

**MINUTES**  
**COLORADO BOARD OF PRIVATE OCCUPATIONAL SCHOOLS**  
**December 5, 2023 at 9:30 a.m.**

Join Zoom Meeting

<https://higherred-colorado-gov.zoom.us/j/88629536696?pwd=RHF2aGs2cVRUYXVYb3RmenVhM1dmQT09>

Meeting ID: 886 2953 6696

Board Members Present:

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

Board Members Absent:

Barbara Kearns, Vice Chair

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 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:

Dr. Scott Sand, Casa Loma College;  
Tina Cavaliere, The Giving Touch LLC;  
Victoria Lopez, Luxury Cult LLC;  
Samuel Ogah, Zoe Innovation Cloud Technology;  
Melissa Cannata, The CE Shop;  
Yulia Meoded, Yulia Meoded Permanent Makeup Academy;  
Chelsae Dysart, Zoe Innovation Cloud Technology;  
Tanya Alverson, Interested Party;  
Carrie Petersen Cathey, International Salon and Spa Academy;  
Dr. Elena Felipe, Casa Loma College; and  
Michael Vente, CDHE

### Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by JoAnn Stevens, 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 Minutes:

Following review and consideration of the October 24, 2023 regular session minutes, Board member Wamser motioned to approve the minutes as written. The motion was seconded and carried.

### Additions / Changes to the Agenda:

COEO/Director Candler reported no additions or changes to the agenda.

### Director / Staff Report

- This is the last meeting of 2023. In January 2024 the Division will be holding a stakeholder meeting to comment on the proposed rules changes.
- New federal regulation regarding programs that have state requirements for obtaining a license, updated the rule that no funding will be given to programs that exceed the mandated requirements.
- The Division has been working with CDLE and the administration of ETPL funds for schools who have been previously granted an exemption by the Division. The Division has worked to identify and notify providers who are exempt but are receiving ETPL funds for students. These providers will be asked to re-submit the exemption request for evaluation.
- Michael Vente, Senior Director of Research and Data Governance at CDHE, presented a summary of the Return on Investment report and the value of including Private Occupational Schools' data to tell the complete story of education opportunities in Colorado. In order to collect more individual data, schools can join the ETPL which will also provide more visibility of their programs. Schools can easily become part of ETPL through DPOS Connect and can reach out to the Division with any questions.

### New Business/Action Items:

#### A. Consideration of Approval of Provisional Certificate

##### 1. Casa Loma College – Aurora – AB

Program Specialist Bentz presented to the Board for review and consideration of a Provisional School Application to Operate including three programs: Diagnostic Medical Sonography, Medical Radiography, and Magnetic Resonance Imaging. A school representative was present. A site visit was not completed yet due to construction. The school is requesting conditional approval pending the site visits of the temporary space and the permanent location. 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 Wagner motioned to conditionally approve the Provisional Certificate with the requirement to complete the site visit of the temporary classroom and new construction locations effective December 5, 2023 and ending June 30, 2025. The motion was seconded and carried. Board member Wagner motioned to approve the additional semester credit hours required above the state requirements for each of the previously mentioned programs. The motion was seconded and carried.

## 2. Zoe Innovation Cloud Technology – Denver – AB

Program Specialist Bentz presented to the Board for review and consideration of a Provisional School Application to Operate including three programs: AWS Cloud Architect, DevOpsCloud Engineering, and Scrum Master Project Manager. 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, Board member Smith motioned to approve the Provisional Certificate and previously mentioned educational offerings effective December 5, 2023 and ending June 30, 2025. The motion was seconded and carried.

## 3. Yulia Meoded PMU Academy LLC – Greenwood Village – KS

Program Specialist Solis presented to the Board for review and consideration of a Provisional School Application to Operate including five stand-alone courses: Advanced Eyebrows PMU Training, Advanced Eyeliner PMU Training, Advanced Lips PMU Training, Permanent Makeup Removal Training, and Scar Camouflage Training and one program: 132 hour Fundamental PMU Training. 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, Board member Wagner motioned to approve the Provisional Certificate and previously mentioned educational offerings effective December 5, 2023 and ending June 30, 2025. The motion was seconded and carried.

## 4. Luxury Cult LLC – Evans – RA

Program Specialist Acosta presented to the Board for review and consideration of a Provisional School Application to Operate including two stand-alone courses: 132 Hour Permanent Makeup Certification and Tattooed Ombre Brows Training. 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, Board member Wagner motioned to approve the Provisional Certificate and previously mentioned educational offerings effective December 5, 2023 and ending June 30, 2025. The motion was seconded and carried.

B. Consideration of Approval of Renewal

1. Colorado Advanced Esthetics – Centennial – KS

Program Specialist Solis 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 Smith 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.

C. Consideration of Approval of Change of Ownership

1. Glenwood Beauty College – Glenwood Springs – KS

Program Specialist Solis presented to the Board for review and consideration of approval of change of ownership application. A school representative was present.

Following review and consideration, Secretary Wamser motioned to approve the Change of Ownership effective December 5, 2023 and ending June 30, 2025. The motion was seconded and carried.

Board member Cardona recused at this time.

2. The Giving Touch – Grand Junction – KS

Program Specialist Solis presented to the Board for review and consideration of approval of change of ownership application. A school representative was present.

Following review and consideration, Board member Wagner motioned to approve the Change of Ownership effective December 5, 2023 and ending June 30, 2025. The motion was seconded and carried.

Board member Cardona rejoined the meeting at this time.

D. School Closure Report (No Action Required)

1. Real Estate Training Center

Effective September 6, 2023, all available student and educational records were submitted electronically to the Division.

2. Pueblo Medical Assistant School

This school did not enroll any students since it began operating at this location.

3. Colorado Springs Dental Assistant School

This school did not enroll any students since it began operating at this location.

**Other Business:**

A. Legal Update

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

1. 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 was April 24, 2023. At its April 2023 meeting, the Board voted to send CVTC a 30-day warning letter and subpoena. Counsel and the Division sent a 30-day warning letter and subpoena to Mr. Euglow on May 17, 2023, making his response deadline June 16, 2023. As of June 22, 2023, Mr. Euglow provided some records to the Division, but the records did not include student transcripts/certificates of completion. Mr. Euglow then represented that he has subsequently uploaded additional records. The Division has reviewed the additional records provided and will report this school as closed.

2. 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. Because the school is now closed, 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. Mr. Hackett has been in touch with the Division concerning providing the records and the Division is

in the process of reviewing the records. The Division has reviewed the required records provided and will report this school as closed to the Board at its next meeting.

3. National Beauty College (no action required)

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.

At its March 28, 2023 meeting, the Board voted to pursue a notice of charges to revoke the School's certificate of approval due to its belief the School was operating in violation of the Board's act. Then, upon receipt of inspection information from another state agency, the Board voted at an interim meeting on April 10, 2023, to summarily suspend the School's certificate to operate.

Counsel filed a Notice of Charges with the Office of Administrative Courts on April 28, 2023. The School did not respond to the Notice of Charges and did not attend the conference to set a hearing date. A hearing has been set for April 29-30, 2024. Counsel's office filed a motion for default. After serving the motion, the School responded by email that it is permanently closed.

Although a default judgment will likely be entered, Counsel has prepared a potential stipulated agreement to propose to the School to settle the case. At its September 2023 meeting, the Board approved the proposed stipulated agreement and affidavit. Board Counsel has emailed and mailed it to Mr. Do (in Florida). He has indicated a willingness to sign it, but has not been responsive to recent communications. Therefore, the Board may need to proceed with default proceedings to reach a final Board order.

4. Colorado Advanced Esthetics (no action required)

At its June 2023 Board meeting, the Board considered Colorado Advanced Esthetics' (CAE) application for renewal and determined the application was missing necessary information, such as the renewal application was incomplete, the surety calculation form and rider needed corrections, the catalog was not compliant, the student complaint language was not updated in the School's catalogue and enrollment agreement, and the instructor applications were not properly completed. Further, it was determined the School was still offering a 725-hour unapproved course as the course purports to allow students to complete advanced training before receiving their license.

The Board voted to issue the School a notice of noncompliance and nonrenewal. The notice was issued on July 10, 2023, making the deadline to respond to July 24, 2023. At its July 25, 2023

meeting, the Board considered CAE's response to the notice of noncompliance and voted to uphold the denial of the renewal application. CAE timely requested a hearing.

Board Counsel and Deputy Director Kanaly met with the School to discuss a potential stipulated agreement. At its September 2023 meeting, the Board approved the proposed stipulated agreement, and it delegated authority to Director Candler to determine an appropriate fee or fine amount, in consultation with Counsel. A fee of \$2,500 was assessed. The School has signed the stipulated agreement. The school paid the fee and submitted the renewal application which the Board considered and approved at today's meeting.

#### B. Peak Pilates

Director Candler summarized actions the Division has taken to determine if this school is an unauthorized school operating in Colorado. The school has submitted two exemption requests to the Division, however, the Division determined that the school has not demonstrated sufficient evidence to grant an exemption from regulation and oversight. The school was notified of these denials of their exemption requests. The school has not yet submitted an application for approval to operate a school to the Division.

Following review and consideration of the investigation discussed during the regular portion of the meeting, Board member Cardona 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: Peak Pilates 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 12:15 p.m.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 12:15 p.m.

#### Summary of Return to Regular Session:

After the review and consideration of the matter previously mentioned, Chair Stevens resumed regular session at 12:36 p.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:

#### Peak Pilates

Following discussion regarding the Division's investigation, the Board determined, based on the evidence, the School is operating without a certificate of approval by the Board. Board Secretary Wamser motioned to direct Board Counsel Powell to issue the school a Cease and Desist Order to direct

Peak Pilates to cease operations and to cease training Colorado residents either in-person or on-line. The motion was seconded and carried.

### C. Conditional Board Approvals

Deputy Director Kanaly reported that an update on conditional Board approvals will be provided at the January Board meeting.

### Adjournment:

Board Secretary Wamser motioned to adjourn the meeting at 12:55 p.m. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, January 23, 2024, 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](https://highered.colorado.gov/dpos).