

INTERIM MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
November 10, 2015 9:00 A.M.

Colorado Department of Higher Education
1560 Broadway, 19th Floor Conference Room
Denver, CO 80202

Board Members Present:

Steven W. Steele, Chair	Arlene Rae Malay	Joseph James Wolf
Richard Semakula	Shelley Krovitz	Paul Garibay

Division Staff Present:

Lorna Candler, Director	Mary Kanaly, Deputy Director & Compliance Officer
Bernadette Esquibel, Program Coordinator	Lisa Hill, Program Specialist
Jessica Googins, Program Specialist	Loretta Perez, Administrative Assistant III

Board Counsel Present:

Kimberly Spiering, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Inta Morris, Chief Advocacy and Outreach Officer, Department of Higher Education

Call to Order:

The interim meeting of the Private Occupational Schools Board was called to order by Steven W. Steele, Chair, at 9:20 A.M. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum was present.

New Business / Action Items:

A. Spark Classes - Boulder

At the Board's October 27, 2015 meeting, Program Specialist Hill presented to the Board for review and consideration a new school with three new stand alone courses. The Board addressed concerns related to the school's advertising which guaranteed tuition reimbursement for students not placed in an internship after completion of the school's courses. The Board was concerned that the advertising was misleading and possibly constituted a deceptive trade or sales practice, specifically violating Rule VII. A. which states, "A guarantee of placement shall not be falsely promised or implied". The Board further explained that the school could not advertise or sell the internship if it was not part of their approved course. Therefore, the school would need to either: a) incorporate the internship as part of the offered program and define it in the school's curriculum and/or catalog so that students would understand the terms of the internship; or b) remove the internship advertising altogether.

The Board voted to table the approval of the new school and courses until the school made a determination regarding which method was appropriate for their curriculum offerings and advised that the matter would be revisited at the November 10, 2015 interim meeting.

Program Specialist Hill advised the Board that no additional information had been received, to date, and the school's website still advertised a guaranteed internship.

The Board agreed it was in the best interest of the current students to advise the school that they need to comply with the original requirement within 10 days and cease further enrollment and recruiting activities until the matter is resolved. The new school approval will be revisited at the December 1, 2015 Board meeting.

B. Turing School of Software and Design - Denver

At the Board's October 27, 2015 meeting, Deputy Director Kanaly asked the Board to review and discuss another matter concerning advertising outcomes and placement guarantees. Turing School of Software and Design advertised that graduates would receive a \$65,000 job or receive their money back for the training. The Board advised that advertising must be factual, defined and clear. The Board announced they would discuss the issue further at their November 10, 2015 interim meeting.

Deputy Director Kanaly advised the Board that the school had removed its guarantee from the website, resolved a student complaint by issuing a full refund, drafted a new revised enrollment agreement and would honor the original guarantee of a 3 month placement in a \$65,000 job or refund the students tuition for the roughly 80 currently enrolled students.

The Board agreed it was in the best interest of the current students to allow them to complete under the terms of their original enrollment agreements. In addition, the Board asked Director Candler to contact the school and have them remove or revise the current notice on their website directing students to contact the Division if they have questions regarding the school no longer offering the \$65,000 job guarantee.

Adjournment:

Mr. Semakula motioned to adjourn the meeting at 9:50 a.m. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday December 1, 2015, 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