

**MINUTES**  
**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS**  
**April 23<sup>rd</sup>, 2019 9:35 A.M.**

Auraria Higher Education Campus  
Tivoli Student Center, Room 320  
900 Auraria Parkway, Denver, CO 80204

Board Members Present:

|                         |                       |
|-------------------------|-----------------------|
| Paul Garibay, Chair;    | Chris Reister         |
| Ryan Minic, Vice Chair; | Tim Guerrero;         |
| Shelley Krovitz;        | A. Richard Behbehani; |

Board Members Absent:

Arlene Rae Malay

Division Staff Present:

Lorna Candler, Director;  
Mary Kanaly, Deputy Director & Compliance Officer;  
Lisa Hill, Program Coordinator;  
April Cordova, Program Specialist;  
Rachel Acosta, Program Specialist;  
Carrie Harding, Program Specialist;  
Brad Uyemura, Compliance Investigator;  
Amy Knoblauch, Data & Research Specialist

Division Staff Absent:

Bernadette Esquibel, Program Specialist

Board Counsel Present:

Jacquelynn Rich Fredericks, Assistant Attorney General, Office of the Colorado Attorney General present at 9:48 A.M.

Guests Present:

Ramona Crane, APEX College of Veterinary Technology;  
Melinda Besse, Boulder Massage Therapy Institute;  
Pat Nelson, Montage Academy;  
Dani Parsons, Secure Set Academy;  
Eric Haney, CDL College;  
Stacey Meyer, Stacey James Institute;  
Patty Weston, Stacey James Institute;  
Dan Milne, Cortiva Institute;  
Elizabeth Hepler, Cortiva Institute;  
Dana Weinkauf Talbot, Be Here Now Massage. Yoga. Bodywork.;  
Marla Knapp, The Salon Professional Academy;  
Elena Keil, Professional Beauty School and Spa;  
Kristy Fiore, Aveda Institute Denver;  
Dr. Bharat Vaidya, Ayurved Sadhana Vidyalaya;  
Dr. Steve Rubin, Colorado Academy of Veterinary Technology;

Randy Myers, CDL Certifiers;  
Alysha Perrin, Frequent Flyers Productions;  
Todd Cordrey, American Dream Real Estate School;  
Dan Nguyen, Cosmo Beauty Academy;  
Lauren Schlicht, Phlebotomy Learning Centers;  
Regina Steszkal, Muscle Activation Techniques;  
Susan Jelinek, Muscle Activation Techniques;  
Troy Shannon, Muscle Activation Techniques

#### Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:35 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 March 26, 2019 Minutes:

Following review and consideration of the March 26, 2019 meeting minutes, Ms. Krovitz made a motion to approve the minutes as written. The motion was seconded and carried.

#### Additions / Changes to the Agenda:

Cortiva Institute was moved from A. 6 to A. 1 on the agenda.

#### Director/ Staff Report:

Director Candler reported the following items:

- Provided a summary of the qualifications, professional experience and accomplishments of our new Executive Director, Dr. Angie Paccione, who is in attendance for the board meeting;
- Three of our Board members were unanimously reconfirmed (Shelley Krovitz, Paul Garibay, and Richard Behbehani) and our newest Board member, Chris Reister, was unanimously confirmed;
- Director Candler and Deputy Director Kanaly attended the annual NASASPS conference where they presented on "Fair and Legal Investigations" and attended many other excellent sessions in which all representatives of the industry were able to learn about and collaborate on best practices.

Deputy Director Kanaly reported that Director Candler was elected Vice President of NASASPS

#### Monthly Statistics

No statistics to report.

#### New Business/Action Items:

## A. Consideration of Approval of Renewal

### 1. Cortiva Institute – Westminster - AC

Director Candler reported to the Board an update regarding the closure status and timeline of the Aurora Campus. Director Candler reported that the Division discovered that the Westminster campus was closing as well and that the Division has concerns about whether the school will be compliant with respect to adequately delivering the train-out they promised and with the closure process. In particular, the Division has received information that transcripts have not been timely provided, the Division has concerns regarding the distribution of transcripts to students. The school representative provided a response that the transcript issues have been rectified and that the school is working with students to issue refunds and find new train-out options. The Division's response brought up the limitations presented to the students regarding the Non-Disclosure Agreement and expedited course options provided to students. Director Candler raised further concerns with the expedited courses to which the school responded that very few students chose this option. Legal Counsel mentioned the importance of providing records to the Division summarized concerns with student enrollment past the notice of closure. No action taken.

### 2. Dogs Own Grooming School - Loveland - AC

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

### 3. Healing Arts Institute- Ft. Collins - AC

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

### 4. American School of Dental Assisting – Ft. Collins – AC

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not 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 renewal, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

5. SecureSet Academy – Colorado Springs - AC

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

6. Colorado Academy of Veterinary Technology – Colorado Springs - AC

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

7. Cosmo Beauty Academy – Denver - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Ms. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

8. Frequent Flyer Productions – Boulder - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Guerrero motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

9. Aveda Institute – Denver - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

10. Montage Academy – Westminster - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

11. Professional Beauty School and Spa – Aurora - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

12. Stacey James Institute – Parker - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

13. Boulder Massage Therapy Institute – Boulder - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

14. The Salon Professional Academy – Colorado Springs - RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Guererro motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

15. Be Here Now Massage. Yoga. Bodywork. – Fort Collins - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

16. Phlebotomy Learning Center of Denver - Denver - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

17. Muscle Activation Techniques - Englewood - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

18. Well Animal Institute LLC dba K-9 Smiles - Broomfield - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not 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 renewal, Ms. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

19. American Dream Real Estate School - Arvada - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

20. CDL Certifiers/ CDL Trainers – Colorado Springs - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present.

Following review and consideration of the renewal, Mr. Minic motioned to conditionally approve the Standard Certificate of Approval provided that the method of delivery is corrected on the approval form to reflect that the method is not online. The motion was seconded and carried.

21. United College of Health and Beauty - Englewood - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. 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 renewal, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

### C. Consideration of Approval of Renewal with Programs

#### 1. Ayurved Sadhana Vidyalaya – Superior - LH

Program Coordinator Hill presented to the Board for review and consideration of renewal with two major revisions to the following programs: Ayurvedic Practitioner Program and Advanced Ayurvedic Practitioner Program. 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 renewal with major program revisions, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 and the major programs revisions effective April 23, 2019. The motion was seconded and carried.

### C. Consideration of Approval of Programs/ Stand Alone Course/ Major Revisions/ Degree Program

#### 1. APEX College of Veterinary Technology – Colorado Springs - RA

Program Specialist Acosta presented to the Board for review and consideration of the degree program: Veterinary Technology. A 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, Mr. Minic motioned to approve the degree program effective April 23, 2019. The motion was seconded and carried.

### D. Consideration of Approval of Out of State School

#### 1. OCL Financial Services LLC – Brookfield – LH

Program Coordinator Hill presented to the Board for review and consideration of an Out of State Provisional Certificate. A school representative was not present.

Following review, Deputy Director Kanaly withdrew the application. Mrs. Krovitz motioned to table the matter. The motion was seconded and carried.

At this time, Mr. Minic motioned for a recess. The motion was seconded and carried.

### Other Business

#### 1. Legal Update



Counsel reported to the Board the following updates:

- Bartending and Casino College Denver and Colorado Springs campuses were served a Cease and Desist order as well as a Subpoena Duces Tecum on April 9, 2019. The Board also issued a Notice of Noncompliance/Fine for \$5,000 on April 3, 2019. A school response to the NON/Fine is due on April 17, 2019. The Board must review the response when it is received;
- A draft is pending for the amended Notice of Noncompliance the Board issued to CollegeAmerica;
- Command Cuts Academy of Barbering filed a letter with the Office of Administrative Courts addressing the Board's Motion for Default filed on March 19, 2019. The Court treated the letter as a Motion to Set Aside Default and entered an Order providing the Board an opportunity to respond. Counsel responded on April 8, 2019 and a ruling is forthcoming;
- The Board issued a Notice of Noncompliance and Nonrenewal to Greater Pueblo Dental Assisting School to which the school responded. The Board then issued a Notice of Charges which was docketed with the Office of Administrative Courts on April 18, 2019. A setting Conference is scheduled for May 1, 2019;
- The Board issued a Notice of Noncompliance to Namaste Artisan Barber College on April 8, 2019 for which the school response is due on April 22, 2019. The Board must review the response;
- The Board issued a Subpoena Duces Tecum to Westland Beauty Academy and a response was not received. The Board issued the first Notice of Noncompliance and the Division deemed the response inadequate thus, requested a second Notice of Noncompliance regarding alleged records tampering gleaned from the school response to the first Notice of Noncompliance. The Board voted to issue a Notice of Charges regarding the first Notice of Noncompliance. The Board issued a second Notice of Noncompliance to which the school responded. Then the Board issued a Notice of Charges. The parties continue negotiations regarding a possible Stipulated Agreement.

## 2. Cortiva Institute

The matter was previously discussed.

## 3. Intellitec

Director Candler reported to the Board that the bond has been extended. No action taken.

## 4. CDL College

Deputy Director Kanaly reported to the Board the following events related to CDL College:

- CDL College was approved to operate until 2018;
- The School did not renew the Certificate of Approval and was directed to reapply as a new school;
- The School had \$1,900 in late fees;
- The Division received a complaint in 2018 that they were still operating;

- The Board issued a Cease and Desist Order;
- On April 2, 2019, the Division was made aware that the school was still operating;
- An unannounced visit was conducted on April 3, 2019;
- While the school had the option of offering training for exempt training (such as business to business) Deputy Director Kanaly observed non-exempt (self pay) students being educated;
- The School's owner, Eric Haney, admitted that he was aware of the Cease and Desist Order and admitted to training students without the required approval to operate;
- In December of 2018, the School submitted a new school application and \$1,900 to pay for late fees;
- Currently the School is working with the Division to complete the new school application.

After consideration and discussion of each of the previous matters discussed during the regular portion of the Board meeting, Mrs. Krovitz motioned to convene in executive session with the Board's attorney to seek legal advice pursuant to C.R.S. §24-6-402(3)(a)(II), on the following matters: May 23, 2017 meeting minutes regarding The School of Tennis Management correction and CDL College; and in consideration of relevant parts of the Private Occupational School Act, C.R.S. §23-64-101 et seq. and the Rules and Regulations, 8 CCR 1504-1. The motion was seconded and carried. The public session recorder was turned off.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 12:07 P.M.

After the review and consideration of the matters previously mentioned, Mr. Garibay resumed the regular session at 12:41 P.M.

The executive session recorder was turned off.

The public session recorder was turned on and the general public was welcomed back.

Assistant Attorney General Rich Fredericks affirmed for the record that this executive session was for the sole purpose of providing legal advice to the Board and to otherwise engage in good faith in what is believed to be attorney-client privileged discussions.

After Executive Session the Board resumed its agenda as follows.

#### CDL College

Following review and discussion in public session, Mr. Guerrero motioned to refer the issue to the District Attorney's office to consider for potential criminal action against the school. A roll call vote was taken and all present members of the Board voted in favor with the exception of Mrs. Krovitz, who abstained. The motion was carried.

#### Minutes Regarding The School of Tennis Management

Following review and discussion in public session, Mr. Guerrero motioned to make a necessary correction to the May 23, 2017 meeting minutes to properly reflect that The School of Tennis Management was approved to operate with a Provisional Certificate. The motion was seconded and carried.

Adjournment:

Mr. Guerrero motioned to adjourn the meeting at 1:00 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, May 28, 2019, at 9:30 A.M. and will be held at:

Auraria Higher Education Campus  
Tivoli Student Center, Room 320  
900 Auraria Parkway, Denver, CO 80204  
Telephone (303) 862-3001