STATE OF COLORADO

Department of Higher Education
DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS

Lorna A. Candler
Director

John Hickenlooper
Governor

Lt. Gov. Joseph A. Garcia
Executive Director

NOTICE OF STATUTORY REPEAL OF EXEMPTION FROM REGULATION FOR PRIVATE OCCUPATIONAL SCHOOLS HAVING AN I.R.S. "501 (3)" DESIGNATION

Dear Owner or Director:

You may recall that some time back your training institution received correspondence from the Division of Private Occupational Schools ("Division") within the Colorado Department of Higher Education informing that your institution's request to be considered exempt from state regulation as a private occupation school operating in Colorado was granted. Specifically at that time, you submitted sufficient verification to the Division showing that your particular entity was an exempt organization under 26 U.S.C. sec. 501 (c) of the "Internal Revenue Code of 1986", and that as such it met the state's qualifications to be statutorily exempt from regulation as a private occupational school in accord with the then section 12-59-104(1(p) of the Colorado Revised Statutes.

This letter is to notify you that effective May 10, 2013, this particular state exemption from regulation- C.R.S. §12-59-104(1) (p) has been repealed. Colorado no longer recognizes the I.R.S. designated "501 (3)" exempt status as also exempting a training entity automatically from state regulation under the "Private Occupational Education Act of 1981" ("Act").

You are being notified by the Division not only of this recent statutory change, removing this state exemption status, but also to inform that if your entity/institution is still operational in Colorado you will need to either **complete and timely submit to the Division a "REGULATION DETERMINATION QUESTIONNAIRE" ("questionnaire") that is with supporting documentation,** if you believe that your entity currently qualifies for any other of the remaining statutory exemptions found at C.R.S. §12-59-104(1). The Division has mailed directly to your school a copy of this notice and the questionnaire.

Or

Complete and submit an APPLICATION FOR APPROVAL AS A PRIVATE OCCUPATIONAL SCHOOL. Please contact our Division at (303) 866-2723 and ask to speak with a Program Specialist who will be happy to assist you in providing a school

application packet; assist in the application process; or in answering other questions you may have about the possible current status of your particular institution.

Please be further advised that you are requested to submit to the Division your complete response to the questionnaire by not later than thirty (30) calendar days from the date of this notice letter; or to contact a Program Specialist and commence the school application approval process within this same thirty (30) day time frame.

Should the Division not receive the completed questionnaire or evidence that you have commenced the school application process within this thirty (30) day period, nor otherwise received communication from you about what is being requested herein, the Division may have no choice but to report your noncompliance to the Board of Private Occupational Schools (Board) with a request that its legal counsel be instructed to pursue all necessary and proper action to ensure statutory compliance.

If your entity is no longer in existence, nor otherwise operating, advertising, offering training for a charge (regardless of duration of the training or amount charged) within Colorado please notify the Division within this thirty (30) day time frame, and upon verification your entity will be removed from the Division's compliance-pending list.

Your timely cooperation is needed in order for the Division to make a new and appropriate determination of whether your entity will remain exempt from regulation, but under a different provision; or that it needs to be approved by the Board of Private Occupational Schools (Board) in order to continue legal operations in the state.

Please do not hesitate to contact our office directly at: (303) 866-2723 if you have any questions about this notice, or the exemption-application process.

Sincerely,

For the Board of Private Occupational Schools

Lorna A. Candler, Director
Division of Private Occupational Schools

June 19, 2013
Date