

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
February 23rd, 2021 9:31 A.M.

Join Zoom Meeting

<https://zoom.us/j/91421535182?pwd=RXdkc1Q5d1g1WHBmcTRLY3hlLzB3Zz09>

Meeting ID: 914 2153 5182

Find your local number: <https://zoom.us/u/abh6mjnejP>

Board Members Present:

| | |
|---------------------------|-------------------------|
| Paul Garibay, Chair; | Ryan Minic, Vice Chair; |
| JoAnn Stevens, Secretary; | Ellen Wamser; |
| Shelley Krovitz; | Barbara Kearns; |
| Jessica Houtz; | |

Division Staff Present:

Chief Occupational Education Officer/Director, 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;

Guests Present:

Carolina Rose, National Institute for Medical Assistant Advancement;
Ezra Lockhart, Lockhart Institute;
Bob Scherner, Auguste Escoffier School of Culinary Arts;
Ron Feingold, Helten Institute of Real Estate Development dba HIRED Schools;
Meghan Jurado, ACI Learning;
Ashley Kacenjjar, Galvanize, Inc.;
Kirk Bachmann, Auguste Escoffier School of Culinary Arts;
Jamie Holcomb, Auguste Escoffier School of Culinary Arts;
Don Cotham, Auguste Escoffier School of Culinary Arts;
Miles Mitchell, Auguste Escoffier School of Culinary Arts;
Elena Thomas Faulkner, National Institute for Medical Assistant Advancement;
Selah Roberts, CompTIA Tech Career Academy;
Kathleen Vossenber, Auguste Escoffier School of Culinary Arts;
Syed M Shah, QS Academy;
Carleen Clark, Counsel for Rock Creek Laser and Esthetics Institute;

Michael Mulholland, Accent Beauty;
Dr. Kelly Moore, Lincoln College of Technology;
Renee Helten, Helten Institute of Real Estate Development dba HIRED Schools;
Crista Wray, Galvanize, Inc. ;
Rhonda Larson, Heritage School of Interior Design;

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:31 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 January 26th, 2021 Minutes:

Following review and consideration of the January 26th, 2021 regular and executive session meeting minutes, Vice Chair Minic 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 reported the following:

- Last month's Rulemaking Hearing ran smoothly with special thanks to Vice Chair Minic, Deputy Director Kanaly, Program Specialist Harding and Program Specialist Rendon.
- After renegotiating the new IT contract, Division staff continues to complete testing of Phase I of the Division's IT solution. Program Specialist, Cordova and Program Specialist, Acosta have dedicated an incredible amount of time to the project.
- The Division has received multiple new school applications which is good news for private occupational schools in this pandemic climate when higher education has taken a hit. It confirms new businesses and new schools are still needed. There has been a surge in enrollment in online programs which shows students value shorter programs that get them into the workforce more quickly.
- The renewal deadline was February 15, 2021 and staff continues to review renewal applications. All but approximately 12 schools were received. A new school application will be required for those schools not planning to close.
- Compliance Investigator Uyemura has done a fantastic job calculating student bond claims and completing bond disbursements to students from recent school closures. He continues to successfully manage the closures while also conducting remote investigations for compliance.
- NASASPS will meet virtually April 12th and 13th for their Spring Regulator Workshop and has lined up great speakers and topics to include financial stability matters and school closures. The next NASASPS virtual event will be the Fall Conference held in October 2021.

New Business/Action Items:

A. Consideration of Approval of Renewal Certificate

1. ACI Learning – Centennial - 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, Vice Chair Minic 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.

2. Helten Institute of Real Estate Development dba HIRED Schools – Castle Rock - 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 Wamser 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.

3. National Institute for Medical Assistant Advancement – Denver - 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, Secretary Stevens 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)

1. Galvanize, Inc. – Denver - JR

Program Specialist Rendon presented to the Board for review and consideration of one new program: 1. Galvanize Data Science Online Immersive. 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 Kearns motioned to approve the previously mentioned new program effective February 23rd, 2021. The motion was seconded and carried.

2. Auguste Escoffier School of Culinary Arts – Boulder - JR

Program Specialist Rendon presented to the Board for review and consideration of three new programs: 1. Associate of Occupational Studies in Plant-Based Culinary Arts; 2. Diploma in Plant-Based Culinary Arts and 3. Diploma in Plant-Based Cuisine. 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, Vice Chair Minic motioned to approve the previously mentioned new programs effective February 23rd, 2021. The motion was seconded and carried.

3. Heritage School of Interior Design – Denver - AC

Program Specialist Cordova presented to the Board for review and consideration of four new stand-alone courses: 1. Advanced Kitchen & Bath Design; 2. Branding & Technology; 3. Business Entrepreneurship and 4. Construction Basics Working with Contractors. 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 courses, Board Member Wamser motioned to approve the previously mentioned new courses effective February 23rd, 2021. The motion was seconded and carried.

C. Consideration of Approval of Out of State Provisional

1. CompTIA Tech Career Academy – Downers Grove - CH

Program Specialist Harding presented to the Board for review and consideration of an Out of State Provisional approval. 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, Board Member Kearns motioned to approve the provisional out of state for the period beginning February 23rd, 2021 and ending June 30th, 2021. The motion was seconded and carried.

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. On December 2, 2020 Counsel provided the Notice(s) to the Division for review. The Division will mail the Notice(s) to the school today, February 23, 2021.

- 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 drafted the complaint and provided it to the Division for review on February 17, 2020. The Division submitted additional documents and information to Counsel for inclusion in the complaint. Counsel will provide a final draft to the Division for review.
- c. CollegeAmerica –
On February 22, 2021, the Division re-issued surety release letters to the school.
- 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 drafted the Notice and shared with the Division for review on January 5, 2021. The Division issued the Notice to the school on February 22, 2021.
- f. Rock Creek Laser & Esthetics Institute –
On August 25, 2020, the Board voted to issue a Subpoena Duces Tecum. 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 at their January 26, 2021 Board meeting. The Board voted to issue a Notice of Noncompliance based on reasonable belief student files were lacking in the required content and detail. Counsel will provide a draft of the Notice to the Division for review.

The Board's Counsel also provided an update regarding the Division's Rulemaking. A full legal review of the Rules has been completed by the Department of Law. The Attorney General Opinion has been filed with the Secretary of State.

Director/COEO Candler acknowledged the update and confirmed the next step would be for the Division to file with the Secretary of State by February 25th, 2021 to keep the process moving.

Adjournment:

Board Member Vice Chair Minic motioned to adjourn the meeting at 11:15 AM. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, March 23rd, 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: highered.colorado.gov/dpos