

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
BOARD MEETING**

October 27, 2009 9:30 A.M.

The Colorado Private Occupational Schools Board convened at the Auraria Higher Education Campus, Tivoli Student Center, Room 640, 900 Auraria Parkway, Denver, CO 80204.

Robert Martin, Chair called the meeting to order at 9:38 A.M. and greeted guests. The Board members, Division staff and guests were introduced. Board roll call was taken and a quorum was present.

Board Members Present:

Robert Martin, Chair	Lisa Bennison Noll, Vice Chair	Jerry Sirbu
Buddy Douglass	Winnifred Rovig	Tom Narvaez

Board Members Absent:

Karen Hall

Division Staff Present:

Jim Parker, Director	Georgia Roberts, Deputy Director
Renee Belisle, Program Specialist	Voni Oerman, Program Specialist
Bernadette Esquibel, Program Specialist	Loretta Perez, Administrative Assistant

Board Counsel Present:

Lorna Candler, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Aaron Smith, I Deal 21 Casino School – Denver
Erin Henry, Anthem College – Aurora
Susan Pinkerton- Anthem College – Aurora
Michelle Bonny, Mile High Medical Academy – Denver
Liana Solovey, Mile High Medical Academy – Denver
Robert Stein, Mile High Medical Academy – Denver
Kathy Azeltine, Dental Assistant Training Academy - Niwot
David Meisner, Dental Assistant Training Academy – Niwot
Lora Cartwright, Colorado Advanced Esthetics – Centennial

Approval of the September 22, 2009 Board Meeting Minutes:

The Board reviewed the Minutes of the September 22, 2009 Board meeting. Mr. Douglass motioned for approval of the minutes as read. The motion was seconded and passed.

Approval of the September 29, 2009 Interim Board Meeting Minutes:

The Board reviewed the Minutes of the September 29, 2009 Interim Board meeting, via telephone conference. Ms. Rovig motioned for approval of the minutes as read. The motion was seconded and passed.

Additions to the Agenda:

There were no additions to the agenda.

Staff Report:

There was no staff report.

A. Consideration of Approval of Provisional Certificate of Approval

1. I Deal 21 Casino School – Denver

Program Specialist Oerman brought to the Board's attention for consideration I Deal 21 Casino School, Denver, a new school with four proposed new stand alone courses: (1) Blackjack; (2) Poker; (3) Roulette; and (4) Craps. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required bond amount in the amount of \$6,583; that the school submitted a bond in the amount of \$7,000; 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. Sirbu, in a combined motion, moved that a Provisional Certificate of Approval be granted to I Deal 21 Casino School, 3600 South Beeler Street, Suite 130, Denver, CO 80237 for the period beginning October 27, 2009 and ending June 30, 2011, and that the above-referenced new courses be approved effective October 27, 2009, contingent upon the discussed corrections being made. The combined motion was seconded and unanimously passed.

B. Consideration of Change of Ownership

1. Dental Assistant Training Academy – Niwot

See # 2 below

2. Dental Assistant Training Academy - Lakewood

Program Specialist Belisle brought to the Board's attention for consideration an application for a change of ownership for Dental Assistant Training Academy, Niwot and Dental Assistant Training Academy, Lakewood. It was the will of the Board to consider the change of location for both campuses as one combined matter. School representatives were present. The schools satisfied the Board's inquiry. The Board having determined that the schools' bond be set in the amount of \$23,300; that the schools have complied and submitted a bond in the amount of \$23,300; and that Dental Assistant Training Academy, 376 2nd Avenue, Suite B, Niwot, CO 80544; and Dental Assistant Training Academy, 5392 South Wadsworth Blvd., Lakewood, 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 in compliance with the Division's minimum requirements, Mr. Narvaez moved that the change of ownership be granted for both locations for the period beginning September 9, 2009 and ending June 30, 2010. The combined motion was seconded and unanimously passed.

B. Consideration of Approval Programs/Stand Alone Courses

1. **Anthem College – Denver**

Program Specialist Belisle brought to the Board's attention for review and consideration three new programs: (1) Business Management; (2) Accounting Technology and (3) Paralegal, proposed by Anthem College, Denver. School representatives were present. Based upon the Board having determined that the above-referenced programs for Anthem College, 350 Blackhawk Street, Aurora, CO 80011 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. Sirbu moved to approve the above-referenced new programs effective October 27, 2009. The combined motion was seconded and unanimously passed.

2. **Colorado Advanced Esthetics - Centennial**

Program Specialist Belisle brought to the Board's attention for review and consideration one new program, Dermaplaining Procedures. A school representative was present. Based upon the Board having determined that the above-referenced program for Colorado Advanced Esthetics, 7009 S. Potomac Street, Suite 100, Centennial, CO 80112, 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. Rovig moved to approve the above-referenced new program effective October 27, 2009. The motion was seconded and unanimously passed.

D. Student Complaints/Matters of Non Compliance/Legal Action

1. **Mile High Medical Academy – Denver**

Director Parker and Board Counsel, Assistant Attorney General Candler from the Office of the Colorado Attorney General, updated the Board in regard to a current matter of non-compliance arising out of an active student complaint filed in respect to Mile High Medical Academy, Denver, and other related matters. School representatives were present.

Mr. Sirbu recused himself from Board participation in this agenda item, citing a concern about an appearance of a conflict of interest. A board quorum and two-thirds majority was still present.

Mr. Martin, Chair called for a Motion to convene in executive secession pursuant to §24-6-402(3) (a)(II), C.R.S., in order to confer with the Board's attorney for the purpose of receiving legal advice concerning legal options which may be available to the Board and to discuss other legal questions related thereto and pursuant to §24-6-402(3)(a)(III); and to discuss the active student complaint and personnel data, required to be kept confidential pursuant to section §12-59-105.4. Ms. Bennison Noll so motioned; it was seconded; and duly passed by at least a two-thirds majority. Members of the general public and Mr. Sirbu left the meeting room. The regular public board meeting recorder was turned off, and the Board of Private Occupational School duly convened into executive session at 9:46 A.M., for the purposes described above as requiring

confidentiality. No member of the general public was present. The executive session recorder was turned on.

Public Session of the Board meeting reconvened at 10:24 A.M. and the regular public meeting recorder was turned on. Members of the general public were invited to once again attend and school representatives were once again present. Assistant Attorney General Candler affirmed for the public record that the Executive Session was for the sole purpose of providing legal advice to the Board and to otherwise engage in what in good faith is believed to be an attorney-client privileged discussion.

After due deliberation and discussion, Mr. Douglass motioned that the Board instruct Director Parker to issue a Supplemental Notice of Noncompliance to Mile High Medical Academy, pursuant to section §12-59-113, C.R.S., as the Private Occupational Schools Board has determined based upon reasonable belief, that Mile High Medical Academy has violated or is violating provisions of Title 12, Article 59, C.R.S., and the Rules and Regulations concerning the Private Occupation Education Act. Mr. Douglass further motioned that should Mile High Medical Academy fail to respond within the time frame determined by the Board to be reasonable, the Board authorizes the Office of the Attorney General to commence such legal action as appropriate, in a court of competent jurisdiction pursuant to §12-59-113, C.R.S., in order to enforce compliance. The combined motion was seconded by Ms. Rovig and passed unanimously.

Other Business:

Director Parker presented to the Board, its planning meeting agenda packets, in preparation for the Board's upcoming Annual Planning Session. The public annual planning meeting is scheduled for November 5, 2009, at 9:30 A.M. It is to be held at the Office of the Division of Private Occupational Schools, 1560 Broadway, Suite 1600, Denver, Colorado 80202.

Adjournment

Having no further business, Mr. Narvaez moved for adjournment. The motion was seconded and passed. The Board meeting adjourned at 11:18 A.M.

The next regularly scheduled meeting of the Board is Tuesday, December 8, 2009, 9:30 A.M. and will be held at:

Auraria Higher Education Campus
Tivoli Student Center, Room 640
900 Auraria Parkway
Denver, CO 80204