

BOARD OF PRIVATE OCCUPATIONAL SCHOOLS

PUBLIC RULEMAKING HEARING

October 22, 2013

The Colorado Private Occupational Schools Board convened at the Auraria Higher Education Campus, Tivoli Student Center, Room 320, 900 Auraria Parkway, Denver, CO 80204.

Thomas Narvaez, Chair called the meeting to order at 9:32 A.M., announcing the purpose of this public meeting was to conduct a rulemaking hearing on the Proposed Amendments to the Rules and Regulations concerning the Private Occupational Education Act of 1981, as amended, and provide clarification and improvement of language, definitions, corrections of technical errors and omission, and to reflect further development of Board policies. The Board will also be considering annual fee setting as required by section 12-59-119, C.R.S., and consideration of adopting a revised fee schedule. Board roll call was taken and a two-thirds majority quorum was present.

Board Members Present:

Tom Narvaez, Chair	Winnifred Rovig	Joseph James Wolf
Arlene Rae Malay	Richard Semakula	Steven W. Steele
Rochelle Shelly Krovitz		

Division Staff Present:

Lorna Candler, Director	Jim Parker, Interim Deputy Director
Renee Belisle, Program Specialist	Bernadette Esquibel, Program Specialist
Voni Oerman, Program Specialist	Karla Viteri, Program Specialist
Loretta Perez, Administrative Assistant	

Board Counsel Present:

Erica Weston, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Norman Blome, Redstone College – Denver
Chris Griebe, LifePower – Parker & Westminster
Jay Hilty, Van Education Center - Boulder
Sherri Kananen, Intellitec College – Grand Junction
Wendy Peters, New Dimensions Beauty Academy – Parker
Jim McCloskey, American Real Estate College – Wheat Ridge
Bob Fulton, Denver Learning Institute – Denver
Brad Wilson, Bartending School, Inc., - Denver
Anne Baksh, Kaplan Professional Schools – all locations
Cindy Cooper, Peak Technical Institute - Loveland
Isabel Jackson, Peak Technical Institute – Loveland

Commencement of Rulemaking Hearing:

Mr. Narvaez, this hearing was properly noticed as part of this public meeting and in accordance with section 24-4-103 of the Colorado Revised Statutes. The statutory basis

for the amendments to the Rules is found in sections 12-59-105.3, paragraph (1)(j), (1)(l), and (1)(n).

The amendments are intended to accomplish the following objectives:

1. The purpose is to propose two new rules: (1) define "Apprenticeship", and (2) Ensure a valid high school diploma or GED upon admission to a program. In addition, proposed amendments will also clarify and improve language, definitions, corrections of technical errors and omissions, and reflect further development of Board policies regarding the conduct of its work and the implementation of the Private Occupational Education Act; and
2. Concerning the proposed fee schedule, the purpose is to revise the Rules and Regulations pertaining to the Private Occupational Education Act of 1981, as amended, which specifically addresses annual fee setting, pursuant to section 12-59-116, of the Colorado Revised Statutes and other provisions under which "The board by rule shall establish fees for the direct and indirect costs of the administration of this article"

The Board through the Division has provided an opportunity for written public comment on the proposed Rule amendments and on the proposed adjustment to fees.

The Board has reviewed and considered written submissions commenting on the proposed amendments and on the proposed adjustment to fees from the following interested persons:

Public Comment and Testimony:

The Board has reviewed and considered written submissions commenting on the proposed amendments and on the proposed adjustment to fees from the following interested persons:

Thomas Twardowski, owner, International Salon & Spa Academy, Colorado Springs, regarding the deletion of Section III.G, paragraph 9, concerning Cosmetology credit hours.

Jim McCloskey, of American Real Estate College, provided a written submissions and was present to discuss the proposed amendment and on the proposed adjustment to fees.

Jay Hilty, Van Education Center, also present provided comments regarding the proposed amendment and on the proposed adjustment to fees.

No other written comments have been submitted by interested persons concerning this public rulemaking hearing.

Such submission will remain on file for public review in accordance with the public records act.

After due deliberation, Mr. Semakula motioned for approval to adopt the proposed amendments to the Rules and Regulations, which are intended to clarify and improve language, definitions, correct technical errors and omissions, and to reflect further

development of Board policies regarding the conduct of its work and the implementation of the Act. The motion was seconded and a roll call vote was taken.

The record reflects that the Board members voted as follows:

Winnifred Rovig – aye; Joseph Wolf – aye; Arlene Rae Malay – aye; Richard Semakula – aye; Steven Steele – aye and Shelley Krovitz – aye;

The motion unanimously passes 6 Aye, 0 Nay.

Annual Fee Setting, Proposed Fee Schedule:

After due deliberation, Mr. Steele motioned for approval to adopt the proposed fee schedule. The motion was seconded and a roll call vote was taken.

The record reflects that the Board members voted as follows:

Winnifred Rovig – aye; Joseph Wolf – aye; Arlene Rae Malay – aye; Richard Semakula – aye; Steven Steele – aye and Shelley Krovitz – aye;

The motion unanimously passes 6 Aye, 0 Nay.

Mr. Narvaez directed the Division Director to submit the amended rules to the Secretary of State's Office and to the Office of the Attorney General for review; and to take all other necessary steps to have the rules take effect on the earliest date possible.

Mr. Narvaez moved to close the public rulemaking session and to move into the Board's regularly scheduled public meeting. The motion was seconded and passed. The public rulemaking session adjourned at 10:12 A.M.