

**MINUTES OF THE  
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS  
BOARD MEETING  
March 23, 2006, 9:30 a.m.**

The 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      Jerry Sirbu      Gary Upton, Ph.D

Board Members Absent:

Lisa Bennison Noll, J.D.      Ronnie O'Dwyer      Buddy Douglass

Division Staff Present:

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

Board Counsel:

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

Guests:

Kevin Paveglio, Redstone College  
April McMiken, Summit Salon & Beauty School  
Susan Sisitki, John Robert Powers International  
Elaine Ivan, Memorial Hospital School of Radiologic Technology  
Roberta Alarcon, Orion Environmental, Inc.  
Nicole Alarcon, Orion Environmental, Inc.  
Michelle Capra, Artistic Beauty Colleges – Regis Corporation  
A.J. Sylvester, ABC Bartending Schools  
John Wenclawski, Denver Academy of Court Reporting  
Sherry Becker, Denver Academy of Court Reporting  
Dirk Costen, Real Estate Training Center of Colorado  
Patrick Armbrust, Armbrust Real Estate Institute  
Janice Combs, Boulder College of Massage Therapy  
Elaine Calenda, Boulder College of Massage Therapy  
Peter Friedhauer, Zuri Institute of Hair Design  
Bryan Dyke, Heritage College  
Jennifer Sprague, Heritage College  
Renee Sanders, Cuttin' Up Beauty Academy  
Charlene Leberer, Nutrition Therapy Institute, Inc.  
Elizabeth Williams, Colorado Online Education  
Kim Wilson, HETA - Heavy Equipment Training Academy  
Dan Webster, Colorado State Approving Agency  
Melisa Danciger, Advanced Esthetics Institute  
Pat Hardy, Parks College – Aurora

Robert Martin, Board 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 February 23, 2006, Minutes:** Mr. Twardowski moved to approve the minutes as corrected, Mr. Sirbu seconded, and the motion carried unanimously.

**Approval of February 28, 2006, Minutes of Special Board Meeting:**

Dr. Upton moved to approve the minutes as corrected, Mr. Sirbu seconded, and the motion carried unanimously.

**Director's Report:** Mr. Parker reported,

- Senate Education Committee on March 9, 2006, voted unanimously to approve and confirm the Governor's appointment of Mr. Sirbu to the Board.
- HB 1046 passes House Appropriations Committee and House Floor and scheduled for the Senate Education Committee on March 23, 2006.
- Emergency Rules were filed with Secretary of State, effective March 1, 2006 and amending Rule III.B pertaining to a change in the agency responsible for instructor credentials.
- Notice of Rule-Making Hearing filed for Proposed Rules changes with public rule making hearing scheduled for May 25, 2006.
- Sherry Marston has been hired to manage instructor credentials through June 30, 2006.

**Staff Report:** Mr. Parker noted there would be two actions concerning Late Renewals that will require Board action and Ms. Briggs will present the report.

- A. Contingency Approvals. Staff reported the following School's successful compliance to the Board's February 23, 2006, contingency school approvals:
  - Denver Academy of Court Reporting
  - Majestic Beauty College
  - Metro Denver Dental Assisting
  - Boulder College of Massage Therapy
  - New Dimensions Beauty College
- B. Late Student Assessment Fees. Ms. Oerman reported that all schools reported to the Board at the meeting of February 23, 2006, are no longer delinquent in submitting second quarter student assessment fees and are now compliant.
- C. Late Renewals. Ms. Briggs reported that 11 schools failed to submit their renewal applications for certificate of approval by the statutory deadline of February 15, 2006. 8 of the 11 schools will be submitting an application for a provisional certificate to operate. The other 3 schools, John Robert Powers and Real Estate Training Center of Colorado, Inc., Denver and Grand Junction have requested an extension of time to submit their renewal applications.

Mr. Sirbu moved, second by Mr. Twardowski and motion passed unanimously to granted John Robert Powers Schools a 30-day extension of time to submit to the Division their renewal application finding that an administrative error occurred in sending the renewal application packet to the correct business address.

Dirk Costen represented the Real Estate Training Center of Colorado, Inc., and was present to request the Board's reconsideration in accepting the school's renewal application. Mr. Twardowski moved, seconded by Mr. Sirbu and the motion carried 3 to 1, Dr. Upton opposed, to deny Real Estate Training Center of Colorado, Inc., an extension of time to submit the school's renewal application. Mr. Costen was advised to submit an application for a provisional certificate by June 30, 2006.

## **NEWS BUSINESS/ACTION ITEMS**

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

1. Armbrust Real Estate Institute, (Valorie Briggs, Program Supervisor)

Ms. Oerman handled the renewal and introduced Armbrust Real Estate Institute and recommended renewal. Patrick Armbrust represented the school and was present to answer questions from the Board. Having no questions, Mr. Sirbu moved to approve, and Mr. Martin 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 \$40,600 (the school has complied and submitted a bond for \$50,000), and that Armbrust Real Estate Institute, 7100 East Belleview Avenue, Suite 211, 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 is hereby granted for the period beginning July 1, 2006 and ending June 30, 2009.

2. Redstone College - Denver (Renee Belisle, Program Supervisor)

Ms. Oerman handled the renewal and introduced Redstone College - Denver and recommended renewal. Kevin Paveglio represented the school and was present to answer questions from the Board. Having no questions, Mr. Sirbu moved to approve, and 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 \$1,605,554 (the school has complied and submitted a bond for \$1,605,554), and that Redstone College – Denver, 110851 West 120th Ave, Broomfield, CO 80021, 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.

3. Summit Salon & Beauty School (Valorie Briggs, Program Supervisor)

Ms. Oerman handled the renewal and introduced Summit Salon & Beauty School and recommended renewal. April McMiken represented the school and was present to answer questions from the Board. Having no questions, Mr. Twardowski moved to approve, and 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 \$2,500 (the school has complied and submitted a bond for \$10,000), and that Summit Salon & Beauty School, 110 West Midland Avenue, Woodland Park, CO 80863, 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.

4. Artistic Beauty Colleges – Aurora (Carol Vote, Program Supervisor)

Ms. Belisle handled the renewal and introduced Artistic Beauty Colleges - Aurora and recommended renewal. Michelle Capra represented the school and was present to answer questions from the Board. Having no questions, Mr. Twardowski moved to approve, and 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 \$47,232.33 (the school has complied and submitted a bond for \$100,000), and that Artistic Beauty Colleges - Aurora, 16800 East Mississippi Avenue, Aurora, CO 80017, 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.

5. Artistic Beauty Colleges – Littleton (Carol Vote, Program Supervisor)

Ms. Belisle handled the renewal and introduced Artistic Beauty Colleges - Littleton and recommended renewal. Michelle Capra represented the school and was present to answer questions from the Board. Having no questions, Mr. Twardowski moved to approve, and 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 \$124,030.49 (the school has complied and submitted a bond for \$150,000), and that Artistic Beauty Colleges – Littleton, 8996 West Bowles Avenue #E-7, Littleton, CO 80123, 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.

6. Boulder College of Massage Therapy (Carol Vote, Program Supervisor)

Ms. Belisle handled the renewal and introduced Boulder College of Massage Therapy, and recommended renewal. Janice Combs and Elaine Calenda represented the school and were present to answer questions from the Board. Having no questions, Mr. Twardowski moved to approve, and 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 \$616,770 (the school has complied and submitted a bond for \$616,770), and 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 the Standard Certificate of Approval is hereby granted for the period beginning July 1, 2006 and ending June 30, 2009.

7. Cuttin' Up Beauty Academy (Voni Oerman, Program Supervisor)

Ms. Belisle handled the renewal and introduced Cuttin' Up Beauty Academy and recommended renewal. Renee Sanders represented the school and was present to answer questions from the Board. Having no questions, Dr. Upton moved to approve, and 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 \$11,800 (the school has complied and submitted a bond for \$20,000), and that Cuttin Up Beauty Academy, 8101 East Colfax Avenue, Denver, CO 80220, 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.

8. Zuri Institute of Hair Design (Voni Oerman, Program Supervisor)

Ms. Belisle handled the renewal and introduced Zuri Institute of Hair Design and recommended renewal. Peter Friedhauer represented the school and was present to answer questions from the Board. Having no questions, Mr. Twardowski moved to approve, and 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 \$10,000 (the school has complied and submitted a bond for \$12,000), and Zuri Institute of Hair Design, 3150 East 3<sup>rd</sup> Avenue Denver, CO 80206, 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.

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

1. John Robert Powers International (Carol Vote, Program Supervisor)

Ms. Oerman handled the renewal and introduced John Robert Powers International and recommended renewal. Dr. Vote introduced the one new program proposed by the school and recommended approval. Susan Sisitki represented the school and was present to answer questions from the Board. Having none, Dr. Upton moved to renew the school and approve the new program, Film Production, and 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 \$50,000 (the school has complied and submitted a bond in the amount of \$85,000), and that John Robert Powers International, 400 South Colorado Blvd, Suite 330, Denver, CO 80246, 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 new program is hereby-effective March 23, 2006.

2. Heavy Equipment Training Academy (Renee Belisle, Program Supervisor)

Ms. Oerman handled the renewal and introduced Heavy Equipment Training Academy and recommended renewal. Ms. Belisle introduced the one new program proposed by the school and recommended approval. Kim Wilson represented the school and was present to answer questions from the Board. Having none, Mr. Sirbu moved to renew the school and approve the new program, Heavy Equipment Operator/CDL Drive Class A, and 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 \$56,000 (the school has complied and submitted a bond in the amount of \$72,000), and that Heavy Equipment Training Academy, 200 Construction Avenue, Julesburg, CO 80737, 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 new program is hereby-effective March 23, 2006.

3. Memorial Hospital School of Radiologic Technology (Voni Oerman, Program Supervisor)

Ms. Belisle handled the renewal and introduced Memorial Hospital School of Radiologic Technology and recommended renewal. Ms. Oerman introduced the one revised program proposed by the school and recommended approval. Elaine Ivan represented the school and was present to answer questions from the Board. Having none, Mr. Twardowski moved to renew the school and approve the revised program, Associate of Applied Science Radiologic Technology and 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 \$39,6000 (the school has complied and submitted a bond in the amount of \$43,000), and that Memorial Hospital School of Radiologic Technology, 175 South Union Blvd, Suite 240, Colorado Springs, CO 80917, 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 new program is hereby effective March 23, 2006.

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

1. Orion Environmental, Inc. - Denver

Ms. Oerman introduced Orion Environmental, Inc. and recommended approval of the school and proposed Six Stand Alone Courses: English Worker Course, English Worker Refresher Course, Contractor/Supervisor Course, Contractor/Supervisor Refresher Course, Spanish Worker Course, Spanish Worker Refresher Course. Roberta Alarcon and Nicole Alarcon, represented the school and were 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 \$3,750 (the school has complied and submitted a bond in the amount of \$5,000), and that Orion Environmental, Inc. 3560 Brighton Blvd. Denver, CO 80216, 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 March 23, 2006, and ending June 30, 2007.

2. ABC Bartending Schools - Denver

Ms. Belisle introduced ABC Bartending Schools and recommended approval of the school and proposed one program, Bartending. Anthony Sylvester represented the school and was present to answer questions from the Board. Having none, 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 \$4,550 (the school has complied and submitted a bond in the amount of \$10,000), and that ABC Bartending School, 3600 South Beeler Street, Suite 130, 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 Provisional Certificate of Approval is hereby granted for the period beginning March 23, 2006, and ending June 30, 2007.

3. Colorado Online Education - Aurora

Ms. Belisle introduced Colorado Online Education and recommended approval of the school and proposed one stand alone course: HUD Homes – Part I and II. Elizabeth Williams 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 \$7,524 (the school has complied and submitted a bond in the amount of \$7,524 ), and that Colorado Online Education, 2620 South Parker Road, Aurora, CO 80014, 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 March 23, 2006, and ending June 30, 2007.

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

1. Executive Security International, Ltd. - Rifle

Ms. Briggs introduced the two new programs: Special Operations Protection and PSD Protective Operations Programs, and four stand alone courses: Insurgent Ideology and Tactics, Pre-Emptive War Doctrine, Counterinsurgent Theory & Tactics and PSD Protective Operations, by Executive Security International, Ltd. and recommended approval. The school was not represented.

Dr. Upton moved to approve, Mr. Sirbu seconded, and the motion carried unanimously, that the Division of Private Occupational Schools hereby determines that the new programs and stand alone courses proposed by Executive Security International, Ltd., 125 West 4<sup>th</sup> Street, Suite 103, Rifle, CO 82650, 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 March 23, 2006.

2. Heritage College Denver

Dr. Vote introduced the twelve new stand alone courses: Trends in X-ray Technology, Maximizing Technical Factors, Patient Privacy and HIPAA, Improving Patient Care, Image Review, Complex Axial Procedures I, Complex Axial Procedures II, Complex Axial Procedures III, Complex Appendicular Procedures I, Complex Appendicular Procedures II, Complex Appendicular Procedures III Review of Radiation Safety, proposed by Heritage College and recommended approval. Bryan Dyke and Jennifer Sprague, represented the school and answered questions from the Board. Mr. Twardowski moved to approve, Mr. Upton seconded, and the motion carried unanimously, that the courses proposed by 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 the minimum requirements of the Division, and approval is hereby granted beginning April 6, 2006.

3. Kaplan Professional Schools - ITA (Formally Inspection Training Assoc.) - Denver

Dr. Vote introduced one stand-alone course: Residential Radon Measurement, proposed by Kaplan Professional Schools - ITA and recommended approval. Dr. Upton moved to approve, Mr. Twardowski seconded, and the motion carried unanimously, that the programs and courses proposed by Kaplan Professional Schools ITA, 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 beginning March 23, 2006.

4. Parks College - Aurora

Dr. Vote introduced the program: Pharmacy Technician, proposed by Parks College – Aurora and recommended approval. Pat Hardy represented the school and answered questions from the Board. Mr. Sirbu moved to approve, Mr. Twardowski seconded, and the motion carried unanimously, that the program proposed by Parks College – Aurora, 14280 East Jewell Avenue, Aurora, CO 80012, 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 May 1, 2006.

5. The Advanced Esthetics Institute - Boulder

Ms. Belisle introduced the one new and one revised stand alone courses: Waxing by Manicurists and Warm Stone Facial proposed by The Advanced Esthetics Institute and recommended approval. Melisa Danciger represented the school and answered questions from the Board. Dr.

Upton moved to approve contingent upon the prerequisite for nursing be removed, Mr. Twardowski seconded, and the motion carried unanimously, that the programs and courses proposed by The Advanced Esthetics Institute, 4760 Walnut Street, Suite 105, 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 March 23, 2006.

6. Nutrition Therapy Institute, Inc. - Denver

Ms. Belisle introduced the one new program: Herbal Therapy Program proposed by Nutrition Therapy Institute, Inc. and recommended approval. Charlene Leberer represented the school and answered questions from the Board. Mr. Twardowski moved to approve contingent on school providing staff the detailed component of the modules, Dr. Upton seconded, and the motion carried unanimously, that the program proposed by Nutrition Therapy Institute, Inc., 1574 York Street, Suite 100 Denver, CO 80206, 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 March 23, 2006.

**NOTIFICATION OF SCHOOLS CLOSINGS:**

School of Zen Shiatsu – The School has had no new classes since this date of closing and all students have completed training. Date of closing: December 31, 2005.

The Board Chair called for a brief recess at 10:35 a.m.

Reconvene public meeting at 10:45 a.m.

**DISCUSSION:**

Flight Schools. Mr. Parker introduced Mr. Dan Webster, Director of the Colorado State Approving Agency, and asked Mr. Webster to address the issue of flight schools claiming exemption to the Laws and Rules governing private occupational schools. Mr. Webster offered a brief history of the relationship between the State Approving Agency and the Division. Mr. Webster is new to the position as Director of the State Approving Agency and noted the Veterans Administration does not approve schools; the VA delegates the approval responsibility to the State Approving Agency who, in turn, sends the application to the VA for acceptance. Mr. Webster noted when reviewing the past practices he has concerns about a double standard. The Division must first approve all other training institutions receiving VA funds for occupational training. Because of the two existing exemptions regarding flight schools listed in the Division's statute, most flight schools feel they are exempt for the following reasons: 1) Collection of 'prepaid and fees"; and 2) "Not Certified" by the United States Veterans Administration". This is an old term and is reorganized and recognized as the U.S. Veterans Affairs. Mr. Webster is asking for a clarification of the exemptions.

Mr. Twardowski noted that to do the "housekeeping" to correct the terminology would require a change in the statute. Mr. Parker and Ms. Oerman shared an example of a school that collected Sallie Mae Funds upfront, placed them in escrow and drew on the funds as students proceeded through training. Mr. Martin stated he felt this was definitely an example of collecting prepaid, unearned tuition and fees and the school should make application.

Mr. Parker stated that until the law is changed, schools can continue to claim the exemption and writing a letter cannot validate the exemption.

Mr. Parker concluded the discussion stating that perhaps during the late bill period or for the next legislative session, the flight school exemption provisions could be addressed. Mr. Parker requested Mr. Webster to contact the Division of any school that applies for veteran's benefits with and is not approved by the Board to operate as a private occupational school.

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

The Chair moved to consider complaints filed with the Division. Mr. Martin noted the complaints listed on the agenda for consideration are: Ideal College, Aurora and Parks College, Thornton. 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) Ideal College – Aurora - Mr. Parker requested Mr. Waxter to provide an update. Mr. Waxter reported the legal representative for the school filed a request in Denver District Court on March 16, 2006, for a temporary restraining order against the State Board of Nursing (SBON). The district court dismissed the case and directed the school to pursue and exhaust all administrative remedies. The school has filed an appeal with the SBON regarding the order to withdraw the LPN program. Mr. Waxter prepared an Amended Notice of Suspension of the LPN Program for the Board's consideration.

Mr. Martin noted the minutes stated the Division would take definite action. Mr. Sirbu said it was the 'intent' of the Division to take action pending the SBON decision, and not absolute action. Mr. Twardowski moved to issue Ideal College an Amended Notice of Suspension of the LPN Program, Mr. Sirbu seconded, and the motion carried unanimously to approve and send Ideal College an Amended Notice of Suspension of the LPN Program.

- 2) Parks College – Thornton – Mr. Parker referred to the members to the complaint packet and documentation related to the issues with the Surgical Technician Program offered by Parks College-Thornton and requested the Board make a motion to direct the Division to reopen the investigation.

Mr. Martin inquired why the investigation had been closed. Dr. Vote explained, per prior directions from the Attorney General's Office, once students retain an attorney and the attorney files the complaint or claim in court, the Division closed the investigation. This directive was followed with the Parks complaint. Mr. Twardowski asked if it was the will of the Board to continue to follow the prior directive of the AG's office. Mr. Parker stated this directive is contrary to effective public policy. Mr. Martin stated it maybe necessary for the Board to consider and develop a policy regarding civil claims. Mr. Martin asked for a motion to reopen the investigation. Dr. Upton moved to direct staff to reopen the complaint investigation, Mr. Twardowski seconded, and the motion carried unanimously.

**Additions to the Agenda:** Mr. Twardowski apologized for not requesting an addition to the agenda earlier, but wanted to know if all the cosmetology had made their conversions from clock hours to semester credits. Staff confirmed that all schools had filed the revisions by the stipulated due date. Mr. Twardowski said the rumor from the field was that although schools may have filed and been approved for the conversion, they will still using clock hours and wanted to know how staff was monitoring this practice. Staff informed Mr. Twardowski to monitor the practice would be very time consuming and the practice would be revealed when the student go the Office of Barber & Cosmetology to take the exam.

Ms. Briggs recommended a letter of reminder be placed in the next quarterly Student Assessment Fee Notice. The Board supported this recommendation.

**Adjournment:** Dr. Upton moved to adjourn, Mr. Twardowski seconded. The meeting adjourned at 11:50 a.m.