

3332-1-17

Issuance of agent permits.

- (A) Any individual whose primary duty, on or off school premises, is to solicit prospective students to enroll for a fee at a registered Ohio school, must first obtain an agent's permit from the board. No individual shall sell any program in Ohio or solicit students for any Ohio career school unless the individual, the school, and the program are approved by the board.
- (B) All agents must be regular school employees and may not be outside commissioned persons such as solicitors, canvassers, or independent contractors. The school is responsible for assuring that all agents have been issued permits prior to soliciting prospective students.
- (C) A school employee whose primary duties do not include soliciting prospective students may engage in the enrollment of students on the school premises without securing an agent permit.
- (D) Each school shall assume full responsibility for the actions, statements and conduct of its agents unless an agent's acts or omissions were manifestly outside the scope of the agent's employment or official responsibilities.
- (E) Schools will provide agents with adequate training and arrange for proper supervision of their work.
- (F) Persons seeking agent permits must make application on forms provided by the board. Each application for an agent permit or a renewal shall be subject to a non-refundable fee as set forth in the board's fee schedule.
- (G) Agents must complete training and continuing education as required by the board.
- (H) If an agent represents more than one school, they must obtain a separate permit for each school represented. An agent who represents a person or entity that operates more than one school in the same geographical area, as determined by the board on a case-by-case basis, need not obtain a separate permit for each school.
- (I) An agent permit is valid for a maximum of one year from the date it is issued. Agent permits must be renewed annually and will be valid for a maximum of thirty days after expiration provided that the school is taking the steps necessary to renew the permit. The permits will be mailed to the school.
- (J) Schools will be notified at least sixty days in advance of the expiration date of the agent's permit. The board will endeavor to group together renewal dates for each school's agent permits. The responsibility for renewal of the agent's permit rests

with the school.

- (K) No permit shall be issued to any person found by the board not to be of good moral character. Any applicant who has pleaded guilty to or has been convicted of a felony or has pleaded guilty or has been convicted of a crime of moral turpitude must file a detailed explanation of the circumstances with the agent application and include three letters of reference from the community. The school planning to employ the applicant must validate all elements of the application and provide evidence of the authenticity of the letters of reference.
- (L) The board or the school may require that any agent submit to a background check prior to the issuance of an agent's permit.
- (M) Agent permits are processed by the executive director of the board, with the exception of applications indicating a guilty plea to or a conviction of a felony or a guilty plea or a conviction of a crime of moral turpitude, which require specific board approval.
- (N) The board should be notified, in writing, by the school of the dismissal or resignation of an agent within thirty days. The school must make an effort to return the agent permit to the board.
- (O) If an agent is dismissed by a school for giving prospective students misleading, false or fraudulent information relating to the program of instruction, employment opportunities, scholastic loans, other financial aid and the like, the school must notify the state board within thirty days, in writing, and include a synopsis of the reasons for dismissal. Schools must retain, in their files, full documentation of each dismissal.
- (P) When a school's certificate of registration is suspended, revoked, or canceled, all agent's permits issued for that school are immediately suspended, revoked, or canceled.

Effective: 05/01/2014

R.C. 119.032 review dates: 12/20/2013 and 05/01/2019

CERTIFIED ELECTRONICALLY

Certification

04/01/2014

Date

Promulgated Under: 119.03
Statutory Authority: 3332.031
Rule Amplifies: 3332.10, 3332.11
Prior Effective Dates: 4/16/90 (Emer.), 7/12/90, 12/1/90, 7/1/91, 10/14/94,
4/17/00, 1/2/07