

STATE INACTION

GAPS IN STATE OVERSIGHT OF FOR-PROFIT HIGHER EDUCATION

DECEMBER 2011

State-by-State Student Relief Chart

STATE	RECOVERY FUND	SURETY BOND	AGENT'S BOND	STATE	RECOVERY FUND	SURETY BOND	AGENT'S BOND
Alabama	NA	X	X	Montana	—	—	—
Alaska	NA	X	X	Nebraska*	X	X	X
Arizona	X	X	NA	Nevada	X	X	X
Arkansas	X	X	NA	New Hampshire**	X	X	NA
California	X	NA	NA	New Jersey	NA	NA	NA
Colorado	NA	X	NA	New Mexico	NA	X	NA
Connecticut	X	X	NA	New York	X	NA	NA
Delaware	NA	X	NA	North Carolina	X	X	NA
District of Columbia	NA	X	X	North Dakota	NA	X	NA
Florida	X	NA	NA	Ohio	X	X	NA
Georgia	X	X	NA	Oklahoma	NA	X	NA
Hawaii	—	—	—	Oregon	X	NA	NA
Idaho	NA	X	NA	Pennsylvania	NA	X	NA
Illinois	NA	X	X	Rhode Island	NA	X	NA
Indiana	X	X	NA	South Carolina	NA	X	NA
Iowa	NA	X	NA	South Dakota	—	—	—
Kansas	NA	X	NA	Tennessee	X	X	X
Kentucky	X	X	X	Texas	X	NA	NA
Louisiana	X	X	X	Utah	NA	X	NA
Maine	NA	X	NA	Vermont	NA	NA	NA
Maryland	X	X	NA	Virginia	X	X	NA
Massachusetts	NA	X	X	Washington	X	NA	NA
Michigan	NA	X	X	West Virginia	NA	X	NA
Minnesota	NA	X	X	Wisconsin	X	X	X
Mississippi	NA	X	X	Wyoming	NA	X	NA
Missouri	NA	X	NA				

KEY: X = Available NA = Not Available — = Unable to Confirm

*Two different agencies oversee proprietary schools in Nebraska. The Private Postsecondary Career Schools and Veterans Education unit within Nebraska's Department of Education regulates schools that issue certificates, diplomas, and associate's degrees. These schools must obtain all three types of financial protection. The Coordinating Commission for Postsecondary Education (CCPE) regulates institutions that confer bachelor's degrees and above. Statutes and regulations do not require schools under the CCPE to secure either type of bond or contribute to the Recovery Fund.

**New Hampshire currently has both a Recovery Fund and a surety bond requirement. The state is phasing out the surety bond requirement. The Director of the Postsecondary Education Commission will determine when the Recovery Fund has accumulated an adequate balance before terminating the bond requirement.

Methods: NCLC surveyed state statutes and regulations to determine what financial protection was provided to students. In some instances, NCLC followed up with the state agency if information was unclear or ambiguous. Some states, like Florida, indicate that they do not require a bond unless a school appears financially unstable. NCLC did not consider such states to require a bond because the requirement does not cover all schools. NCLC could not confirm information on financial protection for students in Hawaii, Montana, and South Dakota. However, the three states do not appear to have regulations or statutes mandating bond coverage or establishing Recovery Funds.

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