

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
January 26th, 2021 12:10 P.M.

Join Zoom Meeting

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Meeting ID: 950 8122 4497

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Board Members Present:

Ryan Minic, Vice Chair;
Shelley Krovitz;
Jessica Houtz;

JoAnn Stevens, Secretary;
Barbara Kearns;
Ellen Wamser;

Board Members Absent:

Paul Garibay, Chair;

Division Staff Present:

Director/Chief Occupational Education Officer Lorna Candler;
Deputy Director & Compliance Officer Mary Kanaly;
Compliance Investigator Bradlee Uyemura;
Program Specialist Rachel Acosta;
Program Specialist April Cordova;
Program Specialist Carrie Harding;
Program Specialist Jonathan Rendon;
Program Specialist Assistant Bernadette Esquibel;

Board Counsel Present:

Jacquelynn Rich Fredericks, First Assistant Attorney General, Office of the Colorado Attorney General (left the meeting at 1:46 P.M.);
Skip Spear, Senior Assistant Attorney General, Office of the Colorado Attorney General (joined at 1:27 P.M.);

Guests Present:

Tara Dailey, Pima Medical Institute;
Leslie Ballentine, US Career Institute;
Steven Steele, IBMC College;
Nicholas Brown, Spartan College of Aeronautics & Technology;
Cara Sharpe, Pima Medical Institute;
Terri Spencer, Pima Medical Institute;
Janet Perry, US Career Institute;
Fran Kutner, The CE Shop;
Tracy Jeffress, Spartan College of Aeronautics & Technology;

Elaine Ivan, UCH-MHS School of Radiologic Technology;
Brandy Harris, MANA Collaborative Beauty Studio + Training Center;
Whitney Rippe, Academy of Cosmetology Arts;
Jon Cruz Penaflor Jr., Elysian Academy of Cosmetology;
Rebecca Piltingsrud, The CE Shop;
Karla Avila, Avila's Barber School;
Micah McDougle, Paul Mitchell The School Colorado Springs;
Chandra Couch, Paul Mitchell The School Denver;
Shelley Banker, Colorado Department of Higher Education;
Burton Lee, Van Education Center;
John Turnage, Paul Mitchell The School Denver;
Gianna Beasley, MANA Collaborative Beauty Studio + Training Center;
Tabitha Bump, ACE Surgical Assisting, Inc.;
Ron Billings, Paul Mitchell The School Colorado Springs;
Amy Capwell, guest;
Vanessa Torres, Paul Mitchell The School Denver;
Sarah Covalt, Paul Mitchell The School Denver;
Peggy Sue Schmoldt, Academy of Cosmetology Arts;
Michael Vente, Colorado Department of Higher Education;
Francis Giglio, Lincoln College of Technology;
Bridget Mangan, Mbiton LLC dba American Home Inspectors Training;
Sherrie Lewis, Paul Mitchell The School;
Kelly Moore, Lincoln College of Technology;
Carleen Clark, Counsel for Rock Creek Laser and Esthetics Institute;
Bruce Batky, Skill Distillery;
Diana Gunderson, IBMC College;

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Ryan Minic, Vice Chair, at 12:10 P.M. immediately following the Rulemaking Hearing. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum was present.

Consideration of Approval of the December 8th, 2020 Minutes:

Following review and consideration of the December 8th, 2020 regular and executive session meeting minutes, Secretary Stevens made a motion to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:

No changes were made.

Director / Staff Report:

Director/COEO Candler deferred her report until next month and requested the Board to move to the "Other Business" portion of the meeting.

Other Business

1. Legal Update

The Board's Counsel, Jacquelynn Rich Fredericks, presented the following:

- a. Worldwide College of Auctioneering -
On October 27, 2020, the Board voted to issue a Notice of Bond Lapse and a Notice of Noncompliance. Counsel has drafted the Notice(s) and shared with the Division for review. After approval, the Notice(s) will be issued to the school.
- b. CDL College –
In 2019, the Division made claim on the bond which was denied by Hartford. In July 2020, the Board voted to issue a demand letter and civil complaint. AAG Deanne Westfall is drafting the complaint.
- c. CollegeAmerica – No action
- d. Integrity CDL – No action
- e. Mr. K's Floral Design School of Denver –
The Division voted to issue a Notice of Noncompliance and Nonrenewal on December 8, 2020. Counsel has drafted the Notice and shared with the Division for review. After approval, the Notice will be issued to the school.
- f. The Pilates Institute of Boulder -
The Division has confirmed closure of the school. No further action is required.
- g. Rock Creek Laser & Esthetics –
The School responded to the Subpoena Duces Tecum and the Division reviewed the records obtained. Compliance Investigator Uyemura prepared a written summary of the Division's review for the Board. The Division is seeking the Board's guidance regarding potential deviations from minimum standards.

2. Rock Creek Laser and Esthetics Institute

The Board reviewed the summary prepared by Compliance Investigator Uyemura. Inspection of the student files found a number of them were lacking in the required content and detail with possible violations of §C.R.S. 23-64-112 (f), (g), (h), (i) and (m), and rule III H.

After discussion regarding potential violations of minimum standards and speaking with the school's counsel, Board Member Kearns motioned to convene in executive session with the Board's attorney to seek legal advice and options pursuant to C.R.S. §24-6-402(3)(a)(II) and in consideration 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. The public session recorder was turned off.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director/COEO, and Division staff at 12:50 P.M.

Vice Chair Minic resumed the regular session at 1:01 P.M. The Executive Session recorder was turned off. The public session recorder was turned on and the general public was welcomed back.

First Assistant Attorney General, Jacquelynn 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 in what is believed to be attorney-client privileged discussions.

Rock Creek Laser and Esthetics Institute

Vice Chair Minic introduced the matter. Board Member Krovitz requested Deputy Director & Compliance Officer Kanaly to provide an overview of the findings for the record.

Following review and discussion, Secretary Stevens motioned to issue a Notice of Noncompliance based on reasonable belief there may be deviations from the following minimum standards §C.R.S. 23-64-112 (f), (g), (h), (i) and (m), and rule III H. The motion was seconded and carried.

New Business/Action Items:

A. Consideration of Approval of Renewal Certificate

1. ACE Surgical Assisting, Inc. – Greenwood Village - CH

Program Specialist Harding presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit had been conducted. 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 renewal, Board Member Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1st, 2021 and ending June 30th, 2024. The motion was seconded and carried.

B. Consideration of Approval of New Program(s)/Stand-Alone Course(s)/Major Revision(s)

Vice Chair Minic and Board Member Houtz recused themselves from the next 3 items involving Pima Medical Institute. Secretary Stevens stepped in to preside over the meeting.

1. Pima Medical Institute – Aurora - AC

Program Specialist Cordova presented to the Board for review and consideration of three major revisions to programs: 1. Dental Assistant; 2. Health Care Administration – Certificate and 3. Medical Assistant. 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 revisions to programs, Board Member Wamser

motioned to approve the previously mentioned major revisions to programs effective January 26th, 2021. The motion was seconded and carried.

2. Pima Medical Institute – Colorado Springs - AC

Program Specialist Cordova presented to the Board for review and consideration of four major revisions to programs: 1. Dental Assistant; 2. Health Care Administration – Certificate; 3. Medical Assistant and 4. Pharmacy 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 major revisions to programs, Board Member Wamser motioned to approve the previously mentioned major revisions to programs effective January 26th, 2021. The motion was seconded and carried.

3. Pima Medical Institute – Denver - AC

Program Specialist Cordova presented to the Board for review and consideration of seven major revisions to programs: 1. Dental Assistant; 2. Health Care Administration – Certificate; 3. Medical Assistant; 4. Occupational Therapy Assistant; 5. Pharmacy Technician; 6. Physical Therapist Assistant and 7. Respiratory 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 major revisions to programs, Board Member Wamser motioned to approve the previously mentioned major revisions to programs effective January 26th, 2021. The motion was seconded and carried.

Vice Chair Minic and Board Member Houtz rejoined the meeting. Vice Chair Minic resumed his role presiding over the meeting.

4. US Career Institute – Fort Collins - AC

Program Specialist Cordova presented to the Board for review and consideration of two new programs: 1. Phlebotomy Technician and 2. HVACR 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 programs, Secretary Stevens motioned to approve the previously mentioned new programs effective January 26th, 2021. The motion was seconded and carried.

5. Skill Distillery – Greenwood Village - AC

Program Specialist Cordova presented to the Board for review and consideration of two major revisions to programs: 1. Web Development with Java (WDJ) and 2. Full-Stack Development

with Java (FSDJ). 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 revisions to programs, Board Member Kearns motioned to approve the previously mentioned major revisions to programs effective January 26th, 2021. The motion was seconded and carried.

6. UCH-MHS School of Radiologic Technology – Colorado Springs - CH

Program Specialist Harding presented to the Board for review and consideration of a new program: Hybrid Radiologic Technology (Radiography). 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, Board Member Krovitz motioned to approve the previously mentioned new program effective January 26th, 2021. The motion was seconded and carried.

Board Member Kearns recused herself from the next 3 items involving IBMC College.

7. IBMC College – Fort Collins - JR

Program Specialist Rendon presented to the Board for review and consideration of five major revisions to programs: 1. Dental Assisting; 2. Dental Office Administration; 3. Therapeutic Massage; 4. Medical Assisting and 5. Clinical Medical Assisting. 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 revisions to programs, Board Member Wamser motioned to approve the previously mentioned major revisions to a programs effective January 26th, 2021. The motion was seconded and carried.

8. IBMC College – Greeley - JR

Program Specialist Rendon presented to the Board for review and consideration of two major revisions to programs: 1. Medical Assisting and 2. Clinical Medical Assisting. 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 revisions to programs, Board Member Wamser motioned to approve the previously mentioned major revisions to a programs effective January 26th, 2021. The motion was seconded and carried.

9. IBMC College – Longmont - JR

Program Specialist Rendon presented to the Board for review and consideration of two major revisions to programs: 1. Medical Assisting and 2. Clinical Medical Assisting. 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 revisions to programs, Board Member Wamser motioned to approve the previously mentioned major revisions to a programs effective January 26th, 2021. The motion was seconded and carried.

Board Member Kearns rejoined the meeting.

10. Spartan College of Aeronautics & Technology – Broomfield - JR

Program Specialist Rendon presented to the Board for review and consideration of two major revisions to programs: 1. Aviation Electronics Technology-AAS and 2. Aviation Maintenance Technology-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 major revisions to programs, Board Member Kearns motioned to approve the previously mentioned major revisions to a programs effective January 26th, 2021 with the provisions that the school add corequisite language to their catalog and revise the course numbers on the Program Approval Forms. The motion was seconded and carried.

Board Counsel, Jacquelynn Rich Fredericks, left the meeting at 1:46 P.M. Skip Spear, Senior Assistant Attorney General, joined and remained as Board and Division Counsel.

11. Paul Mitchell The School Colorado Springs – Colorado Springs – RA

Program Specialist Acosta presented to the Board for review and consideration of two major revisions to programs: 1. Esthetician and 2. Nail 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 major revisions to programs, Secretary Stevens motioned to approve the previously mentioned major revisions to programs effective January 26th, 2021. The motion was seconded and carried.

12. Paul Mitchell The School Denver – Denver – RA

Program Specialist Acosta presented to the Board for review and consideration of one major revision to a program: Esthetics. 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 revision to a program, Board Member Wamser

motioned to approve the previously mentioned major revision to a program effective January 26th, 2021. The motion was seconded and carried.

C. Consideration of Approval of Provisional Certificate

1. Elysian Academy of Cosmetology – Greeley - RA

Program Specialist Acosta presented to the Board for review and consideration of a Provisional Certificate of Approval and consideration of five new programs: 1. Cosmetology; 2. Barber; 3. Hairstyling; 4. Esthetician and 5. Nail Technician. A school representative was present.

Following review and consideration, Secretary Stevens motioned to approve the Provisional Certificate of Approval effective January 26th, 2021 ending June 30, 2022 and to approve the new programs. The motion was seconded and carried.

2. MANA Collaborative Beauty Studio + Training Center – Highlands Ranch – RA

Program Specialist Acosta presented to the Board for review and consideration of a Provisional Certificate of Approval and consideration of five new courses: 1. Advanced Body Waxing; 2. Classic Eyelash Extensions; 3. Advanced Techniques of Volume Lashing; 4. Advanced Permanent Makeup Eyebrow Techniques and 5. Permanent Makeup Fundamentals. A school representative was present.

Following review and consideration, Secretary Stevens motioned to approve the Provisional Certificate of Approval effective January 26th, 2021 ending June 30, 2022 and to approve the new courses. The motion was seconded and carried.

Board Member Krovitz left the meeting.

D. Notification of School Closure (no action required)

1. The Pilates Institute of Boulder - Boulder – CH

Program Specialist Harding reported that all students have completed training and effective December 23rd, 2020 all available records are deposited with the Division.

2. Online Trading Academy - Denver – CH

Program Specialist Harding reported that all students have completed training and effective August 10th, 2020 all available records are deposited with the Division.

3. Fortis Institute Online – Greenwood Village - JR

Program Specialist Rendon reported that all students have completed training and effective August 19th, 2018 all available records are maintained by the school's Centerville, OH campus.

4. General Air Welding Academy – Denver - JR

Program Specialist Rendon reported that all self-pay students have completed training effective

October 5th, 2020. The school continues operation under statutory exemption and all available records are maintained by the school.

Adjournment:

Board Member Kearns motioned to adjourn the meeting at 2:01 PM. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, February 23, 2021, at 9:30 A.M. and will be held via the web conference application, Zoom; meeting details will be posted on the Division's website: higherred.colorado.gov/dpos