

**MINUTES OF THE  
COLORADO BOARD OF PRIVATE OCCUPATIONAL SCHOOLS  
ANNUAL PLANNING MEETING**

**November 6, 2008**

The Colorado State Board of Private Occupational Schools convened at the Division of Private Occupational Schools, 1560 Broadway - Suite 1600, Denver, CO 80202

Chair Jerry Sirbu called the meeting to order at 9:45 A.M. and Board roll was taken.

Board Members Present:

Jerry Sirbu, Chair	Robert Martin, Vice Chair	Lisa Bennison Noll, J.D
Tom Narvaez	Winnifred Rovig	

Karen Hall joined the meeting at 10:30 A.M.

Board Members Absent: Buddy Douglass

Division Staff Present:

Jim Parker, Director	Georgia Roberts, Deputy Director
Renee Belisle, Program Specialist	Loretta Perez, Administrative Assistant
Voni Oerman, Program Specialist	Arla Hamel, Administrative Assistant

Division Staff Absent: Bernadette Esquibel, Program Specialist

Attorney General: Assistant Attorney General Monica Aldridge was present

No other guests were present.

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**A. Annual Business** (taken out of agenda order):

**1. Election of Officers**

Mr. Sirbu nominated Robert Martin for the Board Chair position and Lisa Bennison Noll as Vice-chair. After brief discussion and there being no other nominations, Ms. Rovig motioned to close nominations and to accept the slate of Martin and Bennison Noll as presented. The combined motion was seconded. Robert Martin and Lisa Bennison were elected by acclamation. The Secretary position was unfilled as is the Board's option.

**4. Basic Parliamentary Procedure**

Deputy Director Roberts presented an overview and provided reference material concerning basic parliamentary procedure, specifically updates to Robert's Rules of Order, the procedure used by state agencies to conduct public business.

**5. Division Activities**

**c. Electronic Records Management**

Program Specialist Oerman gave a brief overview of the Division's electronic record management through the use of the Laser fiche Program.

## **2. Statutory and Rulemaking Matters**

### **a. Flight School Statutory Exemption**

Assistant Attorney General Aldridge and Director Parker proposed for discussion a statutory amendment to section 12-59-104 making flight schools exempt from regulation due to FAA regulation and oversight. The Board discussed the proposed statutory change and voiced no opposition to going forward with the appropriate legislative process to narrowly amend the statutory section.

### **b. Proposed Rulemaking**

Assistant Attorney General Aldridge and Director Parker presented for Board review and action, proposed Board Rule changes for the purpose of correcting technical errors and omissions, and to further clarify and improve the understanding of certain language. After due deliberation and discussion, Mr. Narvaez motioned for approval of all of the proposed rule changes and to direct the Division to set for rule-making. The combined motion was seconded and unanimously passed.

### **c. Criminal Background Checks Proposed Extension to include all school staff**

Assistant Attorney General Aldridge raised for Board discussion and possible future action, a concern shared by the Division about whether the current statute provides authority to require all school staff to undergo criminal background checks when the respective school recruits/trains minors as currently defined by statute. The Board concurred that it appears currently only instructors may be so required. In recognition of a possible need for additional safeguards for minor-age students, and in order to assist continued deliberation of the matter, the Board asked that further research be done to identify recent statutory language used by charter schools in respect to providing this type of additional protection.

## **3. Board Ethics/Responsibilities and the Open Meetings Act: A Quick Refresher**

Assistant Attorney General Aldridge presented a review of the Colorado Open Meetings Act and led a discussion concerning the application of the Conflicts of Interests Doctrine, general board ethics and responsibilities as public officials.

## **5. Division Activities**

### **d. Education and Outreach/Technical Assistance**

Program Specialists Belisle and Oerman reported on the Division's Education and Outreach efforts, including a school training held in Durango, which included technical assistance in respect to record-keeping, instructor qualifications and the renewal process. The Board identified additional outreach efforts which it believes would be beneficial.

### **e. Enforcement and Compliance**

Deputy Director Roberts provided a quarterly status report about Student Complaint/Investigations activity for the time period of July 1 – September 30, 2008. She also presented the annual report concerning Compliance by Schools that recruit/teach minors with the required instructor criminal background checks.

The Board recessed for lunch at 12:30 P.M. and reconvened at 12:52 P.M.

## **5. Division Activities**

### **a. Demonstration of Data Base/Tracking and Reporting capabilities**

Special guest presenter, DHE Web Administrator Ryan Allred gave a video presentation of the DPOS Data Base and demonstrated current Division reporting capabilities due to recent electronic enhancement.

### **b. Web site demonstration**

Mr. Allred provided a brief video overview of the DPOS Web Site, including a demonstration of how schools, parents, students and other members of the general public may access information and receive technical assistance including forms from this site. Board members provided suggestions for additional enhancements.

### **f. Overview of surety requirements and compliance**

Director Parker presented for discussion a review of school surety requirements and compliance guidelines.

### **g. Student Refund Policy**

Director Parker and Deputy Director Roberts gave a brief overview of the statutory refund provisions and reported that the revisions discussed at last year's planning meeting to the tuition refund worksheet seem to have resulted in greater accuracy and utility.

## **6. Affidavit of Eligibility (statutory requirement)**

Director Parker reported on the interagency efforts between the Division and state licensing boards in informing schools that offer training to students who endeavor to sit for state licensure of the requirement that students also be informed that they must be able to show acceptable proof of lawful presence in the U.S. in order to attain professional licensure.

## **7. Overview of Out of State Schools**

Program Specialist Belisle gave a brief overview of the Out of State Schools.

## **B. Other Business/Discussion Items:**

The Chair asked if there were any other items to be discussed. Ms. Rovig asked for additional clarification of how to best determine bonding levels in particular for provisional (new) schools. Following completion of this surety discussion and there being no further business, a motion was made by Ms. Bennison Noll to adjourn. The motion was seconded and carried. The meeting was adjourned at 2:40 P.M.