

CHAPTER 1
PRIVATE SCHOOL PERFORMANCE BOND

In lieu of a deposit of cash or U.S. Treasury Bonds to insure faithful operation of a private school in Wyoming,
doing business as

(Name of Principal)

_____, a _____
(Trade Name or "Same") (business form)

located at _____, as Principal, and
(Address)

_____, of
(Name of Surety)

_____, as Surety are
(Address of Surety)

held and firmly bound to the Wyoming Department of Education, as Trustee, in the amount of Ten Thousand Dollars (\$10,000) for payment of which we bind ourselves and our heirs, executors, administrators, successors and assigns, jointly and separately, this _____ day of _____, 20_____.
As Principal, we intend to operate a private school teaching _____

in the State of Wyoming, subject to the Private School Licensing Act (W.S. §§ 21-2-401 through 21-2-407) regulations under the Act, and other applicable state and federal laws and regulations. We agree to retain a bond each year we do business in Wyoming, to assure protection of all persons enrolled in any of our courses offered in this State.

Therefore, for the period of _____, 20___ through _____, 20___ this bond will insure the faithful performance of our duties as a private school operating within Wyoming. Action under this bond may be brought by any aggrieved student who has enrolled in a course we offered in Wyoming. Upon satisfactory performance of our duties during the period of time covered by this Bond, the Surety is released from any further obligation and this Bond will have no further legal effect.

SURETY

BY:

(Signature)

Corporate Seal

(Printed)

TITLE:

State of: _____)
County of: _____) SS.

The foregoing performance and payment bond was acknowledged before me by _____
this _____ Day of _____, 20 _____

Witness my hand and official seal. _____
Notary Public

My Commission Expires: _____

PRINCIPAL

BY:

(Signature)

Corporate Seal

(Printed)

TITLE:

State of: _____)
County of: _____) SS.

The foregoing performance and payment bond was acknowledged before me by _____
this _____ Day of _____, 20 _____

Witness my hand and official seal. _____
Notary Public

My Commission Expires: _____

APPROVED AS TO FORM

Attorney General's Office

Date

SURETY'S REGISTERED RESIDENT AGENT FOR SERVICE IN WYOMING:

Registered Agent:

(Printed or Typed)

Address:

CHAPTER 1
PRIVATE SCHOOL PERFORMANCE BOND
(Page 2 of 2)

Applicable Wyoming Statutes:

Wyo. Stat. §21-2-404. Operation Without License or registration unlawful; soliciting business in public schools; furnishing list of students.

- a) No person shall operate a school or institution as defined in W.S. 21-2-401 in Wyoming and no private school or institution shall conduct business in Wyoming without first obtaining a license, registration or providing notification under this article.
- b) Unless the school or institution, proprietor or its agent has been licensed, registered or has provided notification as required under this article, no official or employee of the Wyoming state department of education, any college or university within the state or any school district within the state, shall:
 - i. Permit the school or institution, or proprietor or agent thereof, to solicit business in any public school within this state; and
 - ii. Provide any list of students or other list of prospects to the school, institution or proprietor or agent thereof.

Wyoming Statute § 21-2-405 requires that before any school is licensed, it must first submit to the Wyoming Department of Education a ten thousand dollar (\$10,000) performance bond or other form of security prescribed by rule or regulation. The purpose of the bond or other form of security is “to assure protection of all persons enrolled in a course of study who may be aggrieved by any school doing business or operating in the state.” The bond must be approved by the attorney general and must be renewed on an annual basis as long as the school retains its license.

Instructions:

Principal Name: Principal must be stated *exactly* the same throughout the bond form and *exactly* as listed with the Wyoming Secretary of State’s Office.

Trade Name: State the trade name the Principal will use in promoting this private school in Wyoming. If the trade name is the same as the Principal’s name, insert “same”.

Business form: State the legal business form of the Principal (e.g. sole proprietorship, partnership, limited partnership, joint venture, association, or corporation). If Principal is a sole proprietorship, owner’s name must appear as the Principal. If the Principal is a corporation, the corporate name must be listed as Principal. For any other business form, all owners’ or partners’ names must appear as Principal.

Dates: The date in the first paragraph must be the date the Bond is signed by the Surety’s Attorney-In-Fact. It must be the same date that appears on the attached Surety’s power of attorney. The dates in the third paragraph cover the period during which the Bond is effective. Post-dated Bonds are unacceptable.

Subjects Taught: List subjects taught. If necessary, attach a separate page or course catalog listing all subjects taught. Merely stating “teaching students” is not sufficient.

Signature for Principal: If Principal is a sole proprietorship, joint venture, association or some business form other than partnership or corporation, all owners must sign. If Principal is a partnership or limited partnership, at least two general partners must sign. If Principal is a corporation, the Chief Executive Officer (President, Chairman or CEO) must sign. Any other person signing must verify his or her authority to bind the Principal by attaching certified evidence of his or her authority. This will be verified with the office of the Secretary of State. Each person must sign for himself or herself. Signatures must be notarized.

Seals: Where indicated, impress corporate or surety’s seal. The attached Surety’s power of attorney must also be sealed. Facsimile or preprinted seals are not acceptable and will result in rejection of the bond.

Surety and Resident Agent: When a corporate surety is used, the Bond must be signed by its Attorney-in-Fact. The current authority of the Attorney-In-Fact must be attached to the Bond. That authority must also contain an impressed seal, which is not preprinted or a facsimile.

Blank Spaces and Changes: The form must be completely filled in. The Bond cannot and WILL NOT be accepted with blank spaces. Changes or strikeovers, which are clear, are acceptable, but must be initialed by the Surety’s Attorney-In-Fact or resident agent, which must notify the Surety of the change.

Approval by Attorney General: Make no mark in this box. The bond is not valid until approved by the Wyoming Attorney General.

Questions?: Contact Private School Licensing, Wyoming Department of Education, 2300 Capitol Ave., Hathaway Building, 2nd Floor, Cheyenne, WY 82002, (307)777-6210 with any questions regarding private school performance bonds.