

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
BOARD MEETING**

September 27, 2011 9:50 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. Jerry Sirbu, Chair called the meeting to order at 9:50 A.M. and greeted guests. The Board members, staff and guests were introduced. Board roll call was taken and a quorum was present.

Board Members Present:

Jerry Sirbu, Chair	Lisa Bennison Noll, Vice Chair	Robert Martin
Tom Narvaez	Buddy Douglass	Karen Hall

Board Members Absent:

Winnifred Rovig

Division Staff Present:

Jim Parker, Director	Georgia Roberts, Deputy Director
Renee Belisle, Program Specialist	Voni Oerman, Program Specialist
Bernadette Esquibel, Program Specialist	Karla Viteri, Program Specialist

Board Counsel Present:

Jessica Salazar, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Jennifer Smith, Dogs Own Grooming School – Loveland
Lora Cartwright, Colorado Advanced Esthetics, Inc. – Centennial
Aaron Smith, I Deal 21 Casino School – Denver
Steven Toscano, Bull Locks Barber Academy – Littleton
Teri Goldman, Life Time Academy – Centennial
Miklos Horvath, Life Time Academy – Westminster
Katie Buecksler, Life Time Academy – Centennial and Westminster

Approval of the August 23, 2011 Board Meeting Public Session Minutes:

The Board reviewed the August 23, 2011 meeting minutes. Ms. Bennison Noll motioned for approval of the minutes as read. The motion was seconded and passed.

Additions / Changes to the Agenda:

Under section "C." "Student Complaints/Matters of Non Compliance/Legal Action": Aaron Smith vs. DPOS, Denver small claims court.

Staff/Director Report:

Staff reported that all contingency approvals concerning Board action taken at the August 23, 2011, meeting have been met, recorded and are on file with the Division.

A. Consideration of Approval Programs / Stand Alone Courses

1. Colorado Advanced Esthetics, Inc - Centennial

Program Specialist Belisle brought to the Board's attention for review and consideration one new stand alone course, Cosmetic Injectable Training, proposed by Colorado Advanced Esthetics, Inc., Centennial. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced course for Colorado Advanced Esthetics, Inc., 13111 E. Briarwood Avenue, Suite #310, 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, Mr. Douglass moved to approve the above-referenced new course effective September 27, 2011. The motion was seconded and unanimously passed.

2. American Dream Real Estate School - Longmont

Program Specialist Viteri brought to the Board's attention for review and consideration three new stand alone courses: (1) Seniors Real Estate Specialist; (2) Brokers Price Opinion; and (3) Accredited Buyer's Representative. No school representative was available. Based upon the Board having determined that the above-referenced courses for American Dream Real Estate School, 2432 Main Street, Longmont, CO 80501 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 new courses effective September 27, 2011. The combined motion was seconded and unanimously passed.

3. Bull Locks Barber Academy - Littleton

Program Specialist Viteri brought to the Board's attention for review and consideration one new program, Barbering for Cosmetologists, proposed by Bull Locks Barber Academy, Littleton. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced program for Bull Locks Barber Academy, 1500 W. Littleton Blvd., #100-C, Littleton, CO 80102 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. Martin moved to approve the above-referenced program effective September 27, 2011. The motion was seconded and unanimously passed.

4. Life Time Academy - Westminster

Program Specialist Viteri brought to the Board's attention for review and consideration four new programs: (1) Professional Fitness Specialist; (2) Advanced Professional Fitness Specialist; (3) Advanced Professional Fitness Training; and (4) Professional Fitness Trainer, proposed by Life Time Academy, Westminster. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced programs for Life Time Academy, 397 West 148th Avenue, Westminster, CO 80020 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 programs effective September 27, 2011. The combined motion was seconded and unanimously passed.

B. Consideration of Approval of Provisional Certificate of Approval

It was the will of the Board to take Lifetime Academy first.

1. Life Time Academy - Centennial

Program Specialist Viteri brought to the Board's attention for consideration, Life Time Academy, Centennial, a new school with five proposed programs: (1) LifePower Yoga Teacher Training; (2) Professional Fitness Specialist; (3) Advanced Professional Fitness Specialist; (4) Advanced Professional Fitness Training; and (5) Professional Fitness Trainer. 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 \$317,313; that the school submitted a bond in the amount of \$320,000; 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. Narvaez in a combined motion moved that a Provisional Certificate of Approval be granted to Life Time Academy – Centennial, 5000 Dry Creek Road, Centennial, CO 80122 for the period beginning September 27, 2011, ending June 30, 2013, and that the programs before the Board be approved. The combined motion was seconded and unanimously passed.

2. New Star Beauty School - Denver

Program Specialist Viteri brought to the Board's attention for consideration New Star Beauty School, Denver, a new school with two proposed programs and two stand alone courses. The programs are: (1) Esthetician; and (2) Manicurist. The stand alone courses are: (1) Waxing by Manicurist; and (2) Electric Files. 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 \$9,350; 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. Hall in a combined motion moved that a Provisional Certificate of Approval be granted to New Star Beauty School, 500 16th Street #136, Denver CO 80202 for the period beginning September 27, 2011, ending June 30, 2013, and that the programs and stand alone courses before the Board be approved. The combined motion was seconded and unanimously passed.

3. Dogs Own Grooming School - Loveland

Program Specialist Viteri brought to the Board's attention for consideration Dogs Own Grooming School, Loveland, a new school with two proposed programs and thirteen stand alone courses. The Programs are: (1) Grooming Fundamentals Expanded; and (2) Grooming Fundamentals. The stand alone courses are: (1) Add on Service to Increase the

Bottom Line; (2) Clipper Van Techniques; (3) Certification Preparation; (4) Terrier Workshop; (5) Maintaining A Show Coat; (6) Dealing with Problem Dogs; (7) Pet First Aid and CPR; (8) Groom Your Own Dog; (9) Dealing with Problem Clients; (10) Scissoring; (11) Dazzling Drop Coats; (12) Cat Grooming; and (13) Brusher Bather. 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 \$7,714.26; that the school submitted a bond in the amount of \$7,800; 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. Narvaez in a combined motion moved that a Provisional Certificate of Approval be granted to Dogs Own Grooming School, 224 E 29th Street, Loveland, CO 80538 for the period beginning September 27, 2011, ending June 30, 2013, and that the programs and stand alone courses before the Board be approved. The combined motion was seconded and unanimously passed.

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

1. Aaron Smith vs. DPOS, Denver Small Claims

The Board indicated it would like to consult with its legal counsel before further determining what, if any, an appropriate Board action is necessary. Mr. Sirbu called for a motion to convene into executive session pursuant to §24-6-402(3) (a)(II), C.R.S., for the purpose of conferring with the Board's attorney regarding legal options available concerning two Small Claim Actions filed against the Division and the Board. Mr. Sirbu stated that the executive session would be so the Board may receive legal advice on specific questions related thereto, and pursuant to §24-6-402(3)(a)(III); and to discuss personnel data required to be kept confidential pursuant to section §12-59-105.4. Ms. Bennison Noll so motioned; Mr. Narvaez 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 10:05 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.

Executive session having concluded, the public session of the Board meeting reconvened at 10:40 A.M. The executive session recorder was stopped and the regular public meeting recorder was turned on.

Assistant Attorney General Salazar 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.

2. Greenway University – Denver

Deputy Director Roberts presented to the Board a summary for review and consideration, Greenway University, Denver, involving improper execution of enrollment agreements; unapproved course offerings; and missing student records. No school representative was present. Deputy Director Roberts summarized the suspected minimum standard violations,

and identified that the Board had before it the School's timely response to the previously issued Notice of Non-compliance. After review of the available evidence including the School's response; Board discussion; and due deliberation, Mr. Martin motioned to Direct the school to provide a partial refund of \$934.00 to the Complaint and should the school not do so within the prescribed by the Division, that the Division shall place a claim on the school's surety bond on behalf of the Complaint in this amount. The motion was seconded and unanimously passed.

3. I Deal 21 Casino School – Englewood

Director Parker reported to the Board that I Deal 21 Casino School, Englewood failed to seek renewal of its Certificate of Approval to continue operating; that per statute they ceased operation on June 30, 2011; and failed to provide the Division with all of the school's student records as required under the law. Mr. Aaron Smith, the school's former owner was present. Mr. Smith represented to the Board that all student record was mailed to the Division certified mail. The Division reported that it received an envelope addressed to the Division from Mr. Smith, but the contents of the envelope were empty. After further deliberation on the matter, Mr. Narvaez motion to refer the matter concerning the student records over to the Attorney General Office directing the office of the Attorney General to take all necessary and proper efforts to make application in an appropriate court to retrieve the school records, for the protection of the school's student interests. The motion was seconded and unanimously passed.

Other Business

1. Annual Board Meeting

Director Parker updated the Board on the final details concerning the Annual Meeting.

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 27, 2011, adjourned at 10:52 A.M.

The next regularly scheduled meeting of the Board is Tuesday, October 25, 2011, beginning at 9:30 A.M. will be held at:

Auraria Higher Education Campus
Tivoli Student Center, Room 320
900 Auraria Parkway, Denver, CO 80204
Telephone: (303) 866-2723