

STATE OF COLORADO

DEPARTMENT OF HIGHER EDUCATION



John Hickenlooper
Governor

Lt. Gov. Joseph A. Garcia
Executive Director

2012-2013 COLORADO DEPARTMENT OF HIGHER EDUCATION REGULATORY AGENDA

Currently, within the Colorado Department of Higher Education, only one agency engages in rulemaking. Below is the anticipated 2013 rulemaking by the Division of Private Occupational Schools within the Department of Higher Education as required by HB 12-1008

Title/Description Proposed Rule	Basis and/or Statutory Authority	Purpose of Proposed Rule	Estimated Rule-making Schedule 2013	Stakeholders/Persons/Parties that may be Affected Positively or Negatively by Adoption of Proposed Rule
Add under 8 CCR 1504-1, Section I – Definitions “valid high school diploma”	Section 12-59-105.3(1), C.R.S., of the “Private Occupational Education Act of 1981” (Act) – Powers and Duties of the Board. Specifically, the Board has the duty and authority to promulgate rules and to adopt procedures necessary or appropriate for the conduct of its work and the implementation of article 59 of Title 12.	The purpose of the proposed amendment is to clarify and revise definitions; improve language; correct technical errors and omissions; and reflect further development of Board policies regarding the conduct of its work and the implementation of the Act. U.S. Dept. of Education currently requires a student seeking Federal Title IV financial aid to have a valid high school diploma or GED. A number of DPOS schools offer financial aid; and/or require the same for admission. Currently, there is no definition	The Division will add this definition in the Spring of 2013.	Affected positively: Members of general public; residents of Colorado desiring to seek admission in an approved Private Occupational School; approved private occupational school owners and staff. Affected negatively: Unlawful high school diploma mills. There is no anticipated fiscal impact.

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Add under 8 CCR 1504-1, Section I – Definitions- “Apprenticeship”	Section 12-59-105.3(1), C.R.S., of the “Private Occupational Education Act of 1981” (Act) – Powers and Duties of the Board. Specifically, the Board has the duty and authority to promulgate rules and to adopt procedures necessary or appropriate for the conduct of its work and the implementation of article 59 of Title 12.	The purpose of the proposed amendment is to clarify and revise definitions; improve language; correct technical errors and omissions; and reflect further development of Board policies regarding the conduct of its work and the implementation of the Act. Specifically, the Division wishes to clarify that the U.S. Department of Labor governs apprenticeships.	Spring of 2013.	<p>Affected positively: Members of general public; residents of Colorado desiring to seek admission in an approved Private Occupational School; approved private occupational school owners and staff.</p> <p>Affected negatively: Schools who offer or seek to offer Apprenticeships in contravention of the U.S. Department of Labor.</p> <p>There is no anticipated fiscal impact.</p>
Clarify through <i>revision</i> current phrase “student aid as inducement” found at 8 CCR 1504-1 VI. B.	Section 12-59-105.3(1), C.R.S., of the “Private Occupational Education Act of 1981” (Act) – Powers and Duties of the Board. Specifically, the Board has the duty and authority to promulgate rules and to adopt procedures necessary or appropriate for the conduct of its work and the implementation	The purpose of the proposed amendment is to clarify and revise definitions; improve language; correct technical errors and omissions; and reflect further development of Board policies regarding the conduct of its work and the implementation of the Act. More specifically, the Board intends to prevent deceptive sales and trade practices though	The Division will amend this rule in the Spring of 2013.	<p>Affected positively: Members of general public; residents of Colorado desiring to seek clarification on deceptive sales and trade practices. Occupational Schools and approved private occupational school owners and staff will be protected from any agent, owner or school who violated the law.</p> <p>Affected negatively: Schools who offer or seek to offer student aid as an inducement to enroll in contravention of the Private Occupational Schools Act and governing rules.</p> <p>There is no anticipated fiscal impact.</p>

	of article 59 of Title 12.	improper use of student aid as inducement to enroll.		
Add under 8 CCR 1504-1, Section I Definitions "Externship"	Section 12-59-105.3(1), C.R.S., of the "Private Occupational Education Act of 1981" (Act) – Powers and Duties of the Board. Specifically, the Board has the duty and authority to promulgate rules and to adopt procedures necessary or appropriate for the conduct of its work and the implementation of article 59 of Title 12.	The purpose of the proposed amendment is to clarify and revise definitions; improve language; correct technical errors and omissions; and reflect further development of Board policies regarding the conduct of its work and the implementation of the Act.	The Division will amend this rule in the Spring of 2013.	<p>Affected positively: Members of general public; residents of Colorado desiring to seek clarification on the requirements for externships under the Private Occupational Schools Act.</p> <p>Affected negatively: Schools who offer or seek to offer externships in contravention of the Private Occupational Schools Act and governing rules.</p> <p>There is no anticipated fiscal impact.</p>