

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS  
BOARD MEETING**

**February 26, 2013, 9:30 A.M.**

The Private Occupational Schools Board convened at the Auraria Higher Education Campus, Tivoli Student Center, Room 320, 900 Auraria Parkway, Denver, CO 80204. Acting Chair Thomas Narvaez called the meeting to order at 9:34 A.M. and greeted guests. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum and a two-third majority of the Board members were present.

Board Members Present:

Tom Narvaez, Vice Chair	Winnifred Rovig	Buddy Douglass
Arlene Rae Malay	Jennifer Sprague	Steven W. Steele

Board Members Present via telephone:

Lisa Bennison Noll, Chair

Division Staff Present:

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

Board Members Absent:

Georgia Roberts, Deputy Director

Board Counsel Present:

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

Guests Present:

Lynda Young, Rock Creek Laser & Esthetics Institute – Superior  
Jeff Macht, Independent Electrical Contractors – Rocky Mountain – Denver  
Talismae Martin, Lotus Aesthetics International College - Lakewood  
Ergun Tercan, Ergun Tercan Advanced Hair Academy – Denver  
Michael Leonetti, Tresses Studio – Glenwood Springs  
Carissa Barton, Everest College – Aurora  
John Chitty, Colorado School of Energy Studies - Boulder  
Jason Emery, Excel Driver Services – Grand Junction  
Beverly Boyer, School of Inner Health – Manitou Springs  
Traci Lisk, Academy of Massage Essentials – Colorado Springs  
Debi Portararo, A Plus Real Estate School – Thornton  
Brian Savarese, Denver Learning Institute, LLC - Denver  
Charles Reed, Premier School of Dental Assisting – Denver  
Erin Juhlin, CollegeAmerica – All Locations  
Joel Scimeca – CollegeAmerica – Fort Collins  
Nathan Larson, CollegeAmerica – Denver  
Pat Schlotter, Everest College – Thornton

Victor Matthews, Paragon Culinary School, Inc. – Colorado Springs  
Dr. Steven Rubin, Colorado Academy of Veterinary Technology – Colorado Springs  
Doug Smith, Premier School of Dental Assisting – Denver  
Gary Salinger, Healing Arts Institute – Fort Collins  
Sheri DuBois, The Total Health Academy of Body & Massage Therapy – La Junta  
Spencer Villwok, Independent Electrical Contractors – Rocky Mountain – Denver  
Charity Vermer Cornelison, Northern Colorado College of Real Estate – Loveland  
Jim Brown, Northern Colorado College of Real Estate – Loveland  
Tony Spurlock, Highlands Ranch Public Safety Training Institute – Littleton  
Cheryl Salinger, Healing Arts Institute – Fort Collins  
William Chrismer, Academy of Barbering Arts, LLC – Denver  
Eva Craig, Academy of Barbering Arts, LLC – Denver  
Cindy Cooper, UXO Global – Loveland  
Isabel Jackson, UXO Global – Loveland  
Marty Sedig, Exquisite College of Health & Beauty - Littleton

**Approval of the January 22, 2013 Board Meeting Public Session Minutes:**

The Board reviewed the January 22, 2013 meeting minutes. Ms. Sprague moved for approval of the minutes as read. The motion was seconded and passed.

**Approval of the January 22, 2013 Executive Session Minutes:**

The Board reviewed the January 22, 2013 meeting minutes. Mr. Douglass moved for approval of the minutes as read. The motion was seconded and passed.

**Additions / Changes to the Agenda:**

Director Lorna Candler reported one change/addition to the agenda, requesting that Section "E. Student Complaints / Non Compliance Matters / Legal Actions" be added with two items concerning CollegeAmerica. In addition and related to this same agenda section and items, Director Candler conveyed a request by a CollegeAmerica representative to be permitted to present a brief statement to the Board as the first matter of school business on the agenda. Director Candler explained that the statement relates to Section E., and that the school representative is unable to stay for the rest of the Board's regular meeting. The Board agreed to the additional agenda section/items, and the representative's request.

**Staff / Director Report:**

There was no Director report, however, Director Candler reported for staff that all contingency approvals concerning Board action taken at the January 22, 2013 meeting have been met, recorded and are on file with the Division.

**E. Student Complaints / Matters of Non Compliance / Legal Action**

**1. CollegeAmerica – Fort Collins – Stipulated Agreement and Final Agency Order**

School representative and CEO Eric Juhlin made a brief oral statement to the Board conveying the School's stance taken during recent mediation. No Board action was taken at this time.

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

### **1. School of Inner Health – Manitou Springs**

Program Specialist Viteri brought to the Board's attention for review and consideration two new stand alone courses: (1) Raindrop Technique Class; and (2) Movement Studies with Anatomical Reinforcement by School of Inner Health, Manitou Springs. A school representative was present. Based upon the Board having determined that the above-referenced courses for School of Inner Health, 1 Lover's Lane, Manitou Springs, CO 80829 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Rovig moved to approve the above-referenced courses effective February 26, 2013. The motion was seconded and unanimously passed.

### **2. Paragon Culinary School, Inc. - Colorado Springs**

Program Specialist Belisle brought to the Board's attention for review and consideration one new stand alone course, Advanced Culinary Leadership Course, proposed by Paragon Culinary School, Inc., Colorado Springs. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced course for Paragon Culinary School, Inc., 4595 Hilton Parkway, Suite 200, Colorado Springs, CO 80907, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Mr. Douglass moved to approve the above-referenced program effective February 26, 2013. The motion was seconded and unanimously passed.

### **3. Healing Spirits Massage Training Program - Boulder**

Program Specialist Belisle brought to the Board's attention for review and consideration two new stand alone courses: (1) SMRT: Arm & Hand; and (2) SMRT: Head & Neck by School of Healing Spirits. A school representative was available by telephone. Based upon the Board having determined that the above-referenced courses for Healing Spirits Massage Training Program, 550 Mohawk Drive, Boulder, CO 80303 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Rovig moved to approve the above-referenced courses effective February 26, 2013. The motion was seconded and unanimously passed.

### **4. Everest College - Aurora**

Program Specialist Belisle brought to the Board's attention for review and consideration two new programs: (1) Business Office Administration; and (2) Business – Sales & Customer Service, proposed by Everest College, Aurora. A school representative was present. The

school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced programs for Everest College, 14280 Jewell Avenue, Suite 100, Aurora, CO 80012 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Mr. Douglass moved to approve the programs effective February 26, 2013. The motion was seconded and unanimously passed.

## **5. Everest College – Thornton**

Program Specialist Belisle brought to the Board's attention for review and consideration one new program, Business Office Administration, proposed by Everest College, Thornton. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced program for Everest College, 9065 Grant Street, Thornton, CO 80229 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Rovig moved to approve the program effective February 26, 2013. The motion was seconded and unanimously passed.

## **B. Consideration of Renewal of Certificate of Approval**

### **1. Healing Arts Institute – Fort Collins**

Program Specialist Viteri brought to the Board's attention for consideration of renewal Healing Arts Institute, Fort Collins. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$64,786.02; that the school submitted a letter of credit in the amount of \$100,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Rovig moved that the Standard Certificate of Approval be granted to Healing Arts Institute, 407 Automation Way, Fort Collins, CO 80525, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

### **2. The Total Health Academy of Bodywork & Massage Therapy – La Junta**

Program Specialist Viteri brought to the Board's attention for consideration of renewal The Total Health Academy of Bodywork & Massage Therapy, La Junta. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$2,950; that the school submitted a letter of credit in the amount of \$5,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Steele moved that the Standard Certificate of Approval be granted to The Total Health Academy of Bodywork & Massage Therapy, 201 B Colorado Avenue, La Junta, CO 81050, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

### **3. Colorado School of Energy Studies - Boulder**

Program Specialist Viteri brought to the Board's attention for consideration of renewal Colorado School of Energy Studies, Boulder. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$2,000; that the school submitted a bond in the amount of \$5,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Douglass moved that the Standard Certificate of Approval be granted to Colorado School of Energy Studies, 100 Arapahoe #4, Boulder, CO 80304, for the period beginning July 1, 2013 and ending June 30, 2016, contingent upon a correction being made as discussed. The combined motion was seconded and unanimously passed.

### **4. Excel Driver Services – Grand Junction**

Program Specialist Viteri brought to the Board's attention for consideration of renewal Excel Driver Services, Grand Junction. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$11,940; that the school submitted a bond in the amount of \$20,000 (umbrella bond for Grand Junction and Arvada campuses); and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Malay moved that the Standard Certificate of Approval be granted to Excel Driver Services, 2220 Sanford Drive, Grand Junction, CO 81505, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

### **5. UXO Global - Loveland**

Program Specialist Esquibel brought to the Board's attention for consideration of renewal UXO Global, Loveland. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$32,000; that the school submitted a bond in the amount of \$40,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Malay moved that the Standard Certificate of Approval be granted to UXO Global, 5609 Goldco Drive, Loveland, CO 80538, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

### **6. Exquisite College of Health & Beauty - Littleton**

Program Specialist Belisle brought to the Board's attention for consideration of renewal Exquisite College of Health & Beauty, Littleton. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$19,575; that the school submitted a bond in the amount of \$20,000; and that the school can be reasonably maintained in compliance with

the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Douglass moved that the Standard Certificate of Approval be granted to Exquisite College of Health & Beauty, 5140 S. Federal Blvd., Littleton, CO 80123, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

#### **7. Rock Creek Laser & Esthetics Institute - Superior**

Program Specialist Belisle brought to the Board's attention for consideration of renewal Rock Creek Laser & Esthetics Institute, Superior. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$8,750; that the school submitted a bond in the amount of \$12,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Rovig moved that the Standard Certificate of Approval be granted to Rocky Creek Laser & Esthetics Institute, 1697 E. Coalton Road, Suite C, Superior, CO 80027, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

#### **8. Institute of Business & Medical Careers – Fort Collins**

Board member Steven Steele recused himself from this matter only, citing an appearance of a conflict of interest. A quorum and a two-thirds majority of the Board members were still present

Program Specialist Belisle brought to the Board's attention for consideration of renewal Institute of Business & Medical Careers, Fort Collins. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$587,557; that the school submitted TAF (Training Assurance Foundation) coverage in the amount of \$587,557; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Douglass moved that the Standard Certificate of Approval be granted to Institute of Business & Medical Careers, 3842 S. Mason Street, Fort Collins, CO 80525, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

#### **9. Highlands Ranch Public Safety Training Institute - Littleton**

Program Specialist Oerman brought to the Board's attention for consideration of renewal Highlands Ranch Public Safety Training Institute, Littleton. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$24,375; that the school submitted TAF (Training Assurance Foundation) coverage in the amount of \$27,300; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Steele moved that the Standard

Certificate of Approval be granted to Highlands Ranch Public Safety Training Institute, 9008 N. Highway 85, Littleton, CO 80125, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

**10. Colorado Academy of Veterinary Technology – Colorado Springs**

Program Specialist Oerman brought to the Board’s attention for consideration of renewal Colorado Academy of Veterinary Technology, Colorado Springs. A school representative was present. The school satisfied the Board’s inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$48,156.25; that the school submitted a bond in the amount of \$50,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division’s minimum requirements, Ms. Rovig moved that the Standard Certificate of Approval be granted to Colorado Academy of Veterinary Technology, 2766 Jantell Road, Colorado Springs, CO 80906, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

**11. A Plus Real Estate - Thornton**

Program Specialist Oerman brought to the Board’s attention for consideration of renewal A Plus Real Estate, Thornton. A school representative was present. The school satisfied the Board’s inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$2,400; that the school submitted a bond in the amount of \$5,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division’s minimum requirements, Mr. Douglass moved that the Standard Certificate of Approval be granted to A Plus Real Estate, 11385 Jersey Drive, Thornton, CO 80233, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

**12. Executive Security International, Ltd. – Grand Junction**

Program Specialist Oerman brought to the Board’s attention for consideration of renewal Executive Security International, Ltd., Grand Junction. A school representative was available by telephone. Upon determining that the school is in compliance with the required surety level in the amount of \$14,700; that the school submitted a letter of credit in the amount of \$41,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division’s minimum requirements, Ms. Sprague moved that the Standard Certificate of Approval be granted to Executive Security International, Ltd., 715 Horizon Drive #301, Grand Junction, CO 81506, for the period beginning July 1, 2013 and ending June 30, 2016. The motion was seconded and unanimously passed.

**C. Consideration of Approval of Provisional Certificate of Approval**

**1. Denver Learning Institute, LLC - Denver**

Program Specialist Esquibel brought to the Board's attention for consideration, Denver Learning Institute, LLC, Denver, a new school seventeen new stand-alone courses. The courses are: (1) LEED 205: Green Associate & Exam Prep; (2) LEED 210: Green Bldg. Concepts for Healthcare; (3) Certified Associate in Project Management (CAPM); (4) Project Management; (5) Six Sigma Green Belt; (6) Six Sigma Black Belt; (7) Lean Enterprise I; (8) Certified Professional Health Care Compliance Officer; (9) Certified Professional Medical Auditor; (10) Patient Access Specialist; (11) ICD-10 Medical Coding; (12) Overview of ICS-10 for Allied Health Professionals; (13) Overview of ICD-10 for Physician; (14) Comp TIA A+; (15) Comp TIA Network+; (16) Comp TIA Security +; and (17) Java Associate. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$146,639; that the school submitted a bond in the amount of \$150,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Malay in a combined motion moved that a Provisional Certificate of Approval be granted to Denver Learning Institute, LLC, 1515 Arapahoe Street, Tower One, Suite 500, Denver, CO 80202 for the period beginning February 26, 2013, ending June 30, 2014, and that the courses before the Board be approved. The combined motion was seconded and unanimously passed.

## **2. Premier School of Dental Assisting - Denver**

Program Specialist Belisle brought to the Board's attention for consideration Premier School of Dental Assisting, Denver, a new school with one proposed program, Dental Assisting. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$34,380; that the school submitted a letter of credit in the amount of \$36,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Rovig in a combined motion moved that a Provisional Certificate of Approval be granted to Premier School of Dental Assisting, 4301 E. Amherst Avenue, Denver, CO 80222 for the period beginning February 26, 2013, ending June 30, 2014, and that the program before the Board be approved. The combined motion was seconded and unanimously passed.

## **3. Academy of Massage Essentials – Colorado Springs**

Program Specialist Belisle brought to the Board's attention for consideration Academy of Massage Essential, Colorado Springs, a new school with one proposed program, Professional Massage Therapy Program. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$10,000; that the school submitted a bond in the amount of \$10,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Rovig in a combined motion moved that a Provisional Certificate of Approval be granted to Academy of Massage Essentials, 5446 N. Academy Blvd., Suite 104, Colorado Springs, CO 80918 for the period



beginning February 26, 2013, ending June 30, 2014, and that the program before the Board be approved. The combined motion was seconded and unanimously passed.

**4. Independent Electrical Contractors – Rocky Mountain Denver Campus - Denver**

See # 5 Below

**5. Independent Electrical Contractors – Rocky Mountain Denver Campus - Denver & Independent Electrical Contractors – Rocky Mountain North Campus - Loveland**

It was the will of the Board to consider the program and courses for both locations as one combined matter.

Program Specialist Oerman brought to the Board's attention for review and consideration two new schools with one program and twenty-four new stand-alone courses applicable to the Independent Electrical Contractors - Rocky Mountain Denver Campus and Loveland Campus. The program is: Apprenticeship. The courses are: (1) Advanced Motor Control, CON 401; (2) Becoming a Better Supervisor, CON 101; (3) English as a Second Language (ESL), ENT 251; (4) Estimation for the Trades, CON 251; (5) Fire Alarm Class for NICET and Denver Component, LOW 401; (6) Colorado RW, JW & Master Licensing Preparation, LIC 401; (7) Marketing Your Brand, COB 271; (8) Mathematics for Professional in the Trades, ENT 1; (9) Motor Control Fundamentals, CON 301; (10) NABCEP Entry Level Solar PV, ALT 301; (11) NABCEP Advance Solar Design, ALT 302; (12) NABCEP Certified Installer Test Preparation, ALT 303; (13) NFPA 70 e field staff, SAF 201; (14) NFPA 70 e Advance, SAF 251; (15) OSHA 10, SAF 301; (16) OSHA 30, SAF 351; (17) PUD Grounding and Bonding, LIC 201; (18) PUD 2011 NEC Changes, LIC 204; (19) PUD Electrical Theory and Calculations, L 202; (20) PUD NEC Wiring Methods, LIC 203; (21) Better Project Management, CON 201; (22) Critical Reading Skills, ENT 201; (23) Effectively Using Technology in Business, CAR 201; and (24) Writing Proposals to Win Proposals, CAR 301, proposed by Independent Electrical Contractors – Rocky Mountain North Campus, Loveland and the Denver campus. School representatives were present. The schools at both locations satisfied the Board's inquiry. Upon determining that the schools are in compliance with the required surety level in the amount of \$286,500; that the schools submitted a certificate of deposit in the amount of \$286,500 (umbrella certificate of deposit coverage for Denver and Loveland); and that the above-referenced program and courses for Independent Electrical Contractors – Rocky Mountain Denver Campus, 480 E. 76 Avenue, Building 5, Denver, CO 80229 and for Independent Electrical Contractors - Rocky Mountain North Campus, 3842 South Mason Street, Fort Collins, CO 80525 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Malay in a combined motion moved that a Provisional Certificate of Approval be granted to both locations for the period beginning February 26, 2013, ending June 30, 2014, and that the program and stand-alone courses before the Board be approved. The combined motion was seconded and unanimously passed.

**6. Ergun Tercan Advanced Hair Academy - Denver**

Program Specialist Oerman brought to the Board's attention for consideration, Eugun Tercan Advanced Hair Academy, Denver, a new school with one proposed program, and five new stand-alone courses. The program is: ETES Advanced Hair Program. The courses are: (1) Series I; (2) Series II; (3) Series III Coloring; (4) Series III Cutting; and (5) Hair Extensions and Keratin Treatment Class. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$6,000; that the school submitted a bond in the amount of \$6,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Douglass in a combined motion moved that a Provisional Certificate of Approval be granted to Ergun Tercan advanced Hair Academy, 2500 West 15<sup>th</sup> Street, Denver, CO 80211 for the period beginning February 26, 2013, ending June 30, 2014, and that the program and stand-alone courses before the Board be approved. The combined motion was seconded and unanimously passed.

### **7. Academy of Barbering Arts, LLC - Denver**

Program Specialist Oerman brought to the Board's attention for consideration Academy of Barbering Arts, LLC, Denver, a new school with three proposed stand-alone courses: (1) Add-On Barbering/Shaving; (2) Barber Exam Retake/Refresher/out of State Requirements; and (3) Advanced Barber Haircutting Techniques. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$10,000; that the school submitted a bond in the amount of \$10,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Rovig in a combined motion moved that a Provisional Certificate of Approval be granted to Academy of Barbering Arts, LLC, 165 17<sup>th</sup> Street, Denver, CO 80202 for the period beginning February 26, 2013, ending June 30, 2014, and that the courses before the Board be approved. The combined motion was seconded and unanimously passed.

### **8. Tresses Studio – Glenwood Springs**

Program Specialist Oerman brought to the Board's attention for consideration Tresses Studio, a new school with one proposed program, Hairstyling and one new stand-alone course, Master Haircutting and Styling. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$5,800; that the school submitted a bond in the amount of \$10,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Rovig in a combined motion moved that a Provisional Certificate of Approval be granted to Tresses Studio, 1317 Grand Avenue, #117, Glenwood Springs, CO 81601, for the period beginning February 26, 2013, ending June 30, 2014; and that the program and course before the Board be approved. The combined motion was seconded and unanimously passed.

## **9. Lotus Aesthetics International College - Lakewood**

Program Director Candler brought to the Board's attention for consideration, Lotus Aesthetics International College, Lakewood, a new school with five proposed programs, and nine new stand-alone courses. The programs are: (1) 1800 Hours Cosmetology Program Licensing; (2) 1200 Hours Hairstyling Program (licensing); (3) 600 Hours Esthetics Licensing Program; (4) 1000 Hour Massage Program (NCBTMB); and (5) 600 Hour Massage Program. The courses are: (1) 250 Hours Naturopathic Esthetician; (2) Permanent Makeup; (3) Eye Lash Extensions; (4) Chemical Peels; (5) Microdermabrasion; (6) 40 Hr. Bo-ssage; (7) Hydro-Therapy; (8) Manual Lymphatic Drainage; and (9) Massage Boot Camp. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$1,500; that the school submitted a savings account in the amount of \$5,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Sprague in a combined motion moved that a Provisional Certificate of Approval be granted to Lotus Aesthetics International College, 11750 W. Colfax Avenue, Lakewood, CO 80215 for the period beginning February 26, 2013, ending June 30, 2014, and that the programs and stand-alone courses before the Board be approved. The combined motion was seconded and unanimously passed.

### **D. Consideration of Change of Ownership**

#### **1. Northern Colorado College of Real Estate - Loveland**

Program Specialist Esquibel brought to the Board's attention for consideration application for a change of ownership for Northern Colorado College of Real Estate, Loveland. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required minimum surety level in the amount of \$15,450; that the school submitted a bond in the amount of \$30,000; and that Northern Colorado College of Real Estate, 3780 N. Garfield Avenue, Suite 104, Loveland, CO 80538 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Douglass moved that the change of ownership be granted for the period beginning February 26, 2013 and ending June 30, 2015. The motion was seconded and unanimously passed.

### **E. Student Complaints / Matters of Non Compliance / Legal Action**

Board member Steven Steele recused himself from the two CollegeAmerica matters, citing an appearance of a conflict of interest. A quorum and a two-thirds majority of the Board members were still present.

#### **1. CollegeAmerica – Fort Collins – Stipulated Agreement and Final Agency Order**

Director Candler updated the Board about the status of two student complaints pending before the state's Office of Administrative Courts concerning CollegeAmerica, Fort Collins. School representatives were present. The Director reported that the parties attended a

mediation session at the Office of Administrative Courts. The participants at the mediation included: Assistant Attorney General Erica Weston, Director Candler and Board Chair Lisa Bennison Noll. School representatives Eric Juhlin, Joel Scimeca and legal counsel Rico Munn were present on behalf of CollegeAmerica. During the public meeting, Director Candler summarized the outcome, and conveyed the settlement offered by CollegeAmerica, for the Board's consideration. The Board indicated it would like to consult with its legal counsel for the purpose of learning what legal options may be available to it and how approval may affect pending litigation, before addressing the proposed Stipulated Agreement and any Final Agency Order regarding the two student complaints. Ms. Sprague motioned to convene into Executive Session pursuant to §24-6-402(3) (b) (III), C.R.S., on pending or imminent court action and pursuant to §24-6-402(3) (a) (II), to discuss matters required to be kept confidential. Ms. Malay seconded, and the motion to convene into Executive Session was unanimously passed.

The regular public board meeting recorder was turned off, and the Board of Private Occupational Schools convened into Executive Session at 11:01 A.M. for the purposes described above as requiring confidentiality. No member of the general public was present. The Executive Session recorder was turned on.

Executive session concluded and the public session of the Board meeting reconvened at 11:20 A.M. The Executive Session recorder was turned off. The tape was removed and marked "February 26, 2013 Executive Session". The public session recorder was turned on and the general public was welcomed back.

Assistant Attorney General Weston affirmed for the public record that the Executive Session was for the sole purpose of providing legal advice to the Board and to otherwise engage in what in good faith is believed to be attorney-client privileged matters required to be kept confidential.

Discussion ensued about the terms of the proposed Agreement still pending final approval by the School and endorsement by the Board. CollegeAmerica proposed a 25% refund to each Complainant and 100% payment of tuition and fees by CollegeAmerica, for a similar program at another private occupational school or community college selected by each Complainant. The remainder of the proposed settlement included the School agreeing to the probationary monitoring terms of the Stipulated Agreement and Final Board Order reached in the Colorado Spring's case. Input from a School representative included mention of a third party administrator being made available to facilitate transfer of payment for the alternate program selected by each Complainant under the Agreement. Director Candler sought clarification with respect to the specific time frame available for each Complainant to enroll into a private occupational school or community college of their choice, and reiterated the understanding that each Complainant could seek an institution offering a program similar to that offered by CollegeAmerica, particularly since one complainant may be precluded from certain allied health fields. After due deliberation and discussion which included the above, the Board took action. Ms. Sprague motioned to accept as the Stipulated Agreement and Final Board Order the offer proposed by CollegeAmerica provided the Complainants have 2 years from the date the agreement is executed to enroll into and substantially similar program of their choice and the tuition will be held and administered by

the Division or an agreed upon third party. The motion was seconded and unanimously passed.

**2. CollegeAmerica – Colorado Springs – Denver - Fort Collins - Colorado Springs South – Stipulated Agreement and Final Agency Order Regarding Statewide Advertising**

Director Candler and Assistant Attorney General Erica Weston updated the Board on the status of a Stipulated Agreement (“Agreement”) and Final Agency Order concerning statewide advertising and the pending Notice of Non Compliance issued October 1, 2012, for CollegeAmerica concerning all Colorado locations. School representatives were present. After due deliberation and discussion, Ms. Malay motioned to approve the Stipulation and Final Agency Order as presented addressing statewide advertising practices, contingent upon a correction being made as discussed. The motion was seconded and unanimously passed.

**Other Business:**

None

**Adjournment:**

There being no other business, Ms. Malay motioned to adjourn the Board meeting. The motion was seconded and duly passed. The Board of Private Occupational Schools’ Meeting of February 26, 2013, adjourned at 12:29 P.M.

The next regularly scheduled meeting of the Board is Tuesday, March 26, 2013, 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) 866-2723