

**PUBLIC MINUTES OF THE  
BOARD OF COLORADO PRIVATE OCCUPATIONAL SCHOOLS  
SPECIAL MEETING**

**February 28, 2006, 2:00 p.m. – 4:00 p.m.**

The Colorado Private Occupational Schools Board convened at the Division of Private Occupational Schools, Department of Higher Education, 1380 Lawrence Street, Suite 1200, Denver, Colorado 80204, for the purpose of holding a Special Meeting to discuss the LPN program status of Ideal College.

Board Members Present:

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

Board Members Absent:

JJ Ament    Ronnie O'Dywer

Division Staff Present:

Jim Parker, Director    Renee Belisle    Valorie Briggs    Carol Vote

Board Counsel:

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

Others Present:

Altaf Siddiqu, Education Director, Ideal College  
Syed Asif, Esq., Asif Law Firm, LLC, Attorney for Ideal College  
James Kreutz, Esq., Kreutz & Associates, P.C., Attorney for Ideal College  
Y.E. Scott, Assistant Attorney General  
Dottie Braun, Education Director, Colorado State Board of Nursing

Robert Martin, Board Chair called the meeting to order at 2:00 p.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.

Mr. Parker provided a brief overview of the purpose of the meeting for reconsideration of the Board's approval of Ideal College's LPN Program as a result of the February 22, 2006 withdrawal of the Ideal College LPN Interim Program approval by the State Board of Nursing (SBON). The criteria for the Board's approval of the LPN Program on August 25, 2005 was based upon the SBON approval of Ideal College's LPN program. Mr. Martin asked if the school would be allowed to offer any information. Mr. Parker confirmed this would be appropriate.

Mr. James Kreutz, attorney for Ideal College, provided a brief overview of events preceding the Board's special meeting. Mr. Kreutz explained that in the fall of 2005, the SBON issued Ideal College an Order of Intent to Withdraw Interim Approval of the LPN courses offered by Ideal College. According to Mr. Kreutz, shortly after the Order was issued, the SBON conducted an on-site visit and inspection of the school. During the on-site visit, the SBON staff interviewed approximately 46 students. Mr. Kreutz explained none of the 46 students interviewed by the SBON raised any issues of concerns or made complaints regarding the school.

Mr. Kreutz stated that on February 22, 2006, the SBON at a special meeting voted to issue an Order to Withdraw Approval and to Discontinue the LPN Nursing Education Program at Ideal

College. Subsequent to the February 22, 2006 SBON Order, Mr. Kreutz explained that a Motion to Stay and Temporary Restraining Order ("TRO") of the SBON Order was filed in Denver District Court.

Mr. Kreutz requested that any action taken by the Board should take into consideration the pending Motion of Stay/TRO in Denver District Court. Mr. Kreutz asked if Mr. Altaf Siddiqui had any additional information he wished to provide to the Board relative to the Board's reconsideration of their August 25, 2005 approval of the LPN program.

Mr. Siddiqui explained that the approval process of the LPN Program with the SBON and Division of Private Occupational Schools (DPOS) was very confusing and information received from the two state agencies would often be conflicting. Mr. Siddiqui claims the school was usually only contacted by telephone by DPOS and seldom received written instructions and had little technical assistance throughout the process. Mr. Siddiqui explained the process for program approval began approximately 2 years ago and has been lengthy and expensive for the school. Mr. Siddiqui stated that the school has been in business approximately 10 years and has been approved by the Board for 5 years and listed the programs approved by the Private Occupational Schools Board. Mr. Siddiqui claims that no problems arose prior to the starting of the LPN Program and since that time, the school feels that they have been unfairly treated with the amount of documentation required by both agencies.

Mr. Martin asked if there were any questions from the Board members in response to the statements made by Mr. Kreutz and Mr. Siddiqui. Mr. Jerry Sirbu asked for a clear history of events and the time frame involved regarding when the LPN application process started. Mr. Kreutz answered that the initial approval process began June 2004 with the SBON. Mr. Siddiqui stated that during the period from June to August 2005, DPOS staff advised the school that it had to apply with the DPOS, and then informed they had to apply with the SBON. Mr. Siddiqui explained he was never sure what part of the LPN program falls within the power of SBON and within the power of DPOS.

Mr. Sirbu asked if the school, at that time, received any approvals from the SBON or DPOS. Mr. Siddiqui replied that there were no program approvals, but the school did have approval to offer classes in "Medical Terminology" and "Anatomy & Physiology." Mr. Siddiqui stated he received verbal approval to offer the classes. Mr. Sirbu asked what was the purpose for offering those courses and had they been approved as Stand-Alone Courses. Mr. Siddiqui replied that the school did not apply for approval of such courses as "Stand-Alone Courses" and the purpose of students taking these courses was with the intention that students continue with the LPN Program since the school was in the process of getting approval for the LPN Program. Mr. Siddiqui stated he was under the impression by the SBON that as a result of verbal approval to offer the courses, it was okay to offer these courses until final approval was given.

Mr. Siddiqui stated this same issue arose when the program was approved on August 25, 2005 by DPOS, but no further direction was given by either the SBON or DPOS, so it was assumed the school could offer these courses as prerequisites. Mr. Sirbu asked how the school handled students in July 2004 who enrolled, for example, in the Medical Terminology course. Mr. Siddiqui explained that to his knowledge no students enrolled in the Medical Billing and Coding course that were interested in the LPN Program; however, some Certified Nurse Aide (CNA)

students that finished their CNA program expressed interest in enrolling in the LPN program. Mr. Siddiqui explained that the school made it as a prerequisite to get into the LPN Program that the student must have a CNA certificate and demonstrate proficiency in math and English. Mr. Sirbu inquired about the approval time frames from the SBON and DPOS and noted the lapse of time between July 2004 and August 2005. Mr. Siddiqui responded that the students were informed the school was in the process of applying for approval of the LPN Program.

Mr. Sirbu inquired when did the school first begin to enroll students in the LPN Program. Mr. Siddiqui explained that students were enrolled in the Medical Terminology and Anatomy & Physiology courses in November 2004 because the school could not technically enroll students in the LPN Program. Mr. Siddiqui further explained the intention was once the school received approval, the students would be enrolled in the LPN Program.

Mr. Sirbu confirmed the school had enrollment agreements that indicated the school's LPN Program as early as November 2004. Mr. Siddiqui explained that most of the time the students would complete the information on the first page, while the school was informed by DPOS staff to 'overwrite' or correct incomplete or inaccurate information on the enrollment agreements. Mr. Siddiqui claimed, as an example, the student may indicate on the agreement "Introduction to LPN" or "LPN" and the school made it clear to the student that until the program was approved, the school was offering Medical Terminology and Physiology.

Mr. Sirbu asked the school for clarification about the enrollment agreements and procedure for the completion of the enrollment agreements. Mr. Siddiqui explained that the students completed their personal information and program title and how they plan to pay for the program. When the school was asked since they did not have SBON approval or DPOS approval for the LPN Program, why didn't the school's admission representatives correct the agreements. Mr. Siddiqui stated for the past 5 years the school has been completing student enrollment agreements in the same manner and had been never told by DPOS staff there was anything wrong. Mr. Siddiqui claims since being informed by DPOS staff, all necessary corrections and changes have been made to the enrollment agreements.

Mr. Martin recommended going to into Executive Session for the purpose of consulting with the Board's counsel regarding the Motion to Stay and pending litigation filed in district court by the school. Mr. Sirbu moved to go into Executive Session, Dr. Upton seconded, and the motion carried unanimously.

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. The Board's counsel, Nancy Wahl, Assistant Attorney General, and Dixon Waxter, Assistant Attorney General, Office of the Colorado Attorney General were present. **The Board went into Executive Session at 2:40 pm**

Mr. Martin **reconvened the Public Session at 3:00 p.m.**

Mr. Martin opened the meeting noting the impact of the request by the SBON for a stay on the program approval and the intent of today's meeting and asked if there was any further discussion by the Board members. Mr. Martin suggested the Board to consider suspension of the LPN program as an option in lieu of the withdrawal of the program approval pending the school's Motion to Stay. Mr. Martin explained to the other board members that there were essentially two options to consider with respect to the program status of Ideal College's LPN program.

Mr. Sirbu stated, as he examined the factors, he proposed the Board to consider a suspension of the LPN Program. Mr. Martin asked for a motion to suspend the Board's approval of Ideal College's LPN Program pending the outcome of the school's Application for a Stay. Ms. Noll moved for the suspension of the LPN Program Approval at Ideal College pending the outcome of the Motion to Stay and action filed in Denver District Court. Dr. Upton seconded and the motion carried unanimously.

Mr. Kreutz informed the Board he would advise the Board as soon as there was a court decision regarding the Motion to Stay. Mr. Martin asked for a motion to adjourn. Mr. Sirbu made the motion and Mr. Twardowski seconded.

The meeting of the Board adjourned at 4:00 p.m.