

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 599

By: Stanislawski

4  
5  
6 AS INTRODUCED

7 An Act relating to private education under the  
8 Oklahoma Board of Private Vocational Schools;  
9 amending 70 O.S. 2011, Section 21-101, as amended by  
10 Section 1, Chapter 276, O.S.L. 2014 (70 O.S. Supp.  
11 2018, Section 21-101), which relates to definitions  
12 related to the Board; adding certain definition;  
13 modifying certain definitions; amending Section 2,  
14 Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2018, Section  
15 21-101.1), which relates to entities exempt from  
16 Board licensing; adding to the exemptions entities  
17 that maintain certain approval by the Oklahoma State  
18 Regents for Higher Education and that are based  
19 outside the state and maintain certain accreditation;  
20 amending Section 4, Chapter 276, O.S.L. 2014 (70 O.S.  
21 Supp. 2018, Section 21-102.1), which relates to  
22 powers and duties of the Board; allowing the Board to  
23 approve or disapprove certain corrective action  
24 plans; modifying minimum standards for schools;  
requiring submission of certain corrective action  
plan; requiring submission of certain correspondence;  
allowing the Board to require a school to suspend  
certain enrollments if certain corrective action plan  
is not adhered to; requiring the development of  
certain optional training; providing for site visits;  
amending Section 9, Chapter 276, O.S.L. 2014 (70 O.S.  
Supp. 2018, Section 21-105.2), which relates to  
retention of records after school closure; requiring  
a school, seminar or workshop to designate certain  
official and maintain academic records by certain  
means; amending 70 O.S. 2011, Section 21-106, as  
amended by Section 10, Chapter 276, O.S.L. 2014 (70  
O.S. Supp. 2018, Section 21-106), which relates to  
license expiration and renewal; allowing a sustained  
license for schools granted certain multi-year  
accreditation; increasing certain fees; establishing

1 fees for certain reviews of certain catalogs or  
2 catalog addendums; establishing fees for certain  
3 optional training; establishing fee for review of  
4 certain enrollment agreement; establishing fees for  
5 certain site visits; amending 70 O.S. 2011, Section  
6 21-108, which relates to revocation of a license or  
7 permit; allowing the Board to require schools to  
8 perform certain actions if certain corrective action  
9 plan fails; updating statutory reference; providing  
10 an effective date; and declaring an emergency.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 70 O.S. 2011, Section 21-101, as  
13 amended by Section 1, Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2018,  
14 Section 21-101), is amended to read as follows:

15 Section 21-101. As used in Sections 21-101 through 21-203 of  
16 this title:

17 1. "Act" means Sections 21-201 through 21-203 of this title  
18 that enables the Oklahoma Board of Private Vocational Schools to  
19 approve licenses for state authorization of postsecondary education  
20 or certain other forms of vocational-technical training and  
21 education;

22 2. "Private school" means any privately owned, nonpublic entity  
23 that receives remuneration that is approved for a state  
24 authorization license and provides postsecondary education, or  
25 provides vocational-technical education prior to the person  
26 obtaining a high school diploma or its equivalency;

1           3. "Board" or "OBPVS" means the Oklahoma Board of Private  
2 Vocational Schools;

3           4. "Accreditation" or "accrediting organization" means an  
4 independent third-party organization approved by the U.S. Department  
5 of Education or the Board with standards that meet or exceed the  
6 minimum standards of the OBPVS;

7           5. "Approval by the State Regents for Higher Education" means  
8 approval:

- 9           a. for a postsecondary institution to offer one or more  
10           associate, bachelor, master, or doctoral degrees in a  
11           specific degree program,  
12           b. of an entity to offer distance education for a  
13           degree(s) that is granted by means of applying an  
14           interstate reciprocity agreement to which the State  
15           Regents for Higher Education is a party, or  
16           c. of an entity by way of the provision of documentation  
17           of independent accreditation by one or more regional  
18           or national accrediting organizations which are  
19           recognized by the U.S. Department of Education;

20           ~~5.~~ 6. "Branch" means an additional location, separate facility,  
21 or satellite to a main school that is defined by the organizational,  
22 geographic, or legal characteristics of the entities;

23           ~~6.~~ 7. "Business" means skills including but not limited to  
24 administration, customer relations, finance, human resources,  
25

1 leadership, management, marketing or strategic planning used to run  
2 a for-profit or not-for-profit entity;

3 ~~7.~~ 8. "Combines" means offering within the same catalog,  
4 website or other form of publication or advertisement in such a way  
5 to convey that the entity makes available more than one type or  
6 level of training or education;

7 ~~8.~~ 9. "Contact hour" means a period of time defined by a  
8 school, seminar or workshop such as fifty (50) minutes which may  
9 differ from a clock hour that will always be sixty (60) minutes in  
10 length;

11 ~~9.~~ 10. "Correspondence course" means a form of instruction for  
12 which a student receives lessons or assignments from a private  
13 school by means of postal or other couriers;

14 ~~10.~~ 11. "Distance education" means education or training  
15 provided outside the traditional classroom by use of electronic  
16 mediums, including but not limited to online or virtual education,  
17 e-learning or computer-based, -aided or -assisted instruction;

18 ~~11.~~ 12. "General education" means education to complete a  
19 student's secondary education recognition providing instruction not  
20 specific to any single occupation or vocation;

21 ~~12.~~ 13. "Industrial" means related to manufacturing or other  
22 labor which may or may not require skilled trade licensing;

1       ~~13.~~ 14. "Occupation" or "vocation" means employment, either  
2 full-time, part-time, by contract or on a consulting basis, for  
3 which a person earns remuneration;

4       ~~14.~~ 15. "Postgraduate certificate" means an advanced  
5 certification earned following a student's receipt of an associate,  
6 bachelor, master or doctorate degree that qualifies the individual  
7 for specialized career advancement or job assignments;

8       ~~15.~~ 16. "Postsecondary education" means a program that requires  
9 a student to have a high school diploma, high school equivalency  
10 certificate or requires that the person be beyond the age of  
11 compulsory education;

12       ~~16.~~ 17. "Primarily in the business of" means that an entity  
13 earns twenty percent (20%) or more of its gross revenue from  
14 providing a program(s) of instruction, as documented by certified  
15 public-accountant-prepared financial statements that are attested to  
16 as a true and correct statement of financial condition by an entity  
17 owner(s);

18       ~~17.~~ 18. "Profession" or "professional" means those occupations  
19 or vocations relating to such fields of employment that generally  
20 require an advanced degree or for which an individual must pass  
21 extensive prelicensing testing. Examples include but are not  
22 limited to attorneys and certified professional accountants.  
23 Professions may or may not require ongoing continuing education that  
24

1 may be subject to the authority or jurisdiction of an alternate  
2 state agency;

3 ~~18.~~ 19. "Program", "program of study" or "program of  
4 instruction" means a body of organized instruction that leads to a  
5 degree, certificate, diploma or other recognized educational  
6 credential, or provides transferable skills applicable to a  
7 business, professional, trade or vocational-technical or industrial  
8 occupation or vocation;

9 ~~19.~~ 20. "Public" means an entity that is established as a  
10 governmental entity;

11 ~~20.~~ 21. "Seminar" or "workshop" means a program of instruction  
12 including but not limited to topics of continuing education that  
13 results in business, professional, or vocational-technical knowledge  
14 that applies to one or more occupations or vocations but will not  
15 provide degree credit hours, a certificate or a diploma;

16 ~~21.~~ 22. "Solicitor" means a representative of a private school  
17 that leaves the physical facility of the school to attend job fairs,  
18 career days or other activities to market to new students or to  
19 attempt to secure new student enrollments;

20 ~~22.~~ 23. "Technical" means those skills that are unique to  
21 certain occupations or vocations;

22 ~~23.~~ 24. "Trade" means a skilled trade including but not limited  
23 to electrical, plumbing, and heating and air conditioning (HVAC),  
24

1 that requires an individual to maintain a state or municipal  
2 license; and

3 ~~24.~~ 25. "Tuition" means a financial charge made for the  
4 provision of education or training, regardless of the term assigned  
5 to the monetary or other exchange.

6 SECTION 2. AMENDATORY Section 2, Chapter 276, O.S.L.  
7 2014 (70 O.S. Supp. 2018, Section 21-101.1), is amended to read as  
8 follows:

9 Section 21-101.1. The term "private school" shall not include  
10 the following which are exempt from licensing by the Oklahoma Board  
11 of Private Vocational Schools:

12 1. Barber schools, beauty schools or other schools which are  
13 exclusively regulated or licensed pursuant to the provisions of any  
14 school-licensing law of this state, although such school may choose  
15 to apply to secure a license for state authorization from the Board;

16 2. Any form of flight instruction subject to regulations  
17 promulgated by the Federal Aviation Administration;

18 3. Parochial, private or other nonpublic schools offering  
19 programs of general education accredited or approved by the State  
20 Board of Education, the State Board of Career and Technology  
21 Education or the State Regents for Higher Education;

22 4. Education or training, as approved by the Board, provided  
23 and paid for by:

24 a. an employer for its own employees,

- b. a professional organization, as approved by the Board, for its members,
- c. a parochial, denominational, eleemosynary school or institution, which is sectarian in nature and uniquely useful for and intrinsic to the propagation of a faith or the pursuit of the mission of the school or institution as approved by the Board, or
- d. an entity supported by taxation of a local or state source;

5. Education or training, as approved by the Board, which offers instruction solely in the field of an avocation, hobby, recreation or entertainment, as approved by the Board;

6. Professional prelicensing programs or continuing education programs when an alternate state agency maintains complete authority or jurisdiction over the right to offer or certify such a program, regardless if the other agency mandates the subject matter of the program;

7. Postgraduate certificates offered or provided by a school that has approval for that specific program issued by another state agency or an accrediting agency approved by the Board;

8. If a private school combines training or education that is both licensed and not licensed by another state agency, licensing by the Board will be required for the entity's combined programs.

However, the Board will defer to the other state agency on matters



1 contained in the other agency's regulations and will refrain from  
2 establishing conflicting requirements. Matters to be governed by  
3 the other state agency may include but are not limited to  
4 curriculum, testing or certification completion. The Board may  
5 require a private school to document its approval by any other state  
6 agency or an accrediting organization; ~~and~~

7 9. Seminars or workshops offered by an entity that:

- 8 a. is not primarily in the business of providing programs  
9 of instruction,  
10 b. provides instruction to advance the personal  
11 development or general, transferable skills of a  
12 participant, and  
13 c. offers aggregate clock or contact hours of no more  
14 than twenty-four (24) clock or defined contact hours  
15 per calendar quarter of the calendar year;

16 10. An entity that offers only a degree(s) and has and  
17 maintains proper approval by the Oklahoma State Regents for Higher  
18 Education; and

19 11. An entity that is based outside of Oklahoma, maintains  
20 regional or national accreditation by an accrediting organization  
21 approved by the U.S. Department of Education, does not offer degrees  
22 and provides all of its training through mechanism(s) of distance  
23 education.

1 SECTION 3. AMENDATORY Section 4, Chapter 276, O.S.L.

2 2014 (70 O.S. Supp. 2018, Section 21-102.1), is amended to read as  
3 follows:

4 Section 21-102.1. The Oklahoma Board of Private Vocational  
5 Schools is authorized to:

6 1. Appoint and fix the compensation of a director who:

7 a. shall employ and fix the duties and compensation of  
8 such clerical or other assistants as are reasonably  
9 necessary to effectuate the provisions of this act,  
10 and

11 b. may execute contracts on behalf of the Board;

12 2. Promulgate rules to include but not be limited to the  
13 implementation of minimum standards for the operation of private  
14 schools and the requirements for application of a school, seminar or  
15 workshop for a license of state authorization;

16 3. Approve or disapprove:

17 a. applications for state authorization,

18 b. other applications for licensing including sustained  
19 licenses,

20 c. requests for exemption, ~~and~~

21 d. requests for a definition exception, and

22 e. corrective action plans or plan implementation  
23 schedules;

1 4. Issue a private school license to document state  
2 authorization or other licensing upon determination that such school  
3 meets the standards fixed by the Board;

4 5. Prescribe, except as is otherwise provided by law and  
5 subject to the provisions of the Administrative Procedures Act, such  
6 penalties as it may deem proper for the enforcement of this act, not  
7 to exceed One Thousand Dollars (\$1,000.00);

8 6. Fix minimum standards through promulgation of rules for  
9 private schools, which shall include standards for:

10 a. courses of instruction and training,

11 b. qualifications of instructors,

12 c. financial stability,

13 d. advertising practices, and

14 e. refund of tuition and fees paid by students for

15 courses of instruction or training not completed, and

16 ~~shall promulgate and adopt reasonable rules and~~

17 ~~regulations for the implementation of such minimum~~

18 ~~standards for the operation of private schools~~

19 f. student academic record and transcript retention for a

20 period of not less than forty (40) years,

21 electronically or by other means approved by the

22 OBPVS, following a student's completion of education

23 or other cessation of school enrollment,

- 1           g. increasing the required amount of surety bond or  
2                   certificate of deposit, and  
3           h. the operation of private schools;

4           7. Require a school to submit and implement and OBPVS-approved  
5 corrective action plan to resolve compliance or operational issues  
6 identified by the OBPVS staff;

7           8. Require a licensing applicant or a licensed school to report  
8 and provide copies to the OBPVS within five (5) business days after  
9 receipt of or sending correspondence to the U.S. Department of  
10 Education, a federal or state agency or an accrediting organization  
11 approved by the U.S. Department of Education or the Board. The  
12 correspondence to be copied to the OBPVS shall include but not be  
13 limited to mass communication master documents mandated to be issued  
14 by an applicant or a school, potential adverse actions or  
15 correspondence in which financial, leadership or other conditions  
16 may result in loss of accreditation, funding or school closure;

17           9. Require the school to suspend new enrollments in one or more  
18 programs when an approved corrective action plan is not adhered to  
19 and require the school to submit a teach-out agreement to the OBPVS,  
20 to increase a school's surety bond or certificate of deposit amount,  
21 to present a letter of credit payable to the Board or to comply with  
22 conditions approved by the Board;

23           10. Where possible, to regulate degrees offered by distance  
24 education, make use of the State Regents for Higher Education's

1 interstate reciprocity agreements to create a more efficient and  
2 cost-effective means of the regulation of private schools;

3 ~~8.~~ 11. Make use of interstate reciprocity agreements that  
4 reasonably satisfy the Board's minimum standards to approve state  
5 authorization or other license application, if such agreements  
6 become available for other programs the Board approves for state  
7 authorization or other license;

8 ~~9.~~ 12. Require an entity to repay any fees charged to the Board  
9 by a financial institution or the State Treasurer for a returned  
10 check or other failed form of payment;

11 ~~10.~~ 13. Develop and present mandatory annual compliance  
12 training to emphasize standards relating to the operation of a  
13 school and relicensing processes, and require attendance by a  
14 representative of each school, seminar, or workshop;

15 ~~11.~~ 14. Develop and present or arrange for the presentation of  
16 optional training for schools to emphasize continuing development of  
17 school personnel and processes and address emerging issues;

18 15. Provide all licensing forms free of charge via one or more  
19 electronic means, but shall charge for the pick up or mailing of a  
20 hard-copy licensing application packet to a person requesting  
21 information about private school licensing requirements;

22 ~~12.~~ 16. Certify an electronic record or the printing of an  
23 electronically stored record as an original, subject to approval by  
24

1 the Oklahoma Archives and Records Commission and when in accordance  
2 with the record retention and destruction policy of the Board;

3 ~~13.~~ 17. Conduct announced or unannounced site visits to an  
4 applicant or licensed school or seminar, including joint visits with  
5 an accrediting organization or federal or state agency;

6 18. Invoice a travel fee to conduct site visits to an  
7 applicant, school, seminar or workshop;

8 19. Collect or require the submission of data, including but  
9 not limited to:

- 10 a. admissions,
- 11 b. certification scores or passage rates,
- 12 c. complaints or grievances,
- 13 d. enrollment,
- 14 e. funding,
- 15 f. graduation,
- 16 g. job longevity or retention,
- 17 h. job placement, and
- 18 i. data required to be reported to the U.S. Department of  
19 Education, any state or federal agency or an  
20 accrediting organization, and
- 21 j. other data, as necessary, to carry on the mission or  
22 duties of the Board, or to assist in the state's  
23 workforce development initiatives; and

1        ~~14.~~ 20. Carry out such other duties as necessary to provide  
2 state authorization for private vocational schools, seminars, and  
3 workshops and such other schools that make offerings of courses or  
4 programs as permitted by this act.

5        SECTION 4.        AMENDATORY        Section 9, Chapter 276, O.S.L.  
6 2014 (70 O.S. Supp. 2018, Section 21-105.2), is amended to read as  
7 follows:

8        Section 21-105.2. ~~After A. To obtain an initial license, a~~  
9 ~~school, seminar or workshop either voluntarily decides to cease~~  
10 ~~offering all programs of instruction or is required to do so through~~  
11 ~~proper enforcement of this act or the Oklahoma Board of Private~~  
12 ~~Vocational Schools' minimum standards, the entity shall, before~~  
13 ~~closure is complete, provide the Board with its appropriate~~  
14 ~~arrangement for the permanent retention of students' records shall~~  
15 ~~designate an appropriate official to begin and continue to maintain~~  
16 student academic records or transcripts by:

17        1. Maintaining at least one physical copy in a fireproof  
18 container;

19        2. Using documented electronic means to maintain records off-  
20 premises; or

21        3. Establishing a special purpose surety bond in an amount of  
22 not less than Twenty Thousand Dollars (\$20,000.00) in favor of the  
23 OBPVS and to be used by the OBPVS after the school closes to have  
24 student academic records and transcripts retrieved, recovered,

1 digitized by a commercial third-party vendor to maintain the  
2 records. After digitization of hard copies from a closed school is  
3 performed and verified, the hard copy records may be destroyed by  
4 any means that ensures student privacy is protected by the  
5 commercial entity.

6 B. As part of its license renewal application, a school,  
7 seminar or workshop shall annually submit documentation that its  
8 student academic record plan including any applicable surety bond is  
9 current.

10 SECTION 5. AMENDATORY 70 O.S. 2011, Section 21-106, as  
11 amended by Section 10, Chapter 276, O.S.L. 2014 (70 O.S. Supp. 2018,  
12 Section 21-106), is amended to read as follows:

13 Section 21-106. A. A license issued pursuant to this act shall  
14 expire annually on June 30. Such license shall be renewed annually  
15 with the complete renewal application and any and all appropriate  
16 fees due prior to expiration annually on or before June 1. Licenses  
17 shall be renewed by the Oklahoma Board of Private Vocational Schools  
18 if the Board determines that such school remains in compliance with  
19 the standards or other requirements set by the Board. The license  
20 of any school licensed by the Board to provide postsecondary  
21 education or other limited offering may be revoked if the school is  
22 found to be in violation of the Oklahoma Statutes, the minimum  
23 standards established by the Board, or if an accreditation  
24



1 organization or other governmental entity's approval, material to  
2 the continuity of the school, is revoked.

3 B. If a school is accredited by an accrediting organization  
4 approved by the U.S. Department of Education for multiple years, a  
5 sustained license may be obtained annually during the period of the  
6 multi-year accreditation.

7 C. A license of a school shall not be effective unless the  
8 private school has filed with the Board a corporate surety bond or a  
9 certificate of deposit in a manner and in an amount as is required  
10 by the Board.

11 ~~C.~~ D. Private schools or applicants shall pay the following  
12 base fees to the Board:

13 1. ~~One Thousand Two Hundred Dollars (\$1,200.00)~~ Two Thousand  
14 One Hundred Sixty Dollars (\$2,160.00) per license shall be paid ~~to~~  
15 ~~the Board~~ for the issuance of an initial license for a school,  
16 seminar, or workshop to provide postsecondary education or other  
17 vocational-technical education or training pursuant to the  
18 provisions of this act;

19 2. ~~Three Hundred Dollars (\$300.00)~~ Five Hundred Forty Dollars  
20 (\$540.00) shall be paid for the initial license of each new branch.

21 A branch's renewal fee shall be based on the tuition it collected;

22 3. For each renewal of a license, a fee based on the tuition  
23 collected by a school, workshop or seminar from residents of  
24 Oklahoma or other persons present in Oklahoma, as shown in the  
25

1 current financial statement of the school, ~~shall be paid to the~~  
 2 ~~Board~~. If a school, workshop or seminar does not provide adequate  
 3 details of its Oklahoma tuition, then the renewal fee shall be based  
 4 on the nationwide tuition reported. For each main and branch  
 5 school, seminar, or workshop, the renewal fees shall be calculated  
 6 based upon the level of net tuition in the immediate prior calendar  
 7 year as follows:

OKLAHOMA OR NATIONWIDE TUITION INCOME	RENEWAL FEE
\$50,000.00 or less	<del>\$ 700.00</del>
	<u>\$1,260.00</u>
\$50,000.01 to \$250,000.00	<del>\$ 800.00</del>
	<u>\$1,440.00</u>
\$250,000.01 to \$500,000.00	<del>\$ 950.00</del>
	<u>\$1,710.00</u>
\$500,000.01 to \$1,000,000.00	<del>\$1,100.00</del>
	<u>\$1,980.00</u>
\$1,000,000.01 to \$3,000,000.00	<del>\$1,300.00</del>
	<u>\$2,340.00</u>
\$3,000,000.01 and above	<del>\$1,500.00</del>
	<u>\$2,700.00;</u>

4. Solicitor license:

- a. Two Hundred Dollars (\$200.00) during the first  
 licensing period of a school, seminar or workshop, for  
 each license,

1           b.    One Hundred Dollars (\$100.00) for the second and  
2                   consecutive licensing periods of the school , seminar  
3                   or workshop, for each license applied for or renewed;

4           5.   ~~Fifty Dollars (\$50.00) for the review of a new Review fee~~  
5   for a revised or replacement catalog or changes to an approved  
6   catalog, catalog addendum(s) or a combination of a catalog and  
7   catalog addendum(s) per campus included in the catalog or addendums  
8   to be charged as follows:

9           a.    Ninety Dollars (\$90.00) for the review of a revised or  
10               replacement catalog that does not include a program  
11               change or addition, or

12           b.    One Hundred Thirty-five Dollars (\$135.00) for the  
13               review of the related catalog, catalog addendum or a  
14               combination of a catalog and catalog addendums that  
15               add or revise a program of study consisting of  
16               multiple courses;

17           6.   ~~In addition to the appropriate catalog change fee, a fee of~~  
18   ~~Twenty-five Dollars (\$25.00)~~ A review fee of Fifty Dollars (\$50.00)  
19   shall be paid in addition to the review fee provided for in  
20   paragraph 5 of this subsection whenever a main or branch private  
21   school changes location; ~~and~~

22           7.   ~~One Hundred Dollars (\$100.00)~~ One Hundred Eighty Dollars  
23   (\$180.00) shall be paid by each school to the Board for attendance  
24   at a school workshop or webinar by the school's required personnel,

1 although one person may attend to represent multiple, related  
2 schools;

3 8. Two Hundred Dollars (\$200.00) for a half-day and Three  
4 Hundred Dollars (\$300.00) for a full day of optional training; and

5 9. Thirty Dollars (\$30.00) by each school, seminar or workshop  
6 for the review of each revised or replacement enrollment agreement,  
7 including single enrollment agreements to be used by multiple  
8 related entities.

9 ~~D.~~ E. If the annual licensing renewal application is not  
10 complete on or before the first day of June each year, the fee for  
11 license renewal shall become delinquent and the license shall not be  
12 renewed except upon payment of an additional late fee. Late fees  
13 shall be determined based upon the school's past history of  
14 submitting late filings. The appropriate late fees shall be paid in  
15 full prior to the Board's issuance of a renewal license in the  
16 following amounts:

17 1. Two Hundred Fifty Dollars (\$250.00) for a first violation;

18 2. Five Hundred Dollars (\$500.00) for a second violation within  
19 ten (10) years of the first late filing, whether consecutive or not;  
20 and

21 3. One Thousand Dollars (\$1,000.00) for a third violation  
22 within ten (10) years of the first late filing, whether consecutive  
23 or not.

1 Each violation beyond the third shall result in the school,  
2 seminar or workshop being required to seek new or initial licensure  
3 and only after payment of the full fee for a new license.

4 ~~E.~~ F. Twenty-five Dollars (\$25.00) for each license application  
5 packet, although packets provided by one or more electronic means  
6 shall be free of charge.

7 G. In-state site visit fees shall be charged as follows for the  
8 purpose of reviewing compliance with minimum standards or  
9 contractual agreements, facility inspection, complaint investigation  
10 or to join an accrediting organization, the U.S. Department of  
11 Education or another state or federal agency with the organization  
12 or agency's site visit to an applicant, school, seminar or workshop:

13 1. Two Hundred Twenty-five Dollars (\$225.00) per day when the  
14 site visit does not require overnight lodging;

15 2. Four Hundred Fifty Dollars (\$450.00) per day if overnight  
16 lodging is required; and

17 3. Travel fees to multiple entities on the same day may be  
18 apportioned or prorated when each visit involves on-site time of  
19 less than three (3) hours.

20 ~~F.~~ H. The Board shall be authorized to require reimbursement  
21 for any fees charged by a financial institution or the State  
22 Treasurer for a returned check or other failed form of payment. ~~The~~  
23 ~~amount to be reimbursed shall be invoiced to an entity within forty~~  
24 ~~five (45) days after the Board's first knowledge of the fee.~~

1        ~~G. I.~~ I. All fees, penalties and fines collected by the Board  
2 pursuant to the provisions of this act shall be deposited with the  
3 State Treasurer for credit to the Oklahoma Board of Private  
4 Vocational Schools Revolving Fund.

5        SECTION 6.        AMENDATORY        70 O.S. 2011, Section 21-108, is  
6 amended to read as follows:

7        Section 21-108.    A. A license ~~or permit issued or renewed under~~  
8 ~~the provisions of this act~~ may, after reasonable notice to the  
9 private school and an opportunity to be heard, be revoked by the  
10 Oklahoma Board of Private Vocational Schools for a failure of the  
11 private school to maintain the ~~accreditation or the~~ minimum  
12 standards fixed by the Board by which such private school obtained  
13 its license, or to maintain the bond required by Section ~~6~~ 21-106 of  
14 this ~~act~~ title, or for a violation of any of the rules and  
15 regulations pertaining to minimum standards of the Board.

16        B. No license or permit issued under this act shall be  
17 transferable.

18        C. When an OBPVS-approved corrective action plan fails as  
19 determined by the OBPVS staff, the Board shall have the authority,  
20 following a public hearing, to require the school to suspend new  
21 enrollments in one or more programs, submit to the OBPVS and  
22 implement a teach-out agreement, increase a surety bond or  
23 certificate of deposit requirements, present a letter of credit  
24 payable to the Board or take other action against the licensee.

1 SECTION 7. This act shall become effective July 1, 2019.

2 SECTION 8. It being immediately necessary for the preservation  
3 of the public peace, health or safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.  
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