

6E-4.005 Student Protection Fund; Trainout Procedures for Closure.

Subsections (1)-(4) ~~and, subsection paragraphs (6)(a) and (b)~~ of this rule shall apply to all licensed nonpublic nondegree schools. Subsection (5) ~~and paragraph (6)(e)~~ shall apply to all licensed institutions.

(1) through (3) No change.

(4) Computation and Payment of Assessment.

(a) The Commission shall require each school to make a \$500 payment to the Student Protection Fund before an initial Provisional License is issued. ~~After the second year of operation, the \$500 may be used to offset future payments to the Student Protection Fund.~~

(b) through (e) No change.

(5) Application for and Granting of Train-out Awards.

(a) No change.

(b) A licensed institution offering to train out an affected student(s) may apply for an award by letter to the Commission requesting a train-out award and identifying the school which ceased operations; the last known date that the school was open, or the closing date, if known; the program in which the student was enrolled; the date that the student's program was terminated; the student's ~~identification~~ Social Security number; and the approximate date on which the student began the program. Train-out institutions must provide to the Commission an accurate itemization of actual costs incurred during the training. The institution must also provide to the Commission an accounting of other funds that will be provided for the student. These funds will be considered when the Commission determines the amount of an award. The Commission will base awards on the availability of funds, the actual costs incurred, and the amount of other funds received. The train-out award and the cost of completing the program shall not exceed the actual cost of training out the student, minus other payments made by or on behalf of a student, minus the amount of any remaining accounts receivable. The Commission shall pay the award to the train-out institution within 45 days of the date of approval by the Commission.

(6) Additional Provisions.

(a) through (b) No change.

~~(c) Before closing, a licensed institution shall:~~

~~1. Notify the Commission in writing at least 30 days prior to closing the institution, pursuant to Section 1005.36, F.S.;~~

~~2. Establish and submit to the Commission a written plan for the closure to include the following:~~

~~a. The method of training out students, including written agreements with other institutions which may provide part or all of the trainout;~~

~~b. The method by which all student academic records to the Commission or the Commission's designee;~~

~~c. A time line showing the steps to be taken for orderly closure of the institution;~~

~~d. A list of current mailing addresses and telephone numbers for all active students currently enrolled at the institution;~~

~~e. Copies of notices to the students that the institution will provide for the students' trainout or refunds; and,~~

~~f. Evidence of refunds made to students not receiving trainout, repaying all outstanding student loans, or pro-rata refunds to students not having loans.~~

~~3. Notify the Commission, and provide documentation of meeting all student obligations, at the conclusion of the trainout.~~

~~4. When the Commission is notified that an institution is closing or has closed, the Commission shall:~~

~~a. Have a representative of the Commission visit the institution as soon as practicable to review the current status of the institution and to provide a report to the Commission;~~

~~b. Review the trainout plan to determine compliance with this rule;~~

~~c. Assist in identifying and securing trainout at other institutions;~~

~~d. Ensure that students are notified of their rights and responsibilities; and,~~

~~e. Share information regarding the closure with appropriate federal and state agencies and any other appropriate oversight bodies.~~

~~5. If the Commission is not notified, or if the institution has not provided for an orderly closing, the Commission shall:~~

~~a. Organize a trainout committee composed of staff, Commission members, and other individuals to oversee an orderly trainout;~~

~~b. Notify all appropriate agencies to seek assistance in the institutional closure; and,~~

~~c. Refer the matter to the Department of Legal Affairs or the State Attorney for investigation and prosecution.~~