



## NEW SCHOOL APPLICATION FAQ'S

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## General Information

### **Q: How often does a school have to renew a Certificate of Approval (COA)?**

A: It depends on when the application is submitted and approved. A Provisional Certificate is issued for more than one (1) year but less than two (2) years. 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. 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: How long will the approval process take?**

A: **Allow at least 60 to 90 days for review and revisions.** Once a school submits the Application for a Certificate of Approval with all required attachments and fees to the Division, applications are processed in the order they are received. 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 all application materials are read carefully, as certain forms require a notary. Submitting the most complete information available will allow the Division to move through the review process efficiently. Once the application is deemed complete, you will be contacted to schedule the site visit. Refer to Page 3 of the application for what will be addressed during the visit. Applications must be presented to the Board and will be added to the agenda for Board consideration once they are deemed complete by the Division. The school will need to have a representative available for the Board meeting.

### **Q: What is a site visit?**

A: Each new (provisional) school will be visited by representative from the Division. 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. Refer to page 3 of the application for details on how to prepare for the visit. The onsite school visit must occur before a new school is presented for approval to the Private Occupational School Board's monthly meeting.

In addition, you will want to use the [Important Deadlines to Remember](#) for recurring items required by the Division after provisional approval.

## Board Information

### **Q: Who is the Board?**

A: The Private Occupational School (POS) [Board](#) is a seven-member board appointed by the Governor and 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 Board meeting by a school representative(s).** The Division representative 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: If the provisional COA application is approved at the 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. The Division will email the official “Certificate of Approval”, an approval letter for all programs and Stand-Alone courses presented with the provisional application, as well as approved Agents to the email 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’s representative, having a physical Colorado address (no P.O. Box addresses) other than the school’s address, and upon whom any legal process, notice, or demand may be served. The Designated Agent shall be maintained continuously.

**Q: What is an Agent?**

A: An Agent is “...any person owning any interest in, employed by, or representing for remuneration or other consideration a private occupational school located within or without this state who enrolls or who, in places other than the principal school premises, offers or attempts to secure the enrollment of any person within this state for education in a school.” (See [§23-64-103\(2\), C.R.S.](#)) This is the only individual authorized to sign an Enrollment Agreement as the school’s licensed agent.

**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. The statutory minimum surety amount is \$5000.

**REMINDER:** After initial approval, if the school’s surety calculation increases, pursuant to [Rule IV.E.1.a.](#), the surety amount maintained by the school must be adjusted accordingly with the respective bond company or financial institution and supporting documentation must be sent to the Division. It is allowable to maintain more surety coverage than needed if a school wishes to allow for growth. Board approval is required to decrease the surety amount.

**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. 23-64-121:

- 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.

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 part of the school's business plan showing the school's anticipated financial activities.

**Q: *What are the minimum requirements for the school's catalog?***

A: See section III. H., Catalogs in the [Rules and Regulations](#). A [Sample Catalog](#) and [Catalog Checklist](#) are available on the Division's website for your convenience.

**NOTE:** All revisions made to school catalogs shall be submitted to the Division for review by using a supplemental addendum page described below OR in a newly printed catalog showing a **new** catalog volume number 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.

**Q: *What are the minimum requirements for the school's Enrollment Agreement?***

A: See section III. I., Student Enrollment Agreement in the [Rules and Regulations](#). A [Sample Enrollment Agreement](#) and [Enrollment Agreement Checklist](#) is available on the Division's website for your convenience.

**NOTE:** Each student enrollment agreement must reflect and be consistent with the school catalog in effect at the time of enrollment and must be approved by the Division prior to use. (See [Rule III.H.4.](#))

When submitting your Enrollment Agreement, be sure the Refund Policy is included and reflects the same Refund Policy included in the Catalog. All compliance items, i.e. refund policy, should 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 [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. This application must be filled out completely and kept in all instructor files.

**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) submitting all instructor changes (new hires and terminations) within 30 days of change; (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.

### Curriculum Information

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

A: A school must submit a [Program and Stand-Alone Course Approval Form](#) for each program/course listed on page 6 of the application. The required attachments listed on the prescribed forms must be submitted. Please note: The initial provisional application fee includes a limited number of programs and stand-alone courses (please refer to the [fee schedule](#)). The Board approves all new programs/courses.

**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. 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 post-dated 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."

**Q: What is a Stand-Alone Course?**

A: By definition, **Stand-Alone Course** - "is a single course, or one that can be offered independent of a program, which may take the form of a seminar, workshop, continuing education course or other similar educational service that has an occupational objective of its own. A stand-alone course may enhance or advance skills in an existing occupation. Courses from within a program that are offered independently or whereby students receive a Certificate of Completion and/or transcripts must be approved as stand-alone courses."

**PLEASE NOTE:** If the school intends to offer, to a student, any individual course within a proposed Program independently, the school **MUST** submit a [Program and Stand Alone Course Approval Form](#) for each course that will be offered independently.

**Q: What is required for a school to offer an externship or internship?**

A: "Externship/Internship" is an educational component 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.6](#). Please refer to the [Externship/Internship Fact Sheet](#) for details.

**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 meet the proposed occupational objective.

**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. Please review the instructions on the [Evaluator Report](#) carefully.

**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. Please review the instructions on the [Evaluator Report](#) for details.

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.

**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>.