

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:32 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 July 23rd, 2019 Minutes:

Following review and consideration of the July 23, 2019 meeting minutes, Mr. Reister made a motion to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:

Director/ Staff Report:

Deputy Director Kanaly reported the following items:

- Annual Filings are currently being processed at the Division;
- A Staff Retreat was held to ascertain Division goals;
- The United States Department of Transportation is collaborating with the Division to create a task force focused on Truck Driving Regulations;
- The Division has received the Ecotech bond money thus, refunds will be distributed to students affected by the closure

Other Business Items

1. Command Cuts Academy of Barbering Appeal of Initial Decision

Conflicts Counsel for the Board, Skip Spear, explained the role of Conflicts Counsel to the Board. The School owner, Orlando Gonzalez, received ten minutes for oral arguments. Board Counsel, Jacquelynn Rich Fredericks also received ten minutes for oral arguments. After follow up questions and further discussion by the Board, Mr. Minic motioned to adopt the Initial Decision of Default as the Final Agency Order. Mr. Minic motioned to delegate authority to the Division Director to issue a written order on behalf of the Board. The motions were seconded and carried.

At this time, Mr. Reister motioned for a break. The motion was seconded and carried.

At 10:34 A.M. Board Chair, Paul Garibay, called the meeting back into session.

2. Legal Update

Legal Counsel, Jacquelynn Rich Fredericks, updated the Board on the following items:

- a. Bartending and Casino College, Colorado Springs Campus
 - i. The Board issued a Notice of Noncompliance/Fine for \$5,000.00 on April 3, 2019. The School's response was due on April 17, 2019. The Board must review the School's response and deliberate to determine whether to issue a Notice of Fine pursuant to 8 CCR 1504-1 (XI)(D).

- b. College America
 - i. The Board issued a Notice of Noncompliance on June 26, 2019. The School responded July 17, 2019. The Board must review the School's response and deliberate to determine whether to issue a Notice of Charges. Pursuant to the Board's authorization during the July Board Meeting, counsel engaged in settlement negotiations with College America through Mr. E. Juhlin. Both parties have reached an agreement in principle. Mr. Juhlin has requested the opportunity to have his attorney review the draft Settlement Agreement. It will then come before the Board next month for adoption as a Final Agency Order.
- c. Greater Pueblo Dental Assisting School
 - i. The Board issued a Notice of Noncompliance and Nonrenewal on September 18, 2018. The Board issued a Notice of Charges that was docketed with the Office of Administrative Courts on April 18, 2019. The School failed to participate in setting conference. A hearing is set for October 24, 2019 at 9:00 A.M. Respondent has reached out and offered to voluntarily surrender their certificate. A draft Affidavit of Voluntary Surrender is in draft.
- d. Namaste's Artisan Barber College
 - i. The Board issued a Notice of Noncompliance on April 8, 2019. The School's response to the Notice of Noncompliance was due on April 22, 2019. The Board must review the School's response and deliberate to determine whether to issue a Notice of Fine. Alternatively, the Division has received information that this School may be closing.
- e. Westland Beauty Academy
 - i. A copy of the Final Settlement Agreement has been remitted to Counsel for the School. A copy of the Final Settlement Agreement has been provided to the Board. Once the School has signed, the Board will need to vote to adopt the Agreement as a Final Agency Action/Order of the Board.

3. College America

The matter was previously discussed in the Legal Update. A monthly update was not provided. No action taken.

4. Bartending and Casino College

Deputy Director Kanaly provided an update to the Board that the school has deposited student records with the Division pursuant to the closure process. Deputy Director Kanaly further informed the Board that the student records provided did not include transcripts. No action taken.

5. Rulemaking

Deputy Director Kanaly informed the Board that the rulemaking hearing will be held at the October Board Meeting or it could be moved to December. The Division will apprise the Board of any updated information regarding the scheduling of the rulemaking hearing. Deputy Director Kanaly further informed the Board that a stakeholder meeting has been scheduled for September 11, 2019 at the Division office. Specific definitions in

redline format were provided to alert the Board of the difficulties the Division is experiencing. No action taken.

6. The New Colorado Outdoor Guide School

Compliance Investigator, Bradlee Uyemura, reported to the Board a memo regarding the school's compliance with the student refund that was issued in July. Mr. Uyemura informed the Board that the student who received the refund has been able to cash the check thus, the school has met its conditional approval. No action taken.

7. Ecotech

Deputy Director Kanaly presented a refund spreadsheet to the Board. The Board must decide if authority should be given to the Division to choose between two refund calculation options: 1. Follow existing refund calculation, or 2. Provide refunds in full. The Board gave authority to the Division to issue full refunds to affected and qualifying students.

8. Board Retreat

Data and Research Specialist, Amy Knoblauch, provided a brief update on the upcoming Board Retreat regarding the date, location and content that will be discussed at that time.

New Business/Action Items:

A. Consideration of Approval of Programs/Stand- Alone Courses/Major Revisions/Degree Program

1. Digital Workshop Center – Fort Collins - AC

Program Specialist Cordova presented to the Board for review and consideration the following major revision to a program: Business Administration Certificate. A school representative was not 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, Mr. Minic motioned to approve the previously mentioned major revision to a program effective August 27, 2019. The motion was seconded and carried.

B. Consideration of Approval of Provisional Certificate

1. Accent Beauty Academy – Denver - LH

Program Coordinator Hill presented to the Board for review and consideration of a Provisional Certificate. 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, Mr. Minic motioned to approve the Provisional certificate for the period beginning August 27, 2019 and ending June 30, 2021. The motion was seconded and carried.

2. Green Leaf School of Massage and Bodywork – Arvada - LH

Program Coordinator Hill presented to the Board for review and consideration of a Provisional Certificate. A school representative was present.

Following review and consideration, Mr. Reister motioned to conditionally approve the Provisional certificate provided that the Division continues to monitor the Pro-forma and the Balance Sheet. The motion was seconded and carried.

3. Phlebotomy Training Specialists – Colorado Springs - LH

Program Coordinator Hill presented to the Board for review and consideration of a Provisional Certificate. A school representative was not 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, Mr. Guerrero motioned to approve the Provisional certificate for the period beginning August 27, 2019 and ending June 30, 2021. The motion was seconded and carried.

C. Notification of School Closing (no action needed)

1. Namaste's Artisan Barber College
 - a. Student records have not been deposited with the Division as of August 27th, 2019 however, the Division is confident that it will receive all required records once the school finalizes the closure process. Program Specialist Acosta will update the Board regarding the status of receiving required records when the school officially closes.
2. Love Christian Fellowship Educational Center
 - a. The school has not enrolled students since 2013 and all students have completed training. Effective 8/15/2019, student and educational records are not available for deposit to the Division of Private Occupational Schools.
3. Denver College of Dental Careers
 - a. Student records are on deposit with the Division.

Adjournment:

Mr. Minic motioned to adjourn the meeting at 11:34 A.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, September 24, 2019, at 9:30 A.M. and will be held at:

Auraria Higher Education Campus

Tivoli Student Center, Room 320
900 Auraria Parkway, Denver, CO 80204
Telephone (303) 862-3001