

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

**February 7, 2013, 2:00 P.M.**

The Colorado State Board of Private Occupational Schools convened at the Division of Private Occupational Schools, 1560 Broadway, Suite 1600, Denver, CO 80211.

Lisa Bennison Noll, Chair called the meeting to order at 2:15 P.M. and Board roll was taken. A quorum and a two-thirds majority of the Board were present.

**Board Members Present:**

Lisa Bennison Noll, Chair                      Buddy Douglass                      Arlene Rae Malay

**Board Members Present Via Telephone Conferencing:**

Winnifred Rovig                                      Jennifer Sprague                                      Steven W. Steele

**Board Members Absent:**

Thomas Narvaez, Vice Chair

**Board Counsel Present:**

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

**Guests Present:**

None

**Division Staff Present:**

Lorna Candler, Director                                      Georgia Roberts, Deputy Director  
Bernadette Esquibel, Program Specialist                      Voni Oerman, Program Specialist  
Karla Viteri, Program Specialist                                      Loretta Perez, Administrative Assistant

**Board Members Absent:**

Renee Belisle, Program Specialist

**New Business/Action Items:**

A. DPOS Board Legislation Proposal

**1. Draft of House Bill**

Director Candler presented and reported to the Board a draft legislative change which if passed would seek to amend the "Private Occupational Education Act of 1981" – "Act").

**2. Recommended Response to Bill Draft**

Director Candler recommended a response to the proposed legislation cited above. To assist the Board in its consideration, the Director summarized certain statutory provisions and Board rules already addressing accreditation and credit transferability, as well as reminding that specific language demonstrating compliance with current

statutory and rule requirements must be contained in each school's catalog and elsewhere, thereby providing prospective students with prior disclosure.

After due deliberation and discussion, Mr. Douglass moved to accept the Board response to the draft legislation. The motion was seconded and passed unanimously, asking the Director to draft the response in accord with the Board's approved motion, and to submit it to the appropriate party.

### **3. Current Statutory Exemptions 02/05/13**

Director Candler provided the Board with additional proposed legislative changes for consideration and action, contemplated to provide greater specificity and clarity, and to better enable the Board/Division to carry out the intent of the Act and its statutory Mission. Specifically, Director Candler brought to the Board's attention for consideration a request to seek statutory amendments to: (1) C.R.S. Section 12-59-104(1) – "Exemptions", deleting sub-part (p) which in general exempts from regulation all 26 U.S.C. sec. 501(c)(3) tax exempt entities that offer education, continuing education and training programs; (2) delete under Section 12-59-105.3, C.R.S., "Powers and duties of the board", sub-part (i) concerning the current power by the Board "to grant accreditation to the schools..."; (3) slightly amend Section 12-59-105.1(3)(b), C.R.S., "Proprietary postsecondary education board – established – membership" which currently requires at least one member of the Board be employed by a lending institution located in Colorado and who "is familiar with the Colorado student loan program"; (4) change the specific school financial submissions currently shown in Section 12-59-108(1)(c), C.R.S., "Application for certificate of approval"; and (5) repeal a recent legislative change to a stated filing prerequisite found in C.R.S. Section 12-59-118(1), "Complaint of deceptive trade and sales practices".

After further discussion and due deliberation, Mr. Douglass moved for the Board to endorse the proposed legislative changes presented to the five statutory provisions cited herein and to direct the Division and legal counsel to take all necessary and timely steps to effect the said legislative amendments. The motion was seconded and unanimously passed.

### **Other Business:**

There being no other business, Ms. Malay motioned to adjourn the Interim Board Meeting. The motion was seconded and duly passed. The Board of Private Occupational Schools' Meeting of February 7, 2013, adjourned at 3:07 P.M.

Next Scheduled Board Meeting:

Tuesday, February 26, 2013 9:30 A.M.  
Auraria Higher Education Campus  
Tivoli Student Center, Room 320  
900 Auraria Parkway Denver, CO 80204  
Telephone: (303) 866-2723