

MINUTES
COLORADO BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
March 28, 2023 at 9:30 a.m.

Join Zoom Meeting

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Meeting ID: 823 8824 9577

Board Members Present:

JoAnn Stevens, Chair
Barbara Kearns, Vice Chair;
Ellen Wamser, Secretary;
Scott Cardona;
Chad J. Nash
Ryan Minic; and
Jessica Wagner

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 Martha Torres-Recinos;
Program Specialist Austin Bentz;
Program Specialist Kerrie Solis;
Program Specialist Assistant Bernadette Esquibel; and
Division Specialist Kristi Connors

Board Counsel Present:

Natalie Powell, Senior Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Traci Lisk, Academy of Massage Essentials;
Julia Costin, Cyber Qubits;
Terri Spencer, Pima Medical Institute – Aurora;
Donna Kramer, Empire Beauty School – Thornton;
Ashley Kacenjar, Galvanize;
Mike Rudinsky, Galvanize;
Lisa Frye, Empire Beauty School – Thornton;
Gurvirender Tejay, Cyber Qubits;
Apollonia Williams, Endura Healthcare Training;
Alexis Boulware, Galvanize;
Carrie Petersen, International Salon and Spa Academy;
Michael Garcia, Endura Healthcare Training;
Marie Ingle, DollFace Advanced Education;
Cara Sharpe, Pima Medical Institute – Aurora and Denver;

Kristie Berg, Academy for Dental Assisting Careers;
Kristen Marshall, Concorde Career College;
Curtis Schlak, Galvanize; and
Melissa Cannata, The CE Shop LLC

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by JoAnn Stevens, Chair, at 9:34 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 28, 2023 Minutes:

Following review and consideration of the February 28, 2023 regular and executive session minutes, Board Secretary Wamser motioned to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:

COEO/Director Candler requested to add National Beauty College to Other Business.

Director / Staff Report

- COEO/Director Candler reported on the progress of this year's renewal applications including completing site visits around the state.
- COEO/Director Candler reported Sunset review is currently ongoing as required by our Statute. Saul Larsen, Department of Regulatory Agencies, may contact schools to gather input from all stakeholders regarding the Division.
- Deputy Director Kanaly reported that the Division is working with the new State Apprenticeship Agency to assist in the rollout of this new agency.

New Business/Action Items:

A. Consideration of Approval of Provisional Certificate

1. Endura Healthcare Training Phlebotomy Technician Program – Englewood – AB

Program Specialist Bentz presented to the Board for review and consideration of a Provisional School Application to Operate including one program: Phlebotomy Technician Course. A school representative was present. A site visit was completed. 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, Vice Chair Kearns motioned to approve the Provisional Certificate and previously mentioned educational offering effective March 28, 2023 and ending June 30, 2024. The motion was seconded and carried.

2.Cyber Qubits – Greenwood Village – AB

Program Specialist Bentz presented to the Board for review and consideration of a Provisional School Application to Operate including five programs: Cybersecurity Architecture, Cybersecurity Management, Cybersecurity Specialist, Digital Privacy, and IS Security Audit. A school representative was present. A site visit was completed. 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, Vice Chair Kearns motioned to approve the Provisional Certificate and previously mentioned educational offerings effective March 28, 2023 and ending June 30, 2024. The motion was seconded and carried.

B. Consideration of Approval of Change of Ownership

1. Concorde Career College – Aurora – MR

Program Specialist Recinos presented to the Board for review and consideration of approval of change of ownership application. 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 Secretary Wamser motioned to approve the application for change of ownership for Concorde Career Colleges, Inc. effective March 28, 2023 and ending June 30, 2024. The motion was seconded and carried.

C. Consideration of Approval of Renewal

1. Academy of Massage Essentials – Colorado Springs – AB

Program Specialist Bentz presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

At this time, Board member Minic recused himself.

2.Pima Medical Institute – Denver – AB

Program Specialist Bentz presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board

determined 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 Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

3. Pima Medical Institute – Aurora – AB

Program Specialist Bentz presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

At this time, Board member Minic rejoined the meeting.

4. Academy for Dental Assisting Careers – Greeley – RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

5. Academy for Dental Assisting Careers – Brighton – RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Secretary Wamser motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

6. Academy for Dental Assisting Careers – Longmont – RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

7. Empire Beauty School – Thornton – RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

8. International Salon and Spa Academy – Colorado Springs – RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

9. Tuana European Beauty Academy – Fort Collins – RA

Program Specialist Acosta presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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 Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2023 and ending June 30, 2026. The motion was seconded and carried.

D. Consideration of New Program(s)/Stand-Alone Course(s) or Major Revisions

1. DollFace Advanced Education – Colorado Springs – KS

Program Specialist Solis presented to the Board for review and consideration of one new stand-alone course: Chemical Peel. 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, Vice Chair Kearns motioned to approve the new stand-alone course previously mentioned effective March 28, 2023. The motion was seconded and carried.

2. Galvanize Inc. – Denver Platte – MR

Program Specialist Recinos presented to the Board for review and consideration of one new program: Hack Reactor Software Engineering with JavaScript and Typescript. 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, Vice Chair Kearns motioned to approve the new program previously mentioned effective March 28, 2023. The motion was seconded and carried.

E. School Closure Report (No Action Required)

1. Parelli Natural Horsemanship University

Division Specialist Connors reported that the school has not enrolled students since the date of closure on November 9, 2022, and all students have completed training.

Effective March 15, 2023, all available student educational records were submitted electronically to the Division.

Other Business:

A. Legal Update

The Board's Counsel, Senior Assistant Attorney General Natalie Powell, updated the Board on the following items:

1. Perfect Massage (no action required)

At its October 26, 2021 meeting, the Board denied an application for a provisional certificate of approval based on information presented by the Division and issued a notice of noncompliance. At its January 25, 2022 meeting, the Board considered the school's response and voted to uphold the denial. On February 22, 2022, the school timely requested a hearing on the Board's denial of its application. Board Counsel filed a Notice of Denial with Office of Administrative Courts on July 21, 2022, and school has 30 days to file a response. Perfect Massage did not timely file a response or enter an appearance. Default was entered on October 18, 2022. Conflicts counsel will further advise the Board on this matter at next month's Board meeting.

2. Commercial Vehicle Training Center (no action required)

At its September 2022 meeting, the Division presented the Board with evidence that the Commercial Vehicle Training Center (CVTC) had closed without warning to students. The Board voted to issue a notice of noncompliance and subpoena for records. On October 14, 2022, the

Division issued the Notice of Noncompliance and Subpoena. The Subpoena requested documents be produced by October 21, 2022. Mr. Euglow, school owner, did not respond to the Notice of Noncompliance or the Subpoena. At its December 2022 Board meeting, the Board voted to instruct counsel to send a letter to Mr. Euglow to request voluntary surrender of records and complete the closure process. Mr. Euglow signed the affidavit on February 24, 2023 and provided limited details on student contact information. The deadline to provide all of the required records is April 24, 2023.

3. Real Estate Training Center (no action required)

The Real Estate Training Center submitted a change of ownership application in April 2022. The Division reviewed the application and discovered a few issues which were concerning including missing financial information for the parent company, a sales agent located in Colorado, and, of most concern, the required disclosure questions contained omissions and/or misinformation regarding criminal history. The Division made the determination to deny the application and not move it forward to the Board for review. The school is now considered closed and it must provide the required student and financial records under statute and board rule. At the Board's February 2023 meeting, a school representative Joseph Hackett, attended and represented he was working on collecting the records. The Board voted to issue a 30-day warning letter and subpoena for the records. Counsel and the Division sent the 30-day warning letter and subpoena for the records to Mr. Hackett on March 23, 2023, giving a deadline of April 21, 2023, to provide the records.

4. National Beauty College

At its February 2023 meeting, the Division presented the Board with information that it received a complaint that National Beauty College was offering unauthorized internships. After completing an unannounced visit to the school to further investigate, the Division found evidence that National Beauty College was failing to meet numerous other statutory minimum standards. In particular, evidence suggested the school did not appear to be maintaining adequate student records and was completing attendance and transcripts before students actually attended courses or completed their coursework.

The Board voted to issue a notice of noncompliance to the School. Counsel and the Division sent the Notice of Noncompliance on March 8, 2023, and the School responded on March 23, 2023. The information the School provided by the March 23, 2023 deadline is provided along with this legal update. The School attempted to provide additional information on Friday March 24, 2023, but was informed it will not be considered as it was provided after the deadline.

The Board will need to decide whether the responsive information sufficiently shows compliance with the Board's Act. Otherwise, the Board can ask for additional information, or request counsel move forward with a Notice of Charges seeking revocation of the school's certificate to operate.

B. National Beauty College

COEO/Director Candler reported to the Board that Mr. Do was provided notice of the meeting today and offered the services of an interpreter, which was declined.

Following review and consideration of the previous matters discussed during the regular portion of the meeting, Board Secretary Wamser motioned to convene in executive session with the Board's Counsel to seek legal advice pursuant to C.R.S. §24-6-402(3)(a)(II), on the following matter: National Beauty College 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. The public session recorder was turned off at 10:47 a.m.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 11:00 a.m.

Summary of Return to Regular Session:

After the review and consideration of the matters previously mentioned, Chair Stevens resumed regular session at 11:38 a.m. The executive session recorder was turned off. The public session recorder was turned on and the general public was welcomed back.

Senior Assistant Attorney General Natalie Powell, 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.

Following executive session, the Board resumed its agenda as follows:

National Beauty College

Following discussion regarding concerns about the school's inadequate and untimely response to the Notice of Noncompliance and the school's ability to meet the minimum standards to provide quality education to the students, Board Secretary Wamser motioned to direct Board Counsel to issue a Notice of Charges to Revoke the Certificate of Approval. The motion was seconded and carried.

Adjournment:

Board Secretary Wamser motioned to adjourn the meeting at 11:43 a.m. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, April 25, 2023 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.ed.colorado.gov/dpos.