

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
February 23, 2016 9:30 A.M.

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

Board Members Present:

Steven W. Steele, Chair	Arlene Rae Malay	Joseph James Wolf
Richard Semakula	Shelley Krovitz	Paul Garibay, Jr.

Division Staff Present:

Lorna Candler, Director	Mary Kanaly, Deputy Director & Compliance Officer
Jessica Googins, Program Specialist	Lisa Hill, Program Specialist
April Cordova, Program Specialist	Loretta Perez, Administrative Assistant III

Division Staff Absent:

Bernadette Esquibel, Program Coordinator

Board Counsel Present:

Kimberly Spiering, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Jose Alberto, Colorado Springs School of Massage
Janet Blanshine, Colorado Springs School of Massage
Brandon Walters, The Iron Yard
Debi Portararo, A Plus Real Estate School
Al Short, Lincoln College of Technology
Randy Bobzien, Lincoln College of Technology
Phil Quintana, The Iron Yard
Alex Kreilein, SecureSet Academy
Bret Fund, SecureSet Academy
Lou Pagano, Westwood College
Bruce Stassen, LeaderQuest
Thomas Wicke, Westwood College
Jeff Casimir, Turing School of Software & Design
Tim Guerrero, Redstone College
Glenn Wilson, Redstone College
Derick Shepard, CACCS
Inta Morris, Chief Advocacy and Outreach Officer, Department of Higher Education
Heather Delange, Academic Policy Officer, Department of Higher Education

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Steven W. Steele, Chair, at 9:31 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 January 26, 2016 Minutes:

Following review and consideration of the January 26, 2016 meeting minutes, the Board discussed the need to reflect its decision to have the Division and counsel draft and issue an Order of Summary

Suspension based upon the significant violations. Ms. Malay made a motion to approve the minutes with corrections noted by the Board. The motion was seconded and carried.

Additions / Changes to the Agenda:

Director Candler informed the Board that we had additions to the Agenda: First, under New Business/ Action Item, "A Consideration of Approval Programs/Stand Alone", the Director requested that we add a number "4" College of International Esthetics, Inc. and "5" Redstone College, but request that the Board consider Redstone College with "Other Business" number "1". Also under "Other Business" the Director requested the Board add "4", Massage School of Colorado to the Agenda.

Director Report:

Notice to MSC students and DPOS schools, DPOS is working with DORA on getting the notice finalized.

The Director noted an article detailing the scrutiny on Accrediting Bodies beginning with the Senator Warren hearings against ACICS. Litigation is pending and we anticipate continued actions by the Federal Government against accredited schools and increased focus on the entities accrediting these schools that are under investigations.

Action Items:

1. Assessment Fees

Notices of noncompliance were issued to 41 schools because the impact of late assessments has become more problematic. The Division has sent a clear message to deter noncompliance and requested the Board's guidance in delivering the appropriate consequences to those who do not timely pay assessment. Although the Notice specifically requested a response, some schools simply paid the late assessment fee. Other neither paid nor filed a response. The Division suggested that it detail its findings at the end of the meeting, make recommendations, and allow the Board ample time to make a determination as to what actions, if any, it will take. Legal counsel will be available to advise the Board as to its options and legal obligations. The matter was tabled and will be discussed later in the meeting during Other Business items.

New Business/Action Items:

A. Consideration of Approval Programs / Stand Alone Courses

1. Lincoln College of Technology - Denver

Program Specialist Hill presented to the Board for review and consideration one new program: Automotive Technology with AUDI Education Partnership – AT108DAU. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration Ms. Malay motioned to approve the above-reference program effective February 23, 2016. The motion was seconded and carried.

2. LeaderQuest - Centennial

Program Specialist Cordova presented to the Board for review and consideration four new programs: 1. NSS – Network Support Specialist; 2. CYBER – Cybersecurity Specialist; 3. STPM – Senior Technology Project Manager; and 4. CUSS – Computer User Support Specialist and one new stand-alone course: CISM – Certified Information Security Manager. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new programs and new course, Mr. Garibay motioned to approve the above-referenced programs and course effective February 23, 2016. The motion was seconded and carried.

3. LeaderQuest – Colorado Springs

Program Specialist Cordova presented to the Board for review and consideration four new programs: 1. NSS – Network Support Specialist; 2. CYBER – Cybersecurity Specialist; 3. STPM – Senior Technology Project Manager; and 4. CUSS – Computer User Support Specialist and one new stand-alone course: CISM – Certified Information Security Manager. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new programs and new course, Mr. Semakula motioned to approve the above-referenced programs and course effective February 23, 2016. The motion was seconded and carried.

4. College of International Esthetics, Inc., - Arvada

Ms. Malay recused herself from this matter. A quorum was still present.

Program Specialist Hill presented to the Board for review and consideration one new course; Microneedling. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new course, Mr. Semakula motioned to approve the above-reference program effective February 23, 2016. The motion was seconded and carried.

B. Consideration of Renewal of Certificate of Approval

1. A Plus Real Estate School - Westminster

Program Specialist Googins 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. Semakula motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016 and ending June 30, 2019. The motion was seconded and carried.

2. Colorado Springs School of Massage – Colorado Springs

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016 and ending June 30, 2019. The motion was seconded and carried.

C. Consideration of Renewal of Certificate of Approval with Programs

1. Turing School of Software & Design - Denver

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval and one new program, Front-End Engineering 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 and new program, Mr. Wolf motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016 and ending June 30, 2019 and the above-referenced program effective February 23, 2016. The motion was seconded and carried

D. Consideration of Approval of Provisional Certificate of Approval

1. SecureSet Academy - Denver

Program Specialist Googins presented to the Board for review and consideration a new school with one new program: CORE Program. School representatives were 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 and program, Mr. Semakula motioned to approve the Provisional Certificate of Approval for the period beginning February 23, 2016 and ending June 30, 2017 and to approve the above-referenced program. The motion was seconded and carried.

2. The Iron Yard – Lone Tree

Program Specialist Googins presented to the Board for review and consideration a new school with four new programs: 1. Back End Engineering; 2. Design; 3. Front End Engineering; and 4. Mobile Engineering. School representatives were present. 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 new school and programs, Ms. Malay motioned to approve the Provisional Certificate of Approval for the period beginning February 23, 2016 and ending June 30, 2017 and to approve the above-referenced programs. The motion was seconded and carried.

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

Program Specialist Googins reported the closing of Esthetic Education Pathways, LLC, Greenwood Village.

No action taken.

Other Business:

1. Redstone College - Denver

Program Specialist Hill presented to the Board for review and consideration two new programs: 1. Avionics; and 2. Wind Energy Technology. School representatives were present. The Board determined that the school has adequate surety coverage. There was a lengthy discussion about the anticipated sale of Redstone and subsequent change of ownership. The Board and Division had the opportunity to hear the latest status and ask questions.

Following review and consideration of the new programs, Ms. Malay motioned to approve the above-referenced programs with a contingency that all the equipment that is necessary for these programs is moved to a new location prior to starting the class anticipated move date in August, 2016, the effective date of approval is February 23, 2016. The motion was seconded and carried.

2. Westwood – all locations

DPOS has been working closely with Norm Bloom to ensure that all students currently enrolled at Westwood will be provided with options to continue their training at an appropriate state authorized institution. The Division has requested copies of correspondence that shows the efforts and communications made to inform students of their rights and options.

Representatives of Westwood detailed the arrangements it has finalized with authorized institutions to cover all of the programs (except for automotive) in which Westwood students are currently enrolled. The students will be given one year to transfer (and train out at a receiving institution) under the enrollment agreement they have entered with Westwood. Lou Pagano & Norm Bloom have explained that all Westwood records of current enrollees will follow the student and the former student records will be housed at National American University (NAU); Westwood representatives were available to answer the Board's questions.

Representatives explained that Westwood will be working to finalize arrangements for automotive students; specifically it has preliminary agreement with three institutions Lincoln Tech; Red Rocks; and Front Range Community College to train out the 33 students enrolled in the automotive program.

3. CIT University - Denver

During the previous Board meeting, legal counsel provided guidance as to the options available to the Board and it elected to issue an Order of Summary Suspension. The Division worked with legal counsel to draft the Order, it was submitted to our chair for signature. Counsel explained that it has been filed with the Offices of Administrative Courts. Counsel will keep the board apprised of next steps in the process.

4. Massage School of Colorado - Broomfield

Mr. Quinn has filed a Complaint for Judicial Review Pursuant to 24-4-106, C.R.S. and Request for Stay and Designation of Record. Our legal counsel will be representing DPOS in the Denver District Court.

Mr. Semakula motioned to break at 11:26a.m. The motion was seconded and carried.

Ms. Malay motioned to reconvene at 11:34 a.m. The motion was seconded and carried.

Action Items:

1. Assessments Fees:

After further discussion, Ms. Malay motioned to give the division staff authorization to issue a fine according to the fine schedule, 1st violation \$100.00, 2nd violation \$300.00, 3rd violation \$500.00. Mr. Wolf noted that the Division had a right and duty to continue to fine the schools that do not comply and that the Division staff provides schools with specific instructions step by step and post to the Divisions website. If schools fail to comply, they will be brought before the board case by case. The motion was seconded and carried.

2. Life time Academy – Change of Ownership

The school has failed to provide the Board with sufficient information that was requested; the corporation that the board approved, therefore it will be requested again and will not be approved until this is provided to the Board.

3. Rulemaking

We are meeting with the Program Specialists and going through the rules line by line and they have identified number of changes. We will need to increase our fees in order to continue operations. The Deputy Director has come up with a schedule for rulemaking which will probably be in June or July.

Adjournment:

Mr. Semakula motioned to adjourn the meeting at 11:56 a.m. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday March 22, 2016, 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