



COLORADO

Division of Private
Occupational Schools

Department of Higher Education

New School Application FAQ's

General Information

Q: What is the length of approval for a new (Provisional) school Certificate?

A: It depends on when your application is submitted and approved, but basically a Provisional Certificate is issued for more than one (1) year but less than two (2) years. **NOTE:** after the school's provisional period, a Certificate is renewed every three (3) years.

Q: What is the application cost for a new school Certificate of Approval (COA)?

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 Application for a Certificate of Approval to Operate a Colorado Private Occupational School 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 site visit. 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.

Q: What is a site visit?

A: Each new (provisional) school will be visited by a Program Specialist from the Division of Private Occupational Schools. The purpose of the onsite school visit is to verify that a new school has the proper facilities; a posted school sign; secure storage for student records; documented instructor approval files; adequate equipment and classroom/lab space, etc. The onsite school visit must occur before a new school is presented for approval to the Private Occupational School Board at their monthly meeting.

The Program Specialist will also advise the school of the Rules and Regulations regarding student and instructor record keeping. In addition, the Program Specialist will inform the school of [additional reporting](#) required by the Division after initial approval. This includes annual bond, annual instructor, annual graduate data, annual placement statistics (if applicable), and quarterly student enrollment and assessment [fees](#).

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 and where 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. **Attendance is required at the POS Board meeting by a school representative(s).** The Division Program Specialist assisting you with the application process will present the application to the Board; the Board members will address questions to the school representative present.

Q: When can I begin advertising and operating?

A: Once the provisional COA application is approved at the POS Board meeting, the school is considered open and ready to enroll students. It is at this point in time that a provisional school is allowed to sign enrollment agreements and accept tuition payments, etc. **PLEASE NOTE:** The Division will mail the official "Certificate of Approval" as well as an approval letter for all programs and



Stand Alone courses presented with the provisional application to the mailing address provided by the new school. **The Certificate of Approval is required to be posted in a prominent place for public viewing.**

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. This is basically an emergency contact for the school (Example: in the event the school ceases operation, the Division would contact the *designated agent* to retrieve all required student records from the school). This person must list a physical Colorado address, other than the school address, phone number and/or email address.

Q: What is an In-State Agent?

A: An agent's permit is required for ALL individuals who represent the school in recruiting students. **Only** the approved In-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 [In-State Agent Permit Application](#) prior to submitting to the Division.

NOTE: Do not confuse the school's In-State Agent with the school's Designated Agent. They have separate functions. It is, however, permissible for one person to have both designations.

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

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

Q: What is a surety/bond proposal?

A: A proposal in the form of a letter signed by an authorized representative of the school showing in detail the calculations made and explaining the method used for computing the amount of surety (bond or alternative) needed. To determine the proper amount, the proposal is based upon the prepaid, unearned tuition/fees income from anticipated enrollment. The school will need to estimate how many students it will enroll at any given time, how much tuition it will collect from each student and how will that tuition be collected (e.g., all up front, in payments, at the end of training...). This amount will be the highest amount of "prepaid, unearned" tuition and fees a provisional school projects to receive at any given time. **PLEASE NOTE:** the statutory minimum surety amount is \$5000.

REMINDER: after initial approval, if the school's surety amount changes, either increases or decreases, you must adjust the amount surety the school maintains accordingly with the respective bond company or financial institution and send documentation to the Division. Note: It is allowable to maintain more surety coverage than needed if a school wishes to allow for growth.

Q: What types of surety does the Division accept?

A: The school will need to acquire **one** of the four types of surety listed below to satisfy C.R.S. 12-59-115:

- 1) **Bond** - A bond is an insurance policy protecting the student's prepaid tuition/fees dollars received, but not yet earned, by the school. The school *pays an insurance premium only* based on the total surety level calculated for the bond coverage. This bond (insurance policy) can be drawn upon in the event the school ceases operation and has students that are entitled to a refund of tuition and fees paid to the school by the student or lender and is unearned by the school.

OR--one of the three following Bonding Alternatives:

- 2) **Certificate of Deposit / Savings Account** - A Certificate of Deposit (CD) or Savings Account in the *full amount of the total surety level* can be substituted for a surety bond if the school so chooses. The school is required to *deposit the total surety amount* within this account and is not able to draw on the principle. This is an account within a lending institution, such as the school's bank, held in the event the school ceases operation. The CD or Savings Account is assigned to the Division of Private Occupational Schools with accrued interest belonging to the school.
- 3) **Irrevocable Letter of Credit** - An Irrevocable Letter of Credit is an unconditional, irrevocable and non-transferable deposit of monies or another form of collateral in the amount of the determined surety level that is verified deposited by the financial institution holding the monies or other collateral for the school.
- 4) **Contract with (specific) private entity per Board Rule IV. E. 7.** – A properly executed participation contract with a private association, partnership, corporation or other entity whose membership is comprised of private occupational schools.

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

Q: What is a Pro forma?

A: A financial statement prepared by the school that is a financial projection based on assumptions. The school will prepare a pro forma financial statement to estimate all the school's income and expenses for the next 12 months. This is basically the school's business plan showing the schools anticipated financial activities.

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 "In-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.

Instructor Information

Q: What are the minimum requirements for instructors in Colorado?

A: Please carefully read and follow all directions under [Board Rule III, D and E](#). In order to be deemed qualified to be an instructor at a private occupational school in Colorado, at a minimum, one must have:

- (1) **Experience** - In those occupational areas for which industry standards or a governmental agency require a license, certification, registration, journeyman's card or similar regulatory credential ("Regulatory Credential") to engage in the occupation, a minimum of two years (4,000 hours) of acceptable full or part-time equivalent employment/work experience must be documented. Any licensure, certification(s), registration(s), journeyman's card(s) or other similar regulatory credential(s) which must be continuously maintained and in good-standing shall be required.

OR

- (2) **Education**. For those occupations that do not require a license, certification, registration, journeyman's card or similar regulatory credential to engage in the occupation, a minimum of five years (10,000 hours) of acceptable full or part-time equivalent employment/work experience must be documented or successful completion of an accredited or Board approved program in the occupational area as well as a minimum of two years (4,000 hours) of acceptable full or part-time equivalent employment/work experience is required. Work experience in the occupational school after graduation may be credited toward the two year requirement provided the work performed for the general public is related to the occupational area.

The necessary [instructor application](#) form for approving the school's prospective instructors can be found on the Division's website.

NOTE: Schools are subject to fines and other possible Board actions should it be found that their instructors are not qualified in the subject area taught.

Q: What are the schools responsibilities regarding instructors?

A: Schools are responsible for: (1) approving instructors prior to opening a school; (2) understanding the minimum standards for approving instructors; (3) verifying and documenting required educational and occupational experience; (4) final approval of all instructors within 30 days of hire; (5) maintaining instructor personnel files; and (6) documenting continuing competency.

Q: Are there additional instructor requirements if a school will be teaching minors?

A: Yes, **ALL** instructors teaching students under the age of 16 are subject to a criminal background check. Contact the Division for specific instructions.

Q: Once I receive approval to operate a private occupational school, how do I report new or terminated instructors to the Division?

A: Once the school is approved by the Board, the Director or designated employee shall alert DPOS within 30 days of all new hires and terminations using the form "[Change of Status of Instructional Staff.](#)"

Curriculum Information

Q: What is the process for submitting the school's curriculum to the Division?

A: A school must submit all proposed [Programs and/or Stand Alone Courses](#) with the required attachments listed on the prescribed forms found on the Division's website at the time of application. The forms **MUST** be typed. Please note: The fee for curriculum submitted with the initial application materials is included in the provisional (new) application fee (limited to 10 programs and/or 20 stand alone courses). The Private Occupational School (POS) Board approves all new curricula.

Q: What is the fee to add and/or revise curriculum after initial approval by the Board?

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: What is a Program?

A: By definition, **Program** – "means a group or series of organized courses, lessons, or units of instruction pursued to attain an occupational objective." (Board Rule I. HH.)

Each "program" a school is proposing to offer must have a Program Approval Form completed and submitted to the Division along with the corresponding Course Syllabus for those courses which make-up the overall program being offered. A "course" is part of a larger program.

Q: What is a Stand Alone Course?

A: By definition, **Stand Alone Course** – "is a course, which may take the form of a seminar, workshop, continuing ed course or other similar educational service that has an occupational objective of its own." (Board Rule I. LL.)

A "Stand-Alone" course is offered independent of a program and clearly indicates as such. A Stand-Alone Course Approval Form must be submitted for each Stand-Alone course.

PLEASE NOTE: If the school intends to offer, to a student, any individual course within a proposed Program independently, the school **MUST** submit Stand Alone Course form(s) for each course that will be offered independently in addition to the Program form.

Q: What is required for a school to offer an externship or internship as part of the school's approved curriculum?

A: "Externship/Internship" means an education course for which academic credit is awarded, offered as part of an instructional course or program with job experience included. To be considered an externship/internship the course shall meet the requirements of the Board further defined in [Rule III.B.7.](#)

Q: What are [Evaluator Reports](#)?

A: Evaluator Reports must be received with the application packet for the Division to process your submittal for presentation to the Board. This is a required and important part of submitting new or major curriculum revisions to the Board for approval. The Reports are used to ensure proper evaluation of whether the Program and/or Stand Alone Course meets its proposed occupational objective. If applicable, a copy of Program Advisory Committee Minutes recommending the new/revised curriculum will also suffice.

Q: How many Evaluator Reports are required?

A: When submitting any new or major revision to Programs or Stand Alone courses for approval by the Division a **minimum of three (3)** Evaluator Reports (or a copy of Program Advisory Committee Minutes) with resumes or bios for each evaluator or committee member must be received for EACH Program and/or Stand Alone course.

Q: Who can be an Evaluator?

A: Evaluators shall not be associated with the school or owner(s) in any way (NO personal or business relationship) and shall attest to such by signing the Evaluator Report. Evaluators shall be a practitioner in or familiar with the work related to the occupational training to be reviewed. The School must submit a resume or brief bio for each evaluator or committee member utilized to review the curricula in order for the Division to ensure the evaluators are qualified in the specific area being proposed for approval.

All Evaluator' suggestions/comments must be addressed by the school prior to sending the final curricula approval forms to the Division for approval. Should the school choose not to incorporate the suggestions, a detailed explanation must be attached.

Q: What is a Major Revision?

A: A **Major** Revision (to existing Program or Stand Alone Course) – “means changes since the last approval to the method of delivery and/or changes since the last approval to the occupational objective and/or increases or decreases since the last approval in the hours exceeding an accumulated 25% of the total hours of the program or stand-alone course revision.” (Board Rule I. Z.)

Schools must submit a revised Program and/or Stand Alone Course form, fee and all required attachments for review. **Please** include a cover letter which details the specific changes being made to assist the Division's review process. Major revisions are approved by the DPOS Board. Items will be added to the agenda for Board approval once they are deemed complete by the Division. The school will need to have a representative at the Board meeting for approval.

Q: What is a Minor Revision?

A: A **Minor** Revision (to existing Program or Stand Alone Course) – “means any revision not meeting the definition of a major program or stand-alone revision.” (Board Rule I. AA.)

Schools must submit a revised Program and/or Stand Alone Course form, fee and required attachments for review. Minor revisions do not require Evaluations or Advisory Committee Minutes. **Please** include a cover letter which details the specific changes being made to assist the Division's review process. Minor revisions are approved administratively by DPOS Staff.

Q: What is the time frame for approval of New Programs and/or Stand Alones Courses or Major and/or Minor Revisions?

A: New and Major Revision items will be added to the agenda for Board approval once they are deemed complete by the Division. It is recommended that all new/revised curriculums be submitted at least two (2) months prior to anticipated *implementation date* at the school.

Minor Revision items must be submitted in a sufficient amount of time to receive DPOS approval prior to the proposed (revised) curriculum implementation date. If the minor revision is accepted, the school will receive notification via an approval letter from DPOS staff.

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://highered.colorado.gov/dpos>.