

**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
BOARD MEETING**

December 4, 2012, 9:30 A.M.

The Private Occupational Schools Board convened at the Auraria Higher Education Campus, Tivoli Student Center, Room 320, 900 Auraria Parkway, Denver, CO 80204. Lisa Bennison Noll, Chair called the meeting to order at 9:35 A.M. and greeted guests. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum and a two-thirds majority of the Board members were present.

Board Members Present:

Lisa Bennison Noll, Chair
Buddy Douglass

Tom Narvaez, Vice Chair
Jennifer Sprague

Winnifred Rovig
Steven W. Steele

Board Members Absent:

Arlene Rae Malay

Division Staff Present:

Lorna Candler, Director
Renee Belisle, Program Specialist
Voni Oerman, Program Specialist
Loretta Perez, Administrative Assistant

Georgia Roberts, Deputy Director
Bernadette Esquibel, Program Specialist
Karla Viteri, Program Specialist

Board Counsel Present:

Erica Weston, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Yvonne Haag, Colorado Culinary Academy – Greenwood Village
Melissa Hayes, Accounting & Business School of the Rockies – Greenwood Village
Mike Siefert, Ecotech Institute - Aurora
Chris Gorrie, Ecotech Institute - Aurora
Elaine Ivan, UCH-MHS School of Technology – Colorado Springs
Glenn Wilson – Redstone College – Broomfield & Denver East
Tim Guerrero, Redstone College – Broomfield & Denver East
Erin Juhlin, CollegeAmerica – All Locations
Joel Scimeca – CollegeAmerica – Fort Collins
Rozann Kunstle, CollegeAmerica – Colorado Springs
Nathan Larson, CollegeAmerica – Denver
Rico Munn, Esq., College America – All Locations
Jim Rogers, Medical sales College – Englewood
Joe Sarncarello, Accounting & Business School of the Rockies – Greenwood Village
Andrew Floyd, Colorado Culinary Academy – Greenwood Village

Approval of the October 23, 2012 Board Meeting Public Session Minutes:

The Board reviewed the October 23, 2012 meeting minutes. Ms. Rovig moved for approval of the minutes as read. The motion was seconded and passed.

Additions / Changes to the Agenda:

Director Candler reported that there were no additions to the agenda. However, one correction was made on page 2 of the Agenda to reflect that January 22, 2013, is the next scheduled board meeting.

Staff / Director Report:

Staff reported that all contingency approvals concerning Board action taken at the October 23, 2012 meeting have been met, recorded and are on file with the Division.

A. Consideration of Approval Programs / Stand Alone Courses

1. Redstone College - Broomfield

See # 2 Below

2. Redstone College – Broomfield and Denver East

Program Specialist Belisle brought to the Board's attention for review and consideration two new programs applicable to the Broomfield location: (1) Wind Energy Technology; and (2) Advanced Electronics Technology; and three new programs applicable to the Denver East location: (1) Wind Energy Technology (revised); (2) Wind Energy Technology; and (3) Advanced Electronics Technology proposed by Redstone College, Broomfield and Denver East. School representatives were present. It was the will of the Board to consider the programs for both locations as one combined matter. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced programs for Redstone College, 10851 W. 120th Avenue, Broomfield, CO 80021 and Redstone College, 7350 N. Broadway, Denver, CO 80221 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Mr. Steele moved to approve the above-referenced programs for the cited locations effective December 4, 2012. The combined motion was seconded and unanimously passed.

3. 6th Street Hair Salon and Day Spa, Inc. - Durango

Program Specialist Oerman brought to the Board's attention for review and consideration one new stand alone course, Add on Barbering, proposed by 6th Street Hair Salon and Day Spa, Inc., Durango. A school representative was available by telephone. Based upon the Board having determined that the above-referenced stand alone course for 6th Street Salon and Day Spa, Inc., 115 W. College Drive, 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 with the Division's minimum requirements, Ms. Rovig moved to approve the above-referenced course effective December 4, 2012. The motion was seconded and unanimously passed.

4. Accounting & Business School of the Rockies – Greenwood Village

Program Specialist Oerman brought to the Board's attention for review and consideration four new programs: (1) QuickBooks; (2) Business Fundamentals; (3) Administrative Skills

with Medical Certificate Program; and (4) Administrative Skills with Accounting Certificate Program, proposed by Accounting & Business School of the Rockies, Greenwood Village. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced programs for Accounting & Business School of the Rockies, 5420 S. Quebec Street, Suite 100, 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 with the Division's minimum requirements, Mr. Narvaez moved to approve the above-referenced programs effective December 4, 2012. The motion was seconded and unanimously passed.

5. Medical Sales College - Englewood

Program Specialist Viteri brought to the Board's attention for review and consideration one new program, 10 Week Academy Program, proposed by Medical Sales College, Englewood. A school representative was present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced program for Medical Sales College, 8310 South Valley Highway, Suite 105, Englewood, CO 80112 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and with the Division's minimum requirements, Ms. Rovig moved to approve the above-referenced program effective December 4, 2012. The motion was seconded and unanimously passed.

6. Ecotech Institute- Aurora

Program Specialist Esquibel brought to the Board's attention for review and consideration one new program, Facility Management Technology, proposed by Ecotech Institute, Aurora. School representatives were present. The school satisfied the Board's inquiry. Based upon the Board having determined that the above-referenced program for Ecotech Institute, 1400 South Abilene Street, 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 with the Division's minimum requirements, Mr. Douglass moved to approve the above-referenced program effective December 4, 2012. The motion was seconded and unanimously passed.

B. Consideration of Approval of Provisional Certificate of Approval

1. Colorado Culinary Academy – Greenwood Village

Program Specialist Viteri brought to the Board's attention for consideration, Colorado Culinary Academy, Greenwood Village, a new school with one proposed program, Professional Culinary Training Program. School representatives were present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required surety level in the amount of \$180,000; that the school submitted a certificate of deposit in the amount of \$180,000; and that the school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Mr. Narvaez moved that a Provisional Certificate of Approval be granted to Colorado Culinary Academy, 5375 Landmark Place #105F, Greenwood Village, CO 80111 for the period beginning December 4, 2012, ending June 30, 2014, and that the above-

referenced program be approved effective December 4, 2012. The combined motion was seconded and unanimously passed.

C. Consideration of Change of Ownership

1. UCH-MHS School of Radiologic Technology – Colorado Springs

Program Specialist Oerman brought to the Board's attention for consideration application for a change of ownership UCH-MHS School of Radiologic Technology, Colorado Springs. A school representative was present. The school satisfied the Board's inquiry. Upon determining that the school is in compliance with the required minimum surety level in the amount of \$88,499.99; that the school submitted a bond in the amount of \$90,000; and that UCH-MHS School of Radiologic Technology, 175 S. Union Blvd., Suite 240, Colorado Springs, CO 80810 can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended, and in compliance with the Division's minimum requirements, Ms. Sprague moved that the change of ownership be granted for the period beginning December 4, 2012 and ending June 30, 2015. The motion was seconded and unanimously passed.

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

1. CollegeAmerica – Colorado Springs – Colorado Springs South - Denver - Fort Collins

Board member Steven Steele recused himself from this matter only, citing an appearance of a conflict of interest. A quorum and a two-thirds majority of the Board members were still present. School representatives and its legal counsel were in attendance.

Director Candler reported that a meeting was held recently among the Assistant Attorney General Weston, the School's attorney, and her. The Board indicated it would like to consult with its legal counsel for the purpose of learning what legal options may be available to the Board before receiving an update on pending litigation, and concerning a statewide advertising matter. Ms. Sprague motioned to convene into Executive Session pursuant to §24-6-402(3) (b) (III), C.R.S., on pending or imminent court action and pursuant to §24-6-402(3) (a) (II), to discuss matters required to be kept confidential. Ms. Rovig seconded, and the motion to convene into Executive Session was unanimously passed.

The regular public board meeting recorder was turned off, and the Board of Private Occupational Schools convened into Executive Session at 10:07 A.M. for the purposes described above as requiring confidentiality. No member of the general public was present. The Executive Session recorder was turned on.

Executive session concluded and the public session of the Board meeting reconvened at 10:45 A.M. The Executive Session recorder was turned off; the tape was removed and marked "December 4, 2012 Executive Session". The public session recorder was turned on and the general public was welcomed back.

Assistant Attorney General Weston affirmed for the public record that the Executive Session was for the sole purpose of providing legal advice to the Board and to otherwise engage in

what in good faith is believed to be attorney-client privileged matters required to be kept confidential.

Lisa Bennison Noll, Chair, gave CollegeAmerica's representatives an opportunity to present a statement regarding the Amended Notice of Noncompliance concerning suspected statewide advertising violations. After due deliberation and discussion, Mr. Douglass motioned that the matter of Noncompliance concerning the suspected advertising violations be tabled for a time, in order to provide an opportunity for the Board and the School to reach an agreement resolving the statewide advertising concerns. He further motioned to authorize Director Candler and Attorney General Weston to negotiate such a resolution on the Board's behalf. The motion was seconded and passed.

The Board also asked Ms. Weston to inquire, on its behalf, and to report what the School's legal counsel is seeking through the requested mediation process concerning the two Fort Collins student complaints currently pending before the state's Office of Administrative Courts.

Other Business:

None

Adjournment:

There being no other business, Mr. Narvaez motioned to adjourn the Board meeting. The motion was seconded and duly passed. The Board of Private Occupational Schools' Meeting of December 4, 2012, adjourned at 11:15 A.M.

The next regularly scheduled meeting of the Board is Tuesday, January 22, 2013, at 9:30 A.M. and will be held at:

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