

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
September 26th, 2017 9:33 A.M.

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

Board Members Present:

Shelley Krovitz, Chair;	Ryan Minic;
Paul Garibay;	Robert E. Martin
Timothy L. Brooks, Vice Chair	
A. Richard Behbehani	

Board Members Absent:

Arlene Rae Malay

Division Staff Present:

Lorna Candler, Director	
Mary Kanaly, Deputy Director & Compliance Officer	
Lisa Hill, Program Coordinator	Amy Knoblauch, Data & Research Specialist
April Cordova, Program Specialist	Bernadette Esquibel, Program Specialist
Brad Uyemura, Compliance Investigator	

Division Staff Absent:

Board Counsel Present:

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

Guests Present:

Debi Portararo, A Plus Real Estate School
Gayla Henry, International Salon and Spa
Tom Twardowski, International Salon and Spa
Ron Billings, Paul Mitchell the School- Colorado Springs
Rhonda Larson, Heritage School of Interior Design
Kiersten Murdock, CollegeAmerica- Colorado Springs
Rozann Kunstle, CollegeAmerica- Colorado Springs
Micah McDougle, Paul Mitchell the School- Colorado Springs
Courtney Stevens, The Looking Glass
Carissa Seger, Altierus Career College
Ivan Nikolaeff, Altierus Career College
Audrey Carson, Higher Elevation Healing Arts School
Jill Suarez, Higher Elevation Healing Arts School
Judd MacRae, CodeCraft School of Technology
Amy Brown, Pima Medical Institute
Tara Dailey, Pima Medical Institute
Marnie Dodor, Pima Medical Institute
Sheryl Daniel, Bear Heart School of Massage

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Ms. Shelley Krovitz, Chair, at 9:33 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 August 22, 2017 Minutes:

Following review and consideration of the August 22, 2017 meeting minutes, a motion was made by Mr. Brooks to approve the minutes as written. The motion was seconded and carried.

Consideration of Approval of the August 22, 2017 Executive Session Minutes:

Following review and consideration of the August 22, 2017 executive session minutes, a motion was made by Mr. Brooks to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda

No changes were made to the Agenda.

Director/ Staff Report:

Dr. Kim Hunter Reed, the Executive Director to the Colorado Department of Higher Education, spoke to the Board regarding the importance of the CDHE Master Plan and Occupational Schools' role in order to meet the Department's goal of 66% attainment for Postsecondary Educational Credentials in Colorado by 2025.

Monthly Statistics

No statistics to report.

New Business/Action Items:

A. Consideration of Approval Programs/Stand Alone Courses

1. International Salon and Spa Academy- Colorado Springs

Program Coordinator Hill presented to the Board for review and consideration of 2 major program revisions: Barbering and Hairstylist. 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 major program revisions, Mr. Garibay motioned to table the matter to Executive Session. The motion was seconded and carried. Additionally, the school representative withdrew the request for program approvals and requested a refund of fees.

2. Paul Mitchell The School- Colorado Springs

Program Coordinator Hill presented to the Board for review and consideration of 3 program major revisions: 1. Cosmetology 2. Barbering and 3. Hairstylist. 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 major program revisions, Mr. Garibay motioned to table the matter to Executive Session. The motion was seconded and carried. Following Executive Session, Mr. Martin motioned to table the matter until the October Board Meeting. The motion was seconded and carried.

3. Higher Elevation Healing Arts School- Eagle

Program Coordinator Hill presented to the Board for review and consideration of 2 new programs: Professional Cosmetologist Program and Professional Nail Technology Program. 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 new programs Mr. Brooks motioned to approve the Professional Cosmetologist and Nail Technology Programs effective September 26th, 2017. The motions were seconded and carried.

4. CodeCraft School of Technology- Boulder

Program Coordinator Hill presented to the Board for review and consideration of 1 new program: Part-Time UX Design Bootcamp. 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 new program, Mr. Garibay motioned to approve the Program as amended effective September 26th, 2017. The motion was seconded and carried.

5. Altierus Career College- Colorado Springs

Program Specialist Esquibel presented to the Board for review and consideration of 1 new program: Accounting AAS. 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 new program, Mr. Brooks motioned to approve the Program effective September 26th, 2017. The motion was seconded and carried.

6. Altierus Career College- Thornton

Program Specialist Esquibel presented to the Board for review and consideration of 1 new program: Accounting AAS. 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 new program, Mr. Brooks motioned to approve the Program effective September 26th, 2017. The motion was seconded and carried.

7. Pima Medical Institute- Colorado Springs

At 10:33 Mr. Minic recused himself for the following approval.

Program Specialist Esquibel presented to the Board for review and consideration of 1 new program: Medical Laboratory Technician. 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 new program, Mr. Brooks motioned to approve the Program effective September 26th, 2017. The motion was seconded and carried.

Mr. Minic returned to the board for the remainder of the meeting.

8. Bear Heart School of Massage- Fort Collins

Program Specialist Esquibel presented to the Board for review and consideration of 1 new program: Esthetician and 1 major program revision: Holistic Structural Release Therapy. 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 programs, Mr. Brooks motioned to approve the Holistic Structural Release Program and Mr. Martin motioned to approve the Esthetician Program effective September 26th, 2017. The motions were seconded and carried.

9. IntelliTec College- Colorado Springs

Program Specialist Cordova presented to the Board for review and consideration of 1 new program: HVAC Technician. 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 new program, Mr. Brooks motioned to approve the Program effective September 26th, 2017. The motion was seconded and carried.

10. IntelliTec College- Grand Junction

Program Specialist Cordova presented to the Board for review and consideration of 1 new program: HVAC Technician. 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 new program, Mr. Brooks motioned to approve the Program effective September 26th, 2017. The motion was seconded and carried.

B. Consideration of Approval of Provisional Certificate of Approval

1. The Looking Glass School of Permanent Cosmetics

Program Coordinator Hill presented to the Board for review and consideration of the school's Provisional Certificate of Approval and 1 new program: Permanent Cosmetics. School representatives were 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 new school with one new program, Mr. Brooks motioned to approve the Provisional Certificate of Approval for the period beginning September 26th, 2017, and ending June 30th, 2018, and to approve the above-referenced program. The motion was seconded and carried.

2. Heritage School of Interior Design- Denver

Program Coordinator Hill presented to the Board for review and consideration of the school's Provisional Certificate of Approval and 9 new programs: 1. Fundamentals of Interior Design 2. Masters Certification Program 3. Intro to AutoCAD and Sketchup 4. Kitchen and Bath Design 5. Adobe Photoshop and Illustrator 6. Advanced AutoCAD 7. Advanced Sketchup 8. Commercial Design and 9. Revit. 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 Mr. Brooks motioned to approve the Provisional Certificate of Approval for the period beginning September 26, 2017, and ending June 30, 2018. Mr. Brooks also motioned to approve the following programs: Fundamentals of Interior Design, Masters Certification Program, Adobe Photoshop and Illustrator, Advanced AutoCAD, Commercial Design and Revit. Mr. Minic motioned to approve the following programs: Intro to AutoCAD and Kitchen and Bath Design. Mr. Garibay motioned to approve the Advanced Sketchup Program. The motions were seconded and carried.

3. A Plus Real Estate School- Greenwood Village

Program Coordinator Hill presented to the Board for review and consideration of the school's Provisional Certificate of Approval and 3 new programs: 1. Real Estate Pre Licensing, 2. Real Estate Pre Licensing for salespeople in another state and 3. Real Estate Pre Licensing for Brokers in another Jurisdiction. School representatives were 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. Martin motioned to approve the Provisional Certificate of Approval for the period beginning September 26th, 2017, and ending June 30th, 2018 and the above-referenced new programs. The motions were seconded and carried.

C. Notification of School Closings / Change of Status (No action required)

Program Coordinator Hill reported the closing of Hair Brainz in Aspen, Colorado.

Other Business:

1. Jante International Skin Care Institute- Glendale

An update was provided that the school is now in compliance and that all documents have been submitted. Mr. Martin motioned for approval. The motion was seconded and carried.

2. CollegeAmerica Monthly Update

The update has been provided to the board regarding the ongoing litigation. No action required.

3. Westline Academy of Barbering

The matter was tabled to Executive Session in order to consult legal advice. Following Executive Session the board reported that Westline has 30 days to turn in all school records due to the voluntary closure of the school.

4. Accent Learning Systems, Inc.

The matter was tabled to Executive Session in order to consult legal advice. Following Executive Session, Mr. Minic made a motion to clarify the action of nonrenewal due to lack of equipment to operate the following programs: Dialysis and Pharmacy Technician. The motion was seconded and carried.

5. Legal Update

Legal counsel updated the Board in regards to the rehousing of The Private Occupational School Act from Title 12 to Title 23. Noncompliance and litigation updates were also given to the Board regarding: Accent Learning Systems, Connecting Point School of Massage and Spa Therapies, Lotus Aesthetics International College, Next Dimension Training, and Majestic Vocational Training Center. Legal counsel provided additional information that was requested from the August Board Meeting for Be Here Now Massage Yoga Bodyworks, LLC regarding the school

exemption from Yoga practice. Legal counsel also provided additional information for Bear Heart School of Massage regarding the myofascial program that was requested at the August Board Meeting. Additionally, a legal counsel update regarding Policy 14 will be provided for the October 24th Board Meeting. Lastly, the Director and counsel provided a legal update regarding the Heritage bankruptcy matter.

6. Open Meetings Law and Open Records Act

The matter was tabled to Executive Session where the Board briefly received counsel concerning best practices. No action required as this topic will be a training item during the Board's Annual Retreat.

7. Conflicts of Interest

The matter was tabled to Executive Session where the Board briefly received counsel concerning best practices. No action required as this topic will be a training item during the Board's Annual Retreat.

8. Notices of Late Fees

Program Coordinator Hill reported that 4 schools still have yet to pay their late fees. The matter was postponed until additional information can be obtained.

9. Love Christian Fellowship Educational Center

An update was provided regarding the status of the school's operation and noncompliance. The matter was moved to Executive Session. Following Executive Session Mr. Martin made a motion to postpone the matter. The motion was seconded and carried.

10. DORA's proposed Rule changes and Policy 14 Updates

The matter was tabled to Executive Session in order to consult legal advice. Following Executive Session Mr. Martin motioned to table the matter until the October Board Meeting so that more information is provided from the Department of Regulatory Agencies. The motion was seconded and carried.

11. Annual Board Retreat (November)

The matter was discussed as a housekeeping item to gather available dates for Board Members.

After consideration and discussion of each of the previous matters discussed during the regular portion of the Board meeting, Mr. Martin motioned to take a brief break and immediately afterwards, convene in executive session with the Board's attorney to seek legal advice pursuant to §24-6-402(3)(a)(II), on the following matters: C.R.S, Westline Academy, Accent Learning Systems, Heritage College, Paul Mitchell The School, Love Christian Fellowship Educational Center, and Policy 14 changes; 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. At 11:30 the 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 as deemed necessary at 11:35 A.M.

After the review and consideration of the matters previously mentioned, Ms. Krovitz resumed open session at 12:23 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 what is believed to be attorney-client privileged discussions.

The Board resumed discussions of the matters discussed in executive session in the regular session and concluded the remainder of the Board's agenda items

Adjournment:

Mr. Minic motioned to adjourn the meeting at 12:30 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday October 24, 2017, 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