software package shall be submitted to the Superintendent; and
 - 2) the definition of what constitutes a distance education lesson, including what evidence will be employed to determine when a lesson has been completed. Such evidence could include completion

of written assignments, instructor feedback, evaluations, reports, or on-line time sufficient so that the student can demonstrate progress toward meeting learning outcomes of the distance education course of instruction.

- e) Any school offering distance education courses of instruction shall:
- 1) assess each applicant's ability to succeed in the distance education course as prescribed in Section 451.500(e) of this Part;
 - 2) ensure that students admitted possess the background, knowledge, technical skills and equipment necessary to use the technology employed in the course of instruction;
 - 3) provide a plan that includes a list of the infrastructure and personnel that will be employed to support the distance education course of instruction;
 - 4) ensure that instructional resources, such as additional reading materials and/or hyperlinks to other Internet sites, are reliable, readily available and accessible to instructors and students;
 - 5) employ instructors who meet the requirements of Section 451.410 of this Part;
 - 6) ensure that instructors are trained to use effectively the distance education method employed;
 - 7) provide a sufficient level of interaction between instructors and students so that the students are likely to achieve the learning outcomes of the distance education course of instruction.

(Source: Added at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.290 Student Work Experience

- a) A school may, with the Superintendent's written approval, place students on work assignments to gain practical experience in the occupations for which they are being trained.
 - 1) The Superintendent shall approve a work experience program only when the school has provided an educational rationale for the program and has established a system for providing constant and direct educational supervision, monitoring, and evaluation for the program.
 - 2) The school shall identify the supervisor(s) of its student work experiences.
- b) If the sale of products or services is a necessary part of the school's course of instruction, the school shall not profit from such sale.
- c) A school may employ students in other than work experience and compensate them for such employment.

Section 451.300 Instructional Equipment, Facilities and
Materials

- a) Instructional equipment shall train and prepare students to use the types of equipment currently in use in business and industry. A school shall conduct its programs at sites and facilities related to the kinds of educational services it offers its students.
- b) A school shall annually provide the Superintendent with an inventory of all instructional equipment utilized by students and teachers for each course of instruction. The equipment shall meet the school's established criteria for model/kind, quantity, and recency of manufacture.
- c) A school shall annually examine its inventory of instructional equipment and materials to determine suitability for its programs.
- d) Equipment and materials shall be available in sufficient quantities to permit students to develop skills at expected levels and permit productive use of the student's time when engaged in scheduled skill, shop, and laboratory activities.
- e) Supplementary reading material needed for completing the reading assignment for each subject as assigned must be made accessible to the student.

SUBPART C: SCHOOL PERSONNEL

Section 451.400 Administrator Qualifications

- a) The school shall establish and maintain specific written policies setting standards for qualification, supervision and evaluation of its administrators. The policies shall set minimum requirements for the employment of administrators, including previous training, teaching, administrative, and on-the-job experience in the occupational fields for which students are being trained.
- b) Chief managing employees and their designated assistant chief managing employee(s) shall have the Superintendent's written approval prior to the date of official appointment. The Superintendent's approval is not required for any other administrator on the school's staff.
- c) All applications for approval of a chief managing employee or assistant chief managing employee(s) shall:
 - 1) be submitted on forms provided by the Superintendent;
 - 2) be signed by the applicant and the chief managing employee who shall attest to the truthfulness and accuracy of the information contained therein;
 - 3) be accompanied by transcripts, letters, and documents showing that the applicant meets the standards set forth in this Part.
- d) At minimum, each chief managing employee shall possess one of the following qualifications:
 - 1) graduation from a state approved, four-year, degree granting school with satisfactory completion of twenty-four (24) semester hours in administration/management, in professional education, or in one or more of the subject areas in which the school provides instruction;

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- 2) a combination of not less than 6,000 clock hours (the equivalent of 3 years) of training and on-the-job experience in one or more of the subject areas in which the school provides instruction and at least 2,000 clock hours (the equivalent of one year) of administrative/managerial experience.
 - e) Each assistant chief managing employee shall at a minimum meet the qualifications of a chief managing employee or a faculty member as defined in this Part.
 - f) A chief managing employee or assistant chief managing employee who complies with the requirements established in this Part shall not be relieved of the responsibility of complying with more stringent requirements established by any other state agency.
 - g) Approval of a chief managing employee or assistant chief managing employee terminates at cessation of employment at the school and is nontransferable to employment at another school.
 - h) Persons approved as administrators prior to the date of adoption of this Part shall continue to be approved for the positions they held at the school before the adoption of this Part.

Section 451.410 Faculty Qualifications

- a) A school shall establish and enforce specific written policies setting standards for qualification, supervision, evaluation, and promotion of its faculty.
 - 1) The policies shall set minimum requirements for the employment of faculty, including previous training and on-the-job experience in the subject area for which the faculty applicant is being considered for employment or transfer.
 - 2) Qualification standards for faculty shall at least conform to the standards set forth in subsection (b) of this Section.
- b) At minimum each faculty member shall possess at least one of the following qualifications:
 - 1) graduation from a State-approved, four-year degree-granting school with satisfactory completion of no fewer than 24 semester hours in the academic or vocational/skill subject area in which the applicant will be assigned to teach, including evidence of satisfactory completion of at least one 3-semester-hour college level course in each subject to which the faculty member is to be assigned; or
 - 2) a combination of no fewer than 4,000 clock hours of successful training and on-the-job experience in the academic or vocational/skill subject area to which the faculty member is to be assigned; or
 - 3) completion of no fewer than 6,000 clock hours of successful on-the-job experience in the academic or vocational/skill subject area in which the applicant will be assigned to teach.
- c) A faculty member who complies with the requirements established in this Part shall not be relieved of the responsibility of complying with more stringent requirements established by any other State agency.
- d) Faculty approval by the Superintendent shall be for the specific subjects listed on the application for approval only, shall not be transferable from one school to another, and shall terminate on cessation of the faculty member's employment with the school.

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- e) All applications for faculty approval shall:
- 1) be submitted on forms provided by the Superintendent;
 - 2) indicate the specific subjects the applicant will teach;
 - 3) be signed by the applicant and the chief managing employee;
 - 4) be accompanied by official transcripts, letters, and documents which confirm that the applicant meets:
 - A) the school's employment standards for previous instruction, on-the-job experience, and mastery of the subject area to which the faculty member is to be assigned;
 - B) the minimum standards for faculty approval set forth in this Part.
- f) For purposes of this Section, documentation of on-the-job and teaching experience shall:
- 1) be from any official providing the teaching or on-the-job experience of the applicant or from an administrator(s) at the previous place(s) of employment who can be reached for verification of the documentation submitted;
 - 2) state the period of employment;
 - 3) describe the applicant's on-the-job experience and duties in detail.
- g) In the event that the faculty member's former employer is no longer in business and/or the applicant's supervisor is no longer available to verify employment, the applicant shall submit an affidavit stating the facts concerning his or her work experience in lieu of the documentation specified in subsection (f) of this Section.
- h) Substitute faculty shall meet the same qualifications as regular faculty, including the prior approval of the Superintendent.

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- i) If a school utilizes faculty assistants, it shall establish and maintain policies which set forth qualifications, duties and procedures for use of these personnel. Faculty assistants shall:
 - 1) not be used as substitutes or replacements for regular faculty;
 - 2) not be responsible for the overall evaluation of any student;
 - 3) work under the direct supervision of approved faculty.
 - j) The school shall have and implement written policies to promote improvement of faculty competency in their occupational fields and in levels of performance in their teaching assignments.
 - k) A faculty member approved by the Superintendent to teach a specific subject(s) at the school prior to the date of adoption of this Part who has verification of qualification on file with the Superintendent shall continue to be approved to teach that subject(s) at the school.
 - l) The school shall employ new faculty according to the following minimum standards:
 - 1) Instructors employed as faculty in degree-granting programs shall have a minimum of a baccalaureate degree from a State-approved college or university with a major in the subject area in which they teach, except that, in those areas of study where the principal means of learning is work experience and/or related training that results in less than a baccalaureate degree, instructors employed as faculty must meet at least one of the following criteria:
 - A) Two years of work experience and a two-year associate's degree in the specific subject area to be taught; or
 - B) Four years of work experience in the specific subject area to be taught and a baccalaureate degree in an unrelated field; or

- C) One year of work experience and a two-year associate's degree in the specific subject area to be taught and one year of college credit in an unrelated field; or
 - D) Six years of work experience in the specific subject area to be taught; or
 - E) Six years of military service which consisted of training and work experience in the specific subject area to be taught.
- 2) If the job objective for which the course of instruction is offered requires a valid license or certificate, the instructor shall hold such a license or certificate.

(Source: Amended at 22 Ill Reg. 7584, effective April 17, 1998)

Section 451.420 Sales Representatives

- a) Any person whose function is to sell courses of instruction or subjects for any school(s) doing business in Illinois may do so only after securing a sales representative's permit.
 - 1) A person initiating any direct action (e.g., via personal contact with an individual or group, including dispensing sales literature to a person or group, or contact by telephone) to procure students for the school by requesting, inducing or persuading such prospective students to enroll shall be deemed to be a sales representative.
 - 2) A person paid to provide names of prospective students who has not had direct contact with the prospective student shall not be deemed to be a sales representative.
 - 3) Sales representatives may be employees of the school or independent contractors employed for sales purposes.
- b) Sales representative permits shall be issued only after the approval of the school by the Superintendent. A permit holder shall comply with the requirements of the Act and this Part.
- c) Sales representative permits shall be nontransferable and shall expire on December 31 of each year.
- d) A school with sales representatives shall maintain and have available for review a description of the procedures used to provide supervision of its representatives to assure compliance with the Act and this Part.
- e) Prior to the issuance of a sales representative's permit card by the Superintendent and as a part of a representative's original application for a permit card, an official of the school shall certify that the applicant has completed the school's prescribed training and has read and understands this Part.
- f) If for any reason the representative's permit card is lost or stolen, the school shall notify the Superintendent by the most expedient means. Upon

receipt of a written request the Superintendent shall issue a replacement card without charge.

- g) A sales representative shall, whenever representing a school:
- 1) report immediately to the administrator or designee at any recruitment site visited prior to any student interviews or presentations;
 - 2) make no statements that are false, misleading or fraudulent;
 - 3) respond upon request with information relevant to the prospective student's enrollment decision, to the extent to which such information is not confidential;
 - 4) use only advertising approved by the school;
 - 5) provide a copy of the school's catalog/bulletin to high school administrators or counselors prior to making any presentation at a high school;
 - 6) disclose information on tuition and other instructional costs upon request by prospective students;
 - 7) explain the student's payment obligations as set forth in the enrollment agreement and explain the school's refund policy;
 - 8) make clear the school's academic policies and code of conduct;
 - 9) accurately describe the school's facilities and living accommodations and explain living costs;
 - 10) give a report on job prospects, if requested to do so;
 - 11) make available for review sample copies of the school's home study and distance education lessons prior to the student's signing of the enrollment agreement;

- 12) explain the school's placement assistance, if any, and provide placement statistics as prescribed in the Act and this Part;
 - 13) explain the admission criteria for the school's course(s) of instruction;
 - 14) provide and explain the items of information required to be contained in the enrollment agreement by the Act and this Part;
 - 15) suggest that the prospective student visit the school to talk with teachers, guidance counselors, employment counselors and students.
- h) The sales representative shall not:
- 1) make false, inaccurate or misleading statements concerning any degree, certificate or diploma offered by the school;
 - 2) state that credits from the school are transferable unless such claims are supported by documentation (e.g., a letter or some form of communication attesting to the transferability of the credits) in the school's files;
 - 3) recommend a prospective student for acceptance unless the representative has reason to believe he/she has a chance to succeed;
 - 4) distribute or provide access to home study or distance education lessons to be used in the course of instruction until the prospective student has been officially accepted by the school;
 - 5) collect any fee other than the enrollment fee prior to the student's official acceptance;
 - 6) represent that any commodity or service is free when, in fact, such commodity or service is regularly included as part of a course for which tuition or any other fee is paid;
 - 7) SOLICIT PROSPECTIVE STUDENTS WITHIN 100 FEET OF ANY ILLINOIS DEPARTMENT OF PUBLIC AID OFFICE (Section 11-2.1 of the Illinois Public Aid Code

[305 ILCS 5/11-2.1]).

- i) The school shall monitor its representatives' activities and sales and marketing practices and immediately investigate and resolve complaints about their activities. The school shall be accountable for the adherence of its sales representatives to the Act and this Part.
- j) Whenever a sales representative leaves the school's employment, the school shall within five business days send the sales representative's notice of discharge or termination to the Superintendent.
 - 1) When the school is unable to send the representative's permit card with the notice, it may notify the Superintendent that it will return the card within 30 business days after the leaving date.
 - 2) If the card has been lost or destroyed, or if the sales representative refuses to return the card, the school shall send a written notice to this effect to the Superintendent.
- k) Illinois schools shall require new sales representatives with permits to sell in Illinois to visit the principal location of the employing school(s) prior to beginning sales activities. Out-of-state schools shall require new sales representatives to visit the principal location of the employing school(s) within 60 days after initial employment.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.430 Sales Representative Bond

- a) A school shall file with the Superintendent a valid sales representative blanket surety bond to provide indemnification to any prospective or enrolled student suffering loss as a result of any fraud or misrepresentation by a sales representative in procuring a student's enrollment. The bond shall be written by a company authorized to do business in Illinois and shall:
 - 1) indicate coverage in the penal sum of \$2,000 for each representative;
 - 2) show the maximum number of sales representatives covered;
 - 3) include coverage of representatives at any extension sites;
 - 4) be continuous to thirty (30) calendar days after the Superintendent's receipt of written notice of cancellation from the company issuing the bond.
- b) In the event of bond cancellation the school shall:
 - 1) furnish a fully executed replacement to the Superintendent within thirty (30) calendar days of his/her receipt of notice from the bonding company;
 - 2) return all sales representative permit cards for cancellation if an appropriate bond replacement is not received by the Superintendent within the thirty (30) calendar days.

SUBPART D: STUDENTS

Section 451.500 Student Admissions Standards

- a) The school shall provide to each prospective student its specific admission requirement for each course of instruction. Such requirements shall include evidence of satisfactory completion of secondary education or the GED examination, and/or other evidence predicting probable success of the student in the course of instruction. Schools not requiring successful completion of high school or the GED shall provide the Superintendent with evidence (e.g., letters or similar communications from employers) that such completion is not normally required for persons seeking placement in the occupations for which it trains students. The school shall maintain verifiable evidence that each student meets the school's admission standards for the course of instruction in which enrolled and that the admission standards provide reasonable indication of the student's potential for successful completion of the course of instruction.
- b) A school shall evaluate each applicant's qualifications prior to his/her acceptance or rejection and shall, for seven years, maintain records of this action for the Superintendent's inspection. The records should include specific, verifiable evidence that each student admitted has sufficient aptitude to meet the school's standards for admission into the course in which the student has enrolled.
- c) When the school admits an applicant who does not meet all of its admissions standards, it shall record the reasons why the student was permitted to enroll and so inform the student.
- d) A school may require applicants who do not meet its requirements for admission to satisfactorily complete remedial instruction prior to full admission status.
- e) As evidence of student qualification, the school may use such devices or combination of devices as aptitude and ability test results, transcripts, letters of recommendation, proof of previous successful experience in the field, questionnaires, and structured admissions interviews. It may include records of such abilities or qualities as analytical thinking, problem-solving, personal responsibility, evenness of performance,

motivation, maturity, promise in the field, leadership abilities, energy, self-confidence, relation of ability to achievement, written/oral expression, mathematical skills, dexterity and coordination, mechanical aptitude, and originality and imagination.

- f) For a distance education course of instruction, an admissions test conducted on-line must include a verification of the student's identity.
- g) A SCHOOL SHALL NOT REFUSE TO ADMIT APPLICANTS ON ACCOUNT OF RACE, COLOR, CREED, SEX, PHYSICAL OR MENTAL HANDICAP UNRELATED TO ABILITY, RELIGION, OR NATIONAL ORIGIN (Section 16(11) of the Act [105 ILCS 425/16(11)]).
- h) Whenever required for licensure or entry into the field for which the applicant is to be trained, the school shall require evidence of a satisfactory physical examination or other specific qualification, such as bonding, prior to admitting the applicant. For example:
 - 1) Applicants for truck driving schools shall meet the Illinois Department of Transportation and Illinois Secretary of State requirements prior to acceptance.
 - 2) Applicants for flight programs shall meet the requirements of the Federal Aviation Administration prior to acceptance.
- i) A school shall not enroll an applicant under the age of 16 or an applicant enrolled in an elementary or a high school in Illinois unless it has established through verifiable and recorded contact with responsible school officials (school superintendent, school principal, or designee) that, based on academic performance, the course will not be detrimental to the student's regular school coursework.
- j) If a school enrolls students in courses of instruction preparing graduates for occupations generally requiring satisfactory completion of the twelfth grade or the GED, it shall require the applicant to provide evidence of equivalent life experience or to furnish an official high school transcript from a recognized high school, a copy of the GED certificate, or a statement signed by

the applicant that attests to graduation and includes the date of graduation, name, address, and telephone number of the high school last attended.

- k) A school, through its catalog/bulletin or similar descriptive literature, shall inform each applicant prior to enrollment about:
- 1) its specific admissions requirements for each course of instruction that the applicant is considering;
 - 2) the general requirements for entrance into the occupations for which the student seeks training;
 - 3) its placement service, if a placement service is provided. Statistics for the most recent 12-month reporting period of July 1 to June 30 preceding the date of the school's application for annual renewal of its certificate of approval shall be provided for each course of instruction that the applicant is considering. These statistics shall address each of the categories enumerated in Section 15.2 of the Act [105 ILCS 425/15.2]. IN THE ABSENCE OF PLACEMENT STATISTICS FOR A NEW COURSE OF INSTRUCTION, THE ENROLLING REPRESENTATIVE SHALL DISCLOSE TO THE STUDENT THE PLACEMENT STATISTICS WHICH REPRESENT THE AGGREGATE OF ALL COURSES OF INSTRUCTION (Section 15.2 of the Act);
 - 4) its policies and procedures, if any, for granting advanced standing to qualified prospective students who have previously completed training and/or work experience in the field of intended study;
 - 5) its policies, if any, for shortening the period of study and reducing the cost of instruction for students admitted with advanced standing.
- l) A school shall not represent or imply that:
- 1) its graduates will be able to secure positions in a particular field because of completion of one or more of its courses of instruction if such positions are available only to persons with additional training and experience;

- 2) it will accept a limited number of persons from a geographical area;
 - 3) it will accept applications for enrollment for only a limited period of time unless this fact can be verified;
 - 4) its credits are acceptable for admission or advanced standing at any school, college, or university unless it has previously filed evidence (e.g., a letter or some form of communication attesting to the transferability of the credits) to this effect with the Superintendent;
 - 5) applications must be submitted by a certain date to be acceptable for student admission unless this fact can be verified;
 - 6) any commodity or service is free when in fact such commodity or service is regularly included as part of the cost of instruction.
- m) An out-of-state truck driving school shall disclose to its applicants prior to enrollment that graduates of such schools should normally have attained the age of 21 prior to completion of the course of instruction. Such schools admitting students between the ages of 18 and 21 shall require all applicants to sign a statement of understanding that employment with truck driving companies operating interstate is not possible until the applicant attains the age of 21.
- n) Home study/in-residence and distance education/in-residence schools shall restrict admission to the number of students who can begin in-residence study within approximately 60 calendar days after successful completion of home study or the distance education portion.
- o) Home study, home study/in-residence, and distance education schools shall not distribute or provide access to the first lesson until the applicant has been accepted by the admissions officer at the school's principal place of business.
- 1) Distribution of or access to the first lesson shall be no later than ten business days following the official date of admission.

- 2) Home study schools shall not distribute more than approximately 20 percent of the total number of home study lessons in the course of instruction to the student at any one time.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.510 Handicapped Students

- a) A school shall not deny admission to a student with a physical or mental handicap which is unrelated to the student's ability to successfully complete the student's intended course of instruction.
- b) If the school accepts a handicapped student it shall:
 - 1) accommodate the student's handicap in designing his or her educational program;
 - 2) maintain evidence on file that the student has been informed of requirements for minimum successful performance in the course of instruction and for entrance into the vocation for which the student seeks training (e.g., signed statement from the student, copy of information delivered to all students).

Section 451.520 Enrollment Agreements

- a) Each school shall provide written enrollment agreements to each student that specify both the school's and the student's legal obligations. The agreements shall contain all written disclosures required in Section 15.1 of the Act [105 ILCS 425/15.1] and be separate from any noncontractual documents utilized in the enrollment of students. Data required in Section 15.1(11) of the Act [105 ILCS 425/15.1(11)] shall be reported as follows:
 - 1) data shall be compiled for the school's most recent 12-month reporting period of July 1 through June 30;
 - 2) the graduation or completion rate shall be calculated by dividing the total number of students who completed the course of instruction or graduated in that year by the total number of students who were originally scheduled to complete the course of instruction or graduate in that year;
 - 3) the placement rates shall be calculated from the data compiled for the reporting period included.
- b) A school shall provide the applicant with:
 - 1) a copy of the enrollment agreement signed and dated by the sales representative and the applicant at the time the applicant makes initial payment of any fees, deposits, tuition, or other charges;
 - 2) signed, dated receipts for any monies collected from the student;
 - 3) a copy of the enrollment agreement or written notice of acceptance signed and dated by the chief managing employee or the admissions officer at the school's principal place of business at the time of official student acceptance at the school.
- c) A school may give the applicant a single copy of the agreement when the date of initial payment and the date of acceptance are the same.

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- d) When the prospective student is under the age of 18, the agreement shall be signed by his/her parent or guardian.
- e) A school shall maintain copies of all signed agreements and any truth-in-lending disclosure pages in each student's permanent record.
- f) If the school receives payment of fees, deposits, or other charges in a single payment or by the payment of the enrollment fee and one additional payment, it may limit financial disclosures on the agreement to the enrollment fee and the cash price. If the student elects to make more payments than those described above, the agreement shall disclose the:
- 1) enrollment fee;
 - 2) cash price;
 - 3) cash down payment;
 - 4) difference between cash price and cash down payment, using the phrase "unpaid balance of cash price";
 - 5) number, amount, and due dates or periods of payments scheduled for student repayments of indebtedness.
- g) A school receiving multiple payments may provide information on financial disclosures required in subsection (f) of this Section on a separate page. The page shall be signed and dated by the sales representative and the student at the same time their signatures are affixed to the agreement.
- h) When the school assesses finance charges or offers discounts for early payment and time/price differentials, the agreement and disclosure pages shall:
- 1) satisfy the requirements of the Retail Installment Sales Act [815 ILCS 405];
 - 2) make clear that students are not required to make use of its finance plans.

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- i) The agreement shall not contain a wage assignment provision and/or a confession of judgment clause.
 - j) The agreement shall include a "NOTICE TO THE BUYER" that includes the following statements in a position above the space reserved for the student's signature:
 - 1) "Do not sign this agreement before you read it or if it contains any blank spaces.
 - 2) This is a legal instrument. Both sides of the contract are binding. Read both sides before signing.
 - 3) You are entitled to receive one copy of the agreement you sign and any information disclosure pages presented by the school.
 - 4) Under the law you have the right, among others, to pay the full amount due and to obtain under certain conditions a partial refund of the finance charge."
 - k) In addition to the information required by Section 15.1 of the Act, an enrollment agreement shall include:
 - 1) language explaining the agreement will be binding only when the agreement is accepted, signed and dated by the authorized official of the school or the admissions officer at the school's principal place of business;
 - 2) a statement in which the student attests to having received the school's current catalog/bulletin, any supplements and errata sheets, and the data required in Section 15.1(11) of the Act;
 - 3) a space for the sales representative to indicate by signature his/her compliance with the Act and this Part;
 - 4) a statement that any changes in the agreement shall not be binding on either the student or the school unless such changes have been approved in writing by the authorized official of the school and by the student or the student's parent or guardian if the student is a minor;

- 5) the date by which instruction must be completed if the school provides instruction by home study or distance education and limits the period of time for completion of that instruction;
 - 6) a statement that terms and conditions of the agreement are not subject to amendment or modification by oral agreement;
 - 7) its current printing date.
- l) Information required in subsection (k)(5) of this Section need not be printed on the agreement but may be added to the agreement by the sales representative in space provided. The information shall be entered on the agreement prior to the time of applicant's signature.
 - m) The school may reserve the right in the agreement to make revisions in the course of instruction during the period of the student's enrollment, provided that this right is conditioned upon the Superintendent's prior approval of the revision in accordance with the requirements for the approval of curricular changes in this Part.
 - n) When, pursuant to the Act and this Part, any agreement the school enters into with a student is found by the Superintendent to be a violation of the Act or this Part, the school shall refund all monies to the student within five business days.
 - o) IF THE RIGHT TO CANCEL IS NOT GIVEN TO ANY PROSPECTIVE STUDENT AT THE TIME THE ENROLLMENT IS SIGNED, THE STUDENT HAS THE RIGHT TO CANCEL THE AGREEMENT AT ANY TIME AND RECEIVE A REFUND OF ALL MONIES PAID TO DATE WITHIN 10 DAYS OF CANCELLATION (Section 15.1 of the Act).
 - p) The school shall meet the reporting requirements of Section 15.1(11)(i) of the Act [105 ILCS 425/15.1(11)(i)] regarding students enrolling in specific courses or courses of instruction and submit such report to the Superintendent within 90 days following the end of the reporting period of July 1 through June 30.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.530 Student Obligations, Cancellation and Refund Policies

- a) The following definitions, in addition to those found in Section 1 of the Act, shall apply to the school's policies for the assessment of student fees and for obligations and refunds:
- 1) "Academic (school) year" is an instructional period extending no longer than 52 weeks from the date of its initiation to its conclusion.
 - 2) "Class day" is any day on which instruction is provided by the school and on which the student is scheduled to attend; not included are holidays, scheduled vacation periods, other days on which instruction is not provided, and periods for which a student is granted a leave of absence.
 - 3) "Clock or class hour" is one period of instruction given to one student; the periods may range from 45 to 60 minutes in duration. "Clock hours or class hours" are not the same as "credit hours." Credit hours are normally identified as "semester hours" or "quarter hours."
 - 4) "Enrollment fee" is a one-time student fee, assessed at the time of the student's initial enrollment at the school.
 - 5) "Distance education lesson" is a term used to describe a single unit or a defined set of instructional activities in a uniform series of units or activities of distance education instruction, as defined by the school pursuant to Section 451.285(d)(2) of this Part.
 - 6) "Home study/in-residence instruction" is a course of instruction that consists of both home study lessons and in-residence classes at the school's site.
 - 7) "Home study lesson" is the term used by home study schools to describe a single unit in a uniform series of units of correspondence instruction.

- 8) "Pro rata refund policy" is a policy computed on the number of clock or class hours completed or home study or distance education lessons serviced in the total course completed by the student.
 - 9) "Terms" are regularly established equal divisions of the academic (school) year from ten to 19 weeks long, each with an established starting and ending date; they are normally called quarters, trimesters, or semesters.
 - 10) "Total cost of the course of instruction" is, for purpose of refund calculations, the sum found on the enrollment agreement of all required charges made for direct instruction and obligatory items of extra expense to the student, such as instructional supplies, tools, student activities fees, laboratory and studio fees, service charges, rentals and other miscellaneous charges; it does not include the enrollment fee, charges for room and board, or any required accident or health insurance premiums paid by the student directly to an insurance carrier.
 - 11) "Total cost of the term" is, for purpose of refund calculations, the sum of the same required and obligatory charges itemized in the definition of "total cost of the course of instruction" but that are assessed for a specific term only; not included are the enrollment fee and charges for room and board in the term.
- b) A school and its sales representatives enrolling prospective students shall collect no more than the amount of the application-registration fee that may not exceed \$150 or 50 percent of the cost of tuition, whichever is less, until the student has been formally accepted following the admissions screening process and the school's approval and signing of the enrollment agreement at the school's principal location.
- c) A school shall publish and adhere to refund policies as required by Section 15.1a of the Act [105 ILCS 425/15.1a].
- 1) The school shall not receive, demand, or retain any amount in excess of proportions and dollar

amounts disclosed in the enrollment agreement and catalog/bulletin for the term in which the student is enrolled.

- 2) The student's total financial obligation for instruction shall not be more than the total contract price for the academic (school) year in which the student is enrolled.
 - 3) The school shall return that portion of any refunds due to sponsors furnishing grants, loans, scholarships or other financial aids in conformity with federal and state laws, and regulations and requirements of financial aid sponsors. After any disbursements to financial aid sponsors, the student shall receive the balance, if any, of the amount due under the school's refund policy.
 - 4) The school shall refund all monies paid to it if THE SCHOOL FAILS TO CONDUCT CLASSES ON DAYS OR TIMES SCHEDULED, DETRIMENTALLY AFFECTING THE STUDENT (Section 15.1a(11)(c) of the Act [105 ILCS 425/15.1a(11)(c)]).
 - 5) A school that offers distance education lessons and is unable to provide them because of a failure on the part of the school shall be responsible for refunding all monies paid to it.
- d) Student refunds shall be processed promptly and in accordance with the following requirements as may be applicable.
- 1) If a letter of withdrawal is submitted, it shall be delivered to the school management. The date of withdrawal initiated by a student shall be the date the letter of withdrawal is postmarked or, when the notice is hand-carried, it shall occur on the date the notice is delivered. The school shall provide a receipt for each letter of withdrawal received.
 - 2) An in-residence school shall inform the student as to his/her contractual obligation if the student fails to attend class or utilize instructional

facilities for a period of ten consecutive class days without providing, prior to or during that period, an explanation regarding the absences.

- 3) A home study or distance education school shall inform the student as to his/her contractual home study or distance education obligation if at any point during the course of instruction it has not received lessons for 60 consecutive calendar days; the date of withdrawal shall be the date of the last lesson received.
- 4) A school may give an in-residence, home study, or distance education student who has withdrawn the opportunity to apply for reinstatement in writing and keep his/her enrollment active without prejudice to the student's refund rights.
- 5) A school shall notify any agency known to the school to be providing financial aid to the student of any withdrawal within 30 days after the date of withdrawal.
- 6) A school shall maintain accurate current records that make possible prompt return of funds in the correct amount.
- 7) In the event a student gives notice of withdrawal, the school is obligated to refund the cost of only those books and materials purchased for the current or future terms if the books and materials have been returned to the school unmarked.
 - A) A school charging for books and materials, including software, shall maintain in the student's file a receipt with the book title or name of item, amount charged and date purchased.
 - B) A school charging for books and materials, including software, shall maintain for three years a list of these items used for each subject area and the exact charge for each. The record shall be updated as changes occur.
- e) In the event a student withdrawing from a course of instruction is less than 18 years of age

on date of withdrawal, notice of cancellation shall be made by the purchaser of the enrollment agreement.

- f) A school shall refund all monies paid to it if the school did not screen the student, including physical examinations required for occupational licensure, to determine that the student meets its admission standards prior to the date of the student's acceptance.
- g) For home study or distance education instruction, all references to class attendance or days in class in Section 15.1a of the Act shall refer to lessons completed by the student and serviced by the school.
- h) Refunds for the home study/in-residence portions of a combination home study/in-residence school, or for a distance education course of instruction if a portion is provided in-residence, must be computed and stated separately.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.540 Student Personnel Services

- a) If the school purports to provide student personnel services, it shall provide those services as advertised.
- b) The school shall make known to students those personnel services provided.

Section 451.550 Placement Assistance

- a) A school is not required to offer placement assistance. If it does so, it shall disclose the nature of the assistance in its catalog.
- b) A school which offers or advertises placement assistance shall file an annual placement report with its renewal application to the Superintendent which shall:
 - 1) be signed and notarized as true and correct by its chief managing employee;
 - 2) contain the statistics required by Section 15.2 of the Act.
- c) A school shall not:
 - 1) make any placement guarantee;
 - 2) advertise "lifetime" placement assistance;
 - 3) promise a student a job which uses information, training, or skills provided by a course unless the school can offer the student a contract of employment for a period of not less than ninety (90) days in a business in which such information, training, or skill is a normal condition of employment;
 - 4) make additional charges for placement assistance;
 - 5) solicit or permit its sales representatives to solicit students through a placement or employment agency.

Section 451.555 Student Progress

- a) A school shall have and enforce written policies for defining acceptable student progress and academic good standing and shall maintain progress evaluation records that record the student's movement toward completing studies within the time allotted for completion of the curriculum.
- b) Students enrolled in home study instruction or distance education shall be informed of their academic progress with the servicing of each examination. If at any point in the curriculum the student's average grades on examinations are less than those required for passing the total course, the student shall immediately be so informed in writing.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.560 Student Attendance and Tardiness

A school shall adopt policies which stress the importance of regular attendance and shall inform the students about the details of such policies.

Section 451.570 Student Conduct and Discipline

- a) The school shall adopt, enforce, and disseminate to its employees and students written policies to ensure standards of student behavior conducive to a favorable learning environment for all of its students.
- b) Sanctions shall not be imposed without determination by school officials of the nature of the offense in accordance with the school's published policies. This determination shall include a consideration of statements presented by the individuals involved.
- c) The school's policies shall allow a student to appeal to a school administrator to regain full standing after disciplinary action has been taken.
- d) The school shall keep written records of the disposition of all disciplinary actions.

Section 451.580 Student Rights

- a) A school shall establish a procedure for the fair and prompt resolution of student grievances concerning instructional and business affairs. The procedures shall specify the reasons for which a conference or hearing may be requested and require the recording of any findings.
- b) A student's records, including attendance records, shall be available for inspection on request by the student.
- c) A school shall terminate a student's enrollment when it has been documented that he/she is unable to remain in good academic standing and to acquire the knowledge and skills necessary for entering the occupation for which he/she is being trained.
- d) Schools shall post in a conspicuous place the statement, developed by the Superintendent, of students' rights provided under the Act. A school that offers distance education courses of instruction also shall post the statement in a conspicuous place on its web site.

(Source: Amended at 24 Ill. Reg. 7229, effective May 1, 2000)

Section 451.590 Student Complaints

- a) A school shall resolve student complaints promptly and fairly and shall not subject a student to punitive action because of written grievances having been filed with the school or the Superintendent.
- b) The school shall maintain a written record of its handling of all student complaints.
- c) ANY STUDENT OR EMPLOYEE OF A SCHOOL APPROVED BY THIS ACT WHO BELIEVES HE HAS BEEN AGGRIEVED BY A VIOLATION OF THIS ACT SHALL HAVE THE RIGHT TO FILE A WRITTEN COMPLAINT WITHIN ONE YEAR OF THE ALLEGED VIOLATION. THE SUPERINTENDENT SHALL ACKNOWLEDGE WITHIN 20 DAYS RECEIPT OF SUCH WRITTEN COMPLAINT. THE SUPERINTENDENT SHALL ISSUE A WRITTEN FINDING AS TO WHETHER THERE IS GOOD CAUSE TO INITIATE DISCIPLINARY PROCEEDINGS IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT. THE SUPERINTENDENT SHALL FURNISH SUCH FINDINGS TO THE PERSON WHO FILED THE COMPLAINT AND TO THE CHIEF OPERATING OFFICER OF THE SCHOOL CITED IN THE COMPLAINT (Section 17 of the Private Business and Vocational Schools Act; Ill. Rev. Stat. 1988 Supp., ch. 144, par. 152).