

165A.310 Definitions for chapter.

As used in this chapter:

- (1) "Proprietary school" or "school" means a privately owned for-profit educational institution, establishment, agency, organization, or person offering or administering a plan, course, or program of instruction in business, trade, technical, industrial, or related areas for which a fee or tuition is charged whether conducted in person, by mail, or by any other method;
- (2) "Commission" means the Kentucky Commission on Proprietary Education;
- (3) "Cabinet" means the Finance and Administration Cabinet;
- (4) "Agent" means any person employed by an institution to act as agent, solicitor, broker, or independent contractor to procure students for such school by solicitation of enrollment in any form made at any place other than the main office or principal place of business of the school;
- (5) "Degree" means associate degree;
- (6) "Person" means an individual, corporation, business trust, estate, partnership, unincorporated association, two (2) or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity;
- (7) "School year" is beginning the first day of July and ending the thirtieth day of June next following, except when approval shall be suspended or canceled pursuant to the provisions herein;
- (8) "CDL" means a commercial driver's license as defined in KRS 281A.010;
- (9) "CDL driver training" means a course of study that complies with the provisions of KRS 332.095 governing the instruction of persons in the operation of commercial motor vehicles;
- (10) "CDL driver training school" means any person, firm, partnership, association, educational institution, establishment, agency, organization, or corporation that offers CDL driver training to persons desiring to obtain a Kentucky CDL in order to operate a commercial motor vehicle and for which a fee or tuition is charged;
- (11) "Classification" means as established in KRS 281A.170;
- (12) "Commercial motor vehicle" means as defined in KRS 281A.010;
- (13) "Endorsement" means as established in KRS 281A.170;
- (14) "Restrictions" means as established in KRS 281A.170;
- (15) "Resident" means any person who has established Kentucky as his or her state of domicile. Proof of residency shall include but not be limited to a deed or property tax bill, utility agreement or utility bill, or rental housing agreement;
- (16) "Formal complaint" means a written statement filed on a form specified by the commission in which the complainant alleges that a school has violated a Kentucky statute or administrative regulation and has negatively impacted the complainant, and resolution is requested by the commission; and
- (17) The definition of a "proprietary school" shall not include the following:
 - (a) A school or educational institution supported entirely or partly by taxation

from either a local or state source;

- (b) A parochial, denominational, or eleemosynary school or institution;
- (c) A school or training program which offers instruction solely in the field of an avocation, recreation, or entertainment, as determined by the state commission;
- (d) A course or courses of instruction or study sponsored by an employer for the training and preparation of its own employees for the benefit of the employer and without charge to the employee; or
- (e) A school or educational institution licensed or approved by or a course or courses of study or instruction sponsored by the Kentucky Board of Barbering established by KRS 317.430, the Kentucky Board of Hairdressers and Cosmetologists established by KRS 317A.030, the Kentucky Board of Nursing established by KRS 314.121, the State Board of Embalmers and Funeral Directors of the State of Kentucky established by KRS 316.170, or the Kentucky Council on Postsecondary Education established by KRS 164.011.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 76, sec. 1, effective July 12, 2012. -- Amended 2002 Ky. Acts ch. 280, sec. 1, effective April 9, 2002. -- Amended 1990 Ky. Acts ch. 470, sec. 58, effective July 1, 1990. -- Amended 1982 Ky. Acts ch. 31, sec. 1, effective July 15, 1982. -- Created 1976 Ky. Acts ch. 363, sec. 1, effective July 1, 1976.