



ARKANSAS STATE BOARD OF PRIVATE CAREER EDUCATION

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FORM 1340

EXEMPTIONS

NAME OF ORGANIZATION SEEKING EXEMPTION _____

CONTACT PERSON FOR ORGANIZATION _____

ADDRESS _____

CITY STATE ZIP

TELEPHONE NUMBER _____ TOLL FREE NUMBER _____

FAX NUMBER _____ WEB-SITE _____

Arkansas Code Title 6, Chapter 51, Subchapter 601 et. al. requires that most persons or organizations offering training that leads to or enhances occupational qualifications be licensed by the State Board of Private Career Education. There are thirteen (13) specific exemptions listed in Subchapter 603.

In order for a school to be granted an exemption, it must be shown that the school clearly and completely meets the provisions of one (1) or more of the specific exemptions. "X" The exemption(s) that applies to your organization.

The following criteria shall be used to determine whether these provisions are clearly and completely met and thus the training is exempt from licensure under 6-51-603:

____ (1) Private institutions exclusively offering instruction at any or all levels from preschool through twelfth grade.

PROOF To establish exemption under this section, a notarized affidavit and documentation showing that the school offers only instruction for preschool through twelfth grade shall be submitted. The affidavit shall include an explanation of how the curriculum is typical of that taught in a public school.

____ (2) Schools established by laws of Arkansas, governed by Arkansas Boards and permitted to operate for the sole purpose of providing specific training normally required to qualify persons for occupational licensure by state Boards or commissions, which determine education and other standards for licensure and operation of such schools.

PROOF To establish exemption under this section, the following evidence shall be submitted:

- (a) Name of school;
(b) Names of programs;
(c) A copy of certificate, license, letter or other document showing approval of the school under another law of the State;
(d) Name, address, and phone number of the office enforcing the State law by which the school is regulated and approved.

____ (3) State colleges and universities coordinated by the State Board of Higher Education.

PROOF The school must be listed on the official web site of the Arkansas Department of Higher Education as a four-year public university or a two-year public college.

____ (4) Programs of study offered by institutions or individuals for personal improvement, avocational or recreational, if designated through media or other sources, as not for the purpose of enhancing an occupational objective.

PROOF These programs have been determined by the Board to be purely avocational or recreational unless there is evidence to the contrary:

DANCE	RIFLE RANGES	SWIMMING	SEWING
MUSIC	JUDO AND KARATE	KNITTING	
RIDING ACADEMIES	PHYSICAL FITNESS	SPORTS OR ATHLETICS	

Other programs shall establish exemption by submitting the following:

- (a) Course name, content, length, and cost;
- (b) Objective of course and an explanation of how the subjects are generally considered to be avocational or for recreational purposes;
- (c) Types of students (examples: Children ages 7-12; homemakers, teachers, general public, etc.)
- (d) Copies of advertisements including yellow page ads. If there will be no advertising, so state.

____ (5) Schools operated solely to provide programs of study in theology, divinity, religious education, and ministerial training.

PROOF To establish exemption under this section, the following evidence shall be submitted:

- (a) A notarized affidavit stating the name of the religion or denomination and explain how it owns, controls, operates, and conducts the school. Submit the by-laws and Articles of Incorporation if the institution is incorporated.
- (b) Submit a catalog showing the programs of study and a description for each course in each program.

____ (6) A training program offered or sponsored by an employer for training and preparation of its own employees and for which no tuition fee is charged the employee.

PROOF To establish exemption under this section, the following evidence shall be submitted:

- (a) Name of program;
- (b) A notarized affidavit from the organization stating that no students other than employees will be solicited or enrolled. Further, stating the employer will bear all the tuition costs and the employee will not be required to reimburse the employer by means of cash, production of work without pay, or any other means.

____ (7) A program of study sponsored by a recognized trade, business, or professional organization for instruction of the members of the organization with a closed membership and for which no fee is charged the member.

PROOF To establish exemption under this section, the following evidence shall be submitted:

- (a) Name of Organization;
- (b) A letter shall be submitted that includes an explanation as to how the membership is closed and the type of training offered. Membership is not closed if any member of the public can join. Such organizations must provide other services and benefits to their members in addition to the educational instruction they offer. In addition, the organizations may be asked to furnish the charter and by-laws;
- (c) A notarized affidavit from the organization stating that no students other than members of the organization will be solicited or enrolled;
- (d) Samples of newspaper and yellow page ads, brochures, and any other means of soliciting or advertising. If there will be no advertising, so state.

____ (8) A school or educational institution supported by state or local government taxation.

PROOF To establish exemption under this section, submit evidence that the school is supported by taxation. More than fifty percent (50%) of the school funds must be tax dollars from either a state or local source.

____ (9) Flight instructors licensed under appropriate Federal Aviation Administration regulations and offering only training for a private pilot's license.

PROOF To establish exemption under this section, submit a notarized affidavit that only training for private pilots license is being offered.

____ (10) Schools covered by Arkansas Code 6-61-301 (a)(3) and exempted from 6-51-101 et. seq.

PROOF To establish exemption under this section, submit evidence that the school is covered by Arkansas Code 6-61-301 (a)(3) and exempted from 6-51-101 et. seq.

____ (11) Training offered by other Arkansas state agencies, boards, or commissions.

PROOF To establish exemption under this section the agency, board, or commission shall submit the following if a question arises regarding training:

- (a) Name, address, and phone number of the agency, board, or commission;
- (b) Name of person in charge of training; **AND**
- (c) Arkansas Code Title, Chapter and Subchapter numbers that created the agency, Board, or commission.

____ (12)(A) Training offered on military bases where a majority of the students enrolled are active duty personnel or their adult family members, United States Department of Defense civilian employees or their adult family members, members of the United States Armed Forces reserve components, and retirees.

(B) These organizations shall remain exempt from the requirement for licensure if required to move off the military installation for a period of not more than ninety (90) days because of a change in security level which would not allow civilian students on the installation.

(C) The board shall have the authority to review any situations that extend past the ninety-day period and determine whether the exemption status should remain for the school.

PROOF To establish exemption under this section the organization offering training on the military base shall submit the following if a question arises regarding training:

- (a) Name of organization; **AND**
- (b) A notarized attendance list indicating status of each student as civilian, active or retired military personnel, or their dependents .

____ (13) Teaching or providing a course in defensive driving under a court-mandated defensive driving class.

PROOF To establish exemption under this section the organization offering defensive driving class shall submit the following if a question arises regarding training:

- (a) Name of organization; **AND**
- (b) A notarized attendance list indicating that each student has been mandated to take a defensive driving class by a court of law in Arkansas.

I certify that I presented true statements throughout this form and the attachments submitted herewith to the best of my knowledge and belief. I understand the penalties for operating a school without a license in the state of Arkansas. I will notify the Arkansas State Board of Private Career Education of any changes in my course offerings before changes are effective.

Typed Name of Official

Title

Signature of Official

Date