

Rule 375-5-6-.21 Program Closure

(1) Permanent Closures

- (a) Any Program that intends to permanently cease operations shall notify the Department in writing at least thirty (30) days prior to the closure date stated in the notification.
- (b) Any Program that intends to permanently cease operations shall post a notice of its intent to close in a conspicuous area at the Program location at least thirty (30) days prior to the closure date stated in the notification.
- (c) If a Program intends to permanently cease operations, Students with a valid Assessment who have not completed the Intervention Component may cancel their Intervention contract and receive a full refund or transfer to a Program of their choice at no charge.
- (d) Any Program that intends to permanently cease operations shall notify students who have completed an Assessment Component but have not started the Intervention Component. Such notification shall be sent within five (5) business days of notifying the Department. The notification shall indicate that the Student may cancel their Intervention contract and receive a full refund or transfer to a Program of their choice at no charge.
- (e) Any Program that permanently ceases operations shall securely destroy the following materials within five (5) business days of closing:
 - (i) The official Program Certification; and
 - (ii) All Program Records.
- (f) A Program that is permanently closed shall cease all advertising and Program operations.

(2) Temporary Closures

- (a) A Program may request to temporarily cease operations for a period of up to ninety (90) days.
- (b) A Program approved by the Department to temporarily cease operations shall deliver the previous five (5) years of Program records to the Department within five (5) business days.
- (c) A Program may be approved for temporary closure no more than two (2) times within a four (4) year period.
- (d) A Program must be in good standing with the Department to be eligible for temporary closure, which consists of but is not limited to the following:
 - (i) Have no previous outstanding violations; and
 - (ii) Have no outstanding fees or fines with the Department.
- (e) A Program that has been approved for temporary closure shall cease all advertising and Program operations.

Authority: O.C.G.A. Secs. 40-5-82, 40-5-83.

SYNOPSIS

STATEMENT OF PURPOSE OF PROPOSED RULE

The purpose of this amendment is replace the previous version with new requirements.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

The requirement to destroy records was added upon permanent closure was added. Eligibility criteria was created and record requirements were added to section (2).