

Effective 1/1/2024
13-34-205 Closure.

- (1)
 - (a) A postsecondary school that has obtained a registration certificate, but has not obtained a state authorization certificate, may not cease operations unless the postsecondary school provides written notice to the division at least 30 days before the day on which the postsecondary school ceases operations that includes:
 - (i) the day on which the postsecondary school will cease operations;
 - (ii) a copy of a teach-out plan similar to one defined in 34 C.F.R. Sec. 602.3, or another written plan that describes how students will be impacted by the postsecondary school ceasing operations;
 - (iii) a current list of students enrolled in the postsecondary school, including:
 - (A) the program in which each student is enrolled;
 - (B) each student's anticipated graduation date; and
 - (C) the method of payment the student used to pay the postsecondary school; and
 - (iv) if the postsecondary school is an accredited postsecondary school, a written certification signed by the postsecondary school's principal that the postsecondary school is compliant with and will continue to comply with the postsecondary school's accrediting agency's closure requirements.
 - (b) A postsecondary school described in Subsection (1)(a) shall provide official transcripts to the division, upon request.
- (2) A postsecondary school that has obtained a state authorization certificate may not cease operations unless the postsecondary school provides written notice to the division at least 30 days before the day on which the postsecondary school ceases operations that includes:
 - (a) the date on which the postsecondary school will cease operations;
 - (b) a written certification signed by the postsecondary school's principal that the postsecondary school is compliant and will continue to comply with the postsecondary school's accrediting agency's closure requirements;
 - (c) a copy of any teach-out plan, as defined by 34 C.F.R. Sec. 602.3, approved by the postsecondary school's accrediting agency; and
 - (d) to the extent permitted by law:
 - (i) a current list of students who are enrolled in the postsecondary school; and
 - (ii) for each student described in Subsection (2)(d)(i):
 - (A) the student's contact information;
 - (B) the program or programs in which the student is enrolled;
 - (C) the student's anticipated graduation date; and
 - (D) the method of payment the student used to pay the postsecondary school.
- (3) After a postsecondary school submits the written notice described in Subsection (1) or (2), the postsecondary school:
 - (a) may not recruit or enroll new students; and
 - (b) shall, within 14 days or another period approved by the division, inform its students in writing that it intends to cease operation.
- (4)
 - (a) The provisions of this Subsection (4) apply to the extent not prohibited by federal law.
 - (b) If a postsecondary school that ceases operations possesses a student's educational credential, the postsecondary school shall:
 - (i) provide for storage of the educational credential;
 - (ii) provide the educational credential to a student in accordance with Section 13-34-110; and

(iii) if applicable, make the educational credential available to the same extent that an education record is available under the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99.

Enacted by Chapter 458, 2023 General Session