

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS  
BOARD MEETING  
July 22, 2014 9:30 A.M.**

The Private Occupational Schools Board convened at the Auraria Higher Education Campus, Tivoli Student Center, Room 320, 900 Auraria Parkway, Denver, CO 80204. Steven W. Steele, Chair, called the meeting to order at 9:32 A.M. and greeted guests. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum and a two-third majority of the Board members were present.

Board Members Present:

Steven W. Steele, Chair	Arlene Rae Malay	Joseph James Wolf
Richard Semakula	Shelley Krovitz	Jean Robinson

Ledy Garcia-Eckstein joined the meeting at 9:39 a.m.

Division Staff Present:

Lorna Candler, Director	Mary Kanaly, Compliance Officer
Bernadette Esquibel, Program Coordinator	Renee Belisle, Program Specialist
Voni Oerman, Program Specialist	Karla Viteri, Program Specialist
Loretta Perez, Administrative Assistant	

Board Counsel Present:

Heidi Dineen, Senior Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Gary Wales, Empire Education Group, Empire Beauty School – All locations  
Jeff Macco, SeedPaths - Denver  
Cindy Cooper, Peak Technical Institute - Loveland  
Isabel Jackson, Peak Technical Institute - Loveland  
Ann O'Connell, RefactorU - Boulder  
Sean Daken, RefactorU – Boulder  
Chris Gorrie, Ecotech Institute – Aurora  
Wendy Tonozzi, Elite Dental Assisting – Littleton  
Lacey Edwards, Elite Dental Assisting – Littleton  
Thomas Rausch, CDL Safety School - Littleton

**Approval of the June 24, 2014 Board Meeting Public Session Minutes:**

The Board reviewed the June 24, 2014, meeting minutes. Ms. Krovitz moved for approval of the minutes as read. The motion was seconded and passed.

**Additions / Changes/ Corrections to the Agenda:**

Director Candler made two additions to the Agenda under Other Business, #1. Mr. Joe Medina, Tech Lectures and #2. Vice Chair, we need to appoint a new one.

## **Director Report:**

Director Candler advised the board that at the end of the week she would be attending the CCHE meeting in Pueblo, CO; discussing Corinthian Colleges and State funding. Division staff and Director Candler prepared a PowerPoint presentation to inform the CCHE of the operations, duties and responsibilities of the Board and Division. The presentation also provided an overview of the industries represented and featured several successful entities here in Colorado.

## **Staff Report:**

None

### **A. Consideration of Approval Programs / Stand Alone Courses**

#### **1. Empire Beauty School - Arvada**

Program Specialist Belisle brought to the Board's attention for review consideration one new program, Hairstyling, proposed by Empire Beauty School, Arvada. A school representative was present. Based upon the Board's consideration and determination that the above-referenced program for Empire Beauty School, 6520 Wadsworth Boulevard #209, Arvada, CO 80003 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Malay moved to approve the above-referenced program effective July 22, 2014. The motion was seconded and unanimously passed.

#### **2. Empire Beauty School - Aurora**

Program Specialist Belisle brought to the Board's attention for review consideration one new program, Hairstyling, proposed by Empire Beauty School, Aurora. A school representative was present. Based upon the Board's consideration and determination that the above-referenced program for Empire Beauty School, 16800 E. Mississippi Avenue, Aurora, CO 80017 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Malay moved to approve the above-referenced program effective July 22, 2014. The motion was seconded and unanimously passed.

#### **3. Empire Beauty School - Lakewood**

Program Specialist Belisle brought to the Board's attention for review consideration one new program, Hairstyling, proposed by Empire Beauty School, Lakewood. A school representative was present. Based upon the Board's consideration and determination that the above-referenced program for Empire Beauty School, 441 Wadsworth Boulevard, Lakewood, CO 80226 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Malay moved to approve the above-referenced program effective July 22, 2014. The motion was seconded and unanimously passed.

#### **4. Empire Beauty School - Littleton**

Program Specialist Belisle brought to the Board's attention for review consideration one new program, Hairstyling, proposed by Empire Beauty School, Littleton. A school representative was present. Based upon the Board's consideration and determination that the above-referenced program for Empire Beauty School, 8996 W. Bowles Avenue, #E-F, Littleton, CO 80123 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Malay moved to approve the above-referenced program effective July 22, 2014. The motion was seconded and unanimously passed.

#### **5. Empire Beauty School - Thornton**

Program Specialist Belisle brought to the Board's attention for review consideration one new program, Hairstyling, proposed by Empire Beauty School, Thornton. A school representative was present. Based upon the Board's consideration and determination that the above-referenced program for Empire Beauty School, 3811 E. 120<sup>th</sup> Avenue, Thornton, CO 80233 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Malay moved to approve the above-referenced program effective July 22, 2014. The motion was seconded and unanimously passed.

#### **6. Peak Technical Institute – Loveland**

Program Specialist Esquibel brought to the Board's attention for review and consideration one new stand-alone course, Commercial Driver Training: Class B to Class A, proposed by Peak Technical Institute. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board's consideration and determination that the above-referenced course for Peak Technical Institute, 5609 Goldco Drive, Loveland, CO 80538 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Mr. Wolf moved to approve the above-referenced course effective July 22, 2014. The motion was seconded and unanimously passed.

#### **7. Ecotech Institute - Aurora**

Program Specialist Esquibel brought to the Board's attention for review and consideration eight new programs: (1) Business Administration – Sustainability; (2) Electrical Engineering Technology; (3) Facility Management Technology; (4) Power Utility Technician; (5) Renewable Energy Technology; (6) Residential Energy Management; (7) Solar Energy Technology; and (8) Wind Energy Technology, proposed by Ecotech Institute, Aurora. A school representative was present. Based upon the Board having determined that the above-referenced programs for Ecotech Institute, 1400 South Abilene Street, Aurora, CO 80012 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Mr. Semakula moved to approve the programs effective July 22, 2014. The motion was seconded and unanimously passed.

## **B. Consideration of Renewal of Certificate of Approval with Programs/Courses**

### **1. Homeopathy School International - Loveland**

Program Specialist Belisle brought to the Board's attention for consideration of renewal Homeopathy School International, Loveland and for review and consideration two new programs: (1) Practitioner Certificate Program; and (2) Advanced Clinical Studies. A school representative was available by telephone. Upon determining that the school is in compliance with the required surety level in the amount of \$1,300; that the school submitted a bond in the amount of \$10,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Wolf moved that the Standard Certificate of Approval be granted to Homeopathy School International, 727 Sheridan Avenue, Loveland, CO 80537 for the period beginning July 22, 2014 and ending June 30, 2017, and the above-referenced programs be approved effective July 22, 2014. The combined motion was seconded and unanimously passed.

## **C. Consideration of Approval of Provisional Certificate of Approval**

### **1. RefactorU - Boulder**

Program Specialist Viteri brought to the Board's attention for consideration, RefactorU, Boulder, a new school with one stand-alone course: Web Development Bootcamp. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$324,000; that the school submitted a bond in the amount of \$325,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Malay in a combined motion moved that a Provisional Certificate of Approval be granted to RefactorU, 5717 Arapahoe Avenue, #216, Boulder, CO 80303 for the period beginning July 22, 2014, ending June 30, 2016, and that the course before the Board be approved. The combined motion was seconded and unanimously passed.

The Representatives from RafactorU, Boulder requested the Board to review and discuss their proposal for bond alternatives. The board will discuss the matter at the next board meeting unless the Board deems it more appropriate for discussion during the Annual Retreat on November 6, 2014.

### **2. SeedPaths – Denver**

Program Specialist Viteri brought to the Board's attention for consideration, SeedPaths, Denver, a new school with one stand-alone course: SeedPaths Boot Camp. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$0.00; that the school submitted a bond in the amount of \$5,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Malay in a combined motion moved that a Provisional Certificate of Approval be granted to SeedPaths, 929

Broadway, Denver, CO 80203 for the period beginning July 22, 2014, ending June 30, 2016, and that the course before the Board be approved. The combined motion was seconded and unanimously passed.

### **3. Elite Dental Assisting Institute - Littleton**

Program Specialist Viteri brought to the Board's attention for consideration, Elite Dental Assisting Institute, Littleton, a new school with one new program: Dental Assisting. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$40,000; that the school submitted a bond in the amount of \$40,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Semakula in a combined motion moved that a Provisional Certificate of Approval be granted to Elite Dental Assisting Institute, 10037 W. Remington Avenue, Littleton, CO 80127 for the period beginning July 22, 2014, ending June 30, 2016, and that the program before the Board be approved. The combined motion was seconded and unanimously passed.

### **4. CDL Safety School - Littleton**

Program Specialist Belisle brought to the Board's attention for consideration, CDL Safety School, Littleton, a new school with five new programs: (1) Refresher Program – Class A or Class B Vehicle; (2) Entry Level CDL Program – Class A or Class B Vehicles; (3) Solo Level CDL Program; (4) Pro Level CDL Program; and (4) Passenger Bus (Motorcoach). School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$9,690; that the school submitted a bond in the amount of \$10,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Malay in a combined motion moved that a Provisional Certificate of Approval be granted to CDL Safety School, 5142 South Oak Way, Littleton, CO 80127 for the period beginning July 22, 2014, ending June 30, 2016, and that the programs before the Board be approved. The combined motion was seconded and unanimously passed.

### **Other Business:**

#### **1. Rulemaking (fee increase)**

Mr. Semekula made a Motion that we adjourn the regular Board meeting of July 22, 2014 at 10:12 a.m. to commence the Rulemaking Hearing, motion was seconded and passed.

Motion made by Mr. Semekula to reconvene to the regular Board meeting of July 22, 2014 at 10:37 a.m. motion was seconded and unanimously passed.

Steven W. Steele, Chair, called the regular board meeting to order at 10:38 A.M.

#### **2. CollegeAmerica – all locations**

Director Candler provided an update on a public complaint/allegation that CollegeAmerica's Scholarship Advertising appeared to be misleading and in violation of the Stipulation and Board Order reached between CollegeAmerica and the Board/Division on

Director Candler contacted Mr. Juhlin, Chief Executive Officer of CollegeAmerica, to report the allegations and concern that CollegeAmerica's advertising via postcard stating "you've been selected to receive a scholarship application" is concerning if not misleading and deceptive. Mr. Juhlin responded in writing as follows:

"As you noted, while this language does not "technically" violate the advertising Stipulation Agreement entered into between CollegeAmerica and the DPOS in October 2012, it could be perceived as running counter to the spirit of that Stipulation Agreement.

Coincidentally, I raised this same concern with our advertising team 2 weeks ago when the piece was distributed. At that time, we discussed the matter further and CollegeAmerica decided that we would prohibit the use of this phrase in all future advertising. I personally instructed our advertising team to refrain from using this phrase in any new advertising production. To ensure that this change was implemented – CollegeAmerica modified the advertising review checklist that is used by the advertising team when producing new advertising or promotion pieces."

Director Candler read the pertinent parts of the correspondence verbatim and provided the Board with a hardcopy. The Division will continue to monitor CollegeAmerica.

### **3. Tech Lectures – Denver**

Director Candler updated the Board on matters concerning Mr. Joe Medina of Tech Lectures. Mr. Medina was approved to operate as a Provisional school at the April 22, 2014, for one month, pending a signed Stipulation Agreement. At the meeting on May 27, 2014, the Board executed and ratified the Agreement and Mr. Medina received Provisional approval to operate from April 22, 2014 through June 30, 2015. Subsequently, a competitor school notified the Division that Mr. Medina's advertising on Craig's List claimed that Tech Lectures classes were full and referred students to Pharm Tech, a competitor school. The Board was provided with a hardcopy of Mr. Medina's advertisement and a copy of the signed Stipulation Agreement. The Division reported that the reference to the competitor school is in direct violation of the Stipulation. Additionally, Mr. Medina admitted that his classes were not full but falsely advertised that classes were at capacity "to make it sound like the program was popular". After further discussion by the Board, Mr. Wolf motioned to issue a Notice of Non Compliance to Mr. Medina.

### **4. Corinthian Colleges**

Director Candler and other state regulators have held weekly telephone conferences with USDOE to discuss matter related to Corinthian college, Inc. The conversations focus on how USDOE's actions and other state regulators and Attorney General's concerns and actions will impact the corporations wind down. It is still unclear whether additional Corinthian school will be forced to close or will remain on the market for sale. The Colorado schools appear to be

working with the student to continue training and to keep the students apprised of the status of the schools. The Division has not received any complaints related to Corinthian campuses to day. Director Candler will keep the Board updated.

## **5. Election of Officer Vice Chair**

Discussion was held regarding the election of Board officer position Vice-chair and was opened for nominations. Mr. Wolf made a motion to nominate Ms. Malay for vice chair, nomination was closed, motion was seconded, and the Board voted to accept Ms. Malay as vice chair.

## **6. Date for Annual Board Meeting in November 2014**

The date for the Annual Board Meeting has been set for Thursday, November 6<sup>th</sup>, 2014, at 9:30 A.M. the Board will be provide with the location once it has been determined.

### **Adjournment:**

There being no other business, Ms. Malay motioned to adjourn the Board meeting. The motion was seconded and duly passed. The Board of Private Occupational Schools' Meeting of July 22, 2014, adjourned at 11:06 A.M.

The next regularly scheduled meeting of the Board is Tuesday August 26, 2014, 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) 866-2723