

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
BOARD MEETING**

September 25, 2012, 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. Lisa Bennison Noll, 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-thirds majority of the Board members were present.

Board Members Present:

Lisa Bennison Noll, Chair	Tom Narvaez, Vice Chair	Winnifred Rovig
Buddy Douglass	Arlene Rae Malay	Jennifer Sprague
Steven W. Steele		

Division Staff Present:

Lorna Candler, Director	Georgia Roberts, Deputy Director
Renee Belisle, Program Specialist	Voni Oerman, Program Specialist
Karla Viteri, Program Specialist	Loretta Perez, Administrative Assistant

Division Staff Absent:

Bernadette Esquibel, Program Specialist

Board Counsel Present:

Erica Weston, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Sherri Kananen, Intellitec College – Pueblo
Jenn Stewart, Heritage College - Denver
Jennifer Reinbrecht, Rocky Mountain Ortho-Bionomy Center, LLC – Grand Junction and Denver
Sheri Covey, Rocky Mountain Ortho-Bionomy Center, LLC – Grand Junction and Denver
Tess L. Anderson, Heritage College - Denver
Nolus Sunoon, The Xavier School for Healing Bodywork – Denver
Sarah Crabtree, The Xavier School for Healing Bodywork – Denver

Approval of the August 28, 2012 Board Meeting Public Session Minutes:

The Board reviewed the August 28, 2012 meeting minutes. Mr. Douglass moved for approval of the minutes as read. The motion was seconded and passed.

Additions / Changes to the Agenda:

None

Staff / Director Report:

Program Specialists Oerman and Viteri reported that all contingency approvals concerning Board action taken at the August 28, 2012 meeting have been met, recorded and are on file with the Division.

A. Consideration of Approval Programs / Stand Alone Courses

1. Heritage College - Denver

Board member Jennifer Sprague recused herself from this matter only, citing an appearance of a conflict of interest. There was still a majority present on the Board.

Program Specialist Oerman brought to the Board's attention for review and consideration five new stand-alone courses: (1) Introduction to Yoga; (2) Foundations of Yoga; (3) Structure of the Yoga Class; (4) Spiritual Foundations of Yoga; and (5) Subtle Body Anatomy, proposed by Heritage College, Denver. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced courses for Heritage College, 12 Lakeside Lane, Denver, CO 80212 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 courses effective September 25, 2012. The motion was seconded and unanimously passed.

2. Intellitec College - Pueblo

Program Specialist Oerman brought to the Board's attention for review and consideration one new stand-alone course, AH-290 Medical Spanish, proposed by Intellitec College, Pueblo. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced course Intellitec College, 3673 Parker Boulevard, Pueblo, CO 81008, CO 80033 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. Narvaez moved to approve the above-referenced course effective September 25, 2012. The motion was seconded and unanimously passed.

B. Consideration of Approval of Provisional Certificate of Approval

1. Rocky Mountain Ortho-Bionomy Center, LLC - Denver

See # 2 below

2. Rocky Mountain Ortho-Bionomy Center, LLC – Denver & Grand Junction

Program Specialist Viteri brought to the Board's attention for review and consideration, Rocky Mountain Ortho-Bionomy Center, LLC, Denver and Rocky Mountain Ortho-Bionomy Center, LLC, Grand Junction, two new schools with twenty three stand-alone courses: (1) Ortho-Bionomy Phase 4: Spine & Shoulders; (2) Ortho-Bionomy Phase 4: Extremities; (3) Ortho-Bionomy: Advance Pelvis & Organs; (4) Ortho-Bionomy: Advance Neck & Shoulders; (5) Ortho-Bionomy Phase 4: Advanced Extremities; (6) Ortho-Bionomy Phase 4: Review; (7) Ortho-Bionomy: Phase 5; (8) Ortho-Bionomy: Phase 6; (9) Ortho-Bionomy: Phase 5 & 6 Reflexes; (10) Ortho-Bionomy: Ethics & Emotions; (11) Ortho-Bionomy: Exploration of

Movement; (12) Ortho-Bionomy: Isometrics & Isotonics; (13) Ortho-Bionomy: Posture & Post Techniques; (14) Chapman's Reflexes; (15) Ortho-Bionomy: Elements of a Successful Practice; (16) Ortho-Bionomy: Demonstration Skills; (17) Ortho-Bionomy: Anatomy Assessment; (18) Ortho-Bionomy: Cranial; (19) Ortho-Bionomy: Visceral; (20) Ortho-Bionomy: Practitioner Training; (21) Ortho-Bionomy: Study Groups; (22) Ortho-Bionomy: Residential; and (23) Ortho-Bionomy: Self Care. It was the will of the Board to consider both locations as one combined matter. School representatives were present. The school satisfied the Board's inquiry. Upon determining that Rocky Mountain Ortho-Bionomy Center, LLC, Denver and Grand Junction are in compliance with the required combined surety level in the amount of \$18,500; that the school submitted an umbrella bond in the amount of \$20,000, covering both the Denver and Grand Junction locations; and that both 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. Rovig moved that the Provisional Certificate of Approval be granted to Rocky Mountain Ortho-Bionomy Center, LLC, 3288 S. Dayton Court, Denver, CO 80231, and Rocky Mountain Ortho-Bionomy Center, LLC, 115 N. 5th Street – Suite #205, Grand Junction, CO 81501 for the period beginning September 25, 2012 and ending June 30, 2014, and the above-referenced new stand-alone courses be approved effective September 25, 2012, contingent upon a correction being made as discussed. The combined motion was seconded and unanimously passed.

3. The Xavier School for Healing Bodywork - Denver

Program Specialist Oerman brought to the Board's attention for consideration, The Xavier School for Healing Bodywork, Denver, a new school with three programs: (1) A - 1,000 Hour Massage Therapy Program in Pain Relieving Bodywork; (2) B – 3 Day Intensive Introduction to Pain Therapy; and (3) C – Advanced Continuing Education. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required minimum surety level in the amount of \$10,000; that the school submitted a savings account in the amount of \$20,000; 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. Rovig moved that the Provisional Certificate of Approval be granted to The Xavier School for Healing Bodywork, 455 South Hudson Street, Suite #100, Denver, CO 80246 for the period beginning September 25, 2012 and ending June 30, 2014, and the above-referenced programs be approved effective September 25, 2012. The combined motion was seconded and unanimously passed.

Other Business:

1. CollegeAmerica – Colorado Springs – Colorado Springs South - Denver - Fort Collins

Board member Steven Steele recused himself from this matter only, citing an appearance of a conflict of interest. He left the meeting at 10:04 A.M. There was still a 2/3 majority present on the Board.

Assistant Attorney General Erica Weston updated the Board about the procedural status of the charges pending with the Office of Administrative Courts (OAC) against CollegeAmerica – Fort Collins, which arose from two student complaints. In addition, Director Candler and

Assistant Attorney General Weston reported the status of the School's response to the Notice of Noncompliance issued to all Colorado campuses concerning a suspected statewide advertising violation. They conveyed that based on recent communication with the School's legal counsel, it appeared there was some confusion over the basis for the Board's action taken at the July 24, 2012 and August 28, 2012 meetings, such that no substantive response has been submitted.

The Board indicated it would like to consult with its legal counsel before proceeding with this and the matter before matter the OAC, for the purpose of learning what legal options may be available. Mr. Narvaez motioned to convene into Executive Session pursuant to §24-6-402(3) (a) (II), C.R.S., on pending or imminent court action and pursuant to §24-6-402(3) (a) (III), to discuss matters required to be kept confidential pursuant to section §12-59-105.4. Ms. Rovig seconded, and the motion to convene into Executive Session was unanimously passed.

The regular public board meeting recorder was turned off, and the Board of Private Occupational Schools convened into Executive Session at 10:11 A.M. for the purposes described above as requiring confidentiality. No member of the general public was present.

The public session of the Board meeting reconvened at 11:12 A.M. The public session recorder was turned on and the general public was welcomed back. Assistant Attorney General Weston 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 attorney-client privileged matters required to be kept confidential.

The Board considered the pending Notice of Noncompliance and the School's failure to respond. In addition, it reviewed a mailed advertisement that was recently delivered to the residence of a Board member's spouse. After due deliberation and discussion, Mr. Narvaez motioned to defer a decision on the matter underlying the Notice of Noncompliance, and to provide additional time for CollegeAmerica to respond, asking that the Notice be amended to include a request for additional information about the recently received mailed recruitment materials that includes a statement to the recipient that "you have been selected to receive tuition assistance!" Mr. Narvaez further motioned to give CollegeAmerica until October 15, 2012, to respond in writing to the amended Notice. The motion was seconded and passed.

Adjournment:

There being no other business, Mr. Narvaez motioned to adjourn the Board meeting. The motion was seconded and duly passed. The Board of Private Occupational Schools' Meeting of September 25, 2012, adjourned at 11:43 A.M.

The next regularly scheduled meeting of the Board is Tuesday, October 23, 2012, 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