

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
July 24, 2018 9:33 A.M.

Auraria Higher Education Campus
Tivoli Student Center, Room 320
900 Auraria Parkway, Denver, CO 80204

Board Members Present:

Paul Garibay, Chair;	Chris Reister;
Ryan Minic, Vice Chair;	Shelley Krovitz;
A. Richard Behbehani;	Tim Guerrero;
Arlene Rae Malay	

Board Members Absent:

Division Staff Present:

Lorna Candler, Director	
Mary Kanaly, Deputy Director & Compliance Officer	
Lisa Hill, Program Coordinator	Brad Uyemura, Compliance Investigator
Rachel Acosta, Program Specialist	Carrie Harding, Program Specialist
April Cordova, Program Specialist	Bernadette Esquibel, Program Specialist
Amy Knoblauch, Data & Research Specialist	

Division Staff Absent:

Board Counsel Present:

Jacquelynn Rich Fredericks, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Bonnie Babcock, Integrity CDL Academy;
Garrett Dinnel, REInvent Real Estate School;
Britt Close, REInvent Real Estate School;
Cosette Custodio, Royal Academy of Surgical Assisting;
Nancy Lafande, Royal Academy of Surgical Assisting;
Jennie Gross, Galvanize, Inc.;
Jan Boteler, Community Member;
Jake Sills, Community Member

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, 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 the June 26, 2018 Minutes:

Following review and consideration of the June 26, 2018 meeting minutes, a motion was made by Ms. Malay to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda

No changes were made to the Agenda.

Director/ Staff Report:

Director Candler reported the following items:

- Recognition of the newest member to the Board, Christ Reister;
- This meeting will be much shorter than the June meeting since the Renewal season has ended

New Business/Action Items:

A. Consideration of Approval Programs/Stand Alone Courses

1. Digital Workshop Center – Fort Collins - AC

Program Specialist Cordova presented to the Board for review and consideration of 1 new program and 1 new stand-alone course: Data Science Certification and Social Media Advertising, respectively. 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 of the new program and stand-alone course, Ms. Malay motioned to approve the new program and stand-alone course provided that the school clarifies how it determines student eligibility for pre-requisites effective July 24, 2018. The motion was seconded and carried.

2. Vyne Education – Brentwood - CH

Program Specialist Harding presented to the Board for review and consideration of 10 new stand-alone courses: 2 Day: Conservative Management of Sacroiliac Joint Dysfunction and Hip Impingement; Designing an Evidence-Based Play Therapy Program; Non-Operative Shoulder Rehabilitation: Current Approaches in the Evaluation and Treatment of the Painful Shoulder; The Hands-on Guide to Vestibular Rehabilitation: Clinical Decision-Making to Treat Vertigo, Dizziness and Balance Disorders; Tai Chi for Rehabilitation; Joint Arthroplasty for Today's Clinician: Greater Knowledge, Greater Evidence, Greater Outcomes; Two-Day HIPAA Conference: CO Compliance and Training Certificate Program; Neuroplasticity for Children; IASTM; and Advanced IASTM. A school representative was not present but answered questions for the Board telephonically.

Following review and consideration of the new stand-alone courses, Ms. Malay motioned to conditionally approve the new stand-alone courses provided that the school clarifies which programs require pre-requisites and which courses can be taken without a pre-requisite. The motion was seconded and carried.

B. Consideration of Approval of Provisional Certificate

1. RE Invent Real Estate School – Denver – LH

Director Candler 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 of the Provisional Certificate, Mr. Minic motioned to approve the Provisional Certificate of Approval for the period beginning July 24, 2018, and ending June 30, 2020, effective July 24, 2018. The motion was seconded and carried.

2. Royal Academy of Surgical Assisting – Aurora - 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 of the Provisional Certificate, Ms. Malay motioned to conditionally approve the Provisional Certificate of Approval provided that the school recalculates the bond for all students, regardless of location, before the next board meeting. The motion was seconded and carried.

3. Integrity CDL Academy, LLC. – Denver - LH

Program Coordinator 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 of the Provisional Certificate, Mr. Minic motioned to approve the Provisional Certificate of Approval for the period beginning July 24, 2018, and ending June 30, 2020, effective July 24, 2018. The motion was seconded and carried.

Other Business Items

Legal Counsel reported the following items:

- A Stipulated Agreement was created for the Glenwood Beauty Academy closure
- Notices of Noncompliance & Nonrenewal were drafted for Max International and Command Cuts and a third Notice will be discussed in Other Business

At this time, Deputy Director Kanaly and Program Specialist Cordova provided an update for the Board from Digital Workshop Center via email that addressed the Board's concerns presented earlier in the meeting.

Director Candler provided an update for the Conditionally Approved schools from the June Board meeting:

- International Guide Academy- conditions have been met;
- World Wide College of Auctioneering- conditions have been met;
- Online Trading Academy- conditions have been met;
- Helten Institute of Real Estate Development dba HIRED Schools- conditions have been met;
- Springs Truck Driving School- conditions have been met;
- BASI Pilates- conditions have been met;
- International Academy of Elite Esthetics and Micropigmentation- Program Specialist Acosta is still working with the school to meet conditions;
- Lotus Education Institute- Program Specialist Harding is still working with the school to meet conditions;
- Boulder Massage Therapy Institute- conditions have been met;
- National School of Dental Assisting- conditions have been met

At 10:39 A.M., Mr. Minic motioned for a recess. Motion was seconded and carried and the recorder was turned off.

At 10:52, the recorder was turned back on and Mr. Garibay called the meeting back to order. Additionally, Mr. Garibay announced the discussion of item number 5 of Other Business, Trucker USA College.

After consideration and discussion of the each of the previous matters, Ms. Malay motioned to convene in executive session with the Board's attorney to seek legal advice pursuant to §24-6-402(3)(a)(II), C.R.S, regarding Trucker USA College; and 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 Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and division staff as deemed necessary at 10:54 A.M.

The executive session recorder was turned on and members of the public left the room during executive session.

Motion was made by Ms. Malay to resume open session at 11:28 A.M. The motion was seconded and carried.

The executive session recorder was turned off.

The public session recorder was turned on and the general public was welcomed back.

Assistant Attorney General Rich Fredericks 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 what is believed to be attorney-client privileged discussions.

The Board resumed discussions of the matters discussed in executive session in the regular session and concluded the remainder of the Board's agenda items.

G. Review of Items Discussed in Executive Session

1. Trucker USA College

Deputy Director Kanaly reported for the record that the complaints submitted to the Division detailed minimum standard violations regarding equipment, courses, instructors, and student records. An unannounced visit was conducted. A former employee of Trucker USA College was interviewed along with Instructors. Deputy Director Kanaly explained to the owner that the findings will be reported to the Board. Deputy Director Kanaly reviewed student records that were insufficient. Additionally, agents from the Department of Transportation and the Federal Bureau of Investigations are in attendance at this board meeting. Information was received from the Department of Revenue in Illinois regarding student test scores. After review and discussion of the Other Business item, Mr. Minic motioned for a Summary Suspension due to the unqualified equipment and teachers, insufficient teaching space, and the false information given to the Division. Mrs. Krovitz motioned to create a subpoena for the student, employee and financial records of the school. Ms. Malay motioned to issue a hold on the bond. Ms. Malay also motioned for an emergency court order to protect the records due to suspicions of their destruction. All motions were seconded and carried.

Adjournment:

Ms. Malay motioned to adjourn the meeting at 12:10 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday August 28, 2018, 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