



Lorna Candler
Director

Notice of Proposed Rulemaking and Rulemaking Hearing

Pursuant to § 24-4-103 of the Colorado Revised Statutes, you are hereby notified that the Colorado Private Occupational School Board will be holding a public rulemaking hearing as follows:

DATE: October 22, 2019

TIME: 9:30 AM

LOCATION: Tivoli Student Center

Auraria Higher Education Campus Room 320 B & C

900 Auraria Parkway

Denver, CO 80204

The statutory authority for the rules is found in § 23-64-108(1)(i), C.R.S.

Please be advised that the proposed rules may be changed after public comment and formal hearing. At the time and place stated in this notice, the Board will afford interested persons an opportunity to submit written data, views, or arguments, and to submit the same orally. The Board may limit the time allotted for oral submissions. Written submissions should be filed with the Board at least two (2) business days prior to the hearing. All submissions will be considered. Written submissions may be filed at the following address:

Colorado Division of Private Occupational Schools
1600 Broadway, Suite 2200
Denver, CO 80202
OR
Lisa.Hill@dhe.state.co.us

The basis and purpose of the proposed amendments to the Private Occupational School Board Rules and Regulations (8 CCR 1504-1) is in large part for non-substantive changes such as typos, punctuation corrections, and other non-substantive revisions. Additional substantive changes throughout the rules:

| Revision/ Repeal/ Addition | Rule I - Definitions | Summary |
|----------------------------------|--|--|
| Revision | D - Agent’s permit | Revised to refer to agents as “(Sales Agent)”. |
| Addition | E - Ancillary/supplementary education | Addition of this definition to clarify exemption provision in § 23-64-104(1)(c), C.R.S. |
| Revision | G (now H) - Avocational/Ancillary Education | Removal of “Ancillary” in order to create a separate definition for ancillary. |
| New | I - Bona fide | Addition of this definition to clarify exemption provision in § 23-64-104(1)(h), C.R.S. |
| Revision | J (now L) - Continuing Education | <ul style="list-style-type: none"> • Definition is now limited to a professional license issued by a Colorado state licensing entity. • Added requirement for exemption pursuant to § 23-64-104(1)(c). |
| Repeal | K - Correspondence occupational course/program | Removal of this definition. |
| New | Q - Enrollment | Addition of this definition. |
| Revision | S (now U) - In-state school | Simplification of in-state school to include schools with physical presence offering educational services. |
| Revision | Y (now AA) - Out-of-state school | Removal of schools offering educational services through the use of clinical sites within Colorado. |
| Revision | Z (now BB) - Physical presence | Physical presence will no longer include educational services to be delivered within Colorado. |



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| Revision | GG (now II) - Stand-alone course | Removal of occupational objective language to better distinguish between a “stand-alone course” and a “program”. |
| Revision/ Repeal/ Addition | Rule II | Summary |
| New | G - GENERAL AND ADMINISTRATIVE | One-year expiration of all fee-based applications. |
| Revision New New | Fee Schedule | <ul style="list-style-type: none"> • Formatting changes. • Addition of Exemption Request Fee of \$100 per request. • Increase of Student Assessment Fee from \$5.00/student to \$6.00/student. |
| Revision/ Repeal/ Addition | Rule III | Summary |
| New | A.3 - MINIMUM STANDARDS (Financial) | Require financial statements submitted to the Board to be prepared by an independent public accountant or certified public accountant. |
| Repeal | B.4 MINIMUM STANDARDS (Approval of Education Services) | Removal of administrative approval for continuing education courses that are approved through regulatory or governing agency, national professional association or trade organization, or through an accredited community college, college, or university. |
| Repeal | B.10 MINIMUM STANDARDS (Approval of Education Services) | Removal of correspondence education requirements. |
| Revision | Rule E.2. MINIMUM STANDARDS (Educational staff) | Clarification on the minimum employment/work experience requirements for instructional staff. |
| Revision | G Minimum Standards (Catalogs) | <p>1.m. Removal of correspondence requirements to be replaced by “distance education” requirements.</p> <p>1.r. Reference to “licensed” agents changed to “approved” agents.</p> <p>1.u.(4).New requirement that the complaint policy not be in a smaller type-size..</p> |
| Revision | H MINIMUM STANDARDS (Student Enrollment Agreement) | <p>3.f Removal of requirement to include school grievance policy.</p> <p>3.h New requirement that the complaint policy not be in a smaller type-size.</p> <p>4. New requirement that enrollment agreements be consistent with school catalog and that Division review is required prior to student distribution.</p> |
| Revision | I MINIMUM STANDARDS (Student Records) | Clarification on transcript and certificate of completion requirements. |
| Revision/ Repeal/ Addition | Rule IV | Summary |
| New | Rule E APPLICATION FOR CERTIFICATE OF APPROVAL AND SURETY REQUIREMENTS (Surety Bonds and Surety Bond Alternatives) | Addition of process for Board to make demand on the surety of a school that has ceased operation. |
| Revision/ Repeal/ Addition | Rule V | |
| Revision | ANNUAL FILINGS | <ul style="list-style-type: none"> • Clarification on annual filing requirements. • Restructuring of the rule for language clarification. • Removal of exemption for reporting stand-alone courses. |

