

**MINUTES**  
**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS**  
**December 6, 2016 9:30 A.M.**

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

Board Members Present:

Joseph James Wolf, Chair;	Timothy L. Brooks, Secretary;
Arlene Rae Malay;	Paul Garibay;
Ryan Minic;	Robert E. Martin; arrived at 9:46 a.m.

Board Members Absent:

Shelley Krovitz, Vice Chair;

Division Staff Present:

Lorna Candler, Director	Mary Kanaly, Deputy Director & Compliance Officer
Bernadette Esquibel, Program Specialist	Lisa Hill, Program Coordinator
Jessica Googins, Program Specialist	April Cordova, Program Specialist
Loretta Perez, Administrative Assistant III	Brad Uyemura, Compliance Officer
Amy Knoblauch, Administrative Assistant	

Board Counsel Present:

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

Guests Present:

Chase Penelli, CodeCrafter School  
Ivan Smith, Lincoln College of Technology  
Kelly Moore, Lincoln College of Technology  
Kim Smalley, Medical Sales College  
Amy de Sa, BASI Pilates  
Janice Wagner, DaVinci Coders  
Michael Morgan, DaVinci Coders  
Greg Kimble, KMG Academy  
Robert Keating, KMG Academy  
Cayla Kimble, KMG Academy  
Ashley Kisner, KMG Academy  
Brooke Smith, General Assembly  
Biftu Hassan, Pharmakeia Pre-Pharmaceutical School, LLC  
Lisa Ganora, Colorado School of Clinical Herbalism  
Andrea Moreno, Turing School of Software & Design  
Renee Helten, HIRED Schools  
Jim McCloskey, American Real Estate College  
Jeff Casimir, Turing School of Software & Design  
Mark Mitchell, Xenon International Academy III

### Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Joseph James Wolf, Chair, at 9:30 A.M. This morning we have two sign in sheets one is for the Regular Board Meeting and the other is for Rulemaking Hearing which you are all welcome to attend. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum was present.

### Consideration of Approval of the October 25, 2016 Minutes:

Following review and consideration of the October 25, 2016 meeting minutes, a motion was made by Mr. Brooks to approve the minutes as written. The motion was seconded and carried.

### Consideration of Approval of the October 25, 2016 Executive Session Minutes:

Following review and consideration of the October 25, 2016 executive session meeting minutes, a motion was made by Ms. Malay to approve the minutes as written. The motion was seconded and carried

### Update concerning the September 8, 2016 Interim Board Minutes:

Following review and consideration of the September 8, 2016 Interim Board Minutes a motion was made by Ms. Malay to approve the minutes as written. The motion was seconded and carried.

### Additions / Changes to the Agenda

None

### Director/ Staff Report:

Director Candler will give director report at the end of the meeting.

### New Business/Action Items:

#### A. Consideration of Approval Programs / Stand Alone Courses

##### 1. Lincoln College of Technology - Denver

Program Coordinator Hill presented to the Board for review and consideration one new program: Collision Repair and Refinishing Service Management. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program, Ms. Malay motioned to approve the above-referenced program effective December 6, 2016. The motion was seconded and carried.

##### 2. DaVinci Coders - Westminster

Program Coordinator Hill presented to the Board for review and consideration one new stand-alone course: Cyber Security Course. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new course, Ms. Malay motioned to approve the above-referenced course effective December 6, 2016. The motion was seconded and carried.

3. Colorado School of Clinical Herbalism - Boulder

Program Specialist Esquibel presented to the Board for review and consideration one new stand-alone course: Aromatherapy 100. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new course, Ms. Malay motioned to approve the above-referenced course effective December 6, 2016. The motion was seconded and carried.

4. Solar Energy International - Paonia

Program Specialist Googins presented to the Board for review and consideration one new stand-alone course: PVOL350: Tools and Techniques for Operations and Maintenance. A school representative was available by telephone present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new course, Ms. Malay motioned to approve the above-referenced course effective December 6, 2016. The motion was seconded and carried.

5. Turing School of Software & Design - Denver

Program Specialist Googins presented to the Board for review and consideration one new stand-alone course: Second Shift. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new course, Ms. Malay motioned to approve the above-referenced course effective December 6, 2016. The motion was seconded and carried.

6. The Salon Professional Academy – Grand Junction

Program Specialist Googins presented to the Board for review and consideration one new program: Hairstyling. A school representative was not present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program, Ms. Malay motioned to approve the above-referenced program effective December 6, 2016. The motion was seconded and carried.

7. Critter Clips School of Dog Grooming – Colorado Springs

Program Specialist Googins presented to the Board for review and consideration one new program: All Breed Pet Grooming. A school representative was not present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program, Ms. Malay motioned to approve the above-referenced program effective December 6, 2016. The motion was seconded and carried.

#### 8. General Assembly – Denver

Program Specialist Googins presented to the Board for review and consideration one new program: Digital Marketing. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program, Mr. Martin motioned to approve the above-referenced program effective December 6, 2016. The motion was seconded and carried.

#### 9. Medical Sales College – Lone Tree

Program Specialist Googins presented to the Board for review and consideration two new programs: 1. 15-Week Masters; and 2. 9-Weeks Spine & Orthopaedic Reconstruction & Trauma. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new programs, Mr. Brooks motioned to approve the above-referenced programs effective December 6, 2016. The motion was seconded and carried.

### B. Consideration of Approval of Provisional Certificate of Approval

#### 1. Helten Institute of Real Estate Development dba HIRED Schools – Castle Rock

Program Coordinator Hill presented to the Board for review and consideration of a new school with one new program: Pre-Licensing Training; and one new course: Accelerator-Post Licensing Training. A school representative was present. The Board determined that the school has adequate surety coverage at this time and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school with one program and one course, Mr. Martin motioned to approve the Provisional Certificate of Approval for the period beginning December 6, 2016, and ending June 30, 2018, and to approve the above-referenced program and course. The motion was seconded and carried.

#### 2. Pharmakeia Pre-Pharmaceutical School, LLC - Denver

Program Specialist Esquibel presented to the Board for review and consideration a new school with one new program: Pharmacy Technician Certification Preparatory Course. A school representative was present. The Board determined that the school has adequate surety

coverage at this time and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school with program, Ms. Malay motioned to approve the Provisional Certificate of Approval for the period beginning December 6, 2016, and ending June 30, 2018, and to approve the above-referenced program. The motion was seconded and carried.

### 3. KMG Academy - Boulder

Program Specialist Esquibel presented to the Board for review and consideration a new school with one new program: Recording Arts and Business Program. School representatives were present. The Board determined that the school has adequate surety coverage at this time but may need to increase bond depending on number of students and prepaid tuition, and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school and program, Mr. Brooks motioned to approve the Provisional Certificate of Approval for the period beginning December 6, 2016, and ending June 30, 2018, and to approve the above-referenced program contingent on the bond being increased and must notify the Division. The motion was seconded and carried.

### 4. BASI Pilates – Greenwood Village

Program Specialist Googins presented to the Board for review and consideration a new school with three new programs: 1. Mat Program; 2. Foundation Apparatus Program; and 3. Comprehensive Apparatus Program; and one new course; 1. ProBridge Comprehensive. A school representative was present. The Board determined that the school has adequate surety coverage at this time and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school with programs and course, Ms. Malay motioned to approve the Provisional Certificate of Approval for the period beginning December 6, 2016, and ending June 30, 2018, and to approve the above-referenced programs and course. The motion was seconded and carried.

## C. Consideration of Change of Ownership

### The Giving Touch – Grand Junction

Program Specialist Esquibel presented to the Board for review and consideration a change of ownership. A school representative was available by telephone. The Board determined that the school has adequate surety coverage and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the change of ownership and new course, Mr. Brooks motioned to approve the Change of Ownership Certificate of Approval effective October 6, 2016 2016. The motion was seconded and carried.

D. Notification of School Closings / Change of Status (No action required)

1. Galvanize, Inc. – Fort Collins
2. Martinsburg College – Martinsburg, WV

The Board was notified of the closing. No action taken.

Director Candler advised the Board that Kaplan's change-of-ownership would be presented at the January board meeting.

Other Business:

1. Updated Illegal School Procedure

Director Candler outlined the Illegal/Unauthorized School process. Ms. Hill, Program Coordinator presented the new Illegal/Unauthorized School process and informed the Board that they will be provided with updates on the status of these schools as they move through the new process.

2. Notices of Non Compliance Update

Director Candler reminded the Board of the importance of the data provided by schools when annual filings are submitted. Deputy Director Kanaly provided the board with a color coded spreadsheet for the board to review showing the various categories of noncompliance issues that the Division is currently addressing

Deputy Director Kanaly notified the Board that the Division issued 134 Notices of Noncompliance to schools that failed to file their annual filings or filed late. Of the 134 Notices sent out, the following responses and/or information is available to the Board for your review:

66 schools who received notices have completed their filing with the Division, and also have provided the requested response to the Notices, all of which address the schools reason for the late filing, and the steps they have taken to ensure timely filing in the future.

41 schools have completed their filing and are compliant, but failed to provide a response to the Division as requested.

16 of the schools have failed to file a response, and also have NOT completed their filing.

3 schools have closed, or are in the process of closing.

5 of the Notices were returned by the Post Office, and have been re-sent to the schools.

3 of the schools are still non-compliant with their filing, but have made contact with the Division and been able to provide "special circumstances" and the Division has agreed to work with them on completing the filing.

Mr. Minic motioned to fine \$500.00 per violation the 107 schools that were more than 30 days late with completing their filings and/or in filing a response. Motion was seconded and passed.

Mr. Minic made a motion to give the Division discretion in fining schools that were in communication with Division staff. Motion was seconded and passed.

Mr. Minic made a motion to fine the 16 schools that have failed to file and still have not responded to the Notices of Noncompliance \$1000.00 per violation. Motion was seconded and passed.

There are 3 schools that have hardship can be brought back to the board.

### 3. Birth Institute - Boulder

Director Candler advised the board that the Division has received numerous complaints regarding Birth Institute. The Division has been notified that the school has closed; the Division has noticed its intent to make a claim on the bond. This school was a very unique school and has provided training throughout the world. The Division will be working with the school to get student records.

### Adjournment:

Ms. Malay motioned to adjourn the meeting at 11:18 A.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday January 24, 2017, 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