

New Director Seminar Compliance

Private Licensed Schools
Division of Law Enforcement Education and Trade
Schools

Please note this PowerPoint presentation does not replace required New Director Seminar attendance.

Compliance

- Legal Authority / Foundations
 - Statute, Regs, and Memos
- Board Organization
- Electronic Sites
- Annual Statistical Report
- Board Approvals Required
- Notifications Required
- License Renewal
- Program Changes
- Site Visits
- Advertising
- Admissions Representatives
- Student Records - transcripts
- Records Repository
- Complaints
- Enforcement Action
- Possible Sanctions
- Common Pitfalls
- Rigid Deadlines
- Closing Procedures

Legal Authority

- Statute
- Regulations
- Board Policy Memos
- <https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/Private-Licensed-Schools.aspx>

▶ Board Policy Memos

- Numbered memos that explain the regulations or create policy not addressed in the regulations.
- Violation of the memos can result in enforcement action.

Board Policy Memos

Memo #38 – Establishes Cure Period

- Provides for a 10-day cure period (business days)

Memo #52 - Scholarships

- Must be a minimum of 25% of tuition cost
- Cannot be used as a discount

Memo #65 – Limits Program Applications

- Limits new program applications to three per Board meeting.

Memo #75 – Fees

- Delineates tangible and intangible fees and how the refund policy is applied or not

Memo #83 – Distance Education

- Guidance is provided on how the application is submitted and whether fees are required and who reviews the application

Memo #88 – Guidance Coronavirus (COVID-19)

- Ever evolving as the pandemic continues
- Alternate Delivery Method Waiver steps and expiration date



▶ Board of Private Licensed Schools

- 15 members
 - 14 appointed by Secretary of Education
 - 1 ex officio representative of Attorney General
- 4-year terms
- Term limits – 2 consecutive terms

▶ Board's Standing Committees

- Executive Committee
- Financial Review Committee
- Review and Recommendation Panel
- Curriculum Committee
- Hearing Panels

Staff

- The PA Department of Education staffs the Board
- Each school is assigned to a staff member (Board Administrator)
- Call staff at (717) 783-8228
- Email is the most efficient means of communication



▶ Board Approval Required

- Relocation
- Expansion
- Remote Location
- New Branch
 - All the above require a site visit (\$750 fee), certificate of occupancy, and updated bond rider
- Scholarship (requires FRC approval)
- Change of Ownership (requires FRC approval)
- Name Change or Alternate Name



Staff Review Required

- Change in Director – PDE340
- Change in Acting Director – PDE340
 - Provide email address and phone number for new Director/Acting Director (Administrators)
- Program Changes – PDE3744
 - Provide narrative detailing changes
- Surety – changes in
- Distance Education applications ONLY if you have prior Board approval as a Distance Education provider

Change in Director / Acting Director – PDE340

- <https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/PLS-School-Resources.aspx>
- Part 1 is the School Director attestation of the remaining information on the form
- Part 2, 2a, 3, 4, 5, 6 are relevant to the newly appointed Acting Director (or possibly the new School Director)
- The Acting Director's school email address is the only email address made available on the form.

Program Changes

- Submitted on PDE3744
- Must be less than 25% change in clock hours
- Cannot be a substantive change to objectives
- Approval required PRIOR to implementation

Program Changes – PDE3744

- <https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/PLS-School-Resources.aspx>
- There are several tabs for completion
 - School Information – always completed
 - Program Changes – always completed
 - Distance Education – only completed if requesting the change in the amount of distance education to a program (for example now adding a DE component to a course it wasn't in before)
 - Enrollment Agreement – update according to program changes
 - Documents – ability to upload additional documents you may feel are needed



Surety

- Surety is insurance – protection for your students in the event the school would close
- Surety is covered in detail under §73.54
- The surety amount is based on your school's gross tuition
- When there is a change in surety (amount/provider/bond number) your Board Administrator must be notified prior to the changes taking place for further guidance and permissions
- New bonds and or riders, originals, must be mailed to PDE



Tuition and Fee Changes

- Tuition and application/registration fee changes are reported on the PDE3808 Program Profile
- Manually cross out and mark the changes (you must write-in fee changes)
- Indicate the effective date of changes
- Sign profile sheet
- Scan and email to assigned Board Administrator
- Indicate whether current students will be affected (current students must be notified 60 days prior)

PDE3808

- School program profile
 - Confirm accuracy
 - Used by accreditation, Veterans Education, and other funding sources
- Visit our website, PDE > Postsecondary & Adult > College and Career Education > Private Licensed Schools located here

<https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/Private-Licensed-Schools.aspx>

- Follow these links from the menu:
 - General Resources
 - School Profiles - Programs Offered
- Click #2 to search program profile
- Enter your school name
- Once it appears – click on the school name and it will open to show your current PDE 3808

Sample PDE3808 Profile

PDE-3808
PDS-840

**SCHOOL PROGRAM PROFILE
PRIVATE LICENSED SCHOOLS
PENNSYLVANIA DEPARTMENT OF EDUCATION**

AAA School of Trucking, Inc

AUN :4-26-51-081-9-0000

442 East Girard Avenue Philadelphia PA 19125

Calendar System :Non-Specific

Director Name :Mr Ryan A Soloby

CIP CODE	PROGRAM NAME	AWARD	PROGRAM LENGTH	DISC'D YEAR	PROGRAM TUITION	PROG NEW TUITION	T D
49.0205 0002	AAA 118 Basic Class B Driving	D	118 CLOCK HOURS,		3300	3300	0
49.0205 0000	AAA 160 Basic Tractor Trailer Driving	D	160 CLOCK HOURS,		5500	5500	0
49.0205 0001	AAA 50 Refresher, Tractor Trailer Driving	D	50 CLOCK HOURS,		2750	2750	0



pennsylvania
DEPARTMENT OF EDUCATION

▶ Reportable Events

- Material change in financial condition
- Lapse in surety
- School files for bankruptcy
- Building code violation
- Environmental hazard
- Title IV audit

How to Report

- Email letter to Board Administrator
- No form provided

▶ Additional Information Needed

- Change in e-mail account
- Change in phone number

▶ License Renewal

- Initial renewal is due one year from licensure
- Subsequent due every two years
- MUST be renewed prior to expiration
- Reminder will be sent, but school is responsible
- <https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/PLS-School-Resources.aspx>

Components of Renewal Application

- Fee (\$1,000 - \$35,000)
- Financial Statement at the school-level (PDE2006 or audited)
- Evidence of Surety
- Ethics Statement – print/sign/embed
<https://www.education.pa.gov/Documents/Postsecondary-Adult/College%20and%20Career%20Education/Private%20Licensured%20Schools/Ethics%20Statement.pdf>
- Records Repository
- Enrollment Agreement
- Catalog
- Changes to PDE3808 Program Profile
- Confirmations

▶ Renewal Submission - SharePoint

The screenshot shows a SharePoint site titled "Application Submission" under the "PLS" (Private License Schools) site. The breadcrumb trail is "PLS > Application Submission > Private License Schools". The top navigation bar includes links for "Application Submission Portal", "Generic User Application Submission", "Registered User Application Submission", "Division Review", "Board Review", "Site Owner Review", "FRC", "Renewals", "Team View", "College", and "AST ASB". The current page is "Application Submission Portal".

On the left sidebar, under "Recently Modified", there are links for "Division Review", "Registered User Application Submission", "Generic User Application Submission", and "Application Submission". At the bottom of the sidebar are "Recycle Bin" and "All Site Content".

The main content area has the heading "Higher and Career Education Application Submission Portal". Below the heading is a welcome message: "Welcome to the Postsecondary Application Submission Portal through which you can upload new or revised applications. Click on one of the following:"

- **Generic School Users** – If you logged into this site using the generic login (PLSAPP), please click [here](#) to submit an application.
- **Registered School Users** – If you logged into this site using your PA Login username and password, please click [here](#) to view your existing applications and/or submit an application.

The text "Generic School Users" in the first bullet point is highlighted with a red rectangular box.

▶ Renewal Submission - SharePoint

The screenshot shows a SharePoint page titled "Generic User Application Submission" under the "Private License Schools" site. The breadcrumb trail is "PLS > Generic User Application Submission". The page has a top navigation bar with "Site Actions" and "Page" menus, and a user profile for "Landis, Patricia A (PDE)". Below the breadcrumb is a secondary navigation bar with links: "PLS", "Application Submission Portal", "Generic User Application Submission" (highlighted), "Registered User Application Submission", "Division Review", "Board Review", "Site Owner Review", "FRC", "Renewals", "Team View", "College", "AST ASB", and "This Site: PLS". A search bar is also present. On the left, a "Recently Modified" sidebar lists: "Division Review", "Registered User Application Submission", "Generic User Application Submission", "Application Submission", "PA State Distance Education Registration", "Recycle Bin", and "All Site Content". The main content area is titled "Generic Postsecondary Application Submission" and contains a welcome message: "Welcome to the Generic Postsecondary Application Submission screen through which you can upload new or revised school license or program applications." Below this are two sections: "New Application Submission" and "Application Revision Submission", each with a list of requirements and a call to click "Add document". At the bottom of the page, a red box highlights the "Add document" button.

Site Actions ▾ Browse Page Landis, Patricia A (PDE) ▾

PLS > Generic User Application Submission
Private License Schools

PLS Application Submission Portal **Generic User Application Submission** Registered User Application Submission Division Review Board Review Site Owner Review FRC Renewals Team View College AST ASB This Site: PLS

Distance Education Registration Distance Education Review

Recently Modified

- Division Review
- Registered User Application Submission
- Generic User Application Submission
- Application Submission
- PA State Distance Education Registration

Recycle Bin
All Site Content

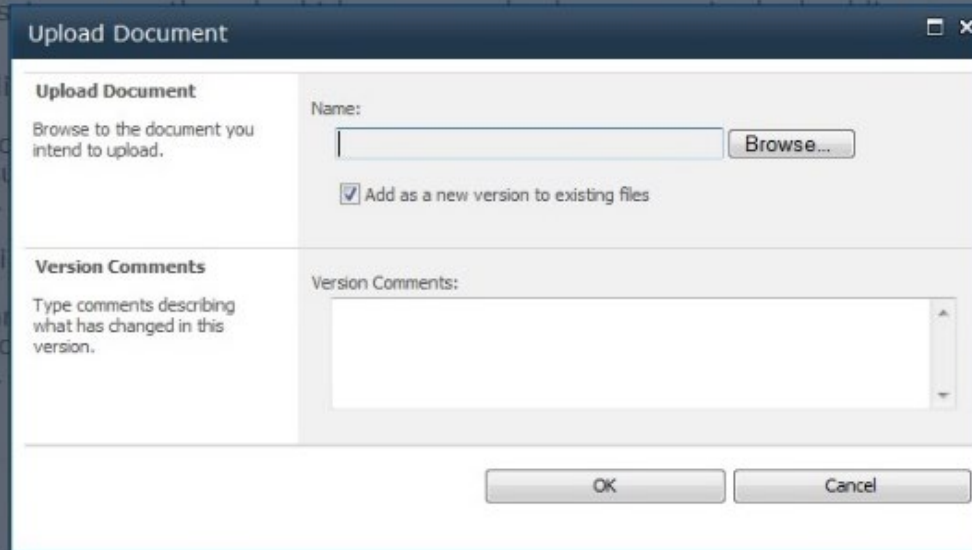
Generic Postsecondary Application Submission

Welcome to the Generic Postsecondary Application Submission screen through which you can upload new or revised school license or program applications.

- **New Application Submission** - To submit a new application, please note the following requirements, and then click **Add document** (below) to begin the upload process:
 - Although you can enter comments when you upload an application, the comments may or may not be reviewed. If you have questions or concerns, please call (717) 783-8228
 - In order for your application to be successfully submitted, both forms **MUST** be completed.
 - Application submission may take a few minutes. Once your application has been successfully submitted, this screen will appear again. You will not see your application listed on this screen.
- **Application Revision Submission** - To submit a revision to an existing application, please note the following requirements, and then click **Add document** (below) to begin the upload process:
 - A revised application should have exactly the same filename as the original application.
 - Although you can enter comments when you upload an application, the comments may or may not be reviewed. If you have questions or concerns, please call (717) 783-8228.
 - Application submission may take a few minutes. Once your application has been successfully submitted, this screen will appear again. You will not see your application listed on this screen.

Add document

➤ Renewal Submission – Browse for File



The image shows a screenshot of a web application interface with a modal dialog box titled "Upload Document". The dialog box is divided into two main sections: "Upload Document" and "Version Comments".

Upload Document Section:

- Text: "Browse to the document you intend to upload."
- Field: "Name:" followed by an empty text input box and a "Browse..." button.
- Checkbox: A checked checkbox labeled "Add as a new version to existing files".

Version Comments Section:

- Text: "Type comments describing what has changed in this version."
- Field: A large, empty text area for entering version comments.

At the bottom of the dialog box, there are two buttons: "OK" and "Cancel".

➤ Renewal Submission – Complete Form

PLS Library - High School accreditation list 5-09.doc

Check In Cancel Paste Copy Delete Item

Commit Clipboard Actions

Note: Be sure to carefully enter all of the information below. Once you click Save on this screen, your application has been saved and submitted. Your application will not be listed on the Application Submission screen. Staff will contact you by e-mail within the next month to inform you of any revisions that are needed prior to consideration by the Board. You will receive notice by e-mail to inform you whether the application has been accepted for review by the Board at the next meeting. Please note that each applicant for a new school license must also submit at least one application for program approval. Please note that the Board has established a limit of three new program applications per school for each Board meeting. If you have any questions regarding your application submission, please call (717) 783-8228.

WARNING: YOU MUST COMPLETE THIS FORM

The document was uploaded successfully and is checked out to you. Check that the fields below are correct and that all required fields are filled out. The file will not be accessible to other users until you check in.

Content Type Choose a content type

Name *

Program Name *

School Name *

CEO *

Email *

Staff Reviewer

Version: 1.0
Created at 1/22/2014 12:44 PM by Landis, Patricia A (PDE)
Last modified at 1/22/2014 12:44 PM by Landis, Patricia A (PDE)

Check In Cancel

File Names

- Name file with indication of school name (and program name when applicable).
- Do not use punctuation.
- Always use the exact same file name for each resubmission of revised applications.

Common Pitfalls

- Complete all necessary information for each section.
- Mail check PRIOR to deadline.
- Ensure that any changes needed are incorporated consistently throughout the application.
- Be consistent.



Site Visits

- Expansion of instructional space
- Relocation
- Remote location
- Branch location
- Expansion / Relocation / Remote / Branch
 - All requested in writing by school - \$750 fee
 - All require Certificate of Occupancy
 - All require facility floor plan
 - Bond rider
 - All require Board approval
- Compliance Visit
 - Scheduled by staff, no fee

Compliance Visit

- Once every 3 years for unaccredited schools
- Once every 5 years for accredited schools

Tour school

Talk with students and staff

Check facilities and equipment

Verify certificate of occupancy,
capacity

Verify PA Board PLS license is posted

Director and Acting Director
credentials

Faculty credentials

Program approvals

Advertising

Scholarships

Catalog

Enrollment Agreement





▶ Instructor Qualifications PDE279

- Do not submit this form unless requested.
- Completed PDE279 form and supporting documentation must be on file for each instructor.
- Files may be paper or electronic but must be produced upon request during compliance visits.
- <https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/PLS-School-Resources.aspx>

Student Records

- Current Students
 - Transcript
 - Proof of admissions requirements
 - Enrollment Agreement
 - Student Ledger Card
- Graduates
 - Transcript
 - Award
- Withdrawals
 - Transcript
 - Student ledger card
 - Last date of attendance
 - Refund calculation
 - Date refund sent, within 30 days

Transcripts

- Must be maintained for 50 years
- Must be placed with a repository when the school closes
- Must contain 7 items
 - Student Name
 - Student ID Number (suggest to avoid ssn)
 - Program Name
 - Grades for all Subjects
 - Date of Entrance
 - Date of Graduation or Withdrawal
 - Award received (diploma, certificate, or AST/ASB degree)



Records Repository

- Must always be maintained
- Must be submitted with each renewal
 - Includes both party names, addresses, contact number
 - Signatures of both parties
 - Dated within the renewal time period
 - Include statement as outlined in §73.23 – 73.25
- No fee can be required after closure
- Service fees may be charged to students
- Should be with another PLS

Records Repository

- <http://www.edna.pa.gov/Screens/wfSearchEntity.aspx>
- Leave all fields blank except those mentioned below:
 1. Enter the city name, or a nearby city, or leave blank to see the entire listing for the state
 2. Under the heading **Postsecondary and Higher Education Entities** select Private Licensed School
 3. Scroll down a little and Click search at the bottom left.

▶ Records Repository

- <http://www.edna.pa.gov/Screens/wfSearchEntity.aspx>
- Leave all fields blank except those mentioned below:
 1. Enter the city name, or a nearby city, or leave blank to see the entire listing for the state
 2. Under the heading **Postsecondary and Higher Education Entities** select Private Licensed School
 3. Scroll down a little and Click search at the bottom left.



Student Refunds and Withdrawal

- Calculated in accordance with
22 PA Code §§ 73.134 - 136
- Determined by the percentage of the program completed
- Refund amount and date of refund should be in the student file for all those who have withdrawn

Refunds + 6 weeks

- Up to 5 days after signing but before classes – 100% (including reg fee)
- After 5 days and before classes – 100% (minus the registration fee)
- During first 7 days – 75% of tuition refunded
- Within 25% - 55% of tuition refunded
- Within 50% - 30% of tuition refunded
- After 50% - no refund

Refunds < 6 weeks

- Up to 5 days after signing but before classes – 100% (including reg fee)
- After 5 days and before classes – 100% (minus the registration fee)
- Up to 10% – 90% of tuition refunded
- Within 25% - 55% of tuition refunded
- Within 50% - 30% of tuition refunded
- After 50% - no refund

Refunds

- Students cannot be *required* to request withdrawal in writing.
- If a student stops attending, a refund is due if they completed less than 50%.
- See Board Memo #75 for all relevant fees to be refunded

Refunds

- Refunds *must* be calculated based on the last date of recorded attendance.
 - If the school takes attendance, use recorded date.
 - If the school does not take attendance, use the last written evidence of attendance –a homework assignment, quiz or test.

Refunds - Deadline

- Refunds must be made within 30 days of the last date of recorded attendance.
- Take into consideration the time it takes to cut a check – the refund must be mailed within 30 days.

Leave of Absence

- A leave of absence must be requested by the student in writing.
- Refunds are required if student fails to return from a leave of absence.

▶ Date of Determination

- Title IV concept
- Does not exist in PA regulations
- PA student refunds must be based on last date of recorded attendance and not on date of determination

Complaints

- We encourage complainants to try to resolve the situation with the school director first, but not required
- Complaint is submitted to PLS with signature
- Complaint is sent to school for response
 - 30 days to respond in writing

Complaints

- Complaint will be investigated
- Conversations with complainant
 - Conversations with school
 - Possible Visit to School
- A resolution may be proposed
- Complaint will be closed or
- Complaint will be referred to enforcement panel

▶ Advertising

- No blind advertising (school must be named)
- No advertising in the help wanted
- No salaries
- No misrepresentation
- No superlatives
- No implication of college or university
- Must use approved school name
- Must use approved program names
- No advertising unapproved programs

▶ Advertising

- No guarantee of employment
- No guarantee of admission to another institution
- No guarantee of credit transfer
- No bait and switch
- No premiums
- No discounts
- No demeaning another school

▶ Admission Representative License

- Required if students will be asked to sign enrollment agreement anyplace off the school property
- Not required for marketing – education fairs, etc. – if students do not enroll
- Required for each employee who recruits
- PDE5006 Application Form
- \$600 Fee
- Must be renewed annually

▶ Annual Statistical Report

- MUST be submitted between July 1 and September 30 each year.
- Submitted electronically.
- Failure to submit is a violation punishable by a fine of at least \$500 or revocation.

▶ Enforcement Action

- Complaint or potential violation is referred to Review & Recommendations Panel (RRP) by staff
- RRP may order a Notice of Violation
 - 14 days to respond
- RRP may direct an Order to Show Cause
 - 20 days to respond
- School can request a hearing
- Full Board votes on final adjudication

Possible Sanctions

- \$500 fine for first violation
- \$750 fine for second violation
- \$1000 fine for third violation
- \$1000 fine for unlicensed activity
 - Plus 5-year ban on licensure
- Suspension of license
- Revocation of license

Common Pitfalls

- Late Annual Statistical Report
- Late Licensure Renewal
(late applications, license will not be renewed)
- Late Quarterly Reporting
- Failure to make timely refunds
- Failure to make accurate refunds
- Instructor reads from book
- Students stepping in as instructors
- Instructor cancels or shortens classes

Common Pitfalls

- Textbooks late or unavailable
- Retroactive tuition increase
- Using an unapproved school name
- No acting director for the school
- Advertising
 - In employment column
 - Blind advertising (not naming the school)
 - Salaries

▶ Closing Procedures

- Notify Board in writing 30 days prior
- Teach-out all students
- Place records with repository
 - If you are a repository for another school courtesy to alert them, not required
 - If you are a repository for a closed school, those records must move with your school records to your repository

Closing

- Additional closing steps if students are still enrolled:
 - Notify all current students in writing
 - Identify teach-out institutions for all students
 - Provide PLS with name and contact information for all students
 - Provide PLS with current transcript for all current students
 - Provide PLS with current account card for all current students

▶ Note Re: Closure

- A closed school can be fined for failure to comply with closure requirements.
- <https://www.education.pa.gov/Postsecondary-Adult/CollegeCareer/Pages/PLS-School-Resources.aspx>