

MINUTES
COLORADO BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
November 20, 2023 at 10:00 a.m.

Join Zoom Meeting

<https://higher-ed-colorado-gov.zoom.us/j/88948584003?pwd=V2Rlb0E0aGd3NmI2dTAvZkFRaVmUT09>

Meeting ID: 889 4858 4003

Board Members Present:

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

Division Staff Present:

Chief Occupational Education Officer/Director Lorna Candler;
Deputy Director & Compliance Officer Mary Kanaly;
Compliance Investigator Lisa Combs;
Program Specialist Rachel Acosta;
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:

David Vice, IBMC College;
Tom Bezek, IBMC College; and
Wayne Zellner, IBMC College

Call to Order:

The interim meeting of the Private Occupational Schools Board was called to order by JoAnn Stevens, Chair, at 10:00 a.m. The Board members, Division staff, and guests were introduced. Board roll call was taken. A quorum was present.

At this time, Vice Chair Kearns recused herself.

Director/Staff Report

- COEO/Director Candler thanked all Board members and staff for attending this emergency Board meeting and recommended the Board seek legal advice from Board Counsel regarding the IBMC Change of Ownership applications.

Following review and consideration of the previous matter discussed during the regular portion of the meeting, 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: IBMC 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 10:07 a.m.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 10:10 a.m.

Summary of Return to Regular Session:

Board member Nash left the meeting during Executive Session at 10:40 a.m.

After the review and consideration of the matter previously mentioned, Chair Stevens resumed regular session at 10:50 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:

IBMC College

Following discussion regarding concerns about the need for additional information from the School in order for the Board to complete review and approve the Change of Ownership applications, Chair Stevens requested the School provide an ownership structure chart, all financial statements, and a plan for profitability to the Division for review. The Division will schedule a follow-up emergency Board meeting to consider the approval of the Change of Ownership of the three IBMC campuses.

Secretary Wamser and Board member Cardona left the meeting at 10:55 a.m.

Adjournment:

Due to a lack of quorum at this time, Chair Stevens declared the meeting adjourned at 11:11 a.m.

The next regularly scheduled meeting of the Board is Tuesday, December 5, 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: highered.colorado.gov/dpos.

