

# State Use Only

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**Application for Change of Ownership - Colorado Private Occupational School**

APPLICANTS: COMPLETE THIS FORM ELECTRONICALLY, PRINT AND SUBMIT IT TO THE DIVISION WITH PAYMENT VIA POST OR HAND DELIVERY. HANDWRITTEN SUBMISSIONS WILL NOT BE ACCEPTED. PLEASE REFER TO THE [CHANGE AND/OR REVISION FAQ’S](http://highered.colorado.gov/DPOS/Schools/forms.html) FOR ASSISTANCE IN COMPLETING THIS APPLICATION.

**APPLICANT PLEASE NOTE: The Division of Private Occupational Schools is not required to act upon any application until all materials constituting an application have been filed.**

**To expedite the review process for the Division, label all attachments to this application with the corresponding item number as listed within the application, and with the school’s name.**

In the event of a change of ownership of a school, *the* ***seller****,* *prior to* the effective date of the change of ownership, ***shall notify*** the Division of Private Occupational Schools, Department of Higher Education, ***in writing*.** The ***buyer***, *prior to or within thirty (30) days after* the change of ownership, ***shall file this application*** with the Division of Private Occupational Schools. In the event of failure to do so, the school’s Certificate of Approval shall be suspended by operation of law until such application has been received and approved by the Division of Private Occupational Schools.

Application is hereby made in conformity with the provisions of the [Private Occupational Education Act of 1981](http://highered.colorado.gov/DPOS/Laws/default.html#statutes), and the [Rules and Regulations](http://highered.colorado.gov/DPOS/Laws/default.html#rules) promulgated pursuant to the Act.

**Section One – School Demographics**

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| **A. OFFICIAL NAME OF SCHOOL** |  |
| **B. DATE OF APPLICATION** |  |
| **C. EFFECTIVE DATE OF SALE** |  |
| **D. PHYSICAL ADDRESS** | Street:  City, State, Zip Code: |
| **E. MAILING ADDRESS** | Street:  City, State, Zip Code: |
| **F. PHONE NUMBERS** | Main:  Alternate:  FAX: |
| **G. EMAIL ADDRESS** | Alternate: |
| **H. WEBSITE** |  |
| **I. NAME OF PERSON SUBMITTING APPLICATION** | Name:  Phone Number:  Email Address: |
| **J. SCHOOL DIRECTOR**  \*If different from above | Name:  Phone Number:  Email Address: |
| **K. PRIMARY SCHOOL CONTACT**  \*If Different from, or in addition to above | Name:  Phone Number:  Email Address: |
| **L. DESIGNATED AGENT INFORMATION**    \*Name and Colorado address of designated agent upon whom any process, notice or demand may be served, this address must be separate than that of the school | Name:  Address:  Phone Number:  Email Address: |
| **M. TYPE OF BUSINESS** | Sole Proprietorship  Name:  Address:  Phone Number:  Email Address:  Partnership   * Attach a list of the name, home address, phone number and title of positions of each partner/owner. Indicate which, if any, maintains controlling interest in the school. * If applicable, attach a copy of the Articles of Incorporation and Certificate of Good Standing from the Office of the Secretary of State.   Corporation  LLC (Limited Liability Company)   * Attach a list of the name, home address, phone number and title of each corporate officer/member. Also, attach a list showing the same information on any stockholder(s) having controlling interest in the school. * Attach a copy of the Articles of Incorporation and Certificate of Good Standing from the Office of the Secretary of State * If an out-of-state corporation, include Statement of Foreign Entity Authority to transact business in Colorado. |
| **N. IS YOUR SCHOOL A FRANCHISE?** | No  Yes, if yes you must attach a copy of the Franchise Agreement |
| **O. DO YOU PROVIDE TRAINING AT ANY LOCATION OTHER THAN THAT LISTED ABOVE?**  Attach additional sheets if necessary | No  Yes, If yes provide the following:  Location Name:  Location Address:  Location Phone Number: |

**Section Two – Agent Information (fee required), *if applicable\****

(\**This section is only required if the change in ownership will add new Agents to the school.*)

In addition to the information requested below, you must also attach a completed and notarized [In-State Agent’s Permit Application](http://highered.colorado.gov/DPOS/Schools/forms.html), and fee (see [Fee Schedule](http://highered.colorado.gov/DPOS/Schools/feeschedule.html) on DPOS website), for each individual who will be acting as an agent for the school, specifically those who will be in the business of selling private occupational education services for your school. The application form can be found on the Division’s website under “School Resources/Forms”.

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| **A. TOTAL NUMBER OF AGENTS SUBMITTING APPLICATION WITH THIS FORM.** |  |
| **B. AGENT INFORMATION** | Name:  Address:  Phone Number: |
| **C. AGENT INFORMATION** | Name:  Address:  Phone Number: |

For additional Agents, please attach a list of their names, addresses and phone numbers along with the attached In-State Agent Permit Applications and fees.

**Section Three – Surety Information**

Applicants must submit with this application a proposal in the form of a letter signed by an authorized representative of the school showing in detail the calculations made pursuant to Section 23-64-121(3), C.R.S. and explaining the method used for computing the amount of the bond or alternative. The proposal is based upon the highest amount of “prepaid, unearned” tuition and fees that the school received at any given time in the previous training year.

Applicants must file with the Division one surety bond or alternative, **in the name of the new ownership**, covering the school and its agents at the time application is made for a Certificate of Approval. The bond or alternative submitted to the Division with an application must be in the amount required by C.R.S. 23-64-121(3). In no case shall the amount of surety be less than the statutory minimum of $5,000.00.

All surety instruments must be in the name of the Division of Private Occupational Schools with the signed original being sent to and permanently filed at the Division of Private Occupational Schools prior to the change of ownership being approved by the Board.

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| **A. TYPE OF SURETY** | Bond  Certificate of Deposit/Savings Account  Irrevocable Letter of Credit  Contract with private entity per Board Rule IV.E.7   * Attach the applicable surety instrument as required by C.R.S., 23-64-121, properly executed in the amount set forth in the proposal. Please obtain the prescribed [surety forms](http://highered.colorado.gov/DPOS/Schools/forms.html) from the Division’s website. |
| **B. CURRENT SURETY CALCULATION** | $      Tuition calculation amount (highest amount of pre-paid/unearned  tuition and fees received in the previous training year at any given  time.)  $      Current total surety coverage |

**Section Four – Required disclosures**

If any of the questions below are answered “yes”, you must attach to this application a written explanation of your answer as well as official documentation of the case and disposition. Please note: failure to accurately report criminal history may be grounds for immediate board action including but not limited to revocation of agent permits or certificate to operate as a private occupational school.

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| **A. HAS YOUR SCHOOL DIRECTOR, OWNER, OR ANY OF THE SCHOOLS CORPORATE OFFICERS PREVIOUSLY OWNED ANY PRIVATE OCCUPATIONAL SCHOOL, OTHER THAN THE SCHOOL LISTED IN THIS APPLICATION?** | No  Yes, If yes provide the following:  Name of School:  State where School located: |
| **B. HAS ANY PRINCIPAL OWNER(S), OFFICER(S) OR ANY PERSON IN A MANAGEMENT CAPACITY:**  **\* If any question in this section is answered “yes”, you must attach to this application a written explanation of your answer. You must also include official court documentation which details the date and circumstances surrounding the case including, if applicable, charges and disposition of the court case.** | Ever been involved in a bankruptcy?  No  Yes  Documentation: Attached  Ever been convicted of, or pled  guilty to a felony, or are charges  pending?  No  Yes  Documentation: Attached  Ever been convicted of or pled to  a misdemeanor other than a minor  traffic violation or are misdemeanor  charges pending?  No  Yes  Documentation: Attached  Ever been dismissed or allowed  to resign from any position for  immoral or unprofessional  conduct?  No  Yes  Documentation: Attached  Ever had a professional license or permit  Disciplined, denied; revoked; or relinquished  in this or any other state?  No  Yes  Documentation: Attached  Ever been disciplined by any governmental  regulatory body, or professional association  in this or any other state?  No  Yes  Documentation: Attached |
| **C. FINANCIAL INSTITUTION** | List the names and addresses of all financial institutions with which the school conducts business:  Name:  Address:  Type of Account:  Name:  Address:  Type of Account: |
| **D. PRIVATE LENDING/FUNDING INSTITUTIONS USED** | List the names of all private lending/funding institutions the school accepts as a funding source for student tuition (eg., private entities, VA, Workforce, ect.):  Name(s): |
| **E. TUITION RANGE** | From $      to $ |
| **F. ACCREDITATION INFORMATION**  **\* Accredited Schools**  **Only** | Name of accrediting organization:  Title IV approval date:  Types of Financial Aid Offered:  Default rate:  Placement rate:  **\*PLEASE PROVIDE A COPY OF THE SCHOOLS MOST RECENT ACCREDITATION LETTER AND/OR CERTIFICATE.** |

**Section Five – Curriculum, *if applicable\****

(\**This section is only required if the change in ownership will revise or add new curricula.*)

In accordance with Colorado Revised Statute 23-64-112(1)(c) and (d) 8 CCR 1504-1 Rule III(B), private occupational schools must submit for approval by the Board new and/or revised programs and/or standalone courses. Applicants are required to submit with this application [Program and/or Stand Alone Course Approval Forms](http://highered.colorado.gov/DPOS/Schools/forms.html) with all required attachments as indicated on the forms, for review by staff. New and revised programs and stand alone courses require an additional [fee](http://highered.colorado.gov/DPOS/Schools/feeschedule.html) at the time of submittal.

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| **A. PROGRAM AND/OR STAND ALONE INFORMATION** | Are you submitting Program  No  approval forms?  Yes  How many?  List the names of your Programs:  Are you submitting Stand Alone  course approval forms?  No  Yes  How many?  List the names of your courses: |

**Section Six – Required Application Attachments**

The following documents, if applicable, must be attached to this application before it will be reviewed by Board staff and forwarded to the Board for approval. Please label each attachment with the school name, and the corresponding number as listed below.

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| **SECTION ONE – DEMOGRAPHICS** | 1: Type of Business Documentation: Attached?  Yes  2: Franchise Agreement, if applicable: Attached?  N/A  Yes  3: Additional Training locations: Attached?  N/A  Yes  4: Application fee: Attached?  Yes  (see [Fee Schedule](http://highered.colorado.gov/DPOS/Schools/feeschedule.html) for required Change of Ownership fee) |
| **SECTION TWO – AGENT INFORMATION**  **(*if applicable*)** | 5: Agent Application(s): Attached (including  N/A  court documentation if required)?  Yes  6: Agent Fee(s): Attached?  Yes  (see [Fee Schedule](http://highered.colorado.gov/DPOS/Schools/feeschedule.html) for required Agent fee) |
| **SECTION THREE – SURETY INFORMATION** | 7: Original, properly executed, surety  instrument: Attached?  Yes  8: Proposal outlining the method of determining  the amount of surety: Attached?  Yes |
| **SECTION FOUR – REQUIRED DISCLOSURES** | 9: Documentation provided as explanations  to “Yes” answers in this section: Attached?  N/A  Yes  10: Accreditation letter/certificate, if applicable:  Attached?  N/A  Yes |
| **SECTION FIVE – CURRICULUM**  **(*if applicable*)** | 11: Program and/or Stand Alone forms listed  above w/ attachments: Attached?  N/A  Yes |
| **ADDITIONAL REQUIRED ATTACHMENTS** | 12: Current balance sheet and income/expense  statement which accurately reflects the  financial condition of the new owner:  Attached?  Yes  13: A copy of the facilities lease, in the new  owners name, with landlord/tenant signatures  and lease term (beginning and ending dates):  Attached?  Yes  14: Copies of current or proposed advertisements  and other promotional materials: Attached?  N/A  Yes  15: Copy of the school’s current catalog and checklist  OR, if revisions, copy of proposed catalog and  checklist: Attached?  Yes  16: Copy of the school’s current OR proposed enrollment  agreement and checklist: Attached?  Yes  17: A list of all proposed personnel, such as Director,  faculty, instructors, etc., including any personnel  carried-over from the existing structure of school:  Attached?  Yes  18: Copy of Bill of Sale: Attached?  Yes  19: Statement relative to responsibility for student  train-out, if not contained in sale agreement:  Attached?  Yes  20: Statement detailing steps taken to ensure  preservation/protection and/or physical transfer  of all student records (former and current) affected  by the change of ownership, if not contained  in sale agreement:  Attached?  Yes |
| **STATE USE ONLY** | 21: Did the *Seller* notify the Division, in writing,  *prior to* the effective date of the change of ownership?  No  Yes  Date of *Seller* Notification |
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**Section Seven – Attestation**

An application for a Certificate of Approval to operate a private occupational school may be denied if the applicant has furnished false or misleading written or oral statements, documents, or other representations to the Division of Private Occupational Schools with the intent to mislead or conceal the truth of any matter to be considered by the Division of Private Occupational Schools as a factor in approval of the application. It is your obligation to make reasonable inquiry before completing this application to ensure its accuracy and completeness.

**AFFIDAVIT**

State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, where witnessed. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(printed name), being duly sworn, deposes and says that each of the statements in this application and all items included as a part of this application are true and correct to the best of my knowledge.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

School Officer or Principal Owner

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2\_\_\_\_\_\_\_.

My Commission expires \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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Notary Public