

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
BOARD MEETING**

July 26, 2011 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. Jerry Sirbu, Chair called the meeting to order at 9:38 A.M. and greeted guests. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum, but not a two-thirds majority of the Board was present.

Board Members Present:

Jerry Sirbu, Chair	Lisa Bennison Noll, Vice Chair
Robert Martin	Winnifred Rovig

Board Members Absent:

Buddy Douglass	Tom Narvaez	Karen Hall
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Division Staff Present:

Georgia Roberts, Deputy Director	Renee Belisle, Program Specialist
Bernadette Esquibel, Program Specialist	Voni Oerman, Program Specialist
Karla Viteri, Program Specialist	Loretta Perez, Administrative Assistant

Division Staff Absent:

Jim Parker, Director

Board Counsel Present:

Jessica Salazar, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Leanna Konechne, Pima Medical Institute – Denver
Joe Albers, Pima Medical Institute – Colorado Springs
Lanell Lundeen, Paul Mitchell the School – Lakewood
Rick Battaglini, Paul Mitchell the School – Lakewood
Amy Brown, Pima Medical Institute – South Denver
Jennifer Overbey, The Real Estate School – Boulder
Jim McCloskey, American Real Estate College – Wheatridge
Wendy Dezutter –Rolon, American Institute - Denver
Sunny Sharma, American Institute - Denver
Charmaine Williams, Englewood Cosmetology Trades - Englewood
Tom Ryan, Greenway University – Denver
Gus Escamilla, Greenway University – Denver
Victoria Sweet, Keith James Salon & Spa Academy – Loveland
Kendra Ludeuy, Keith James Salon & Spa Academy – Loveland
Lan Than, United Beauty College - Denver

Approval of the June 28, 2011 Board Meeting Public Session Minutes:

The Board reviewed the June 28, 2011 meeting minutes. Mr. Martin motioned for approval of the minutes as read. The motion was seconded and passed.

Additions / Changes to the Agenda:

Deputy Director Roberts requested one addition to the agenda, under Section "E" Student Complaint/Matters of Non Compliance/Legal Action, #3 Estrela Bartending School, Denver. The Board accommodated the request, and there were no other changes to the agenda.

Staff and Director Report:

Staff reported that all contingency approvals concerning Board action taken at the June 28, 2011, meeting have been met, recorded and are on file with the Division.

A. Consideration of Approval Programs / Stand Alone Courses

1. The Real Estate School - Boulder

Program Specialist Belisle brought to the Board's attention for review and consideration three new stand alone courses: (1) Advanced Negotiation Techniques for Listing Agents; (2) Mastering Email Negotiations in Real Estate; and (3) Advanced Negotiation Techniques for Buyer's Agents, proposed by The Real Estate School, Boulder. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced courses for The Real Estate School, 4750 Table Mesa Drive, Boulder, CO 80305 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. Bennison Noll moved to approve the above-referenced new courses effective July 26, 2011. The combined motion was seconded and unanimously passed.

2. Crestone Healing Arts Center - Crestone

Program Specialist Belisle brought to the Board's attention for review and consideration three new stand alone courses: (1) Universal Healing Tao Chi-Kung Workshop; (2) Chi Nei Tsang Fundamentals; and (3) Somato-Emotional Healing Intensive, proposed by Crestone Healing Arts Center. A school representative was available by telephone. Based upon the Board having determined that the above-referenced courses for Crestone Healing Arts Center, 1689 Columbine Overlook, Crestone, CO 81131 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 new courses effective July 26, 2011. The combined motion was seconded and unanimously passed.

3. Pranava Yoga Center – Colorado Springs

Program Specialist Viteri brought to the Board's attention for review and consideration one new program, Pranava Yoga Center 500 Hours Yoga Teacher Training Program, proposed

by Pranava Yoga Center, Colorado Springs. No school representative was available. Based upon the Board having determined that the above-referenced program for Pranava Yoga Center, 718 N. Weber Street, Colorado Springs, CO 80903, 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 program effective July 26, 2011. The motion was seconded and unanimously passed.

4. Englewood Cosmetology Trades - Englewood

Program Specialist Viteri brought to the Board's attention for review and consideration one new stand alone course, Electric Filing Class, proposed by Englewood Cosmetology Trades, Englewood. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced course for Englewood Cosmetology Trades, 3200 South Acoma Street, Englewood, CO 80110 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 course effective July 26, 2011. The motion was seconded and unanimously passed.

5. Pima Medical Institute – Colorado Springs

See # 7 below

6. Pima Medical Institute – Denver

See # 7 below

7. Pima Medical Institute – Colorado Springs, Denver and South Denver

Program Specialist Esquibel brought to the Board's attention for review and consideration one new program applicable to all three locations: Health Care Administration with a concentration in Medical Assisting, proposed by Pima Medical Institute, Colorado Springs, Denver and South Denver. It was the will of the Board to consider the one new program for all three locations as one combined matter. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced program for Pima Medical Institute, 3770 Citadel Drive North, Colorado Springs, CO 80909; Pima Medical Institute, 7475 Dakin Street, Suite 100, Denver, CO 80221; and Pima Medical Institute, 10200 E Girard Avenue, Building C, Suite 150, Denver, CO 80231 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. Bennison Noll moved to approve the above-referenced new program for the cited locations effective July 26, 2011. The combined motion was seconded and unanimously passed.

8. Keith James Salon & Spa Academy - Loveland

Program Specialist Belisle brought to the Board's attention for review and consideration one new program, Cosmetology, proposed by Keith James Salon & Spa Academy, Loveland. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced program for Keith James Salon & Spa Academy, 411 North Lincoln Avenue, Loveland, CO 80537, 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 program effective July 26, 2011. The motion was seconded and unanimously passed.

9. Hairfusion - Durango

Program Specialist Belisle brought to the Board's attention for review and consideration one new stand alone course, Chemical Peels, proposed by Hairfusion, Durango. A school representative was available by telephone. Based upon the Board having determined that the above-referenced course for Hairfusion, 150 W. 10th Street, Durango, CO 81301, 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 stand alone course effective July 26, 2011. The motion was seconded and unanimously passed.

B. Consideration of Approval of Standard Certificate for Out of State Schools

1. Career WebSchool – Atlanta, GA

Program Specialist Belisle introduced the following out-of-state school for consideration and approval. The Board determined that Career WebSchool, Atlanta, GA., meets the minimum requirements as set forth in 12-59-111(2), C.R.S.; that the school's bond is set at the amount of the statutory minimum of \$50,000; that the school demonstrates compliance with the bond requirements pursuant to 12-59-115(8), C.R.S.; 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 with the minimum requirements of the Division. Mr. Martin motioned that Career WebSchool, Cumberland Center II, 3100 Cumberland Blvd., Suite 1450, Atlanta, GA 30339, be granted a Standard Certificate of Approval for the period beginning July 26, 2011 and ending June 30, 2012. The motion was seconded and unanimously passed.

C. Consideration of Approval of Provisional Certificate of Approval

1. American Real Estate College - Wheatridge

Program Specialist Belisle brought to the Board's attention for consideration, American Real Estate College, Wheatridge, a new school with one proposed program, Colorado Real Estate Broker Program; and thirty five new stand alone courses: (1) Colorado Real Estate Principles; (2) Colorado Real Estate Current Legal Issues; (3) Colorado Real Estate Contracts; (4) Colorado Real Estate Practical Application; (5) Colorado Real Estate Trust Accounts; (6) Colorado Real Estate Closings; (7) Colorado Real Estate Math; (8) Pricing the Tough Stuff (1 total contact hour); (9) Pricing the Tough Stuff (2 total contact hours); (10)

4 Hour Mandatory; (11) Colorado Contracts (2 total contact hours); (12) Colorado Contracts (4 total contact hours); (13) 24 Hour Broker Administration; (14) Electronic Transactions in Real Estate; (15) Commercial Real Estate Mortgage Servicing; (16) Environmental Issues in your Real Estate Practice; (17) Agency Plus; (18) Exterior Structures; (19) Architectural Styles; (20) Diversity and Doing Business In Real Estate; (21) Commercial Real Estate-Smart Marketing Practices; (22) Principles of Construction Lending; (23) Commercial Real Estate Listing Properties; (24) Principles of Commercial Real Estate Underwriting; (25) Environmental Considerations in Real Estate; (26) Commercial Structures; (27) Principles of Commercial Real Estate Finances; (28) Introduction to Commercial Real Estate; (29) Lead Hazard Disclosure for Homes and Apartments; (30) Real Estate Contracts; (31) Beginners CTM e Contracts Class; (32) Title Issues-Beginning to Advance; (33) Bankruptcy and Title Concerns; (34) Pricing the Tough Stuff (correspondence); and (35) Colorado Foreclosure 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 \$17,490; that the school submitted a bond in the amount of \$25,000; 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. Martin in a combined motion moved that a Provisional Certificate of Approval be granted to American Real Estate College, 7651 W 41st Avenue, Suite 202, Wheatridge, CO 80033 for the period beginning July 26, 2011, ending June 30, 2013, and that the program and stand alone courses before the Board be approved. The combined motion was seconded and unanimously passed.

D. Consideration of Change of Ownership

1. Paul Mitchell The School Denver - Lakewood

Program Specialist Esquibel brought to the Board's attention for consideration application for a change of ownership for Paul Mitchell The School Denver, Lakewood. 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 \$44,387.07; that the school submitted a bond in the amount of \$50,000; and that Paul Mitchell The School Denver, 405 S. Teller Street, Lakewood, CO 80226 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. Bennison Noll moved that the change of ownership be granted for the period beginning July 26, 2011 and ending June 30, 2014. The motion was seconded and unanimously passed.

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

1. Greenway University – Denver

Deputy Director Roberts brought before the Board for review and action a matter of suspected non-compliance with statutory minimum standards and Board Rule which raised particular concern for the protection of the students' interests, and for the school's financial stability. School representatives were present. After review of the available evidence, discussion and due deliberation and upon a finding that the School, its owners, officer

and/or agents have willfully and deliberately violated the criteria established pursuant to the Act and/or that the public health, safety and welfare imperatively requires emergency action and necessitates immediate suspension of the School's certificate to operate, Ms. Bennison Noll motioned to direct the Office of the Attorney General to file an Order of Summary Suspension under C.R.S. 12-59-113(3), and C.R.S. 24-4-104(4); and to file a Notice of Adjudicatory Proceeding with the Office of Administrative Courts seeking revocation of the School's certificate to operate. The combined motion was seconded and unanimously passed.

2. United Beauty College – Denver

Deputy Director Roberts brought before the Board a request by United Beauty College – Denver, to be released from a term found in a Stipulated Agreement and Board Order which prevents the School from offering an electric file course or from including this in a training program. Ms. Roberts provided a summary of the previous matter of non-compliance which led to the stipulated agreement and order; conveyed that the School was timely in its reporting requirements and has otherwise fulfilled all terms of the September 2004, Agreement; that there have been no filed student complaints over the last few years; and that the Office of Barber and Cosmetology Licensure indicated it had no current objection to the School being able to offer electric file training. United Beauty College specifically requested the Board's approval to offer an 8 hour Electric Nail File safety course. Mr. Martin motioned to release the School from the particular term which banned the offering of electric file training, indicating that if the motion passed the School would still have to bring the program before the Board for its approval. Mr. Martin further motioned to direct the Office of the Attorney General to draft an amended stipulated agreement for signature by the parties, which releases the School from the electric file "ban". The combined motion was seconded and unanimously passed.

3. Estrela Bartending - Denver

Deputy Director Roberts reported that Estrela Bartending School has signed the Stipulated Agreement and Board Order resolving a non-compliance matter. Mr. Martin made a motion to accept and ratify the signed agreement. The motion was seconded and passed unanimously.

Other Business

1. Proposed Fee Schedule FY2011 – 2012

Deputy Director Roberts brought before the Board for its review and consideration the proposed fee schedule for the next fiscal year, which reflects revisions to the current fee structure. After discussion and due deliberation, Mr. Martin motioned to accept the proposed fee schedule as presented, and to direct the Division to submit the proposed rule changes to the Colorado Office of the Secretary of State, and to file a Notice of a Rulemaking Hearing with that office, and with any other appropriate agency. The combined motion was seconded and passed unanimously.

2. Proposed Rules Changes to Definitions

Deputy Director Roberts also brought before the Board for its review and consideration proposed amendments to the definitions found at Part 1 of the current Rules and Regulations. The statutory basis for the rule amendments is found in section 12-59-105.3, C.R.S., and the purpose for the proposed rule changes is to clarify certain definitions; improve language; correct technical errors and omissions; and to reflect further development of Board policies regarding the conduct of its work and the implementation of the Act. Ms. Bennison Noll motioned to accept the proposed amendments as presented, and to direct the Division to submit the proposed rule changes to the Colorado Office of the Secretary of State, and to file a Notice of a Rulemaking Hearing with that office and with any other appropriate agency. The combined motion was seconded and passed unanimously.

Adjournment:

There being no other business, Ms. Rovig motioned to adjourn the Board meeting. The motion was seconded and duly passed. The Board of Private Occupational Schools' Meeting of June 28, 2011, adjourned at 10:32 A.M.

The next regularly scheduled meeting of the Board is Tuesday, August 23, 2011, at 9:30 A.M. and will be held at:

Auraria Higher Education Campus
Tivoli Student Center, Room 640
900 Auraria Parkway, Denver, CO 80204
Telephone: (303) 866-2723