

**MINUTES**  
**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS**  
**May 28<sup>th</sup>, 2019 9:34 A.M.**

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

Board Members Present:

Paul Garibay, Chair;  
Ryan Minic, Vice Chair;                      Tim Guerrero;  
Shelley Krovitz;                                A. Richard Behbehani;  
Arlene Rae Malay

Board Members Absent:

Chris Reister

Division Staff Present:

Lorna Candler, Director;  
Mary Kanaly, Deputy Director & Compliance Officer;  
Lisa Hill, Program Coordinator;  
Rachel Acosta, Program Specialist;  
Carrie Harding, Program Specialist;  
Brad Uyemura, Compliance Investigator, present at 9:41 am;  
Amy Knoblauch, Data & Research Specialist

Division Staff Absent:

Bernadette Esquibel, Program Specialist

Board Counsel Present:

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

Guests Present:

Jill Berkana, Berkana Institute;  
Natalie Robinson, Colorado Dental Assisting Schools;  
Tommy Rausch, CDL Safety School;  
Rhonda Larson, Heritage School of Interior Design;  
Jack Zamora, Jack Zamora MD Aesthetic Institute;  
Erika French, ACRE School;  
Dawn Ewing, Academy of Advanced Beauty;  
Altaf Siddiqui, Aurora College;  
Monique Pulse, American Real Estate College;  
Summer Kassmel, Vail Valley Dental Assisting School;  
James Mongan, Academy of Natural Therapy;  
Jennifer Mongan, Academy of Natural Therapy;  
Patrick Warwick Diaz, Colorado Department of Law;  
Brad Wilson, The Bartending School;  
Shannon Cobrum, Flatiron School;  
Josh Couper, Flatiron School;

Shawn Sendar, Flatiron School;  
Dena Frei, Flatiron School;  
Terri Goldman, Lifetime Academy;  
Joel Scimeca, CollegeAmerica;  
Char Leberer, Nutrition Therapy Institute;  
Susan Gasper, Assist to Succeed;  
Sheryl Daniel, Bear Heart School of Massage;  
Dianne Koehler, Nutrition Therapy Institute

#### Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:34 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 April 23<sup>rd</sup>, 2019 Minutes:

Following review and consideration of the April 23, 2019 meeting minutes, Ms. Malay made a motion to approve the minutes as written. The motion was seconded and carried.

#### Additions / Changes to the Agenda:

Deputy Director Kanaly informed the Board that she would be presenting Program Specialist Cordova's agenda items because she is out sick today.

#### Director/ Staff Report:

Director Candler reported the following items:

- The Division is working on the rulemaking timeline; the hope is to begin the process in August with the goal of implementing the rules in November;
- On behalf of the Division, Board and the NASASPS Board, Director Candler participated in a recent Meeting on "Mapping the State's Role in the Triad of Higher Education Oversight;" other participants included members of National Governor's Association (NGA), SHEEO representatives, Lumina foundation and others. This meeting provided an opportunity to collaborate on issues faced by the triad and to present the perspective of issues related specifically to regulations of occupational schools within the larger Higher Education landscape.

#### Monthly Statistics

No statistics to report.

#### New Business/Action Items:

##### A. Consideration of Approval of Renewal with Programs

1. Academy of Advanced Beauty – Highlands Ranch - RA

Program Specialist Acosta presented to the Board for review and consideration of renewal with the following program: Eyelash Extensions Training. 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 with major program revisions, Mr. Reister motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 and the programs effective May 28, 2019. Mrs. Krovitz and Ms. Malay abstained. The motion was seconded and carried.

## B. Consideration of Approval of Renewal

### 1. ACRE School – Golden - RA

Program Specialist Acosta 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

### 2. Berkana Institute of Massage Therapy - Longmont - RA

Program Specialist Acosta 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

### 3. Jack Zamora MD Aesthetic Institute – Denver - RA

Program Specialist Acosta 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

### 4. Lifetime Academy – Colorado Springs - RA

Program Specialist Acosta 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. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

5. Lifetime Academy – Centennial - RA

Program Specialist Acosta 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. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

6. Colorado Dental Assisting School – Aurora - RA

Program Specialist Acosta 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

7. Academy of Natural Therapy – Greeley - AC

Deputy Director Kanaly 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

8. Executive Security International – Grand Junction - AC

Deputy Director Kanaly presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not present.

Following review and consideration of the renewal, Mrs. Krovitz motioned to table the matter. The motion was seconded and carried.

9. Heritage School of Interior Design – Denver - AC

Deputy Director Kanaly 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, Mrs. Krovitz motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

10. Skill Distillery – Greenwood Village - AC

Deputy Director Kanaly 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, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

11. American Real Estate College – Denver - CH

Program Specialist Harding 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

12. SAGE Technical Services – Grand Junction - CH

Program Specialist Harding 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, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

13. Colorado Dental Assisting, LLC. dba Assist to Succeed – Colorado Springs - CH

Program Specialist Harding 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. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

14. Bear Heart School of Massage – Fort Collins - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present.

Following review and consideration of the renewal, Ms. Malay motioned to table the matter. The motion was seconded and carried.

15. Vail Valley Dental Assisting School – Eagle - CH

Program Specialist Harding 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. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

16. Phlebotomy Training Specialists – Denver - LH

Program Coordinator Hill 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

17. CDL Safety School – Littleton - LH

Program Coordinator Hill 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. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

At 10:57 A.M., Mr. Behbehani motioned for a recess. The motion was seconded and carried. At 11:10 A.M., Chairman Garibay called the meeting back into session.

Following the recess, Deputy Director Kanaly updated the Board for the following items:

1. Bear Heart School of Massage (recalled agenda item B 14)

Deputy Director Kanaly provided an update to address the Board's concerns regarding the method of delivery. Following review and consideration, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

2. Executive Security International (recalled agenda item B 8)

Deputy Director Kanaly reported to the Board that the school owner was unavailable to answer questions asked by the Board thus, Mrs. Krovitz motioned to table the matter until June and requested that the owner be available for questions. The motion was seconded and carried.

### C. Consideration of Approval of Programs/ Stand Alone Course/ Major Revisions/ Degree Program

1. Flatiron School – Denver - LH

Program Coordinator Hill presented to the Board for review and consideration of the following new programs: 1. Full-Time Online Software Engineering; 2. Full-Time Online UI Design; 3. Part-Time Online UI Design; 4. Part-Time Online UX Design; 5. Full-Time Online UX Design; 6. Part-Time Online Data Science; and 7. Full-Time Online Data Science. A 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, Ms. Malay motioned to approve the previously mentioned programs effective May 28, 2019. The motion was seconded and carried.

2. The Bartending School – Denver – AC

Deputy Director Kanaly presented to the Board for review and consideration of the following new program: Digital Media Production. A 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, Ms. Malay motioned to approve the previously mentioned new program effective May 28, 2019. The motion was seconded and carried.

3. Colorado Media School – Lakewood - AC

Deputy Director Kanaly presented to the Board for review and consideration of the following new program: Digital Media Production. A 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, Mr. Minic motioned to approve the previously mentioned new program effective May 28, 2019. The motion was seconded and carried.

4. Nutrition Therapy Institute – Denver - AC

Deputy Director Kanaly presented to the Board for review and consideration of the major revision to the following program: Certified Master Nutrition Therapist. A representative was present.

Following review and consideration, Mrs. Krovitz motioned to conditionally approve the major revision, provided that the name of the program be changed to Nutrition Therapist Master Certification. The motion was seconded and carried.

D. Consideration of Approval of Provisional Certificate

1. Aurora College – Aurora - LH

Program Coordinator Hill presented to the Board for review and consideration of a Provisional Certificate. A school representative was present.

Following review, Mrs. Krovitz motioned to table the matter to executive session. The motion was seconded and carried.

After consideration and discussion of each of the previous matters discussed during the regular portion of the Board meeting, Mr. Minic motioned to convene in executive session with the Board's attorney to seek legal advice pursuant to C.R.S. §24-6-402(3)(a)(II), on the following matters: Aurora College and Other Business Items; and in consideration of relevant parts of the Private Occupational School Act, C.R.S. §23-64-101 et seq. and the Rules and Regulations, 8 CCR 1504-1. The motion was seconded and carried. The public session recorder was turned off.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 12:04 P.M.

After the review and consideration of the matters previously mentioned, Mr. Garibay resumed the regular session at 1:15 P.M.

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 in what is believed to be attorney-client privileged discussions.

After executive session the Board resumed its agenda as follows.

#### Other Business

1. Aurora College

Following discussion in public session, Mrs. Krovitz motioned to conditionally approve the provisional certificate provided that there is a monthly cohort check-in, the date of implementation is corrected and that all information in the application is correct. The motion was seconded and carried.

2. Legal Update

Counsel discussed the legal update in executive session. No action taken.

3. CollegeAmerica Update

Director Candler reported to the Board the monthly update for April and May. No action taken.

4. CDL College

Deputy Director Kanaly reported to the Board that the school is no longer in operation and that the student records are unavailable. No action taken.

5. Trucker USA

Deputy Director Kanaly reported to the Board that students are in the process to receive a refund. Students enrolled at the school at the time of closure will receive full refunds and other students that responded to the letter will receive a pro-rated refund. No action taken.

6. Westland Beauty Academy

Legal Counsel reported to the Board that the parties are currently negotiating and requested the assistance of Board Member, Arlene Rae Malay, to provide further insight to the negotiation. No action taken.

#### Adjournment:

Mr. Minic motioned to adjourn the meeting at 1:35 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, June 25, 2019, 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