



# SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

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## Division of Private Occupational Schools

### Vertical Tabs

1. Agency and Contact Information

**1A1. Agency Name:**

Division of Private Occupational Schools

**1A2. Agency Description - Please review the description below and revise as appropriate (e.g., state executive agency, agency with appointed board, department or division within agency, etc.):**

The (Colorado) Division of Private Occupational School's legislative declaration is, "It is the purpose of this article to provide standards for and to foster and improve private occupational schools and their educational services and to protect the citizens of this state against fraudulent or substandard private occupational schools." C.R.S. 12-59-102.

**1A3. Agency Contact - Please review and correct as necessary the contact information below:**

Georgia Roberts  
Deputy Director  
Division of Private Occupational Schools  
303-866-2723  
[Georgia.roberts@dhe.state.co.us](mailto:Georgia.roberts@dhe.state.co.us) [1]

**1A4. Who should institutions contact if they have questions about your agency's authority, policies, or application process:**

Division of Private Occupational Schools  
303-866-2723

**1B. Links - Please provide web links to your agency home page, the regulations pertaining to authorization, and any other links important for understanding your agency's responsibility for authorization:**

[Home Page](#): [2]

**1C1. Other Agencies - According to our records, the following agencies also have responsibility for authorization in the state. Please correct, add to, or clarify this list of**

**authorizing authorities as necessary. These agencies will also be requested to complete this survey:**

Colorado Department of Higher Education

**1C2. If the division of responsibility among these agencies is not clear, please explain:**

<http://highered.colorado.gov> [3]

## 2. Types of Educational Providers Authorized

**2A1. Institution Types Authorized - Indicate the types of institutions that your agency authorizes. Feel free to provide a short explanation of any ambiguity:**

Private, in-state, not-for-profit degree granting institutions

Non-degree, not-for-profit institutions

Non-degree, for-profit institutions

**2A2. Clarifying comments:**

Yes\*\* Private, in-state, not-for-profit degree granting institutions

Yes\* Private, in-state, for-profit degree granting institutions

Yes\*\* Non degree, not-for profit institutions

Yes Non degree, for-profit institutions

KEY:

Yes Oversees all associate degree granting and lower, private, for profit institutions, including such schools located outside of Colorado but actively recruiting Colorado residents to attend.

Yes\* If majority of institution's degree programs are Associate degrees

Yes\*\* Proposed 2013 legislation bringing not-for-profit institutions offering primarily Associate and lesser degree, certificates and diploma programs under our regulatory authority. Proposed legislation will not include religious exempt not-for-profits.

**2B1. Multiple Agencies - Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals):**

Yes

**2B2. If so, please explain:**

Yes, if a schools is for profit and offers both associates and lower as well as Bachelors and higher they are required to have approvals by the Colorado Commission of Higher Education and the Division of Private Occupational Schools.

**2C1. Accreditation - Is accreditation required for an institution to be authorized in your state:**

No

**2D1. Does your agency authorize specific academic programs offered by institutions, only institutions themselves, or both:**

Both Institutions and Programs

**2E6a. Others (please list):**

Yes

**2E6b. Name and Contact Information:**

Appraisal training via Department of Regulatory Agencies (DORA)

3. Exemptions

**3A1. General Exemptions - Are certain institutions or programs exempt by law or policy from your state authorization requirements:**

Yes

**3A2. If yes, to which institutions or programs does the exemption apply? How does it work (please describe)? If available, please provide any pertinent web links:**

See statute, exemptions 12-59-104, C.R.S. at <http://higherred.colorado.gov/dpos> [2].

**3A3. If yes, how does the institution or program claim an exemption? For example, is the exemption automatic as long as it meets specified criteria, does the institution or program notify the agency and the exemption is granted, is there an application process, etc.:**

There is an Exemption Questionnaire required to be completed, submitted for Division review along with any documents supporting an exemption request (i.e. copies of curriculum, advertising and marketing materials, etc.). The requesting institution receives written notice of the Division's decision. If not granted, must cease operation in state, or apply to be an approved school.

**3B. Other Requirements - If an institution or program is exempt from state authorization, are there any other state requirements that an institution would need to fulfill in order to operate in your state (e.g., providing contact information, list of programs, etc.):**

If they are exempt there are no requirements to be met via the Division of Private Occupational Schools.

**3C1. Religious Institutions - Does your state constitution or do your state laws provide any exemptions for religious institutions:**

Yes

**3C2. If yes, are all religious institutions exempt (please describe):**

Yes, religious schools meet exemption status (12-59-104, C.R.S.)

4. Authorization of Distance Education

**4A1. Does your agency require purely (100%) distance education programs, including online or correspondence study programs that enroll residents of your state, to be authorized without regard to physical presence:**

Yes

**4A2. Clarifying Comments:**

if a for profit out of state school solicits specific to Colorado and/or is offering training specific to a Colorado license/registration, e.g. real estate then yes, that school must be approved to solicit such

training. Approval of the out of state sales agents is required by statute, 12-59-111, C.R.S.

#### 5. Physical Presence Policy – Common “Triggers”

**5A. If your agency uses a physical presence standard, how does your agency define physical presence? If available, please provide a link to that policy or a citation to the relevant regulation giving that standard:**

“Physical presence” means maintaining an address within the state of Colorado or any combination of factors leading to the determination that the institution maintains a physical presence within the state, including, but not limited to, the presence of a physical facility or equipment; the physical location of student records; or the presence of a resident director or similar administrator.

See rule change effective December 2011 re: physical presence at <http://higherred.colorado.gov/DPOS/Laws/Forms/rules.pdf> [4]

#### INSTRUCTIONAL ACTIVITIES

**5B1a. Hosting short term, face-to-face, seminars or conferences in the state where students meet in person:**

Yes

**5B2a. Permitting a student to complete an internship, externship, field experience, or clinical practicum organized by the institution:**

No

**5B2c. Does this apply only to distance education students or more generally:**

Distance Education Only

**5B3a. Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently:**

No

**5B3c. Does this apply only to distance education students or more generally:**

Distance Education Only

#### PROPERTY IN THE STATE

**5B6a. Housing ONLY computer servers or other equipment at a physical location in the state:**

No

#### RECRUITING ACTIVITIES

**5B8a. Organized, consistent, on - the - ground recruiting of students in the state by employees or agents of the institution:**

Yes

**5B8b. Clarifying Comments:**

This would require an out-of-state school approval.

**5B8c. What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs):**

Yes

**5B8d. Clarifying Comments:**

This would require an out-of-state school approval.

THIRD PARTY AGREEMENTS/CONTRACTS

**5B9a. Having a contract/agreement between the institution and in-state institutions or in-state entities to provide services for students (i.e. library, gym, computer centers, etc.):**

No

**5B10a. Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution:**

No

**5B11a. Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution:**

No

ADVERTISING

**5B12a. Advertising in local media sources that are largely viewed by residents of the state :**

No

**5B13a. Advertising in national media sources that can be accessed by residents of the state:**

No

EMPLOYMENT IN THE STATE

**5B14a. Employing full-time faculty in the state to provide instruction via distance education programs to students in the state:**

No

**5B14c. What about adjunct faculty:**

No

**5B15a. Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state:**

No

**5B15c. What about adjunct faculty:**

No

**5B16a. Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis:**

No

OTHER

**5C1. Combinations - Of the activities or conditions listed above that alone would not constitute a physical presence, are there any that, if combined, would create a physical presence:**

No

6. Application Process

**6A. Description - Please provide a short description of the application process to obtain state authorization. If available, please provide web links to the specific references to all applicable state laws, regulations, manuals, forms, or other pertinent documents:**

See <http://higherred.colorado.gov/dpos> [2] for all required forms and fees for proper application(s) for approval.

**6B. Processing Time - Generally, how long does it take to approve applications (assuming that the agency has received all required information from the institution)? Please provide**

**a typical range if appropriate:**

Approval meetings are held 11 times per year. Process is wholly dependent upon the school and how quickly they can complete and submit all of the required paperwork and fees.

**6C. Duration - What is the authorization duration:**

For provisional approval not less than one year not more than two years and for standard approvals every three years.

**6D. Maintenance - What does an institution need to do to maintain authorization:**

Remain compliant with all minimum standards and submit renewal application and fees by the statutory due date, Feb. 15.

**6E. Reporting - What kinds of information or data must an institution report to your agency as a condition for continued authorization? How frequently is this reported or updated? Is this information published or shared publicly:**

Quarterly student assessment, Annual Bond Proposal, Annual Instructional Staff Roster, and Annual Graduate Data

**6F. Loss of Status - Can an institution lose its authorized status? If so, how?:**

Yes, violation of minimum standards. Situational, depends on the infraction(s) and whether or not the school remedied the deficiency(ies).

**6Ga. Multi-Institutional Systems - Can a multi-institutional system or college corporation apply to your agency for authorization on behalf of all of its component institutions? If so, please describe the process:**

Each school location regardless of multiple locations must be approved on their own prior to operating within the state.

**6Gb. Would multi-institution public systems be treated the same as multi-location for-profit institutions:**

Not applicable.

**6H. Distinctive Features - What distinctive features in your authorization process would be useful for applicants to know (e.g., certain times during the year that you process applications for authorization, sharing of applications or information about proposed programs with institutions or other stakeholders in your state for comment):**

Reading and understanding the statute and rules and regulations.

**6I1. Amendments - Is your agency currently planning to amend its application process by the end of 2013:**

No

## 7. Fees Associated with Authorization

**7A. Application Fee - Is there an application fee to initiate the authorization process? If so, what is the fee or fee schedule? Please provide a web link if available:**

Yes, see fee schedule: <http://higherred.colorado.gov/DPOS/Schools/feeschedule.html> [5]

**7B. Other Costs - Are there any other costs associated with the state authorization process (e.g. site visits, hiring a reviewer, surety bond, tuition recovery fund, agent licensing, etc.):**

All fees are listed on fee schedule.

**7C. Renewal Costs - What are the costs, if any, to renew authorization:**

See fee schedule at web-site listed above.

**7D. Exemption Costs - What costs are associated with receiving a waiver or exemption to authorization:**

None.

## 8. Interstate Reciprocity

**8A. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe:**

There is no interstate reciprocity with Colorado Division of Private Occupational Schools and similar agencies in other states.

**8B. What is the process, if any, to obtain a reciprocal agreement with your state:**

Not applicable.

**8C. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements:**

Not applicable.

**8D. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate:**

Subject has never been entertained.

## 9. Consumer Protection and Student Complaints

**9A1. Does your agency have a process for handling complaints about postsecondary institutions or programs::**

Yes

**9A2. If yes, please describe the process or provide a web link to the material that describes the complaint process:**

<http://highered.colorado.gov/DPOS/Students/complaint.html> [6]

Student (no anonymous complaints accepted or third party complaints accepted) can submit written complaint via Division web-site. Upon receipt the Division sends out a letter to the school in question for a response to all allegations within the student complaint within 20 days. At that time Division staff begins its investigation into all matters. Once all issues have been investigated and both school and complainant have their opportunity to rebut a decision is made by the Division's Deputy Director and the case is closed or disciplinary action could be taken if necessary.

**9A3a. If yes, does this complaint process extend to institutions not authorized by the agency that may enroll residents of the state (such as explicitly distance education programs with no physical presence or exempt institutions):**

No

**9A4. If available, please provide a web link to the complaint form:**

[Complaint Form](#) [7]

## 10. Enforcement

**10A. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action:**

Formal letter is sent to the institution with a questionnaire to determine whether or not the institution is exempt from approval or in fact does need be approved to operate.

**10B. Can an institution or program appeal a warning or enforcement action? If yes, please describe the process or provide web links to the regulations/policies:**

No formal appeals process.

## 11. Legislative or Regulatory Changes

**11A1. Amendments - Is your agency or state legislature currently planning to amend its regulations or alter its physical presence policy:**

No

**11B1. Federal Regulations - Is your agency or state legislature making changes in your state regulations or statutes so that institutions with locations in your state would be considered legally authorized in accordance with the federal institutional eligibility regulations:**

No

**11C2. If yes, please provide a brief description of the anticipated change:**

Will propose removing not-for-profit occupational training schools from statutory exemption. See current statute at [http://highered.colorado.gov/DPOS/Laws/Forms/article\\_12-59-101\\_rev0810.pdf](http://highered.colorado.gov/DPOS/Laws/Forms/article_12-59-101_rev0810.pdf) [8]. If passed, any not-for-profit school offering associate or lesser degrees, certificates or diplomas will come under the Division/Board regulatory authority and must be approved as a school to operate. Will still allow statutory exemption for religious owned not-for-profit institutions.

**11C3. If yes, when does the agency expect the change to be fully implemented:**

Undetermined effective date

**11C1. Other Changes - Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization:**

Yes

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**Source URL:** [http://sheeo.org/sheeo\\_surveys/user/36](http://sheeo.org/sheeo_surveys/user/36)

**Links**

[1] <mailto:Georgia.roberts@dhe.state.co.us>

[2] <http://highered.colorado.gov/dpos>

[3] <http://highered.colorado.gov>

[4] <http://highered.colorado.gov/DPOS/Laws/Forms/rules.pdf>

[5] <http://highered.colorado.gov/DPOS/Schools/feeschedule.html>

[6] <http://highered.colorado.gov/DPOS/Students/complaint.html>

[7] <http://highered.colorado.gov/Academics/Complaints/FileComplaint.asp>

[8] [http://highered.colorado.gov/DPOS/Laws/Forms/article\\_12-59-101\\_rev0810.pdf](http://highered.colorado.gov/DPOS/Laws/Forms/article_12-59-101_rev0810.pdf)