

Out of State Application FAQ's

General Information

Q: What is the definition of an Out-of-State School?

A: An "Out-of-state school" is a school located outside this state and offers education solely from its location which solicits*, recruits, and enrolls students in the state of Colorado. Out-of-state schools may operate in Colorado if said schools comply with applicable procedures found in the Act and in paragraph IV. (E) of the Rules.

*Active solicitation of Colorado students may include (but is not limited to), trying to attract students to enroll in an out-of-state school by placing ads in Colorado newspapers or running ads on Colorado based TV or radio stations; mailing Colorado residents written promotional materials; sending representatives to Colorado to attempt student recruitment; or engaging in other means of solicitation that specifically contacts or targets Colorado residents in order to encourage them to enroll in a private occupational school that is offering a certificate, diploma or degree.

Q: What is the length of approval for an out-of-state school and its agents?

A: It depends on when your application is submitted and approved, but basically an out of state school application and its agents expire June 30th of each year. Out of state schools and its agents are required to renew their approval to solicit, recruit and enroll Colorado students annually.

Q: What is the application cost?

A: Please refer to the Division's [Fee Schedule](#) posted on the website. **PLEASE NOTE:** Fees are due at the time of submittal of the application to the Division. Fees are non-refundable. Checks, money orders, or cashier's checks shall be made payable to: DPOS or Division of Private Occupational Schools. The Division will **not** accept postdated checks.

Q: Once a school submits the Out of State Application with all required attachments/forms and fees to the Division, how long will the approval process take?

A: Allow at least 60 days for review, revisions and Board approval. The amount of time required for the application review process varies according to the complexity and quality of each application. In order to complete the process smoothly, it is crucial that you read all application materials carefully, as certain forms require a notary. By submitting the most complete information available to you, you will enable the Program Specialists to move through the approval process accurately and efficiently.

Board Information

Q: Who is the Board?

A: The Private Occupational School (POS) [Board](#) is a seven-member board appointed by the Governor, confirmed by the State Senate. The Board is comprised of three owner/operators of approved private occupational schools that receive Title IV funds; and four members of the general public, one of whom is employed by a Colorado lending institution. Each member can serve up to two, consecutive four-year terms.

Q: When are the Board's meetings held?

A: The [Board Meeting Schedule](#) can be found on our website and includes the date of the actual Board meeting along with the location. The Division Program Specialist assisting you with the application process will present the application to the Board.

Q: When can I begin soliciting, recruiting and enrolling Colorado students?

A: Once the application is approved at the POS Board meeting, the school is considered authorized to enroll Colorado students. It is at this point in time that an out of state school is allowed to sign enrollment agreements and accept tuition payments, etc. **PLEASE NOTE:** The Division will mail the official authorization letter for the school and all its permitted out of state agents.



Application Information

Q: What is a Designated Agent?

A: A Designated Agent is the school representative that the Division is to contact for legal process. The designated agent must be the individual name and/or company name and physical Colorado address (no P.O. Box) upon whom any process, notice or demand may be served.

Q: What is an Out-of-State Agent?

A: An agent's permit is required for ALL individuals who represent the school in recruiting students. **Only** the approved Out-of-State Agent is authorized to sign an Enrollment Agreement as the school's licensed agent. Please remember to notarize both the Affidavit of Applicant and Affidavit of School on the [Out-of-State Agent Permit Application](#) prior to submitting to the Division.

NOTE: Do not confuse the school's Out-of-State Agent with the school's Designated Agent. They have separate functions.

Q: Is it permissible that an Out-of-State Agent be assigned to more than one school campus?

A: Yes, when an existing school opens an additional out-of-state campus (same name/same ownership) with the Division, one Agent application and fee is allowed to be submitted per out-of-state agent for authorization to serve multiple campuses.

Q: What is a surety bond?

A: The school will need to acquire a \$50,000 surety bond to satisfy C.R.S. 12-59-115(8). A bond is an insurance policy protecting any student or enrollee or his or her parent or guardian determined by the board to have suffered loss of tuition or any fees as a result of any act or practice that is a violation of any deceptive trade or sales practice as set forth in the Statute or any criteria established pursuant thereto by said agent. The school *pays an insurance premium only* based on the total surety level for the bond coverage. The bond shall be continuous, unless said surety is released pursuant to section 12-59-115(8).

NOTE: The prescribed [surety form](#) can be found on the Division's website.

Q: What are the minimum requirements to be published in the school's **Catalog**?

A: See section III. H., Catalogs in the [Rules and Regulations](#). A [sample catalog](#) is available on the Division's website for your convenience. In addition, please complete and return the [catalog checklist](#) along with your catalog submittal to assist the Division in ensuring that the school's catalog meets Minimum Standards.

NOTE: When school policy changes, revisions shall be included in the current school catalog by using a supplemental addendum page described below OR in a newly printed catalog showing a **new** Catalog Volume # and effective date.

- Addendum or Supplemental page(s) may be used as part of the school catalog provided they are used in such a way as to become an effective part of the catalog and may include information such as faculty, calendar, and any other pertinent information. Supplemental pages shall 1) show an effective date, 2) list the applicable Catalog date & Volume #, and 3) be presented to each prospective student prior to execution of any enrollment contract agreement.

Any changes to school catalogs, including an addendum, **shall be submitted to the Division for approval** prior to the execution of any student enrollment agreement acknowledging receipt of the revised catalog.

Q: What is an **Enrollment Agreement** and the minimum requirements?

A: An Enrollment Agreement, accompanied by the current school catalog, is a legal contract between the student and school. An Enrollment Agreement must be signed by both the student and the school's DPOS approved "Out-of-state Agent". (Original is retained in student's file; copy given to student at time of enrollment.)

See section III. I., Student Enrollment Agreement in the [Rules and Regulations](#). A [sample enrollment agreement](#) is available on the Division's website for your convenience. In addition, please complete and return the [enrollment agreement checklist](#) along with your enrollment agreement submittal to assist the Division in ensuring that the school's enrollment agreement meets Minimum Standards.

NOTE: When creating your Enrollment Agreement be sure the Refund Policy is included and reflects the same Refund Policy included in the Catalog. The enrollment agreement and catalog should "mirror" one another. All compliance items, i.e. refund policy, must be worded identically and appear in the same format.

NOTE: It is the responsibility of the applicant to be fully informed of all the State of Colorado's Statutes and Rules and Regulations that govern private occupational schools. Such information can be found on our website, <http://higher.ed.colorado.gov/dpos>.