



## OUT-OF-STATE SCHOOL 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 in another state or territory of the United States and offers education from its location or through distance education, which actively solicits\*, recruits, and enrolls Colorado residents as students. Out-of-state schools include schools that offer educational services through the use of clinical sites within Colorado as a part of their education. Out-of-state schools may operate in Colorado if said schools comply with the requirements of The Act, in particular §§ 23-64-117(2) and 23-64-121(6), C.R.S.

\*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:** An out-of-state school application and its Agents expire June 30th of each year. Out-of-state schools and 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. Fees are due at the time of submittal of the application to the Division. Fees are non-refundable.

**Q: *How long will the approval process take for a new school application?***

**A:** **Allow at least 60 days for review and revisions.** Once a school submits the application 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. Submitting the most complete information available will allow the Division to move through the review process efficiently. 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.

### Board Information

The Private Occupational School [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 meeting details. The Division Program Specialist assisting you with the application process will present the application to the Board.

**Q: *When can a new out-of-state begin advertising and operating?***

A: Once the application is approved at the 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 e-mail the official authorization letter for the school and all its permitted Agents.

**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 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 to assign an Agent 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 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 § 23-64-121(6), C.R.S. 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 § 23-64-121(6), C.R.S.

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

**Q: *What types of surety does the Division accept?***

A: The school will need to acquire a surety bond listed below to satisfy § 23-64-121(6), C.R.S.:

**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.

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

A: See section III.G., 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. H., 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.

**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>.