

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
October 23, 2018 9:37 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;
Tim Guerrero;	Arlene Rae Malay;
Richard Behbehani	

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	
Amy Knoblauch, Data & Research Specialist	

Division Staff Absent:

Bernadette Esquibel, Program Specialist Assistant

Board Counsel Present:

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

Guests Present:

Susan Patzer, Hair Fusion;
Holly Whatoot, Hair Fusion;
Nicholas Brown, Spartan;
Keisha Sosias, Spartan;
Ron Billings, Paul Mitchell the School Colorado Springs;
Steve Duren, General Air Welding Academy;
David Todd, General Air Welding Academy;
Dena Frei, Flatiron School;
Elyssa Iagnocco, Flatiron School;
Peter Barth, Flatiron School;
Adele McCarthy-Beauvais, General Assembly;
Brigitta McKinley, General Assembly;
Christine Gray, Lincoln College of Technology;

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:37 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 September 25, 2018 Minutes:

Following review and consideration of the September 25, 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

Director Candler reported the following items:

- A request was made so that the Action and Other Business items for General Assembly be considered together;
- Royal Academy of Surgical Assisting will be reviewed in Other Business;
- Lincoln College of Technology will be reviewed in Other Business

Director/ Staff Report:

Director Candler reported that the Division's Annual Retreat for the Board will be held at the Colorado State Bank and Trust Building, 1600 Broadway in the 5th Floor Conference room on November 16th, 2018 from 9 A.M. until 3 P.M.

New Business/Action Items:

A. Consideration of Approval of Provisional Certificate of Approval

1. Flatiron School – Denver – 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, Mr. Minic motioned to Conditionally Approve the Provisional Certificate provided that the bond shall increase if the number of students enrolled increases over 10 students. The motion was seconded and carried.

2. Hair Fusion Training Institute – Durango - LH

The review of Hair Fusion Training Institute was tabled to receive additional information for the Board.

After receiving necessary documents for the Board's review, 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, Ms. Malay motioned to approve the Provisional Certificate of Approval effective October 23, 2018. The motion was seconded and carried.

B. Consideration of Approval of Programs/Stand Alone Courses/Major Revisions

1. Spartan College of Aeronautics and Technology – Broomfield - LH

At this time, Mr. Guerrero recused himself from the Board.

Program Coordinator Hill presented to the Board for review and consideration of three major program revisions: 1. Aviation Maintenance Technology; 2. Heating/Ventilation/Air Conditioning (HVAC); and 3. Aviation Electronics Technology. 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 major revisions, Ms. Malay motioned to approve the major revisions for both the Aviation Maintenance Technology and the Aviation Electronics Technology programs. Mr. Minic motioned to approve the major revision for the Heating/Ventilation/Air Conditioning (HVAC) program. All three motions are effective October 23, 2018. The motions were seconded and carried.

2. General Air Welding Academy – Denver - LH

Program Coordinator Hill presented to the Board for review and consideration of 4 new programs: 1. GMAW Module; 2. FCAW Module; 3. GTAW Module; and 4. SMAW Module. 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, Ms. Malay motioned to approve the new programs effective October 23, 2018. The motions were seconded and carried.

3. General Assembly – Denver - AC

At this time, the Board reviewed the letter of credit decrease, change of ownership and new programs for General Assembly. A school representative was present.

Program Specialist Cordova presented to the Board for review and consideration the letter of credit decrease. After review and consideration, Mr. Minic made a motion to table the matter to the December meeting to receive revised financials. Additionally, the board reviewed the change of ownership to which Mr. Minic also motioned to table the matter until December. Lastly, Mr. Minic tabled the review of the new program, Python Programming, until the December meeting so that the Board may sufficiently review the financials. The motions were seconded and carried.

Other Business Items

1. Letter of Credit Decrease

a. General Assembly

- i. The matter was previously discussed. No further action taken.

2. Royal Academy of Surgical Assisting

Program Coordinator Hill presented for the Board the additional information provided from Royal Academy of Surgical Assisting. A 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. Behbehani motioned to approve the Provisional Certificate of Approval effective October 23, 2018. The motion was seconded and carried.

At this time, Mr. Minic motioned for a recess. The motion was seconded and carried.

3. Lincoln College of Technology – Denver – LH

Director Candler presented for the Board the letter of credit decrease to 2.3 million. Deputy Director Kanaly reported the 3 complaints regarding the quality of education, instructors and a teaching plan. A representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standard as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration, Mr. Minic motioned to approve the letter of credit decrease effective October 23, 2018. The motion was seconded and carried.

4. Education Corporation of America

Director Candler reported to the Board the recent receivership update for Education Corporation of America. The Division will discuss the matter with the Board at the Annual Retreat to determine best practices. No action taken.

5. Legal Update

Legal Counsel reported to the Board the following:

- Legal training will take place for the Board at the Annual Retreat;
- A subpoena for Glenwood Beauty Academy records was deposited with the Division for review;
- A stipulated agreement has been finalized for Trucker USA College;

Mr. Minic motioned to adopt the stipulated agreement. The motion was seconded and carried.

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 College America and the Division's regulatory scope 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/department staff as deemed necessary at 11:19 A.M.

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

After review and consideration of the previously mentioned matters in executive session, the 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.

Adjournment:

Mr. Reister motioned to adjourn the meeting at 12:00 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday December 4, 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
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