

**MINUTES OF THE
COLORADO BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
INTERIM BOARD MEETING**

November 17, 2010

The Colorado State Board of Private Occupational Schools convened at the Division of Private Occupational Schools, 1560 Broadway, Suite 1600, Denver, CO 80211

Jerry Sirbu, Chair called the meeting to order at 12:00 P.M. and Board roll was taken. A quorum and a two-thirds majority of the Board was present.

Board Members Present (in person):

Jerry Sirbu, Chair

Board Members Present via Telephone:

Lisa Bennison Noll, Vice Chair
Winnifred Rovig

Tom Narvaez, Secretary
Karen Hall

Buddy Douglass

Board Members Absent:

Robert Martin, Chair

Division Staff Present:

Jim Parker, Director
Renee Belisle, Program Specialist
Voni Oerman, Program Specialist
Loretta Perez, Administrative Assistant

Georgia Roberts, Deputy Director
Bernadette Esquibel, Program Specialist
Karla Viteri, Program Specialist

Board Counsel Present:

Lorna Candler, Assistant Attorney General, Office of the Colorado Attorney General

Guest Present via Telephone:

Joseph Webb, Attorney for Estrela Bartending School
Thomas Hagan, Estrela Bartending School – Denver
Breck Tatum, Estrela Bartending School – Denver

A. Student Complaints / Matters of Non-compliance / Legal Action

1. Noble School of Cosmetology – Colorado Springs

Director Parker provided a summary of the surety bond situation concerning the Nobel School of Cosmetology, Colorado Springs. This matter was tabled from the November 4, 2010 Annual Board Meeting, until additional verification could be gained concerning the

surety bond originally taken out by the School. It was verified that there is no bond in place as is required by statute. Both the banking institution and the school owner have been non-responsive to Division inquiries. In addition, the school owner has not submitted student records regarding two of several filed student complaints.

After due deliberation and discussion, and based upon a reasonable belief that the School was still in operation enrolling and/or training students without adequate surety coverage, Mr. Douglass motioned to direct the Division and its Assistant Attorney General to have issued without delay an Order for a Summary Suspension of all school operations for the protection of the students and the general public. The motion was seconded and unanimously passed.

2. Colorado Outdoor Adventure Guide School – Cripple Creek

Director Parker and Deputy Director Roberts updated the Board about circumstances which have come to the Division's attention and which have been preliminarily verified, indicating violations of two Board Orders and Stipulations entered into previously between the Board and the School, as a material condition to a prior approval for a change of school ownership. Other matters of compliance were also discussed in respect to Colorado Outdoor Adventure Guide School, Cripple Creek, including the offering of programs/courses without Board approval and possible unauthorized sales agent activities.

The Board indicated a need to consult with its legal counsel before further discussion or action. Mr. Sirbu, Chair, called for a motion to convene in Executive Secession pursuant to §24-6-402(3) (a)(II), C.R.S., to confer with the Board's attorney regarding legal options available concerning Colorado Outdoor Adventure Guide School, Cripple Creek, and to receive legal advice on specific questions related thereto, pursuant to §24-6-402(3)(a)(III); and to discuss personnel data required to be kept confidential, pursuant to section §12-59-105.4. Mr. Douglass so motioned; it was seconded; and passed unanimously. The regular public board meeting recorder was turned off, and the Board of Private Occupational School convened into Executive Session at 12:25 P.M. for the purposes described above as requiring confidentiality. Member of the general public attending via telephone were disconnected and informed that they would be notified once the Executive Session concluded.

The executive session recorder was turned on.

Executive session having concluded, the public session of the Board meeting reconvened at 12:37 P.M. The executive session recorder was stopped. The regular public meeting recorder was turned on. Members of the general public who previously attended via telephone conferencing were contacted, and once again were connected in order to attend the public meeting via the telephone. Assistant Attorney General Candler affirmed for the public record that the Executive Session was for the sole purpose of providing legal advice to the Board and to otherwise engage in what in good faith is believed to be an attorney-client privileged discussion or personnel matters required to be kept confidential.

After due deliberation and discussion, a motion was made by Mr. Douglass to direct the Division to send a Notice of Non Compliance; and to give the school a brief, but reasonable time to respond. The motion was seconded and unanimously passed.

3. Estrela Bartending School and I Deal Casino School - Denver

Director Parker summarized the complexities involving what appears to be a private business arrangement between the schools and the ensuing and ongoing confusion and different explanations about the status of each school regarding ownership; location of student records; student recruitment practices; apparent overlapping or potentially conflicting roles of school agents and officers. After discussion and due deliberation, a motion was made by Mr. Douglass to direct the Division to send respective Notices of Non Compliance to Estrela Bartending School; I Deal Casino School; and ABC Bartending School, giving a reasonable time for each to submit a written response and other information requested by the Division on behalf of the Board. Mr. Douglass further motioned that all respective school owners receive notice to be present at the next Board meeting scheduled for December 7, 2010 at 9:30 A.M. in order to further reply to the Notices of Non Compliance and to be available for Board inquiry. The combined motion was seconded and unanimously passed.

Having no further business, Mr. Narvaez moved for adjournment. The motion was seconded and passed. The Board meeting adjourned at 1:04 P.M.

The next regularly scheduled meeting of the Board is Tuesday, December 7, 2010, 9:30 A.M. and will be held at:

Auraria Higher Education Campus
Tivoli Student Center, Room 640
900 Auraria Parkway, Denver, CO 80204