

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

July 27, 2006/9:30 a.m.

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

Board Members Present:

Robert Martin, Chair	Tom Twardowski, Vice Chair	Lisa Bennison Noll, Secretary
Jerry Sirbu	Buddy Douglass	

Board Members Absent:

Division Staff Present:

Jim Parker, Director	Renee Belisle	Valorie Briggs	Voni Oerman	Arla Hamel
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Board Counsel:

Dixon Waxter, Assistant Attorney General, Office of the Colorado Attorney General.

Guests:

Jennifer Minion, Stone Clan Education Center - Montrose
Dawn Bresett, Stone Clan Education Center - Montrose
Rick Bresett, Stone Clan Education Center – Montrose
Ron Quam, CollegeAmerica
Rod Kruse, CollegeAmerica
Nancy Raffaele-Ilic, Southwest School of Massage & Integrated Bodywork - Durango
Pat Robinson, Southwest School of Massage & Integrated Bodywork - Durango
Angela Lema, The Salon Professional Academy – Grand Junction
Sonja Pluckett, The Salon Professional Academy – Grand Junction
Tom Siess, MJM Institute of Cosmetology - Grand Junction
Deanna Siess, MJM Institute of Cosmetology – Grand Junction
Phyllis Cook, MJM Institute of Cosmetology – Grand Junction
Dana Paige, Concentric Healing Institute – Broomfield
Gillian Keiper, Concentric Healing Institute – Broomfield
Wendy Peters, New Dimensions Beauty Academy - Parker

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

Approval of the Corrected May 25, 2006, Minutes: Mr. Twadowski moved to approve the minutes as corrected, Ms. Noll seconded, and the motion carried unanimously.

Approval of the June 29, 2006 Minutes: Mr. Twardowski moved to approve the minutes as corrected and Ms. Noll seconded, and the motion carried unanimously.

Additions/Corrections to the Agenda:

Complaints/Notices section: addition of Critter Clips School of Dog Grooming and Colorado School of Paramedical Esthetics

Program/Course Approval Section: remove Colorado Advanced Esthetics and add Glenwood Beauty Academy
Out of State Schools Section: addition Myofascial Release Seminars

Directors Report: Mr. Parker presented the Division's FY 4th Quarter Division Report of Activities.

Staff Report: Staff reported complete compliance with the Contingency Approvals granted by the Board at the June 29, 2006, meeting for the following schools:

1. Avanza Education (change program approval form to reflect part-time/full-time);
2. Boulder College of Massage, Boulder (correct program approval for the 1000 program to reflect the correct number of contact hours required);
3. Career Coders, LLC, Loveland (correct admission and/or prerequisite requirement to accurately state requirement);
4. New Dimensions Beauty, Parker (correct number of credit hours for disinfection sanitation);
5. Kaplan, All 3 Locations (correct program length for the Certified Residential Appraiser Program);
6. Littleton Beauty Academy (correct website re: financial/tuition assistance and cite proper source of approving agency);
7. Big E Trucking (correction to school's admission requirement on program approval form);
8. CollegeAmerica, Colorado Springs (contingent upon change of 560 hr. Limited scope x-ray from stand-alone to program approval form);
9. IntelliTec, Grand Junction (breakdown of placement rate by program);
10. IntelliTec, Colorado Springs (change of ownership and correction of bond to reflect new ownership); and
11. Nail Care Company (change prerequisite on stand alone for Workshop 2 Drill Instruction, to read as "Licensed Nail Technician or state licensed cosmetologist").

Complaints/Notices. The Board considered the following complaints filed with the Division and Notices of Noncompliance issued by the Board:

1. Stone Clan Education Center – Montrose

A. Notice of Noncompliance. Mr. Parker summarized the Notice of Noncompliance issued by the Board at its June 29, 2006, meeting finding the school violated section 12-59-115, C.R.S., for failure to maintain adequate surety coverage. The School provided a written response to the Notice of Noncompliance and Rick and Dawn Bresett and Jennifer Minion represented the school and were present. Mr. Bresett explained that upon further review of the school's records it was determined that the School's bond lapsed in March 2006. Mr. Bresett stated that on June 29, 2006 the school obtained a \$6,000 Certificate of Deposit. Mr. Twardowski inquired if the bond is sufficient for all of the new courses being proposed for approval by the Board. Mr. Bresett indicated that they take a minimal deposit upfront and receive full payment of tuition at the end of the training period. Mr. Parker reported to the Board that the School is now in compliance with the Act and Rules. Mr. Sirbu moved to vacate the Notice of Non-compliance, Mr. Twardowski seconded, and the motion carried unanimously.

Mr. Parker requested the Board to review and consider the School's submission of 40 new stand alone courses.

B. Consideration for Approval of Programs/Course. (Valorie Briggs, Program Supervisor)
Ms. Briggs introduced 40 new stand alone courses and 2 programs proposed by Stone Clan Education Center School of Massage – Montrose and recommended approval. Jennifer Minion, Rick Bresett and Dawn Bresett represented the school and were present to answer questions from the Board. Mr. Sirbu expressed concerns with the Reiki Level 1 and Level 2 and Reiki Mastery courses being offered as stand alone courses. Mr. Sirbu recommended to the School to submit the Reiki courses as a program due to the length and/or objective of the class. Ms. Minion inquired if the Reiki courses still could be taken individually, and Mr. Sirbu reported to the school that the Reiki courses could still be taken separate from the program as a whole. Mr. Sirbu questioned the School with respect to the prerequisite requirement stated for some of the massage stand alone courses that seem to indicate a person must have completed an accredited 500 hour massage therapy program. Mr. Sirbu suggested that the school change “accredited” to “approved” in the prerequisite requirement. Mr. Sirbu moved to approve contingent upon changing two of the stand-alone courses to programs, and Mr. Twardowski seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the forty new stand alone courses and 2 new programs: Baby Massage, Deep Tissue Massage, Couples Massage, Orthopedic Massage, Pregnancy Massage, Massage for the Hospital Patient and Medically Frail Client, Aromatherapy, Business Mastery, Cranial Sacral 1, Cranial Sacral 2, Cranial Sacral 3, Emotional Freedom Technique, Level 1 (EFT), Emotional Freedom Technique, Level 2 (EFT), Emotional Freedom Technique, Level 3 (EFT), Ethics & Communication, Hydrotherapy, Integrative Massage Therapy for Tendons and Ligaments, Integrative Neuromuscular Inhibition Technique/Advanced Trigger Point Therapy, LaPolar Stone Therapy for Deep Tissue Massage, LaPolar Stone Therapy for Sports Massage, LaPolar Stone Therapy for Trigger Point Therapy, Neuro-Linguistic Programming (NLP) Practitioner Training, Neuro-Linguistic Programming (NLP) Master Practitioner Training, Neuromuscular Therapy 1, Pathology, Positional Release – Extremities, Positional Release – Neck and Spine, Postural and Biomechanical Analysis Introduction Reflexology Reiki Level 1, Reiki Level 2, Reiki Mastery, Self-Care with Trigger Point Therapy, Treatments-Body Wraps and Salt Glows, Treatments-Facials-Face & Back, Hand & Foot Treatments, Specific injury Treatment Approaches, Sports Massage 1, Sports Massage 2, Trigger Point Therapy, and Anatomy and Physiology proposed by Stone Clan Education Center School of Massage, COA #736, 65.30 Road, Montrose, CO 81401, 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 July 27, 2006

2. MJM Institute of Cosmetology, Grand Junction - Notice of Noncompliance.

Mr. Parker referred the board members to the Report and Recommendation and Notice of Noncompliance contained in the board agenda packets and summarized the Division's investigation of the potential issues that resulted in the Board issuing the School a Notice of Noncompliance. Mr. Parker reported that representatives from the School were present.

Tom Siess, Deanna Siess and Phyllis Cook represented the school and answered questions from the Board. Mr. Sirbu and Mr. Twardowski expressed concerns to the School about the seriousness of offering programs and courses without proper submittal of the program or course offering to the Division for consideration and approval by the Board. The School stated that two of the three courses referenced in the School's catalog have never been offered to students. The School admits that the Electric Nail File course was offered on one occasion to students; however claims that it was of the understanding they were approved by the Division and Board to offer the course based on correspondence received by the School from the Division. A copy of the letter was distributed to the Board members. Mr. Martin explained to the School that laws and rules and regulations are specific on requiring the approval of programs/course prior to the offering of such programs and courses and in this instance does not believe anyone was harmed

by the actions of the School. Mr. Sirbu commented that he concurred with Mr. Martin that there was little or no harm done; however that the School is not immune from some responsibility in the matter and the school's actions are contrary to the policies and procedures of the Division requiring approval of educational services prior to offering and that each school must take responsibility to know what the laws and rules & regulations of the Board. Ms. Noll asked the School why they failed to timely respond to the Division's letter of May 5, 2006, requesting the School to explain why programs/courses are being offered without Board approval. The School stated that the owners, Tom and Deanna Siess were out of town for an extended period of time due to a family emergency and did not receive the letter until June when they returned. Mr. Sirbu requested the School to complete and submit to the Division the required application for approval to offer programs and courses for review and consideration by the Board at the August board meeting. Mr. Sirbu stated for the record that it be noted and reflected in the minutes that the violation made by the school in failing to submit proper approval of programs and courses prior to offering to the public that the School recognizes the seriousness of the violation and that a further incident of this nature may result in being addressed more severely. Mr. Sirbu moved to vacate the Notice of Noncompliance subject to the School successfully submitting the application for approval to offer courses to the Division within 7 days from the date of the meeting, Ms. Noll seconded, and the motion carried unanimously that the Board vacate the Notice of Noncompliance and that the school has seven days to submit appropriate approval forms for the classes in question. In closing, Mr. Twardowski advised the School revise their school catalog to reflect the proper conversion of clock hours to credit hours pursuant to the Office of Barbers & Cosmetology and the Division.

3. Critter Clips Dog Grooming, Colorado Springs - Student complaint.

Mr. Parker reported that the matter was an addendum to the Board's agenda due to the Division being unable to resolve the refund dispute and requested the Board to make a determination in the matter. Mr. Parker stated that at issue is the \$500 deposit applied to the non-refundable kit fee, as stated in the enrollment agreement. Mr. Parker further explained that the School's online catalog, which the student relied upon states that the kit fee is included in the tuition.

Mr. Martin commented that the issues of websites is not specifically addressed by Board rules and what a school puts on their website is a secondary issue with what is stated on a signed contract; however based on review of the matter that the student enrollment agreement did not make reference to any specified catalog; and therefore the failure of the School to indicate and reference the volume and/or date of the catalog constitutes an incomplete enrollment agreement. Mr. Martin stated based on the enrollment agreement not being properly executed that he believed the student was entitled to a full refund. Mr. Martin requested the Division at a future board meeting or the board's annual planning meeting to discuss the websites and advertising. Mr. Sirbu asked staff if in dealing with the school had they at anytime stated in a school policy that supplies are non-refundable. Staff responded that the enrollment agreement does separate tuition and books and supplies. Mr. Sirbu moved to grant the refund of the \$500 kit fee to the student reversing earlier determination by the Division for the School's failure to properly execute the student enrollment agreement, Mr. Douglass seconded, the motion carried unanimously by the Board.

4. Colorado School of Paramedical Esthetics, Lakewood – Student complaint

Mr. Parker referred the Board members to information pertaining to a student complaint regarding a refund dispute that is being presented as an addendum item to the Board's agenda and requested the Board to make a determination on how to proceed in the matter. Mr. Parker reported that the point of issue is a refund dispute and whether the student participated in a 10-hour home study program for which the School is awarding the student credit and factoring in

calculating the student refund. Mr. Parker stated that the student claims she did not request to be assigned home-study and the School failed to provide supporting documentation that home-study was assigned.

Mr. Martin commented that there is no documentation to determine if the student received home-study credit. Mr. Twardowski asked the staff if the home-study course had been approved by the Board. The staff responded that the home-study is not a course, but included as part of the school's make-up policy for students who are absent and missing assignments. Mr. Sirbu commented on the refund calculation sheet that the school failed to indicate the last date of attendance of the student and how can the school place a student on an absence of leave verbally without proper signed documentation. Mr. Sirbu stated that he believed this matter to be a serious offense by the School and expressed serious concerns on how the refund was calculated, the lack of supporting documentation and requested that the school be required to attend the next board meeting to explain the matter to the Board.

Mr. Sirbu motioned to have the School recalculate the student refund without the 10-hour home-study and refund the student the proportionate amount of refund in accordance to the State Refund Policy and request that the School appear at the August board meeting. In addition, Mr. Sirbu moved that the Division issue the School a Notice of Noncompliance requesting the School to appear at the August 24, 2006, Board meeting with proof of the refund recalculation and disbursement. Mr. Twardowski seconded, the motion carried unanimously by the Board.

NEW BUSINESS/ACTION ITEMS:

A. Consideration of Approval of Provisional Certificate of Approval

1. Southwest School of Massage & Integrated Bodywork - Durango

Ms. Belisle introduced Southwest School of Massage & Integrated Bodywork and recommended approval of the school and proposed new program Massage & Bodywork.

Nancy Raffaele-Ilic and Patricia Robertson represented the school and were present to answer questions from the Board. Having no questions, the School having satisfied the Board's inquiry, Ms. Noll 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 \$5,000 (the school has complied and submitted a bond in the amount of \$5,000), and that Southwest School of Massage & Integrated Bodywork, 2929 Main Avenue, Suite B3-B4, Durango CO 81301, 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 July 27, 2006 and ending June 30, 2008.

2. The Salon Professional Academy – Grand Junction

Ms. Belisle introduced The Salon Professional Academy and recommended approval of the school and three programs Cosmetology, Manicurist, Esthetician proposed by the school and recommended approval. Angela Lema and Sonja Plucket represented the school and were present to answer questions from the Board. Having no questions, Mr. Twardowski moved to approve, Mr. Douglass 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 \$11,000 (the school has complied and submitted a bond in the amount of \$11,000), and that The Salon Professional Academy 2938 North Avenue, Unit B, Grand Junction, CO 81504, 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 July 27, 2006 and ending June 30, 2008.

B. Consideration of Approval of Programs/Courses

1. CollegeAmerica - Denver

Ms. Oerman introduced one new stand alone course, Nursing Assistant proposed by CollegeAmerica – Denver Campus and recommended approval. Rod Kruse and Ron Quam represented the school and were present to answer questions from the Board. Mr. Twardowski inquired how the school informs students that the fee for the state exam is not included in the tuition cost and suggested that School address that the cost of the state exam is not included in the tuition by stating such in the school's catalog. Mr. Sirbu recommended that the school makes it clear in the catalog that the student must pass the state exam to be employed after training. Having satisfied the Board inquires, Ms. Noll moved to approve, and Mr. Twardowski seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the new stand alone course proposed by CollegeAmerica-Denver Campus, 1385 South Colorado Blvd. 5th Floor, Denver, CO 80222, 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 July 27, 2006.

2. Kaplan Professional Schools/Jones College – Colorado Springs

Ms. Belisle introduced one new stand alone course, Mortgage Origination and Financing proposed by Kaplan Professional Schools/Jones College – Colorado Springs and recommended approval. The School was not represented. Mr. Twardowski moved to approve, and Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the new stand alone course proposed by Kaplan Professional Schools/Jones College, 1919 North Union Blvd., Colorado Springs, CO 80909, 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 July 27, 2006.

3. Kaplan Professional Schools/Jones College – Denver

Ms. Belisle introduced one new stand alone course, Mortgage Origination and Financing proposed by Kaplan Professional Schools/Jones College – Denver and recommended approval. The School was not represented. Mr. Twardowski moved to approve, and Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the new stand alone course proposed by Kaplan Professional Schools/Jones College, 2150 South Cherry Street, Denver, CO 80222, 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 July 27, 2006

4. Kaplan Professional Schools/Jones College - Thornton

Ms. Belisle introduced one new stand alone course, Mortgage Origination and Financing proposed by Kaplan Professional Schools/Jones College - Thornton and recommended approval. The School was not represented. Mr. Twardowski moved to approve and Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the new stand alone course proposed by Kaplan Professional Schools/Jones College, 500 East 84th Avenue, Thornton, CO 80229, 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 July 27, 2006.

5. New Dimensions Beauty Academy – Parker

Ms. Belisle introduced a revised program, Massage – Soft Tissue program and thirteen new stand alone courses, Advanced Massage Techniques I & II, Test Preparation Course, Advanced Hairstyling, Esthetics Refresher, Manicuring Refresher Course, Corrective Color, Chemical Texturing, Classic Color, Advanced Color and Cutting, Men's Cuts, Classic Cuts, Back to Basics – Color and Cuts, And Hair Extensions, proposed by New Dimensions Beauty Academy, and recommended approval. Wendy Peters represented the school and was present to answer questions from the Board. Mr. Twardowski inquired how the school was administering the on-line portion for classes offering on-line training. Ms. Peters responded that it is through an on-line program operated through Milady, their textbook manufacturer, and the on-line portion is for theory training. Mr. Twardowski further inquired into the test preparation course what program(s) that was to address. Ms. Peters responded for any of the approved pre-licensing programs and the student would choose which. Mr. Twardowski suggested the school re-write the stand alone course form so that each pre-licensing program offered has its own test preparation stand alone course so it is clear to the student what they are enrolling in. Ms. Peters agreed to re-submit stand alone course forms for each test preparation class available. Mr. Twardowski also asked that continuing education not be a term used for advanced training in the cosmetology industry and use the term advanced training instead. Ms. Peters agreed to refer to training beyond pre-licensing as advanced training in the school catalog. Mr. Twardowski moved to approve with the contingency of bringing forward separate stand alone course forms for the test preparation classes, Mr. Douglass seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the revised program and new stand alone courses proposed by New Dimensions Beauty Academy, 19563 East Main Street, #206-G, 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 July 27, 2006.

6. Concentric Healing Institute - Broomfield

Ms. Briggs introduced a new program, Massage Therapy proposed by Concentric Healing Institute, and recommended approval. Dana Paige and Gillian Keiper represented the school and were present to answer questions from the Board. Mr. Twardowski moved to approve, and Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the revised program and new program proposed by Concentric Healing Institute, 555 Alter Street, Unit F, Broomfield, CO 80007, 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 July 27, 2006.

7. Longs Peak Academy - Longmont

Ms. Briggs introduced a new stand alone course Waxing for Manicurist proposed by Longs Peak Academy, and recommended approval. The school was not represented. Mr. Twardowski moved to approve, and Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the new course proposed by Longs Peak Academy, 700 Ken Pratt Blvd #510, 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 the minimum requirements of the Division, and approval is hereby granted effective July 27, 2006.

8. Glenwood Beauty Academy - Glenwood

Ms. Briggs introduced a new stand alone course Waxing for Manicurist proposed by Glenwood Beauty Academy, and recommended approval. The school was not represented. Mr. Douglass moved to approve, and Mr. Twardowski seconded, and the motion carried unanimously, that the

Division of Private Occupational Schools hereby determines that the new course proposed by Glenwood Beauty Academy 51241 Hwy 6&24 Suite 1, Glenwood Springs, CO 81601, 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 July 27, 2006.

C. Consideration of Approval of Standard Certificates for Out of State

1. Pro School, Inc., Portland, Oregon

Ms. Belisle introduced Pro School, Inc. and recommended approval. Ms. Noll moved to approve, Mr. Twardowski seconded, the motion carried unanimously. The Division of Private Occupational Schools hereby determines that the school bond be set in the amount of \$50,000, and that Pro School, Inc. 10225 SW Park Way, Portland, OR 97225 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 27, 2006 and ending June 30, 2007.

2. Myofascial Release Seminars

Ms. Belisle introduced Myofascial Release Seminars and recommended approval. Mr. Twardowski moved to approve, Mr. Douglass seconded, and the motion carried unanimously. The Division of Private Occupational Schools hereby determines that the school bond be set in the amount of \$50,000, and that Myofascial Release Seminars, 222 West Lancaster Avenue, Paoli, PA 19301, 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 27, 2006 and ending June 30, 2007.

D. Consideration of Approval of Change of Ownership

1. Elan Institute of Cosmetology – Wheat Ridge

Ms. Briggs introduced the change of ownership Elan Institute of Cosmetology – Wheat Ridge and recommended approval. The school was not represented. Mr. Douglass, moved to approve, Ms. Noll seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the school surety be set in the amount of \$5,000 for Elan Institute of Cosmetology, 4304 Kipling Street #B, Wheat Ridge, CO 80235 (the school has complied and submitted surety coverage in the amount of \$5,000).

E. Notification of Schools Closings

1. Brown Mackie College, Denver
2. Direct Training Services, Commerce City

Discussion Items:

1. Proposed Draft Rules to amend Part 1 and Part III

Mr. Parker reported that the corrections to the draft proposed rules regarding instructor qualifications were made as a result of the Board's discussion in June. Mr. Parker recommended

to the Board that the rules be adopted as emergency/temporary rules with an effective date of September 1, 2006. Mr. Parker stated the urgency of the rules is that HB 1046 became effective May 17, 2006, requiring national criminal background checks of instructors that teach minor students less than 16 years of age. Mr. Parker further explained that in addition, the rules would now require schools to verify and qualify instructional staff due to the termination of the contract with the Colorado Community College Systems for credentialing services

Ms. Noll moved to approve the proposed emergency rules, finding adoption that the immediate adoption of the proposed amendments to Rule I, Definitions, and Rule III, Minimum Standards, paragraph D, Administrative Staff and paragraph E, Educational Staff, is imperatively necessary for the preservation of public health, safety or welfare, Mr. Twardowski seconded, and the motion carried unanimously that emergency rules be adopted and the motion carried unanimously.

Ms. Noll moved for adoption of the proposed emergency rules with an effective date of September 1, 2006, Mr. Douglass seconded, and the motion carried unanimously that emergency rules regarding amendments to Rule I, Definitions, and Rule III, Minimum Standards, paragraph D, Administrative Staff and paragraph E, Educational Staff become effective on September 1, 2006.

2. Proposed draft rules to establish, impose and collect fines pursuant to HB 1046.

Mr. Parker and Mr. Waxter presented a working draft for the new rule regarding imposing administrative fines for consideration of the Board. Public hearing for adoption of this new rule, along with the emergency rules has been noticed and scheduled for a public rulemaking hearing to be held on September 28, 2006. Mr. Martin made comment that a caveat should be included in the rule that does not restrict the Board to the fines as presented in the matrix and that the Board is to use the fining schedule as a guide to be consistent in determining fine amounts. Mr. Parker stated that HB-1046 has no restrictions as to the maximum or minimum amount of fine. Mr. Parker stated that he would incorporate the Board's suggestions to eliminate minimum fines as proposed in the fining schedule and draft language that the fining schedule and proposed violations does not limit the Board in imposing fines on violations not specified in the fining schedule.

Having no further business, the Chair asked for a motion to adjourn, Mr. Sirbu so moved and Mr. Twardowski seconded and the Board adjourned at 11:10 am.

The next regularly scheduled meeting of the Board is to be held on Thursday, August 24, 2006.