**Section 1450.1100 Application for Education Provider License and Other Requirements**

a) A person or entity seeking to provide pre-license education, the 45-hour post-license education, or CE shall submit:

1) A signed and completed education provider's application in a format provided by the Division;

2) The required fee set forth in Section 1450.130;

3) A course description, learning objectives, comprehensive timed outline and, when applicable, the final examination, answer key for each course, and final exam proctor policy; and any other information required by the Division;

4) Applications and fees for each course, as set forth in Sections 1450.1105(a) and 1450.1135(a); and

5) Authorization to conduct or transact business in Illinois issued by the SOS.

b) The Division shall notify the applicant in writing of its decision. In the event the applicant is denied, the basis for denial will be provided and the applicant advised that a hearing on the merits may be requested (see Section 20-60 of the Act and Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100]).

c) The education program offered by an education provider shall:

1) Be approved by the education provider's governing and/or supervising body;

2) Only use instructors with a valid Illinois instructor license issued under the Act and Sections 1450.1115 and 1450.1145;

3) Have a curriculum that meets the requirements of Section 1450.1105 and/or Section 1450.1135; and

4) Include a proctored final examination, when necessary, as outlined in Sections 1450.1105 and 1450.1135.

d) Records and Facilities

1) Education providers must maintain all records, including, but not limited to, transcripts, attendance records, and certificates of completion, for a period of not less than 5 years regardless of whether the education provider's license is active. Those records may be maintained in physical or electronic form.

2) Education providers must provide customer service email or telephone contact information.

3) Education providers and their records are subject to inspection at any time after submitting an application to the Division. The inspection shall be made during regular business hours, with at least 24 hours advance notice of the inspection.

4) No education provider shall conduct in-person business in a private residence or retail establishment, unless the education provider's business location within the retail establishment is a separate and distinct space solely occupied by the education provider.

5) Whenever an education provider intends to operate at a location other than the location of record, the education provider shall, no later than 10 days prior to that operation, notify the Division in a format provided by the Division.

e) Administration

1) No education provider shall advertise that it is endorsed, recommended or accredited by the Division. The education provider may indicate that the school is licensed by the Division.

2) Every education provider shall submit to the Division, upon the Division's request, a schedule including location, date, time and name of each licensed pre-license or CE instructor for each licensed pre-license, post-license or CE course offered. The education provider shall, upon the Division's request, notify the Division of any changes to that schedule.

3) Every education provider shall specify, in any advertising promoting pre-license, post-license or CE courses, the number of pre-license, post-license or CE credit hours that may be earned toward Illinois pre-license, post-license or CE requirements.

4) Prior to enrollment, the education provider shall provide a prospective student with information that specifies:

A) The course of study to be offered and the delivery method;

B) The tuition to be charged;

C) The education provider's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship;

D) Any additional fee to be charged for supplies, materials or books that become the property of the student upon payment; and

E) Other matters that are material to the relationship between the education provider and the student.

5) Each education provider shall maintain for each student a record including the course of instruction undertaken, dates of attendance, areas of study satisfactorily completed, and, if applicable, the date on which the final exam was successfully passed. Each student's record shall be maintained by the education provider, regardless of whether the education provider's license is currently active, for a period of 5 years and shall be available to the student or for inspection by the Division during regular business hours.

6) An education provider shall issue a transcript or certificate of completion, in a format provided by the Division, upon a student's successful completion of any course. Each transcript or certificate of completion shall be authenticated and capable of being verified by the education provider.

7) The education provider shall certify on the initial application that sufficient financial resources are available to equip and maintain the school.

8) The education provider shall verify attendance at each pre-license course, post-license course, and CE course. A student may only receive credit for time actually spent attending the course or, if applicable, for achieving a passing score of at least 75% on the final examination to receive credit.

9) Each education provider shall provide time and facilities for conducting make-up classes for students absent from the regularly scheduled class. No more than 10% of the total credit hours may include make-up credit hours. A student missing any make-up credit hours shall fail the course.

10) The Division shall be reimbursed by any out-of-state education provider for all reasonable expenses incurred by an inspector to inspect its facilities or records.

11) An education provider shall submit proof of ownership as may, from time to time, be required by the Division.

12) Course Completion Records. Every licensed education provider shall submit to the Division, in a format provided by the Division, on or before the 15th of each month, a report of applicants or licensees passing education courses offered by the education provider during the preceding calendar month.

A) An administrative fee in the amount of $50 will be imposed on an education provider that fails to submit its monthly report on or before the 15th of the month.

B) If an education provider fails to submit monthly reports and/or to pay the required late fees for three or more successive months, the license of the education provider and the courses offered by that education provider may be subject to discipline as set forth in Section 1450.1165.

f) Education providers offering a 30-hour real estate auction certification course must comply with Section 1450.1300.

g) Each university, college, community college, or school supported by public funds in the State of Illinois shall be deemed to qualify as an education provider, as long as that university, college, community college, or school meets the following criteria and certifies to the Division that:

1) The facility is domiciled in, and supported by public funds of, the State of Illinois;

2) The instructors are approved and licensed by the Division;

3) The courses offered are approved and licensed by the Division;

4) The program that offers pre-license or continuing education is a not-for-profit division of the university, college, community college, or school; and

5) The courses and curriculum meet the requirements of Section 1450.1105.

(Source: Amended at 45 Ill. Reg. 2851, effective February 23, 2021)