

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
March 28, 2017 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; Shelley Krovitz, Vice Chair;
Paul Garibay; Robert E. Martin;
Ryan Minic;

Board Members Absent:

Arlene Rae Malay; Timothy L. Brooks, Secretary;

Division Staff Present:

Lorna Candler, Director Lisa Hill, Program Coordinator
Bernadette Esquibel, Program Specialist Jessica Googins, Program Specialist
April Cordova, Program Specialist Loretta Perez, Administrative Assistant III
Brad Uyemura, Compliance Investigator Amy Knoblauch, Data Research Specialist

Division Staff Absent:

Mary Kanaly, Deputy Director & Compliance Officer

Board Counsel Present:

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

Guests Present:

Jon Farnlof, Colorado Real Estate School
Mark Ewing, John Casablancas Modeling and Career Center
Darla Chiles, Toni & Guy Hairdressing Academy
David Kline, Empire Beauty School
Chris Smith, Colorado School of Healing Arts
Carissa Seger, Everest College
Nichole Gallen, Student of MAT
Jen Grant, Student of MAT
Jeff Ake, Student of MAT
Challona Coleman, New Horizon Computer Learning Center
Vince Phifer, New Horizon Computer Learning Center
Scott Smith, New Horizon Computer Learning Center
Janet Perry, McKinney College
Rheannon McDonald, Apex College of Veterinary Technology
Jessica Van Antwerp, Healing Spirits Massage Training Program
A. J. Peak, Colorado Dental Assisting School
Mark Mitchell, Xenon International Academy III, Inc.
Chris Gorrie, Ecotech Institute
Ivan Nickoueff, Everest College

Susan Arens, Studio Be Academy
Adan Monreal, Cinco Brothers Barber School
Cynthia Simental, Cinco Brothers Barber School
George Eckhardt, Smile Department School of Dental Careers
Lisa Ganora, Colorado School of Clinical Herbalism
Lyn Romero, Colorado School of Clinical Herbalism
Bill Ojile, Armstrong Teasdale, LLP
Jim McCloskey, American Real Estate College
Carin Cook, American Real Estate College
C. Brent Hayes, Real Estate Training Center
Michael Beaty, Pima Medical Institute
Audrey Copeland, Rocky Mountain Laser College
Ray Fluken, Rocky Mountain Laser College
Karren Hall, Cuttin UP Beauty Academy
Brooke Smith, General Assembly
Joe Scancarello, Accounting & Business School of the Rockies
Efrain Feliciano, Barber University of Denver
Colson Tankerley, Denver College of Dental Careers

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Joseph Wolf, Chair, at 9:30 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 February 28, 2017 Minutes:

Following review and consideration of the February 28, 2017 meeting minutes, a motion was made by Ms. Krovitz to approve the minutes as written. The motion was seconded and carried.

Consideration of Approval of the February 28, 2017 Executive Session Minutes:

Following review and consideration of the February 28, 2017 executive session minutes, a motion was made by Ms. Krovitz to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda

Director Candler requested that item #4 Rocky Mountain Laser College- Lakewood in section #B Consideration of Renewal of Certificate of Approval be moved to #2.

Director/ Staff Report:

Director Candler announced that she and Ms. Kanaly will be attending the NASAP Conference in Kentucky. They will be doing a presentation at the conference.

The Division has been very busy trying to maintain, organize, and store records for numerous schools, large and small who have closed. This takes not only staff time, but also resources necessary for moving and storage of the records.

Director Candler reported that she is working on a grant committee which has been a great experience for her.

Monthly Statistics

The Board reviewed the memorandum prepared by the Division.

New Business/Action Items:

A. Consideration of Approval Programs / Stand Alone Courses

1. International Salon and Spa Academy

Program Specialist Googins presented to the Board for review and consideration one new program: Esthetics; A school representative was not present.

Following review and consideration of the new program, Mr. Minic motioned to table this matter. The motion was seconded and carried.

2. Everest College - Thornton

Program Specialist Esquibel presented to the Board for review and consideration one new program: Pharmacy Technician. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program, Mr. Garibay motioned to approve the above-referenced program effective March 28, 2017. The motion was seconded and carried.

3. Ecotech Institute – Aurora

Program Specialist Esquibel presented to the Board for review and consideration eight new programs, on file with the Division. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new programs, Ms. Krovitz motioned to approve the above-referenced programs effective March 28, 2017. The motion was seconded and carried.

4. Healing Spirits Massage Training Program - Boulder

Program Specialist Esquibel presented to the Board for review and consideration one new program: HeartMind Shiatsu Training; and two new stand-alone courses: 1. HeartMind Shiatsu Elevate Your Bodywork; and 2. HeartMind Shiatsu Pathways of Qi. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program and courses, Ms. Krovitz motioned to approve the above-referenced program and courses effective March 28, 2017. The motion was seconded and carried.

B. Consideration of Renewal of Certificate of Approval

1. McKinley College – Fort Collins

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present with their Attorney. Mr. Martin motioned that this matter be tabled until the next board meeting. The motion was seconded and carried.

2. Rocky Mountain Laser College - Lakewood

Program Specialist Googins 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, Mr. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

3. The Smile Department School of Dental Careers - Greeley

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. Garibay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

4. Cinco Brothers Barber School - Greeley

Program Specialist Googins 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. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

5. Real Estate Training Center - Lakewood

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, Ms. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

6. Apex College of Veterinary Technology – Colorado Springs

Program Specialist Googins 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, Mr. Garibay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

7. Colorado Dental Assisting School – Colorado Springs

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. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

8. Empire Real Estate School – Fort Collins

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was available via telephone. 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. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

9. Colorado School of Clinical Herbalism - Boulder

Program Specialist Esquibel 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. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

10. Colorado Real Estate School - Denver

Program Specialist Esquibel 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, Mr. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

11. Pima Medical Institute – Aurora

Ms. Rich Fredericks, Assistant Attorney General, for the record noted that Mr. Minic has recused himself and left the table, a quorum was still present.

Program Specialist Esquibel 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, Mr. Garibay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

12. Pima Medical Institute – Denver

Program Specialist Esquibel 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, Mr. Garibay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

Ms. Rich Fredericks, Assistant Attorney General, for the record noted that Mr. Minic has returned to the table.

13. Phoenix Strategies, Inc. – Colorado Springs

Program Specialist Esquibel 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. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

14. New Horizons Computer Learning Centers – Colorado Springs

Program Specialist Esquibel 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, Mr. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

15. New Horizons Computer Learning Centers – DTC - Englewood

Program Specialist Esquibel 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. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

16. John Casablancas Modeling and Career Center - Denver

Program Specialist Esquibel 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. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

17. Lang Institute for Canine Massage - Loveland

Program Specialist Esquibel presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was available via telephone. 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. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

18. Colorado School of Healing Arts - Lakewood

Program Specialist Esquibel 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, 2017 and ending June 30, 2020. The motion was seconded and carried.

19. Denver College of Dental Careers - Denver

Program Specialist Esquibel 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. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

20. Vyne Education, LLC – Brentwood, TN

Program Specialist Esquibel 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, 2017 and ending June 30, 2020. The motion was seconded and carried.

C. Consideration of Renewal of Certificate of Approval with Programs/ Courses

1. Xenon International Academy II, Inc. – Aurora

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval and one new program: 1. Barber; and re-approval of two revised programs presented with additional information required by the Division: 1.

Cosmetology, and 2. Esthetics. 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 and revised programs, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017, and ending June 30, 2020, and the above-referenced new and revised programs effective March 28, 2017. The motion was seconded and carried.

2. General Assembly - Denver

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval, six new programs, and seven revised programs on file at the Division. 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 programs, Ms. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017, and ending June 30, 2020, and the above-referenced new and revised programs effective March 28, 2017. The motion was seconded and carried.

3. Empire Beauty School - Thornton

Program Specialist Esquibel presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of one revised program presented with additional information required by the Division. 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 revised program, Mr. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017, and ending June 30, 2020, and the above-referenced revised program effective March 28, 2017. The motion was seconded and carried.

4. Toni & Guy Hairdressing Academy – Colorado Springs

Program Specialist Esquibel presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of two revised programs presented with additional information required by the Division. 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 revised programs, Mr. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017, and

ending June 30, 2020, and the above-referenced revised programs effective March 28, 2017. The motion was seconded and carried.

D. Consideration of Change of Ownership and Certificate of Approval

1. Barnett Bicycle Company – Colorado Springs

Program Specialist Cordova presented to the Board for review and consideration a change of ownership. A school representative was not 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 change of ownership, Mr. Martin motioned to approve the Change of Ownership Certificate of Approval for NBDA dba Barnett Bicycle as the new owner, effective March 28, 2017. The motion was seconded and carried.

2. Barnett Bicycle Institute – Colorado Springs

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. Martin motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2017 and ending June 30, 2020. The motion was seconded and carried.

E. Consideration of Approval of Provisional Certificate of Approval

1. Frying Pan Anglers Guide School - Basalt

Program Specialist Googins presented to the Board for review and consideration of a new school with two new stand-alone courses: 1. Fly Fish Guiding 101; and 2. Fly Fish Guiding 102. 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 two new stand-alone courses, Mr. Martin motioned to approve the Provisional Certificate of Approval for the period beginning March 28, 2017, and ending June 30, 2018, and to approve the above-referenced courses. The motion was seconded and carried.

Motion was made by Mr. Garibay to take a 10 minute break at 11:19 A.M. The motion was seconded and carried.

The meeting of the Private Occupational Schools Board was called back to order by Mr. Joseph Wolf, Chair, at 11:30 A.M

Other Business:

1. Notices of Fee for Late Annual Filings

Director Candler addressed the Board and the school representatives present concerning the importance of the collection of the data requested for annual filings. Schools are required by statute to file an annual report with the Division detailing information about their bonding calculations and instruments, instructor lists, graduate and placement data by July 31st. In 2016, 80 schools failed to timely, completely and or accurately submit their annual filings. The Division Director detailed the lengthy and laborious process the Division has gone through to bring the schools into compliance with this requirement. Specifically, the Director referenced three 4-5 inch binders containing the notices the Division had to issue and individually tailor to each delinquent school to track each of the 4 separate components of the annual filings. She briefly summarized the hours of work this has required from each of the four program specialists, the data & research specialist and the Deputy Director (as well as the AAG and the Director).

The following school representatives addressed the Board:

George Eckhardt – Smile Department School of Dental Careers

Joe Scancarello - Accounting School of the Rockies

Jim McCloskey – American Real Estate College

Karren Hall – Cuttin' Up Beauty Academy

Susan Arens - Studio Be Academy

Ms. Krovitz motioned to table this matter to be discussed in Executive Session.

2. MAT Muscle Activation Techniques – Englewood

The following former students of MAT Muscle Activation Techniques addressed the Board:

Nichole Gallen, Student of MAT

Jen Grant, Student of MAT

Jeff Ake, Student of MAT

The Board tabled this matter to be discussed in Executive Session.

3. Barber University of Denver - Denver

Mr. Martin motioned to approve the school's re-submitted documentation in compliance with the previously issued stipulation with the school which will allow the school to resume student enrollment subject to a successful site visit.

4. CEHE Monthly Updates

Director Candler stated she would update the Board at another time.

5. Westline Academy of Barbering – Colorado Springs

Assistant Attorney General Jacquelynn Rich Fredericks updated the Board on this matter.

6. Birth Institute – Boulder – Noncompliance Issues concerning closure & record update

Director Candler advised the Board Members that the Subpoena has been issued.

7. Living Arts Massage and Bodywork School

Director Candler advised the Board Members that the Subpoena has been issued.

After consideration and discussion of the each of the previous matters, Ms. Krovitz motioned to convene in executive session to confer with the Board's attorney and to seek legal advice pursuant to §24-6-402(3)(a)(II), C.R.S, to receive legal advice regarding Notices of Fees, MAT Muscle Activation Techniques, CEHE Monthly Updates; and with minimum standards specified in the Private Occupational School Act, C.R.S. §12-59-101 et seq. and the Rules and Regulations, 8 CCR 1504-1. The motion was seconded and carried.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and division staff as deemed necessary at 11:59 A.M.

The executive session recorder was turned on and members of the public left the room during executive session.

Motion was made by Mr. Minic to resume open session at 12:32 p.m. The motion was seconded and carried.

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 what is believed to be attorney-client privileged matters required to be kept confidential.

Other Business:

1. Notices of Fee for Late Annual Filings and Late Assessments

Mr. Garibay motioned to have staff draft a letter and send it to the representatives who addressed the board that the Board heard their complaints but does not consider them hardships and the fee stands.

2. MAT Muscle Activation Techniques – Englewood

Ms. Krovitz motioned to authorize counsel to provide a cease and desist order and post it on the door of the school and follow it in a timely manner depending on the response to the cease and desist order.

3. CEHE Monthly Updates

Ms. Krovitz requested to require through rule that schools who receive any notifications or changes from an accrediting agency must be proactively sent to DPOS within 20 days.

4. Majestic Vocational Training Center – Denver

Director Candler advised the Board that the Division is gathering additional information concerning an ongoing investigation into Majestic Vocational Training Center.

Adjournment:

Mr. Minic motioned to adjourn the meeting at 12:42 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday April 25, 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