

**MINUTES OF THE  
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS  
BOARD MEETING**

**February 23, 2006 9:30 a.m. – 1:15 p.m.**

The Colorado Private Occupational Schools Board convened at the Division of Private Occupational Schools, Department of Higher Education, 1380 Lawrence Street, Ste. 1200, Denver, CO 80204.

Board Members Present:

Robert Martin, Chair    Tom Twardowski, Vice Chair    Lisa Noll    Jerry Sirbu    Gary Upton, Ph.D

Board Members Absent:

Ronnie O'Dwyer and JJ Ament

Division Staff Present:

Jim Parker, Director    Renee Belisle    Valorie Briggs    Voni Oerman    Carol Vote

Board Counsel:

Nancy Wahl and Dixon Waxter, Assistant Attorney Generals, Office of the Colorado Attorney General.

Guests:

Rita Bellino, Rita B Institute  
Karen McGrath, Pima Medical Institute, Colorado Springs  
Sue Anderson, Pima Medical Institute, Denver  
Ramona Bump, American Center for Excellence in Surgical Assisting, Inc.  
Karen and Marilyn Millsapps, International Academy of Elite Esthetics & Micropigmentation  
Syed Asif and Altaf Siddiqui, Ideal College  
Reo Leslie, Jr. and Isabelle Tierney, Family Therapy/Play Therapy Institute  
Maria Daniels, Majestic Beauty College  
Marie Wuthvrech, Metro Denver Dental Assisting Schools  
Debra Maeifjaokh, Jan Combs and Elaine Calenda, Boulder College of Massage Therapy  
Marcia Bankirer and Sitara Thomas, Argosy University  
Frank Slater, International Guide Academy  
Anne Salisbury, Transpersonal Hypnotherapy Institute  
Dan Nguyen, United Beauty College  
Joanne Saltzman, School of Natural Cookery  
Harvey Lindenberg, Environmental Training & Consulting  
Michael Harz, Esq  
Debra Desch, Elan Institute of Cosmetology  
Sherry Becker and John Wenclawski, Denver Academy of Court Reporting  
Erik Lobben, Four Seasons School of Hair Design  
Gillian Keiper, Concentric Healing Institute  
Richard Lubke, Pima Medical Institute

The Chair called the meeting to order at 9:30 a.m. Mr. Martin greeted the guests, asked for roll call to be taken and requested the Board members, Division staff and guests to introduce themselves.

Approval of January 26, 2006 Minutes: Mr. Twardowski noted a typo in the amount of the bond for Salon Professional Academy and requested a correction. Staff confirmed. Mr. Twardowski also inquired about the status of the facility and wanted confirmation as to the exact number of programs the school was planning on offering with regards to the amount of the bond. Mr. Parker replied that Ms. Beliese would cover these items during the Director's report. Mr. Jerry Sirbu moved to approve, with the correction as indicated, Mr. Twardowski seconded, and the motion carried unanimously.

Additions to the Agenda: Two items will be added to the Director's Report:

- a) Status report on January 26, 2006 contingent items.
- b) CTE credentialing and Emergency Rule-Making

Director's Report:

- 1) HB1046 is scheduled for the House Appropriations Committee, as result of the fiscal note attached regarding an anticipated increase in legal service fees.
- 2) DPOS and the CTE Office have drafted a notice to all private occupational schools regarding the policy and procedure changes for the processing of instructor credentials. Effective March 1, 2006, CTE will no longer process the credential applications for private occupational school instructors. For the remainder of the fiscal year (through June 30, 2006), the Division will manage the instructor credential process. Instructors and/or schools applying for instructors are to submit the application directly to the Division. There will be no fee for the credential for the next four months. The Division website will carry this information.
- 3) Contingent items:
  - A) Ms. Renee Belisle, Program Supervisor reported on the contingency approval of Salon Professional Academy in Colorado Springs as presented at the January 26, 2006, Board meeting. Ms. Belisle reported that she conducted an on-site visit and inspection of the school and school facilities. Ms. Belisle reported that the school build-out is complete, the school has increased its bond to cover all approved programs presented at the January 26, 2006 meeting, and the school is compliant with all issues addressed by the Board.
  - B) Dr. Carol Vote, Program Supervisor reported on the contingency approval of 5 Star CDL Professional Training in Grand Junction as presented at the January 26, 2006, Board meeting. Dr. Vote reported that she conducted an on-site visit and inspection of the school. Dr. Voted reported that the school and school facilities and equipment meet the division's minimum standards and the school is set to begin to train students.

## **NEW BUSINESS/ACTION ITEMS**

### **A. Consideration of Renewal of Certificate of Approval**

\*Reminder: as per Division policy another supervisor other than the assigned Program Supervisor will manage the renewal for schools.

1. American Center for Excellence in Surgical Assisting, Inc. (Renee Belisle, Program Supervisor)

Voni Oerman processed the renewal application and introduced American Center for Excellence in Surgical Assisting, Inc. and recommended renewal. Ramona Bump represented the school and was present to answer questions from the Board. Having none,

Mr. Twardowski moved to approve, Mr. Sirbu seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of twenty four thousand three hundred thirty nine dollars (the school has complied and submitted a bond in the amount of fifty thousand six hundred thirty five dollars), and that American Center for Excellence in Surgical Assisting, Inc., 4950 South Yosemite Street, F2#343, Greenwood Village, CO 80111, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division and the Standard Certificate of Approval are hereby granted for the period beginning July 1, 2006, and ending June 30, 2009.

2. Colorado School of Trades (Renee Belisle Program Supervisor)

Voni Oerman processed the renewal application and introduced Colorado School of Trades, noted a correction for the default rate and recommended renewal. Mr. Martin recused himself and represented the school and was present to answer questions from the Board. Ms. Noll inquired about the substance of the one student complaint. Mr. Martin responded the student left school and Ms. Belisle has spoken with the student about settlement of his bill. Ms. Noll noted no on-site visit had taken place. Mr. Parker replied that by Statute and the finding by the Legislative Audit Report, it is a duplication of effort for Division staff to conduct an on-site and the Division is to obtain the most recent letter of findings by the institutions' accreditation organization for the renewal process. A letter has been sent to all accredited schools informing them of this new policy and procedure.

Dr. Upton moved to approve pending the correction of the default rate, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of one hundred ninety nine thousand six hundred twenty dollars (the school is a member in good standing with the Training Insurance Foundation), and that Colorado School of Trades, 1575 Hoyt Street, Lakewood, CO 80215, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 2, 2006, and ending June 30, 2009.

3. Four Seasons School of Hair Design (Renee Belisle Program Supervisor)

Valorie Briggs processed the renewal application and introduced Four Seasons School of Hair Design, noted an increase in the amount of the kit charge and no collection of prepaid, unearned tuition/fees, and recommended renewal. Eric Lobben represented the school and was present to answer questions from the Board. Having none,

Mr. Twardowski moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of two thousand five hundred dollars (the school has submitted a bond in the amount of five thousand dollars), and that Four Seasons School of Hair Design, 8022 South Quebec Street, 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 the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 2, 2006, and ending June 30, 2009.

4. Rita B Institute of Cosmetology (Renee Belisle Program Supervisor)  
Valorie Briggs processed the renewal application and introduced Rita B Institute of Cosmetology, noted the increase in the kit and no collection of prepaid, unearned tuition/fees, and recommended renewal. Rita Bellino represented the school and was present to answer questions from the Board. Having none,

Mr. Twardowski moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of thirteen thousand four hundred seventy nine dollars (the school has submitted a bond in the amount of twenty five thousand dollars, and that Rita B Institute of Cosmetology, 8727 East Dry Creek Road, Centennial, CO 80212, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1918, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 1, 2006, and ending June 30, 2009.

5. School of Natural Cookery (Renee Belisle Program Supervisor)  
Voni Oerman processed the renewal and introduced School of Natural Cookery and recommended renewal. Joanne Saltzman represented the school and was present to answer questions from the Board. Dr. Upton inquired if it was legal to list a Post Office Box for the address of the school? Ms. Saltzman replied the school is located in her home and that address is given on the action form.

Mr. Sirbu moved to approve, Mr. Twardowski seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of thirty nine thousand three hundred two dollars (the school has submitted a bond in the amount of forty two thousand dollars), and that School of Natural Cookery, 2977 Loma Place, Boulder, CO 80301, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 2, 2006, and ending June 30, 2009.

6. International Guide Academy, Inc. (Voni Oerman Program Supervisor)  
Renee Belisle processed the renewal and introduced International Guide Academy, Inc. and recommended renewal. Frank Slater represented the school and was present to answer questions from the Board. Ms. Noll inquired as to the substance of the one student complaint. Mr. Slater replied the student disputed the calculation of the refund. The school used the refund policy as stipulated by the Division.

Ms. Noll moved to approve, Dr. Upton seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of thirty five thousand seven hundred fifty dollars (the school has submitted a bond in the amount of forty thousand dollars), and that International Guide Academy, Inc., 4161 South Quebec Street, Denver, CO 80237, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 1, 2006, and ending June 30, 2009.

7. Pima Medical Institute – Colorado Springs (Valorie Briggs Program Supervisor)  
Renee Belisle processed the renewal and introduced Pima Medical Institute-Colorado Springs and recommended renewal. Karen McGrath represented the school and was present to answer

questions from the Board. Mr. Sirbu questioned the size of the bond given the amount of the surety calculation. Ms. Belisle responded the bond is an umbrella bond for the Colorado Springs and Denver Campuses. Mr. Sirbu wanted confirmation both school names and addresses appeared on the bond document. Ms. Belisle confirmed. Ms. Noll inquired about the Physical Therapy Program. Ms. McGrath responded that the Colorado Springs Campus does not offer the PT program.

Mr. Sirbu moved to approve, Dr. Upton seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of two hundred ninety eight thousand eight hundred thirty four dollars and sixty five cents (the school has submitted a bond in the amount of seven hundred eighty six thousand eight hundred seventy three dollars and eleven cents), and that Pima Medical Institute, 370 Printers Parkway, Colorado Springs, CO 80910, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 2, 2006, and ending June 30, 2009.

8. Transpersonal Hypnotherapy Institute (Valorie Briggs Program Supervisor)  
Voni Oerman processed the renewal and introduced Transpersonal Hypnotherapy Institute and recommended renewal. Anne Salisbury represented the school and was present to answer questions from the Board. Having none,

Mr. Twardowski moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of fourteen thousand five hundred forty eight dollars (the school has submitted a bond in the amount of fifteen thousand dollars), and that Transpersonal Hypnotherapy Institute, 48 Willow Lane (POB 4727), Frisco, CO 80443, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 1, 2006, and ending June 30, 2009.

9. Environmental Training & Consulting (Carol Vote Program Supervisor)  
Renee Belisle processed the renewal and introduced Environmental Training and Consulting and recommended renewal. Harvey Lindenberg represented the school and was present to answer questions from the Board. Having none,

Dr. Upton moved to approve, Mr. Twardowski seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of five thousand dollars (the school has submitted a bond in the amount of five thousand dollars), and that Environmental Training & Consulting, 2761 West Oxford Avenue #7, Englewood, CO 80110, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 2, 2006, and ending June 30, 2009.

**B. Consideration of Renewal of Certificate of Approval and Approval of Programs/Courses**

1. International Academy of Elite Esthetics & Micropigmentation (Renee Belisle Program Supervisor)

Voni Oerman processed the renewal and introduced International Academy of Elite Esthetics & Micropigmentation and recommended renewal. Renee Belise introduced the two stand-alone continuing education courses: Corrective Micropigmentation and Permanent Makeup Technique Refinement and recommended approval. Karen and Marilyn Millsapps represented the school and were present to answer questions from the Board. Having none,

Dr. Upton moved approve the renewal application and the two stand-alone courses, Mr. Sirbu seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of nine thousand eight hundred dollars (the school has submitted a Certificate of Deposit in the amount of ten thousand four hundred dollars), and that International Academy of Elite Esthetics & Micropigmentation, 3333 South Bannock Street #200, Englewood, CO 80110, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Standard Certificate of Approval is hereby granted for the period beginning July 1, 2006, and ending June 30, 2009. Approval for the two stand-alone courses is hereby-effective February 23, 2006.

### **C. Consideration of Provisional Certificate of Approval**

#### **1. Argosy University – Denver**

Renee Belisle introduced Argosy University-Denver and recommended approval of the school and the seven proposed Associate of Applied Science Degrees Programs in: Business Management, Computer Software Technology, Paralegal, Criminal Justice, Accounting Technology, Medical Assisting Track I, and Medical Assisting Track II. Marcia Bankirer and Sitara Thomas represented the school and were present to answer questions from the Board. Mr. Sirbu inquired who the school's accreditation organization was. Ms. Bankirer replied the North Central Accreditation Association. Mr. Sirbu inquired about lab time for the Chemistry Course. Ms. Thomas replied the course is all theory.

Mr. Twardowski moved to approve, Mr. Sirbu seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of one hundred fifteen thousand four hundred forty five dollars (the school and submitted a bond in the amount of one hundred fifteen thousand five hundred dollars), and that Argosy University, 1200 Lincoln Street, Denver, CO 80203, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Provisional Certificate of Approval is hereby granted for the period beginning February 23, 2006, and ending June 30, 2007.

#### **2. Concentric Healing Institute**

Carol Vote introduced Concentric Healing Institute and recommended approval of the school and the two Diploma Programs: Esthetics and Advanced Esthetics. Gillian Keiper represented the school and was present to answer questions from the Board. Having none,

Dr. Upton moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of thirteen thousand eight hundred dollars (the school has submitted a bond in the amount of twenty thousand dollars), and that Concentric Healing Institute, 555 Alter Street, Unit B, Broomfield, CO 80027, can be reasonably maintained in compliance with the minimum

standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Provisional Certificate of Approval are hereby granted for the period beginning February 23, 2006, and ending June 30, 2007.

3. Majestic Beauty College

Valorie Briggs introduced Majestic Beauty College and recommended approval of the school the six Diploma Programs: Barber, Cosmetologist, Esthetician, Hairstylist, Manicurist, and Manicurist–350 Hour and the five stand-alone Certificate Courses: Advanced Braiding and Weaving, Cosmetic Resurfacing Exfoliating Substances (Advanced Chemical Peel), Electric File, Microdermabrasion, and Permanent Make-up proposed by the school. Maria Daniels represented the school and was present to answer questions from the Board. Mr. Twardowski reminded the school and staff to delete the term, “Cosmetician” from the proposed Esthetician Program. Staff confirmed the occupational objective would be corrected. Mr. Sirbu inquired as to how the school plans to collect tuition and students would pay for the program? Ms. Daniels replied the students only pay for the kits upon enrollment and pay-as-you-go thereafter.

Mr. Twardowski moved to approve pending the occupational objective correction, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of five thousand dollars (the school has submitted a Savings Account in the amount of five thousand dollars), and that Majestic Beauty College, 13122 East Mississippi Avenue, Aurora, CO 80012, can be reasonably be maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Provisional Certificate of Approval is granted for the period beginning February 23, 2006, and ending June 30, 2007.

D. **Consideration of Approval of Programs/Courses**

1. Center for Professional Education

Renee Belisle, Program Supervisor introduced the three courses: LP-230 Residential Sales Comparison and Income Approaches, LP-220 Residential Site Valuation & Cost Approach, and LP-210 Residential Market Analysis & Highest and Best Use proposed by Center for Professional Education and noted the Real Estate Commission had provided the Division a letter approving the courses and recommended approval. The school was not represented.

Dr. Upton moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines the new courses proposed by Center for Professional Education, 9590 West 14<sup>th</sup> Avenue, Lakewood, CO 80215, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

2. Family Therapy/Play Therapy Institute

Renee Belisle, Program Supervisor introduced the Certificate Program: Eating Disorders Treatment proposed by Family Therapy/Play Therapy Institute and recommended approval. Dr. Reo Leslie and Isabelle Tierney represented and were present to answer questions from the Board. Having none,

Mr. Twardowski moved to approve, Dr. Upton seconded, and the motion carried unanimously, that the new program proposed by Family Therapy/Play Therapy Institute, 12101 East Second

Avenue, Ste. 101, 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 the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

3. New Dimensions Beauty Academy

Renee Belisle, Program Supervisor introduced the stand-alone, continuing education course proposed by New Dimensions Beauty Academy, reminded the Board this course was a hold-over from the January meeting for approval by the Office of Barber and Cosmetology (OBC) and OBC has approved the course and recommended approval. Ms. Noll noted the school representative had not signed the application form. The school had been excused from attending the meeting.

Mr. Twardowski moved approval contingent upon obtaining the signature on the course form, Dr. Upton seconded, and the motion carried unanimously, that the course proposed by New Dimensions Beauty Academy, 19563 East Mainstreet 206G, Parker, CO 80138, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

4. Rocky Mountain School of Animal Acupressure Massage

Voni Oerman, Program Supervisor introduced the new Certificate Program: Animal Acupressure Massage and the four stand-alone courses: Bach Flower Therapy for Animals, Hospice Care, Sound Healing for Horses and Equine Sports Massage and Stretching Application proposed by Rocky Mountain School of Animal Acupressure Massage and recommended approval. The school was not represented. Ms. Noll questioned how the program could be taught by correspondence? Ms. Oerman said the school uses a reporting method wherein students are to submit reports and feedback from the clients they work with.

Mr. Twardowski moved to approve, Dr. Upton seconded, and the motion carried unanimously, that the new program and stand-alone courses proposed by Rocky Mountain School of Animal Acupressure Massage, 3760 South Lipan Street, Englewood, CO 80110, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and approval is hereby granted beginning February 23, 2006.

5. Elan Institute of Cosmetology

Valorie Briggs, Program Supervisor introduced the two stand-alone courses: Eyelash Extensions and Waxing for Manicurist proposed by Elan Institute of Cosmetology and recommended approval. Debra Desch represented the school and was present to answer questions from the Board. Having none,

Mr. Twardowski moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the stand-alone courses proposed by Elan Institute of Cosmetology, 4304 Kipling Street, Unit B, Wheatridge, 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 the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

6. Metro Denver Dental Assisting School

Valorie Briggs, Program Supervisor introduced the new Dental Office Management Certificate Program proposed by Metro Denver Dental Assisting School and recommended approval. Marie Wuthich represented the school and was present to answer questions from the Board. Mr. Martin questioned the content of the modules citing, as written, offers no description of the content and requests the content of the modules is provided. Mr. Twardowski requested the prerequisite be re-done. As written, it is an admissions requirement, not a prerequisite.

Mr. Twardowski moved approval contingent upon the two changes, Ms. Noll seconded, and the motion carried unanimously, that the program proposed by Metro Denver Dental Assisting School, 1880 South Pierce Street, Ste. 16B, Lakewood, CO 80232, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

7. United Beauty College

Valorie Briggs, Program Supervisor introduced the stand-alone course: Waxing for Manicurists proposed by United Beauty College, noted the course adheres to the Office of Barber & Cosmetology criteria, and recommended approval. Dan Nyugen represented the school and was present to answer questions from the Board. Having none,

Ms. Noll moved to approve, Mr. Twardowski seconded, and the motion carried unanimously, that the stand-alone course proposed by United Beauty College, 1907 West Mississippi Avenue, Denver, CO 80223, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

8. Boulder College of Massage Therapy

Dr. Carol Vote, Program Supervisor introduced the two program revisions: Associate of Occupational Studies in Massage Therapy and 1000-Hour Massage Therapy Certificate Program and new stand-alone course: Canine Anatomy and Physiology proposed by Boulder College of Massage Therapy and recommended approval. Jan Combs, Elaine Calenda and Debora Maijavkik represented and were present to answer questions from the Board. Mr. Sirbu questioned the quarter credit hour and had a concern, as written the material did not afford adequate and full disclosure to enrolling students and requested the school separate their clock and contact hour calculations. Ms. Combs agreed to correct the material. Mr. Twardowski questioned the prerequisites for the programs, citing they are admissions criteria and requested those changed as well. Ms. Combs agreed to change.

Mr. Sirbu moved to approve contingent upon the equitable stipulation of clock and credit hours and the correction of the prerequisites, Mr. Twardowski seconded, and the motion carried unanimously, that the revised programs and stand-alone course proposed by Boulder College of Massage Therapy, 6255 Longbow Drive, Boulder, CO 80301, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and approval is hereby granted effective February 23, 2006.

9. DPT Business School

Carol Vote introduced the revised Pharmacy Technician Certificate Program and Business Office Operations Certificate Program proposed by DPT Business School and recommended approval.

The school was not represented.

Mr. Twardowski moved to approve, Dr. Upton seconded, and the motion carried unanimously, that the revised program and new program proposed by DPT Business School, 405 South Platte River Drive, Denver, CO 80223 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended and the minimum requirements of the Division, and approval are hereby granted effective February 23, 2006.

#### **E. Consideration of Approval of Change of Ownership**

##### **1. Denver Academy of Court Reporting – Westminster**

Voni Oerman introduced the proposed Change of Ownership for Denver Academy of Court Reporting, noted some extenuating circumstances, and recommended approval. Sherry Becker and John Wenclawski represented the new ownership and were present to answer questions from the Board. Mr. Sirbu questioned if the Board could take action given the official change was not to occur until Monday, March 6, 2006. Ms. Oerman commented the closing had been delayed due to the death of the previous owner. Ms. Noll recommended approving on the contingency the closing does occur March 6, 2006.

Mr. Sirbu moved to approve contingent on the actual change of ownership, Mr. Twardowski seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school bond be set in the amount of two hundred seventy nine thousand eight hundred eleven dollars (the school has submitted a bond in the amount of two hundred eighty thousand dollars), and that the Change of Ownership for Denver Academy of Court Reporting, 9051 Harlan Street, #20, Westminster, CO 80030, can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and the minimum requirements of the Division, and the Change of Ownership is hereby approved effective February 23, 2006. The Designated Agent for the school is Ms. Sherry T. Becker, 7983 Raritan Street, Denver, CO 80221.

The Chair called for a break at 11:00 – 11:10 a.m.

Mr. Martin asked for a motion to convene an executive session to confer with the Board's counsel on pending or eminent legal action, Mr. Sirbu seconded.

Mr. Martin announced that pursuant to Section 24-6-402(3)(A)(II), the Board was going into executive session and requested all parties, except the Division Director and staff to leave the room and noted the public session would reconvene immediately following the executive session. The Board's counsel, Nancy Wahl, Assistant Attorney General, and Dixon Waxter, Assistant Attorney General, Office of the Colorado Attorney General were present.

#### **RECONVENE PUBLIC MEETING – 11:40 – 1:15 p.m.**

##### **Complaints and Legal Action**

The Chair reconvened the public meeting and moved to consider complaints filed with the Division. Mr. Martin noted the complaints listed on the agenda for consideration are: Pima Medical Institute-Denver and Idea College-Aurora. Mr. Martin reminded the participants, the

meeting of the Board is open and anyone is free to attend the meeting; however, the Board will not entertain any discussion or questions at this time. Throughout the complaint investigation process, all contact regarding the complaint must take place through the Division Director, Jim Parker. Parties are not to discuss the complaint or any part of the investigation with the Board. Schools are cautioned that any retaliatory action against a student who has filed a complaint with the Division is a violation of the Board's rules and will not be tolerated.

1. Pima Medical Institute-Denver. Mr. Parker requested the Board members to refer to the investigation report before them, noting the Board was familiar with issues and allegations that are set forth in the report and the Board is to determine if it has a reasonable belief that a violation of the Laws and Rules and Regulations concerning the operation of private occupational schools has occurred.

Upon review of all available information and discussion of the complaint and investigation, Mr. Sirbu moved the Board take no action on the complaint, Mr. Twardowski seconded, Ms. Noll opposed, and the motion carried 4 to 1 to close the complaint with no action taken against PIMA Medical Institute, Denver campus.

2. Ideal College - Aurora

Mr. Parker presented to the Board new information obtained from the State Board of Nursing regarding the LPN program of Ideal College. Mr. Parker reported that the SBON at public meeting of the SBON on February 22, 2006, voted and approved to issue to Ideal College an Order to Withdraw Approval and to Discontinue the LPN Nursing Education Program at Ideal College, effective close of business on February 28, 2006.

Mr. Parker explained to the Board that upon receiving a copy of the signed and executed Order from the SBON, a special meeting of the Board should be held as soon as practical to discuss the alleged violations Laws, Rules & Regulations governing private occupational schools

Mr. Sirbu expressed his concerns regarding the administration of the school and their capability to operate a school in compliance with the Laws, Rules & Regulations governing private occupational schools. Mr. Sirbu felt the situation was serious enough for the Board to consider some form of action.

Mr. Martin commented that the school has admitted in their written response to the Board's Notice of Noncompliance to violations of the Laws, Rules and Regulations governing private occupational schools and the expressed to Board other board members the need to move forward to protect the students and to help the school to become compliant with the Board's minimum standards.

Mr. Twardowski moved that the Director enter into negotiation with the school about a Stipulated Agreement and to present to the Board for consideration. Mr. Sirbu seconded the motion and the motion carried unanimously.

Mr. Martin noted this closed the discussion on Complaints and Legal Action and directed the Board to next consider discussion items on the agenda.

**Discussion:**

1. Late Second Quarter Student Assessment Fees

Mr. Parker provide a list of 13 schools before the Board and commented the schools had received a Letter of Notice of Late and Delinquent Assessments and said schools were 38 days post of submitting fees. Mr. Martin stated the Division should examine other avenues to work with the school prior to sending a Notice of Noncompliance. Mr. Twardowski stated issuing a Notice of Noncompliance for such an offense may eventually weaken the use of the Notice of Noncompliance and the Notice really has no meaning because there is no fining authority.

Ms. Noll noted that the Board had earlier granted program approved for one of the schools on the late assessment list. Ms. Noll suggested the Division place on hold a school's application for approval pending the school's has resolved in paying delinquent assessment fees Mr. Martin and Mr. Twardowski agreed with Ms. Noll's suggestion.

Mr. Parker explained for the next assessment period, rather than sending the Notice of Noncompliance, after the first late notice, staff will make a phone calls to school's in a attempt to get delinquent schools to pay late assessment fees. The Board agreed. Ms. Noll requested a status report from staff regarding Late Second Quarter Student Assessment Fees. Dr. Upton supported Ms. Noll's concern for compliance. Mr. Parker agreed to bring the information to the Board at the next meeting.

2. Credentialing and Emergency Rule-Making. Mr. Parker and Nancy Wahl, Assistant Attorney General explained to the Board the immediate need for the Board to adopt emergency rules regarding the termination of the Interagency Agreement between the Board and the Career and Technology Education Credentialing Office. Ms. Wahl introduced the proposed emergency rules regarding instructor credentialing, specifically Rule III.B, section 2, 6 and 7, removing reference to the Career and Technology Education Credentialing Office providing instructor credentials for private occupational schools and replacing the Division of Private Occupational Schools as the agency responsible for processing, reviewing and approving instructor credentials, effective March 1, 2006. Mr. Martin moved that the Board adopt the emergency rules as proposed and effective March 1, 2006, and Mr. Twardowski second the motion, the motion carried unanimously to approve and adopt the emergency rules pertaining to Rule III.B, effective March 1, 2006.

Mr. Parker explained to the Board in reviewing the Division's current budget with the department controller, specifically earned revenue and projected earned revenue for the remaining fiscal year that the Division is on pace to exceed the earned revenue for the fiscal year. Mr. Parker recommended to the Board to consider waiving the instructor credential application fee for the remainder of the current fiscal year in order not to exceed the established earned revenue cap. Mr. Martin moved the Board to waive the application fee for instructor credentials for the remaining fiscal year, and the motion was second by Mr. Sirbu and the motion carried unanimously to waive the application fee for instructor credentials for the remaining fiscal year, effective March 1, 2006.

3. Draft Proposed Rules Changes. The Board reviewed and discussed the draft proposed rules and comments provided to the Board by Ms. Wahl. Clarification was provided by the Board members to Ms. Wahl on the proposed rules and the Board directed Ms. Wahl to proceed with the filing of Notice of Rule-Making Hearing.

Having concluded all business of the Board, Mr. Martin moved the Board to adjourn the meeting, second by Ms. Noll.

The Board **adjourned** at 1:15 p.m.

The next regularly schedule meeting of the Board is March 23, 2006.