

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
October 27th, 2020 9:33 A.M.

Join Zoom Meeting

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Meeting ID: 872 5673 2660

Find your local number: <https://us02web.zoom.us/u/kcmRkNUJXt>

Board Members Present:

Paul Garibay, Chair;
JoAnn Stevens;
Jessica Houtz;
Barbara Kearns;

Ryan Minic, Vice Chair;
Shelley Krovitz;
Ellen Wamser;

Board Members Absent:

Division Staff Present:

Chief Occupational Education Officer/Director, Lorna Candler;
Compliance Investigator Bradlee Uyemura;
Program Specialist Rachel Acosta;
Program Specialist April Cordova (joined at 10:00 AM);
Program Specialist Carrie Harding;
Program Specialist Jonathan Rendon;
Program Specialist Assistant Bernadette Esquibel;
Data and Research Specialist Amy Donnell

Division Staff Absent:

Mary Kanaly, Deputy Director & Compliance Officer;

Board Counsel Present:

Jacquelynn Rich Fredericks, First Assistant Attorney General, Office of the Colorado Attorney General;

Guests Present:

Kristie Berg, Academy for Dental Assisting Careers;
Natalie Duncan, Academy for Dental Assisting Careers;
Vannessa Torress, Paul Mitchell The School;
Adam Eastman, Avalon School of Cosmetology;
Ron Billings, Paul Mitchell The School;
Hillary Hilliard, Denver Integrative Massage School, Inc.;

Henrietta Harvey, Assist to Succeed Pueblo;
Jill Suarez, Allure Academy;
Sarah Covalt, Paul Mitchell The School;
Chandra Couch, Paul Mitchell The School;
Micah McDougle, Paul Mitchell The School;
Dani Parsons, Flatiron School/SecureSet Academy;
Harold Trent, United States Truck Driving School;
Meghan Jurado, ACI Learning;
Brandon Pobiak, Avalon School of Cosmetology;
Steve Steele, IBMC College;
Jarred McNeely, Colorado School of Trades;
Michael Mulholland, Accent Beauty Academy;
Kelly Worrell, School of Natural Cookery;
Karen Barela, Auguste Escoffier;
Gale Weber, Parelli Natural Horsemanship University;
Dick Lammers, Digital Workshop Center;
Harold Trent, Digital Workshop Center;
Dena Frei, Flatiron School;
Emily Zhao, Flatiron School/SecureSet Academy Counsel;
Kaz Yamasaki, Mr. K's Floral Design School of Denver;

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:33 A.M. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum was present.

Consideration of Approval of the September 22nd, 2020 Minutes:

Following review and consideration of the September 22nd, 2020 meeting minutes, Board Member Stevens made a motion to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:

No changes were made.

Chief Occupational Education Officer/Director Report:

Chief Occupational Education Officer/Director Candler reported to the Board the following:

- A warm welcome was given to the newest Board Member, Jessica Houtz. The Division received recent information from the Governor that Board Member Houtz has been appointed to replace the vacated position held by former Board Member Chris Reister. Board Member Houtz brings medical and pharmaceutical insight to the Board as the Center Operations Director at Concentra Urgent Care in Lakewood, Colorado.
- Members of the Division attended the recent three-day virtual conference hosted by National Association of State Administrators & Supervisors of Private Schools (NASASPS).

Content that was previously scheduled to be discussed during the Spring conference of 2020 was provided at this fall virtual conference. Topics included equity and diversity in the Higher Education landscape as well as virtual site visits, financial and corporate structure reviews, other important topics. The Division is following best practices regarding virtual site visits and has developed a process to conduct these visits virtually. Corporate structures and financial analysis were additional topics at the conference and many states are having similar obstacles that the Division has faced.

- The virtual Board Retreat is set for November 17, 2020.
- The Division has worked diligently to provide feedback for Phase I to the Division's IT vendor for the new Information Management System.

New Business/Action Items:

A. Consideration of Approval of New Program(s)/Stand-Alone Course(s)/ Major Revision(s)

1. Academy for Dental Assisting Careers – Brighton - RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to a program: Dental Assisting. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Board Member Kearns motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

2. Academy for Dental Assisting Careers – Greeley - RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to a program: Dental Assisting. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Vice Chair Minic motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

3. Academy for Dental Assisting Careers – Littleton – RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to a program: Dental Assisting. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Vice Chair Minic

motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

4. Academy for Dental Assisting Careers – Longmont - RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to a program: Dental Assisting. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Board Member Kearns motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

5. ACI Learning – Colorado Springs - CH

Program Specialist Harding presented to the Board for review and consideration of a new program: AWS re/start Cloud Support. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new program, Board Member Stevens motioned to approve the previously mentioned new program effective October 27th, 2020. The motion was seconded and carried.

6. ACI Learning – Englewood – CH

Program Specialist Harding presented to the Board for review and consideration of a new program: AWS re/start Cloud Support. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new program, Board Member Stevens motioned to approve the previously mentioned new program effective October 27th, 2020. The motion was seconded and carried.

7. Allure Academy – Eagle – RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to a program: Cosmetology. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Board Member Stevens

motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

8. Avalon School of Cosmetology – Aurora – RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to the following programs: 1. Esthetics; and 2. Cosmetology. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of a major revision to the previously mentioned programs, Board Member Stevens motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

9. Denver Integrative Massage School, Inc. – Denver – RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to the following programs: 1. 600-Hour Aesthetics Program; 2. 600-Hour Certified Massage Therapy Program; 3. 500-Hour Herbalism Program; 4. 300-Hour Holistic Nutrition Program. Additionally, for review and consideration of major revision to the following stand-alone courses: 1. Dermaplaning; 2. Microneedling; 3. Advanced Skincare: Chemical Peels; 4. Advanced Skincare: Microdermabrasion; 5. Classic Lash Extensions; and 6. Advanced Makeup. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to the previously mentioned programs and stand-alone courses, Board Member Wamser motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

10. Digital Workshop Center – Fort Collins – AC

Program Specialist Cordova presented to the Board for review and consideration of a major revision to a Program: Digital Marketing Certificate. Additionally, for review and consideration of the new program: UX Design Certificate. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the previously mentioned new program, Board Member Kearns motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

11. IBMC College – Fort Collins – JR

Board Member Kearns recused herself from consideration and review of matters concerning

IBMC College. Program Specialist Rendon presented to the Board for review and consideration of the following new stand-alone courses: 1. Microneedling; and 2. Dermaplaning. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the previously mentioned new stand-alone courses, Vice Chair Minic motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

Board Member Kearns rejoined the Board.

12. Paul Mitchell The School Colorado Springs – Colorado Springs – RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to the following programs: 1. Cosmetology; 2. Barbering; and 3. Hairstylist. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to the previously mentioned programs, Vice Chair Minic motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

13. Paul Mitchell The School Denver – Denver – RA

Program Specialist Acosta presented to the Board for review and consideration of a major revision to the following program: Cosmetology. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Vice Chair Minic motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

14. The School of Natural Cookery – Boulder – JR

Program Specialist Rendon presented to the Board for review and consideration of a new program: Natural Chef - Online. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the previously mentioned new program, Board Member Stevens motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

15. United States Truck Driving School – Fountain – CH

Program Specialist Harding presented to the Board for review and consideration of a major revision to a program: Interstate Heavy Duty Truck Driving Program - 160. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Board Member Wamser motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

16. United States Truck Driving School – Wheat Ridge – CH

Program Specialist Harding presented to the Board for review and consideration of a major revision to a program: Interstate Heavy Duty Truck Driving Program -160. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the major revision to a program, Board Member Wamser motioned to approve the previously mentioned major revision to a program effective October 27th, 2020. The motion was seconded and carried.

Other Business

1. Legal Update

- a. CollegeAmerica
 - i. The School provided contact information for all students from September of 2018 to present. The Division issued a notice on October 21, 2020 to inform implicated students of the opportunity to file a claim on the School's surety for a potential refund. The window to respond is until November 13, 2020.
- b. Westland Beauty Academy
 - i. At this time, all of the School's requirements of the Agreement have been met. The Board must vote to dismiss the litigation before the Office of Administrative Courts.
- c. The Pilates Institute of Boulder
 - i. The Division and counsel are awaiting confirmation regarding closure and remission of student records. This process has been delayed due to personal circumstances of the school owner(s).

2. CollegeAmerica

- a. Monthly Update
 - i. Director/COEO Candler reported that the Division did not receive a monthly update from the School, however, it was recommended that the monthly

update is no longer a requirement due to the closure. Following discussion, Vice Chair Minic motioned to cease the requirements to provide a monthly update. The motion was seconded and carried.

b. Closure Status

- i. The matter was previously discussed.

3. Renewals tabled from September Board Meeting

a. Parelli Natural Horsemanship University – Pagosa Springs – CH

Program Specialist Harding presented to the board the updated information regarding the School's renewal that was presented at the September Board Meeting. A representative was present. Following review and consideration, the Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Board Member Wamser motioned to approve the Standard Certificate of renewal for the period of July 1, 2020 and ending June 30, 2023. The motion was seconded and carried.

b. Mr. K's Floral Design School of Denver – Denver – AC

COEO/Director Candler reported that at the September Board Meeting, the Board had concerns regarding the School's financials. Since the September Meeting, the School's CPA provided an insufficient response to address the Board's concerns. The School has since secured a new CPA and will be working with the Division to provide sufficient financial documentation. Board Member Kearns motioned to extend the renewal grace period to the December Board Meeting for the School to be able to submit a complete application that includes sufficient CPA prepared financial documentation. The motion was seconded and carried.

c. School of Natural Cookery – Boulder – JR

The matter was previously discussed during action items. The School matter was incorrectly labeled on the agenda as a Renewal item instead of a New Program action item. No further action taken.

d. Assist to Succeed Pueblo – Pueblo – JR

Program Specialist Rendon informed the Board that a site visit has not been completed for the School's renewal. Additionally, the requested documents from the September Board Meeting were received by the Division but were not received within the seven-day deadline set forth in the Board's motion. Following discussion, Board Member Wamser motioned to conditionally approve the School provided upon a favorable site visit. The motion was seconded and carried.

At this time, the Board was made aware that the Mayor may be moving the city into Level 3 precautions. The topic was added as an agenda item to Other Business.

4. Flatiron School and SecureSet Academy

COEO/Director Candler informed the Board of the diligent work the Division and Counsel completed while reviewing the change of ownership. Division Counsel presented to the Board the updated corporate structure documents. Following discussion, Vice Chair Minic motioned to approve the change of ownership for SecureSet Academy from WeWork Companies LLC to Flatiron School LLC. Board Member Wamser motioned to approve the change of ownership of Flatiron School from WeWork Company LLC to Carrick Capital Partners III which owns 80% of Flatiron Holdings, Inc. The motions were seconded and carried.

5. The Pilates Institute of Boulder

The matter was previously discussed.

6. WorldWide College of Auctioneering

Program Specialist Cordova informed the Board that the School has yet to submit their annual filings and underwent a change of ownership in November 2019 without notifying the Division. Additionally, the School cancelled the remainder of their classes for the rest of the year.

The Division is asking the Board to consider whether the bond should be attached and if the Board is interested in discussing next steps and possibly the issuance of a Notice of Noncompliance.

Vice Chair Minic motioned to issue a Notice of Noncompliance and Notice of Fine per §23-64-112, §23-64-109, and §23-64-116 for failure to submit annual filings with the Division and not providing timely notification for the change of ownership to the Division. Vice Chair Minic motioned for a Notice of Lapse in Bond pursuant to §23-64-116. The motions were seconded and carried.

At this time, Chairman Garibay redirected the meeting to the legal update and made a motion to dismiss the litigation before the office of administrative courts for Westland Beauty Academy. The motion was seconded and carried.

COEO/Director Candler revisited the topic of Denver COVID restrictions set by Mayor Hancock and reassured the Board that as more information is received it will be presented to the Board and distributed to Schools.

COEO/Director Candler informed the Board that lunch will be provided for the Annual Board Retreat set for November 17th. The Division will be sending electronic gift cards for GrubHub meals that can be scheduled in advance of the meeting.

Adjournment:

Board Member Krovitz motioned to adjourn the meeting at 12:33 PM. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, December 1, 2020, at 9:30 A.M. and will be held via the web conference application, Zoom, with the following log in information:

Please click the following link to join the Zoom Meeting from your computer:

<https://us02web.zoom.us/j/88993554433>

Meeting ID: 889 9355 4433

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