



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
BOARD FOR LICENSING CONTRACTORS**

500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-1150

TELEPHONE: 800-544-7693 OR (615) 741-8307 OR FACSIMILE (615) 532-2868

<http://tn.gov/commerce/boards/contractors/> Email: Contractors.Home-Improvement@tn.gov

CONTRACTOR PRE-LICENSING COURSE PROVIDER

Please complete the attached application for new and renewal applicants to be considered as an approved "Contractor Pre-License Course Provider" in order to offer exam preparatory classes for the Tennessee Board for Licensing Contractors exams.

The fee is \$1,500.00 and approval is granted for three (3) years. It is advised to return the application within two (2) weeks prior to the Board meeting. *(Note: Mail delivery can take 5 to 7 business days!)* Applicants are notified whether they need to appear with the time, date and location of meeting. Board meeting schedule is available on the website's "Calendar" at: <http://tn.gov/commerce/boards/contractors/>

After Board review, approved applicants will receive a license certificate from the Board. If denied, you'll be notified to provide additional information or supplied with a letter of explanation.

If you have any questions, feel free to contact the Board at (615) 741-8307 or by email at: Contractors.Home-Improvement@tn.gov



State of Tennessee
 Department of Commerce & Insurance
 Board for Licensing Contractors
 500 James Robertson Pkwy.,
 Nashville, TN 37243-1150
 Telephone: (615) 741-8307 Fax: (615) 532-2868

Contractor – Prof 1803 – \$1500
Xact#

CONTRACTOR PRE-LICENSING COURSE PROVIDER

(Application Fee: \$1,500.00 – Nonrefundable - Three (3) Year Fee)

New (Initial) or Renewal of ID# _____ Exp: ___/___/___

1. CONTACT INFORMATION

School or Provider Name: _____

Address: _____

City, State, Zip: _____

Telephone: (____) _____ - _____; Fax: (____) _____ - _____

FEIN ID # _____ Email: _____

Website(s): _____

2. MODE OF OPERATION: ___Sole Proprietor ___*Corporation ___*LLC ___Partnership
 (*Must be active with the Tennessee Secretary of State)

3. OWNER(S), OFFICERS AND PERCENTAGE OF OWNERSHIP

1. _____ % _____ 2. _____ % _____

3. _____ % _____ 4. _____ % _____

4. IS PROVIDER A SUBSIDIARY OF ANOTHER COMPANY? ___No ___Yes – Attach explanation.

5. DELIVERY OF COURSE: (CHECK ALL THAT APPLY TO BE APPROVED FOR EACH)

___ Classroom ___Internet/Web ___DVD ___Books and Materials ___Other- _____

6. OTHER STATE LICENSES/APPROVALS: ___ No ___ Yes - _____

7. PLEASE ATTACH EACH OF THE FOLLOWING:

1. **Course Outline for Each Offered for Exam(s) and Time Length of Class**
2. **Instructor(s) Information with Credentials/Resume**
3. **Materials** (Please submit materials you wish to have approved)
4. **Promotions** (Please submit copies of advertisements/ brochures/with amount of fee charged)
5. **Surety Bond** (Please attach \$50,000 surety bond in the Board's form – Page 3 of Pre-Lic Appt)
6. **Schedule of Classes and Locations** (Please attach schedule and address of each facility)
7. **Cancellation/Reschedule Policy** (Please attach policy to make up classes)
8. **Affidavit by Each Owner/Officer** (Page 2 of Pre-Lic App)

 Print Name

 Signature

 Date



CONTRACTOR PRE-LICENSING COURSE PROVIDER - AFFIDAVIT

I, _____, _____ in applying
(Print Name of Owner/Officer) (Title)

to the Tennessee Board for Licensing Contractors, to be approved as a:

Contractor Pre-Licensing Course Provider

1. As a contractor pre-license course provider, this entity will not:

- Disseminate false or misleading information concerning any course, classification or law;
- Claim to possess, reveal or distribute any questions utilized in the examination given by the Board's examination vendor;
- Entice applicant to apply for unnecessary classes or purchase unnecessary course materials;
- Advertise or promote or guarantee fees charged for the course will be waived if the student fails exam;
- Advertise or promote they have been recommended or endorsed by the Board; or
- Advise, offer or recommend accountants to prepare financial statements or to utilize certain insurance brokers to complete any license application requirements.

2. I ___ ***HAVE** (or) ___ **HAVE NOT** been convicted of a felony.

3. I ___ ***HAVE** (or) ___ **HAVE NOT** been found guilty for breach of security in obtaining exam questions from test providers.

4. I realize cancellation of the surety bond will void the approval by the Board.

*Questions checked "Have" must include an attached explanation.

I certify the foregoing statements and answers are true and correct to the best of my knowledge in which an application is being submitted pursuant T.C.A. 62-6-138.

(Signature)

Subscribed before me this _____ day of _____, 20_____.

(NOTARY PUBLIC) My Commission Expires: _____

(SEAL)

(To be completed by each owner and/or officer)

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
BOARD FOR LICENSING CONTRACTORS



PRE-LICENSING COURSE PROVIDER SURETY BOND

Bond # _____

BE IT KNOWN, that _____
(Name of Course Provider)

of _____,
(Mailing and Physical Address)

As principal, and _____
(Name of Surety Company)

as surety, are held and firmly bound unto the State of Tennessee, for the benefit of all owners, as defined by *Tennessee Code Annotated*, Title 62, Chapter 6, undertaken by the principal in the full and just sum of fifty thousand dollars (\$50,000.00) for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal has applied to the Board for Licensing Contractors for approval to provide contractor pre-licensing courses; and

WHEREAS, under the provisions of Title 62, chapter 6, Part 138 of Tennessee Code Annotated, and as amended, and Rule 0680-5, the principal is required to file this bond in order to obtain approval to act as a contractor pre-licensing course provider.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, if the above bounden principal shall comply in all respects with Title 62, Chapter 6, Part 138 of Tennessee Code Annotated, and the regulations promulgated thereto 0680-5, then this obligation shall be void otherwise to remain in full force and effect.

FURTHER, this bond is to be responsible for damages arising from principal failing to provide services after receiving payment, if such service was paid prior to any inactivation, expiration or revocation of the provider's approval.

This bond shall become effective on the _____ day of _____, 20____, and shall be continuous; however, each renewal period or portion thereof shall constitute a new bond term. Regardless of the number of years this bond may remain in force, the liability of the surety SHALL not be cumulative, and the aggregate liability of the surety for any and all claims, suit or action under this bond shall not exceed the sum of \$50,000.00. The surety may cancel this bond by giving ninety (90) days notice to the Tennessee Board for Licensing Contractors and principal by certified mail of such cancellation, it being understood that surety shall not be relieved of liability that may have accrued under this bond prior to the date of cancellation.

Witness our hands and official seals this _____ day of _____, 20____.

NAME OF COMPANY (Course Provider)

NAME OF SURETY

SIGNATURE OF PRINCIPAL (Owner)

ADDRESS OF SURETY

DATE: _____

NAME OF SURETY AGENT

(SEAL)

SIGNATURE OF SURETY AGENT

ADDRESS OF SURETY AGENT

THE BOND IS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 62, CHAPTER 6; OF *TENNESSEE CODE ANNOTATED*. SHOULD THERE BE ANY CONFLICT WITH THE TERMS THEREOF, AND THE STATUTE, THE STATUTE OR REGULATION SHALL PREVAIL.

(POWER OF ATTORNEY FROM AN APPROVED INSURANCE COMPANY MUST BE ATTACHED)

ATTACHMENTS

Attach #	Item	Requirements
1	Course Outlines	Course syllabus should include topics covered for each contractor's exam class offered; fees charged; and include the amount of time allocated. Include the types of educational programs to be offered, such as: live lecture, home study, etc. Be sure to include information regarding any courses offered online and with the website address, user ID and password in order for the board access in order to review for approval.
2	Instructor Information	List all instructors for the course with their credentials, expertise and resume of experience.
3	Materials	Information pertaining to any materials used or distributed during the course, including books, handouts or slide presentations. Also include the fee charge for any of the materials.
4	Promotion	Please provide copies of printed promotions, brochures, pamphlets or advertisements offering the pre-licensing course.
5	Surety Bond	Please refer to page 3 of the application for the exact format of the \$50,000 surety bond.
6	Schedule	Please supply a copy of the course dates and locations of the facilities. If this is unavailable, please develop a proposed list and forward the final to the Board prior to holding the class.
7	Cancelation Policy	Please provide your written policy concerning your cancelation policy and refunds.
8	Affidavit	Refer to page 2 of the application and copy for each owner and/or officer of the entity to sign before a notary.

Law, Rules and Regulations for Pre-Licensing Course Providers

Statute

62-6-138. Prelicensing general contractor education courses or workshops. —

(a) All prelicensing courses designed to assist an applicant in taking an examination as required by the board must be approved by the board before accepting applicants.

(b) A prelicensing general contractor education course or workshop shall be qualified for approval, if the board determines that it:

(1) Constitutes an organized program of learning, including a symposium, that contributes directly to the professional competency of the licensee;

(2) Is related to the practice of general contracting;

(3) Is conducted by individuals considered experts in the subject matter of the program by reason of education, training or experience; and

(4) Is accompanied by a paper, manual or written outline that substantially describes the subject matter of the program.

(c) The board or its representative shall be admitted to prelicensing general contractor education courses at no charge, in order to monitor the persons present, the content of the course and supporting paperwork.

(d) The person or firm conducting prelicensing general contractor education courses shall apply to the board for renewal of approval of the courses every three (3) years.

(e) The board may charge a fee for reviewing and approving prelicensing general contractor education courses; provided, that the fee shall not be greater than that necessary to carry out this section.

(f) The director of the board, acting on behalf of the board, is authorized to issue citations against persons acting in the capacity of or engaging in the business of conducting precicensing general contractor education courses without approval of the board as required by this section. Each citation shall be in writing and shall describe with particularity the basis of the citation. Each citation shall contain an order to cease all violations of this part and an assessment of a civil penalty in an amount no less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000). The commission shall promulgate rules and regulations to specify those conditions necessary to the issuance of a citation and the range of penalties for violations of this part.

(g) The board is authorized to promulgate rules and regulations pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate this section.

[Acts 2006, ch. 657, §§ 1, 2.]

Rules

RULES OF TENNESSEE BOARD FOR LICENSING CONTRACTORS CHAPTER 0680-5 PRE-LICENSING COURSES TABLE OF CONTENTS

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0680-5-.01 DEFINITIONS.

- (1) "Board" means the board for licensing contractors created by T.C.A. §62-6-104.
- (2) "Pre-licensing course" means any course or workshop related to the practice of general or specialty contracting offered to assist an applicant for preparation of an examination required by the Board excluding courses offered by any public institution.
- (3) "Provider" means any person or entity who offers a pre-licensing course designed to assist an applicant for preparation of an examination required by the Board.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. **Administrative History:** Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.02 APPLICATION.

(1) Any provider who offers any pre-licensing course shall submit an application on the form prescribed by the Board. The application shall be verified and accompanied by:

- (a) a non-refundable fee in the amount provided in rule 0680-5-.03;
- (b) a resume for each instructor of such course outlining the instructor's education and experience;
- (c) a detailed description of the content of such course(s);
- (d) the projected schedule for the teaching of such course(s);
- (e) a surety bond to the State of Tennessee Board for Licensing Contractors as obligee in a minimum amount of fifty thousand dollars (\$50,000); and
- (f) such other information as the Board may reasonably request.

(2) The applicant shall demonstrate to the satisfaction of the Board that each course submitted for approval will:

- (a) cover subjects which are reasonably related to the practice of construction and suitable to benefit and enrich the students enrolled;
- (b) be conducted in a facility that contains adequate space, seating, and equipment; and
- (c) provide adequate means to make up for all classes missed by a student;

Authority: Chapter 657 of the Public Acts of 2006, §§2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. *Administrative History:* Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.03 FEES.

(1) The application and renewal application fee is one thousand five hundred dollars (\$1500) per provider.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. *Administrative History:* Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.04 COURSE APPROVAL PERIODS.

(1) Each pre-licensing course approval shall remain effective for three (3) years from the date of approval. After three (3) years, the approval of the Board shall expire, unless the Board, after reviewing a re-newal pre-licensing course application, approves the course for another such time period.

(2) All pre-licensing course providers shall be required to resubmit their courses for approval at least one hundred twenty (120) days prior to the applicable expiration date. Failure to meet this deadline may result in the non-approval of a course.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. *Administrative History:* Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.05 CHANGES IN APPLICATIONS.

Any material change in any information furnished in connection with any application of a pre-licensing course (including, but not limited to, an address change of a provider, information concerning course content, instructors, and facilities) shall be submitted to and approved by the Board before taking effect.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. *Administrative History:* Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.06 WITHDRAWAL OF APPROVAL.

- (1) Approval of any course(s) may be withdrawn by the Board if:
- (a) the establishment or conduct of a course violates, or fails to meet the requirements of, the provisions of this chapter or other applicable law;
 - (b) the information contained in the application is materially inaccurate or misleading;
 - (c) the provider, an instructor, or any other school representative disseminates false or misleading information concerning any course;
 - (d) the sponsor, an instructor, or any other school representative possesses, claims to possess, re-veals, or distributes any questions utilized in examinations given by the Board;
 - (e) the performance of the instructor is so deficient as to impair significantly the value of a course provided, however, that the instructor shall receive adequate notice of the discovered deficiency and opportunity to demonstrate satisfactory correction thereof; or
 - (f) the provider, an instructor, or any other school representative disseminates false or misleading information regarding classifications, law, or entices an applicant to apply for unnecessary classes or purchase unnecessary course materials.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. **Administrative History:** Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.07 PROMOTIONAL MATERIALS.

- (1) All materials used for advertising or promoting any pre-licensing course shall contain statements or claims that are factually supported.
- (2) No provider shall advertise or promote that fees charged for the pre-licensing courses will be waived if the student fails to pass any examination required by the Board;
- (3) No provider shall advertise or promote any guarantee that a student will successfully pass any examination required by the Board; and
- (4) No provider shall advertise that it has been specially endorsed by the Board.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. **Administrative History:** Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.08 RELATIONSHIP WITH ACCOUNTANTS AND INSURANCE BROKERS.

No provider offering a pre-licensing course shall advise students on financial accounting, insurance requirements or recommend, offer or encourage students to retain a particular accountant, accounting firm or insurance broker to complete any application requirements for a license under Tenn. Code Ann. §§ 62-6-101 et. seq.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. **Administrative History:** Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.09 INSPECTIONS.

By applying for the Board's approval of any pre-licensing course, the applicant agrees that the Board or its authorized representative may perform periodic inspections and monitoring for the purposes of evaluating facilities, course content, instructor performance, or any other relevant aspect of the administration and conduct of such course.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. **Administrative History:** Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.

0680-5-.10 CITATION PENALTIES.

(1) The Executive Director of the Board may issue citations against providers offering pre-licensing courses for any violation of T.C.A. §62-6-138 or any rule contained herein. Each citation shall contain an order to cease all violations of this chapter, and an assessment of a civil penalty in accordance with the following schedule:

Violation Penalty

T.C.A. § 62-6-138 \$250 - \$1,000

(2) In determining the amount of any penalty to be assessed pursuant to this rule, the Executive Director may consider such factors as the following:

- (a) whether the amount imposed will be substantial economic deterrent to the violator;
- (b) the circumstances leading to the violation;
- (c) the severity of the violation and the risk of harm to the public;
- (d) the economic benefits gained by the violator as a result of noncompliance;
- (e) the interest of the public;
- (f) willfulness of the violation;
- (g) extent to which the licensee has sought to compensate any victim(s) of the violation.

Authority: Chapter 657 of the Public Acts of 2006, §§ 2 and 3 and Tenn. Code Ann. §§ 62-6-104, 62-6-108 and 62-6-138 [effective January 1, 2007]. **Administrative History:** Public necessity rule filed December 27, 2006; expired June 10, 2007. Public necessity rule filed June 11, 2007; expires November 23, 2007. Original rule filed May 10, 2007; effective July 24, 2007.