



LAWS OF ALASKA

1977

Source

FCCS SCSHB 312

Chapter No.

50

AN ACT

Relating to the regulation of educational institutions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 14.48.030 is repealed and re-enacted to read:

Sec. 14.48.030. EXEMPTIONS. (a) Institutions exclusively offering instruction at one, some or all levels from preschool through grade 12 are exempt from the provisions of this chapter.

(b) The following educational programs or services and educational institutions are exempt from the provisions of this chapter or portions of them, as determined by the commission:

- (1) education sponsored by a bona fide trade, business, labor, professional, or fraternal association or organization, recognized by the commission and conducted solely for that association's or organization's membership, or offered on a no-fee basis;
- (2) education solely avocational or recreational in nature and institutions offering avocational or recreational education exclusively;
- (3) education offered by charitable organizations, recognized by the commission, if the education is not advertised or promoted as leading toward educational credentials;
- (4) nonprofit postsecondary educational institutions offering undergraduate or graduate educational programs conducted in the state, but not by correspondence,

which are acceptable for credit toward an associate, bachelor's or graduate degree;

(5) postsecondary educational institutions established, operated, and governed by the United States, a state or its political subdivisions.

* Sec. 2. AS 14.48.070(a) is amended to read:

(a) Each postsecondary educational institution desiring to operate in this state shall apply to the commission, upon forms provided by the commission. The application shall be accompanied by a catalog or brochure published, or proposed to be published by the institution, containing the information specified in sec. 60(b)(4) of this chapter. The application shall also be accompanied by evidence of a surety bond or other deposit as required by sec. 100 of this chapter, and by the required fees.

* Sec. 3. AS 14.48.080(a) is amended to read:

(a) A person desiring to solicit or perform the services of an agent, in this state, shall apply to the commission upon forms provided by the commission. The application shall be accompanied by evidence of the good reputation and character of the applicant and shall state the institution which the applicant intends to represent. An agent representing more than one institution must obtain a separate agent's permit for each institution represented. However, when an agent represents institutions having a common ownership, only one agent's permit is required. If an institution which the applicant intends to represent does not have authorization to operate in this state, the application shall be accompanied by the information required of institutions making application for authorization. The application for an agent's permit shall also be accompanied by evidence of a surety bond or other deposit as required by sec. 100 of this chapter, and by payment of the required fees.

* Sec. 4. AS 14.48.100(b) is amended to read:

(b) An application for an agent's permit shall be accompanied by a surety bond in the amount determined by the commission to be necessary for the protection of the students or enrollees, or their parents or guardians, or classes of these, or to reflect an institution's volume of business in the state. The bond shall be executed by the applicant as principal and by a surety company qualified and authorized to do business in this state. The bond shall be conditioned to provide indemnification to any student, enrollee, or his or her parents or guardian, or class of these, determined to have suffered loss or damage as a result of an act or practice which is a violation of this chapter by the agent.

* Sec. 5. AS 14.48.100 is amended by adding a new subsection to read:

(e) In lieu of the surety bond required in (a) and (b) of this section, the applicant may file with the commission a cash deposit or other negotiable security,

acceptable to the commission, in the amount specified for bonds.

* Sec. 6. AS 14.07.020(6) is amended to read:

(6) accredit those public, private, and denominational schools which meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;