**DISTRICT OF COLUMBIA HIGHER EDUCATION LICENSURE COMMISSION**

**POSTSECONDARY EDUCATIONAL INSTITUTION BOND**

(1) **BOND NO.:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**KNOW ALL PERSONS BY THESE PRESENTS,** That we, (2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_doing business in the District of Columbia whose address is (3)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ hereinafter referred to as **PRINCIPAL**; and (4)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, an authorized insurer, doing business at

(5) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and incorporated in (6) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter referred to as **SURETY**, are held and firmly bound unto the District of Columbia government, Higher Education Licensure Commission (HELC), Obligee, and unto any person who may be aggrieved by a violation by said principal of any law or regulation in force in the District of Columbia relating to the operation of a postsecondary school in the full and just sum of (7)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_thousand dollars ($\_\_\_\_\_\_\_\_\_\_\_\_) lawful money of the United States of America as promulgated by Chapter 81, Title 16, D.C. Code of Municipal Regulations, Section 8125.4, for which payment of which sum, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors, and administrators, successors and assignees, firmly by these presents.

**WHEREAS,** the above named Principal has applied for authorization to operate a postsecondary school in the District of Columbia under the provisions of Title 38, Chapter 13 of the District of Columbia Official Code.

**NOW, THEREFORE,** the conditions of the above obligation are such that the above bounden licensed school shall in all respects comply with the provisions of the District of Columbia Education Licensure Commission Act of 1976, D.C. Law 1-104 (D. C. Code Sec. 38-1302, et. seq.) and regulations issued pursuant thereto, and subsequent amendments. The said Principal shall keep harmless and indemnify said obligee from all actions, suits, costs, damages and expenses incurred to any person by reason of any violation of the previously mentioned Act and regulations in carrying on the business for which such license is granted.

**ANY PERSON** including, but not limited to, students, aggrieved by any breach of this bond shall have, in addition to any right of action against the Principal, a right to bring suit against Surety, either alone or jointly with the Principal, and to recover any damages sustained by reason of said breach. Provided, however, that without regard to the number of claims or claimants, the number of years this bond remains in effect, or the number of premiums paid, the aggregate liability of surety shall not exceed the penal sum stated above.

**PERIOD OF THE BOND,**

Effective \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_, 20 \_\_\_\_, and shall expire on\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_, 20\_\_\_\_; provided, however, that surety shall not be released of any liability of claim arising during said period, whether or not HELC makes any demand of such claim during said period. The Surety on this bond shall be released after such Surety serves written notice thereof to the Higher Education Licensure Commission, at least thirty (30) days prior to such release.

**WITNESS WHEREOF**, Principal and Surety have duly executed the foregoing obligation this \_\_\_\_\_day \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

|  |  |  |
| --- | --- | --- |
| (8) **WITNESS** (only required if applicant is individual or partnership) |  | (8) **WITNESS** (only required if applicant is individual or partnership) |
| Signature Date |  | Signature Date |
| Name *(typed)* |  | Name *(typed)* |
|  |  |  |
| (9) **SURETY** |  | **PRINCIPAL** |
|  |  |  |
| Name of Surety Company *(typed)*  Seal |  | Name of Applicant *(typed)* |
|  |  |  |
| Company Address *(typed)* | d/b/a | Name of School *(typed)* |
|  |  |  |
| Phone number | By | (10) Signature Date |
|  |  | Name, Title (i.e. President or V. President or Partner) *(typed)* |
|  |  |  |
| Signature Date | By | (11) Signature Date |
| Name, Title (i.e. Attorney-In-Fact) *(typed)* |  | Name, Title (i.e. Secretary or Asst. Secretary or Partner) *(typed)* |
|  |  |  |

**DISTRICT OF COLUMBIA**

**HIGHER EDUCATION LICENSURE COMMISSION**

# INSTRUCTIONS TO BONDING COMPANIES

This bond must be issued by the representative (attorney in fact) of a corporation authorized to engage in the business of surety in the District of Columbia, is in good standing, and the penal sum of this bond must be within the limitation imposed by District law. Complete the black using the corresponding guidance provided below.

|  |  |
| --- | --- |
| (1) | Enter Bond number issued by the surety |
| (2) | Full name (middle initial) of individual. If partnership, full name (middle initial) of each partner. If a corporation, name of corporation in exact form as it appears on corporate seal. |
| (3) | Street address at which business is conducted. If business operates at more than one location, each business address must appear on this bond. A separate bond is not required for each location. |
| (4) (5) & (6) | Name of surety bond company, business address and State of Incorporation. |
| (7) | Amount of surety required is as follows:  **Number of Annual Net Amount**  **Students Enrolled Tuition Received of Surety**  50 or less and $100,000 or less $5,000  51 to 150 or $100,001 to $1,000,000 $10,000  151 or more or $1,000,001 and up $20,000 |
| (8) | Two (2) witnesses sign in the event applicant is an individual or partnership. Witnesses are not required when applicant is a corporation. |
| (9) | Name, Address and Phone number of Surety Company and its corporate seal affixed so that it is clearly visible. Signature of Attorney-in-Fact for Surety Company. Power of Attorney on behalf of agent signing required to be attached to each bond. |
| (10) | If partnership, signature, name and title of partner. If corporation, signature, name, and title of President or Vice President. |
| (11) | If partnership, signature, name and title of 2nd partner. If corporation, signature, name, and title of Secretary or Assistant Secretary of corporation, attesting to signature of President or Vice President. |

**NOTE:** **Please initial and seal any correction or deletion.**

Mail original bond and related correspondence to:

**District of Columbia Higher Education Licensure Commission**

**1050 First Street, NE, Fifth Floor**

**Washington, DC 20002**