

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
March 23rd, 2021 9:33 A.M.

Join Zoom Meeting

<https://zoom.us/j/98247859636?pwd=TDFCMmFRreE9ydlh1QUU5dUZlUjk5QT09>

Meeting ID: 982 4785 9636

Find your local number: <https://zoom.us/u/adRXm4HoI2>

Board Members Present:

Paul Garibay, Chair;
Shelley Krovitz;
Jessica Houtz;

Ryan Minic, Vice Chair;
Ellen Wamser;
Barbara Kearns;

Board Members Absent:

JoAnn Stevens, Secretary;

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;

Guests Present:

Robert Smith, Essentials Therapeutic Massage School;
Meg McCreight, UCH-MHS School of Radiologic Technology;
Bob Scherner, 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;
Kathleen Vossenber, Auguste Escoffier School of Culinary Arts;
Michael Mulholland, Accent Beauty Academy;
Dr. Kelly Moore, Lincoln College of Technology;
Mary Starkey, Starkey International Institute for Household Management;
Xavier Medecin, Starkey International Institute for Household Management;
Jennifer Burrell, Auguste Escoffier School of Culinary Arts;

Courtney Dietz, Vegan Fusion Culinary Academy;
Chris Koehler, Nutrition Therapy Institute;
Dianne Koehler, Nutrition Therapy Institute;
Sarah Ellefson, Vail Institute of Pilates;
Jennifer Lucas, Vail Institute of Pilates;
Elaine Ivan, UCH-MHS School of Radiologic Technology;
Kristi Connors, general public;
Dr. Altaf Siddiqui, Aurora College;
Amy Capwell, general public;

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, 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 February 23rd, 2021 Minutes:

Following review and consideration of the February 23rd, 2021 regular 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:

COEO/Director Candler reported the following:

- The Division is at the height of busy season with renewals and staff is doing an excellent job managing the volume along with all their other duties and projects.
- New school applications continue to pour in which is good news and a strong sign that private occupational schools are still needed and valued.
- The legislature is back in session which requires the Division to conduct Bill reviews that are related to DPOS or may impact DPOS. Board Member Houtz and Board Member Kearns will be confirmed by the Senate committee virtually in April.
- NASASPS will meet virtually April 12th and 13th for their Spring Regulator Workshop. They are reaching out to the U.S. Department of Education to determine how the new Biden administration will impact private occupational schools. NASASPS is also looking for a part time Executive Director that will work on increasing membership and convey that NASASPS is the national voice for regulators and private occupational schools.
- Program Specialist Cordova and Program Specialist Acosta continue to complete testing of Phase I of the Division's new IT platform and assist in the build of additional phases of our IT solution. Division staff and the Department's IT staff are working hard to map out the project and expect to launch this summer.

- Lastly, the Division is finalizing the search to fill the vacant Division Specialist position and hopes to hire someone soon.

New Business/Action Items:

A. Consideration of Approval of Provisional Certificate

1. Vail Institute of Pilates – Avon - CH

Program Specialist Harding presented to the Board for review and consideration of a Provisional Certificate of Approval and consideration of one new program: 1. Comprehensive Pilates Teacher Training. A school representative was present.

Following review and consideration, Vice Chair Minic motioned to approve the Provisional Certificate of Approval effective March 23rd, 2021 ending June 30, 2022 and to approve the new program. The motion was seconded and carried.

2. Vegan Fusion Culinary Academy – Boulder - JR

Program Specialist Rendon presented to the Board for review and consideration of a Provisional Certificate of Approval and consideration of one new program: 1. Aspiring Chef Program. A school representative was present.

Following review and consideration, Board Member Wamser motioned to approve the Provisional Certificate of Approval effective March 23rd, 2021 ending June 30, 2022 and to approve the new program. The motion was seconded and carried.

B. Consideration of Approval of Renewal Certificate

1. Essentials Therapeutic Massage School – Grand Junction - 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.

2. UCH-MHS School of Radiologic Technology – Colorado Springs - 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.

3. Nutrition Therapy Institute – Arvada - JR

Program Specialist Rendon 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.

4. Accent Beauty Academy – Denver - JR

Program Specialist Rendon 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.

C. Consideration of Approval of Renewal Certificate with New Program(s)/Stand-Alone Course(s)

1. Starkey International Institute of Household Management – Denver - JR

Program Specialist Rendon presented to the Board for review and consideration renewal of the school's Certificate of Approval and consideration of one new program: 1. Advance Household Management Program. 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.

Following review and consideration of the new program, Vice Chair Minic motioned to approve the previously mentioned new program effective March 23rd, 2021. The motion was seconded and carried.

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

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

Program Specialist Rendon presented to the Board for review and consideration of six new stand-alone courses: 1. PB111 Foundations of Plant-Based Pastry I; 2. PB112 Foundations of Plant-Based Pastry II; 3. PB120 Plant-Based Seasonal Cuisine; 4. PB130 Plant-Based Approaches to Wellness; 5. PB141 Cultural Influences I; and 6. PB142 Cultural Influences II. 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, Board Member Kearns motioned to approve the previously mentioned new courses effective March 23rd, 2021. The motion was seconded and carried.

2. Aurora College – Aurora - JR

Program Specialist Rendon presented to the Board for review and consideration of one revised program and two new programs: 1. Java Programmer Associate; 2. Machine Learning and AI; and 3. Python Programming. 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 revised program, Board Member Wamser motioned to approve the previously mentioned revised program effective March 23rd, 2021. The motion was seconded and carried.

Following review and consideration of the new programs, Board Member Wamser motioned to approve the previously mentioned new programs effective March 23rd, 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 mailed the Notice(s) to the school, 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 provided 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 –
On January 28, 2020, the Board voted to issue a Notice of Noncompliance. The Notice was issued to the school on February 24, 2020. The school responded and the Division reviewed the response. The Division and Counsel recommend issuance of a letter to the school.
- 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 provided a draft of the Notice to the Division for review.

2. College of International Esthetics, Inc.

COEO/Director Candler recognized the hard work Compliance Investigator Uyemura has done managing student complaints, calculating student bond claims and completing bond disbursements to students from the recent school closure. Additionally, he has recouped approximately \$17,000 from the bond company for the Division's administrative costs.

Board Chair Garibay and COEO/Director Candler acknowledged the tragic event that occurred yesterday in Boulder, Colorado that claimed 10 lives and offered condolences to the Boulder community.

Board Chair Garibay is a graduate of CU Boulder and worked for some time at the King Soopers on Table Mesa after graduation. Board Chair Garibay recognized the heroic efforts of Officer Eric Talley and all the responders involved who deserve our respect and gratitude as we are again reminded of their bravery and selflessness.

Adjournment:

Vice Chair Minic thanked the Division's staff and motioned to adjourn the meeting at 11:07 AM. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, April 27th, 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: higher.colorado.gov/dpos