

BOARD OF PRIVATE OCCUPATIONAL SCHOOLS

PUBLIC RULEMAKING HEARING

September 27, 2011

The Colorado Private Occupational Schools Board convened at the Auraria Higher Education Campus, Tivoli Student Center, Room 320, 900 Auraria Parkway, Denver, CO 80204.

Jerry Sirbu, Chair called the meeting to order at 9:36 A.M., announcing the purpose of this public meeting was to conduct a rulemaking hearing on the Proposed Amendments to the Rules and Regulations concerning the Private Occupational Education Act of 1981, as amended, and provide clarification and improvement of language, definitions, corrections of technical errors and omission, and to reflect further development of Board policies. The Board will also be considering annual fee setting as required by section 12-59-119, C.R.S., and consideration of adopting a revised fee schedule. Board roll call was taken and a two-thirds majority quorum was present.

Board Members Present:

Jerry Sirbu, Chair
Tom Narvaez

Lisa Bennison Noll, Vice Chair
Buddy Douglass

Robert Martin
Karen Hall

Board Members Absent:

Winnifred Rovig

Division Staff Present:

Jim Parker, Director
Renee Belisle, Program Specialist
Bernadette Esquibel, Program Specialist

Georgia Roberts, Deputy Director
Voni Oerman, Program Specialist
Karla Viteri, Program Specialist

Board Counsel Present:

Jessica Salazar, Assistant Attorney General, Office of the Colorado Attorney General

Commencement of Rulemaking Hearing:

Mr. Sirbu, Chair called the public rulemaking hearing to order for the specific purpose of the Proposed Amendments to the Rules and Regulations Concerning the Regulation of Private Occupational Schools, and adoption of a revised fee schedule citing into the record the appropriate statutory Board authority under which said matters may be conducted.

This hearing was properly noticed as part of this public meeting and in accordance with section sections 12-59-105.3(1)(j), (l) and (n); and 24-4-103 of the Colorado Revised Statutes. The statutory basis for these amendments is intended to accomplish the following objective:

Proposed Changes to Rules and Regulations for clarification and revision of definitions; language improvement; correction of technical errors and omissions; and in reflection of the further development of Board policies regarding the conduct of its work and the implementation of the Act; and

Proposed revised fee schedule that specifically addresses annual fee setting pursuant to section 12-59-116, C.R.S.

Public Comment and Testimony:

The Board through the Division has provided an opportunity for public comment on the proposed Rule amendments and proposed fee schedule. One written submission statement was submitted Hansa Knox, Prana Yoga and Ayurveda Mandala Training Center concerning the amended definition of "avocational", but did not oppose the revised definition.

There being no members of the public present wishing to address the Board, the Board closed the public comment opportunity.

Motion to Adopt Revised Proposed Rules and Regulations:

After due deliberation, Mr. Sirbu motioned for approval to adopt the proposed amendments to the Rules and Regulations, which are intended to clarify and improve language, definitions, correct technical errors and omissions, and to reflect further development of Board policies regarding the conduct of its work and the implementation of the Act. The motion was seconded and a roll call vote was taken.

The record reflects that the Board members voted as follows:

Jerry Sirbu – aye; Lisa Bennison Noll – aye; Robert Martin – aye; Buddy Douglass – aye; Tom Narvaez – aye and Karen Hall – aye;

The motion unanimously passes 6 Aye, 0 Nay.

Annual Fee Setting, Proposed Fee Schedule:

After due deliberation, Mr. Sirbu motioned for approval to adopt the proposed fee schedule. The motion was seconded and a roll call vote was taken.

The record reflects that the Board members voted as follows:

Jerry Sirbu – aye; Lisa Bennison Noll – aye; Robert Martin – aye; Buddy Douglass – aye; Tom Narvaez – aye and Karen Hall – aye;

The motion unanimously passes 6 Aye, 0 Nay.

Mr. Sirbu directed the Division Director to submit the amended rules to the Secretary of State's Office and to the Office of the Attorney General for review; and to take all other necessary steps to have the rules take effect on the earliest date possible.

Mr. Sirbu moved to close the public rulemaking session and to move into the Board's regularly scheduled public meeting. The motion was seconded and passed. The public rulemaking session adjourned at 9:49 A.M.