



State Board of Private Licensed Schools Surety Bond (PDE-1619) Instructions

These instructions are intended to assist schools in completing the Private Licensed School Surety Bond (PDE-1619). **Please be sure to read these instructions in their entirety prior to completing and submitting your school's surety bond to the Division for legal approval.**

Incomplete, or incorrectly completed, surety bonds will be returned to the school. Licensed/Registered schools without evidence of Pennsylvania Department of Education (PDE) approved surety are in violation of the Private Licensed School statute, regulations, and policies which require schools to maintain continuous coverage and enforcement action may be taken.

IMPORTANT: Please scan and email a copy of the original bond and the corresponding Certificate of Power of Attorney to your assigned Board Administrator for review prior to sending the originals to the Division. This will prevent unnecessary back-and-forth exchanges of the document to have corrections made, which may otherwise cause delays and cause the school to be in violation of regulatory compliance.

General Information

The Private Licensed School Surety Bond is a contractor bond. A contractor bond is a legally binding agreement between three parties. Those three parties include the contractor securing the bond (the school), the agency requiring the bond (PDE), and the surety company supplying the bond (the bond provider). It guarantees that the school will perform in the manner according to law or the surety will pay the agency or public for damages.

Contractor bonds must be completed in a manner acceptable to the Chief Counsel's Office of the Pennsylvania Department of Education and the Attorney General's Office of the Commonwealth of Pennsylvania. Surety bonds received by Board staff are to be accurate and materially complete, ready for execution.

Newly issued surety bonds (this includes replacement bonds for already licensed/registered schools), as well as the corresponding Certificate of Power of Attorney provided by the bond provider, require the original documents to be mailed to the Department. Prior to mailing, ensure that the seal and all applicable signatures and correct signature titles are applied to the bond.

State Board of Private Licensed Schools
Pennsylvania Department of Education
607 South Drive, Floor 3E
Harrisburg, PA 17120

Amendments (revisions and/or additions) to existing surety bonds require submission of a bond rider or endorsement. Revisions and/or additions may include an increase in surety amount, a change in school address, the addition of alternative school names, the addition of remote location addresses, the addition of branch location addresses, etc. Original bond riders and endorsements are not required to be mailed, rather they may be emailed to the school's Board Administrator or to RA-PLS@pa.gov.

Electronic signatures are acceptable, provided that all signatures are obtained electronically. By having all parties sign electronically, it can be assumed that all parties have agreed to accept electronic signatures.

Step-by-Step Instructions

To be completed by the surety company supplying the bond. *(Top section of the bond)*

Bond #: The bond number will be assigned by the surety provider.

Name of Applicant: If the entity that owns the school operates under a name different than the school's name, the name of the owning entity is the name of the applicant.

The name of the school is only the name of the applicant if the school is not owned under a different name than that of the school. The name of the school must appear the same as the name being licensed by the Board.

If the school's name is different than that of its owner(s), a Fictitious Name Registration must be filed with the Department of State.

d/b/a: This is the school's name if the school is owned under a different name than that of the school. The name of the school must appear the same as the name being licensed by the Board.

School Street Address: This is the physical street address of the school. If the school is fully online, this is the address of the administration office.

Municipality: This is the municipality the physical school is located in. If the school is fully online, this is the municipality of the administration office.

County: This is the county the physical school is located in. If the school is fully online, this is the county of the administration office.

Name of Surety Company: This is the name of the surety company supplying the bond (the bond provider).

Federal ID #: This is the Federal ID # assigned to the surety company supplying the bond (the bond provider).

In the sum of: This is the dollar amount, or surety level, of the bond.

For a new school applicant, the required minimum surety level is \$10,000.

For an existing licensed/registered school seeking renewal, the required minimum surety level is \$10,000 for licensees with gross tuition collected during the previous fiscal year of \$500,000 or less. For licensees with gross tuition collected during the previous fiscal year of more than \$500,000, the minimum surety level is \$10,000 for each \$500,000 or portion thereof of gross tuition collected during the previous fiscal year. The maximum surety level is \$100,000.

Delivered this day: This is the effective date of the bond. This date must be the same date indicated on the corresponding Power of Attorney.

Name of Applicant: This is the same as 'name of applicant' listed previously.

If the individual(s) or entity that owns the school operates under a name different than the school's name, the name of the owning individual(s) or entity is the name of the applicant.

The name of the school is only the name of the applicant if the school is not owned under a different name than that of the school.

If the school's name is different than that of its owner(s), a Fictitious Name Registration must be filed with the Department of State.

Name of School: This is the same as 'name of applicant' or 'd/b/a' listed previously. The name of the school must appear the same as the name being licensed by the Board.

To be completed by the school. *(Lower-middle section of the bond - signatures and corporate seal)*

Corporate Seal: The bond must include a raised/embossed seal representing the owning entity. The seal is to be applied to the document in the open area on the left lower-middle section of the bond form.

Witness Signature: A witness must sign as evidencing the application of the seal and the following signatures.

Required signatures for schools owned by a sole proprietorship:

- Owner should sign once on the first signature line and title the signature as 'Owner'.
- Owner should then sign again on the second signature line and title the signature as either 'Secretary' or 'Treasurer'.

Required signatures for schools owned by a partnership:

- Partners should each sign once (up to three partners) and title the signature as 'Partner'

Required signatures for schools owned by a corporation:

- Owner, President, or Vice President should sign on the first signature line and title the signature as 'Owner', 'President' or 'Vice President'.
- Secretary or Treasurer should sign on the second signature line and title the signature as either 'Secretary' or 'Treasurer'.

Required signatures for schools owned by an LLC:

- Members should each sign once (up to two members).
- One member should sign on the first signature line and title the signature as either 'President' or 'Vice President'.
- A second member should sign on the second signature line and title the signature as either 'Secretary' or 'Treasurer'.
- For an LLC owned by only one member, the sole member should sign once on the first signature line and title the signature as 'Owner' and then sign again on the second signature line and title the signature as either 'Secretary' or 'Treasurer'.
- *Note: supplementary evidence must be provided to demonstrate that the sole owner is the only member of the LLC.*

To be completed by the surety provider supplying the bond. *(Bottom-right section of the bond)*

IN WITNESS WHEREOF: The date of surety bond execution. *This date must be the same date as the date of certification on the Certificate of Power of Attorney.*

Surety/Seal: This is the name of the surety company supplying the bond (the bond provider). The surety company will place its corporate seal in conjunction with the company's name.

Attorney in Fact: This is the name of the appointed Attorney in Fact. This must be the same name as the Attorney in Fact appointed on the corresponding Certificate of Power of Attorney.

Address of Attorney in Fact: This is the address of the appointed Attorney in Fact. The address must be the same address provided for the Attorney in Fact address on the corresponding Certificate of Power of Attorney.

Phone Number of Surety Company: This is the contact phone number of the surety company supplying the bond (the bond provider).

To be completed by the Chief Counsel's Office of the Pennsylvania Department of Education and the Attorney General's Office of the Commonwealth of Pennsylvania. *(Bottom-left section of the bond)*

PDE Office of Chief Counsel: A member of the PDE Office of Chief Counsel will sign.

Office of the Attorney General: A member of the Office of the Attorney General will sign.

Date: The date of approval.

Surety/Seal: The seal of approval.

Surety Bond (PDE-1619) Certificate of Power of Attorney

To be completed/provided by the surety company supplying the bond.

1. The original Certificate of Power of Attorney must be submitted with the original surety bond.
2. All section of the Certificate of Power of Attorney must be completed.
3. The name of the Attorney in Fact indicated on the surety bond must be the same as that appointed on the Certificate of Power of Attorney.
4. **The date of certification of the Certificate of Power of Attorney must be the same as the date of execution of the surety bond (IN WITNESS WHEREOF).**

Amendments to Surety Bond (PDE-1619)

It is necessary to submit an amendment to the bond when the following circumstances arise:

1. Change in the school's address
2. Change in the name of the school, or the addition or removal of an alternative school name
3. Change in the name of the owning entity
4. Change in the bond amount, either an increase or decrease
5. Change in the address or the addition or removal of a remote or branch site location

Amendments to surety bonds must be completed in a manner acceptable to the Chief Counsel's Office of the Pennsylvania Department of Education and the Attorney General's Office of the Commonwealth of Pennsylvania.

1. Name of Applicant: This is the same as 'name of applicant' listed on the original surety bond.
2. Name of School: If the name of the school is different than the name of the applicant.

Amendments to existing surety bonds require submission of a bond rider or endorsement. Original bond riders and endorsements are not required to mailed, rather they may be emailed to the school's Board Administrator or to RA-PLS@pa.gov.

