

**MINUTES**  
**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS**  
**June 28, 2016 9:30 A.M.**

Auraria Higher Education Campus  
Tivoli Student Center, Room 320  
900 Auraria Parkway, Denver, CO 80204

Board Members Present:

Steven W. Steele, Chair	Arlene Rae Malay	Joseph James Wolf
Richard Semakula	Shelley Krovitz	Paul Garibay
Timothy L. Brooks		

Division Staff Present:

Lorna Candler, Director	Mary Kanaly, Deputy Director & Compliance Officer
Bernadette Esquibel, Program Coordinator	Jessica Googins, Program Specialist
Lisa Hill, Program Specialist	April Cordova, Program Specialist
Loretta Perez, Administrative Assistant III	

Board Counsel Present Via Telephone @ 11:34 A.M.:

Jacquelynn Rich Fredericks, Assistant Attorney General, Office of the Colorado Attorney General

Guests Present:

Cindy Hollway, The Cosmetology School  
Sofiya Pylova, United College of Health and Beauty Academy  
Marty Sedig, United College of Health and Beauty Academy  
Jeff Miner, The New Colorado Outdoor Adventure Guide School  
Heather Holder, The Salon Professional Academy – CS  
Marianne Dunlap, The Salon Professional Academy – CS  
Chuck Wirth, American Institute of Trucking  
Nicole McKenna, Snowmass Village Salon  
June Moore, Codecraft School of Technology  
Dan Spence, Big Toe Studio  
Joel Scimera, CollegeAmerica  
Kristy McNear, CollegeAmerica  
Scott Sammons, The Broker Academy  
Shannon Emery, The Broker Academy  
Marc David Cohen, Institute for the Psychology of Eating  
Zachary Brinkerhoff, Modern Institute of Reflexology  
Julie Gentry, American Institute of Trucking  
Jeremy Sneed, New York Code & Design Academy  
Jean Robert Barbette, Aspen Massage Institute  
Angela Lema, The Salon Professional Academy  
Melissa Cook, The Salon Professional Academy  
Suzanne Scales, CollegeAmerica  
Margaret Binet, The School of Floral Arts  
Tim Guerrero, Redstone College  
Scott Kilbourne, SPA Education Center  
Brad Wilson, Bartending School, Inc.  
Brooke Smith, General Assembly  
April Skelton, Frequent Flyers Productions, Inc.  
Nancy Smith, Frequent Flyers Productions, Inc.  
Cindy Lloyd, Well Animal Institute, LLP

Anna Norman, Well Animal Institute, LLP  
Sarah Kraft, Birth Institute  
Maria Pulido, Professional Beauty School & Spa  
Elena Keil, Professional Beauty School & Spa  
Lynda Young, Rock Creek Laser and Esthetics Institute  
Dr. Jack Romero, Rock Creek Laser and Esthetics Institute  
Summer Kassmel, Vail Valley Dental Assisting School  
Joe Holzman, Rocky Mountain Electrical Training Institute  
Bonnie Grebe, The Pilates Institute of Boulder  
Richard Rossiter, The Pilates Institute of Boulder  
Wendy Peters, New Dimensions Beauty School  
Chauntelle Aguirre, New Dimensions Beauty School  
Dawn MacArthur, New Dimensions Beauty School  
Bill McAfee, Pikes Peak School of Real Estate  
Pastor George Quansah, Love Christian Fellowship Education Center  
Pastor Tamara Quansah, Love Christian Fellowship Education Center

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Steven W. Steele, Chair, at 9:31 A.M. The Board members, Division staff and guests were introduced. Board roll call was taken. A quorum was present.

Consideration of Approval of the May 24, 2016 Minutes:

Following review and consideration of the May 24, 2016 meeting minutes, a motion was made by Ms. Malay to approve the minutes as written. The motion was seconded and carried.

Consideration of Approval of the May 24, 2016 Executive Session Minutes:

Following review and consideration of the May 24, 2016 executive session\_meeting minutes, a motion was made by Mr. Semakule to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:

Director Candler informed the Board that we have one hand carry on the Agenda, under Action Item, "B" Consideration Renewal Certificate of Approval, add number "19" On Course Real Estate, Inc., dba American Home Inspectors Training Institute.

Director Report:

Director Candler announced that we have hired a new part time Compliance Investigator Bradlee Uyemura, he will be helping Ms. Kanaly with ongoing investigations.

Also, the Department Of Higher Education has a new Director of Communications Megan McDermott, she will start July 1, 2016.

Director Candler gave an update on the monthly stats of June 3, 2016 (please see attached memorandum).

New Business/Action Items:

## A. Consideration of Approval Programs / Stand Alone Courses

### 1. The Salon Professional Academy – Colorado Springs

Program Specialist Googins presented to the Board for review and consideration two new programs: 1. Barbering; and 2. Crossover Barbering. School representatives were present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new programs, Mr. Semakula motioned to approve the above-referenced programs effective June 28, 2016. The motion was seconded and carried.

### 2. The Salon Professional Academy – Grand Junction

Program Specialist Googins presented to the Board for review and consideration three new stand alone courses: 1. MUD Make-up Level I Beauty Essentials; 2. Advanced Exfoliation and Chemical Peels; and 3. Bella Lash Eyelash Extension. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new courses, Ms. Malay motioned to approve the above-referenced courses effective June 28, 2016. The motion was seconded and carried.

### 3. General Assembly - Denver

Program Specialist Googins presented to the Board for review and consideration six new programs: 1. Data Analytic; 2. Data Science; 3. Digital Marketing; 4. Java Script Development; 5. Product Management; and 6. User Experience Design Immersive. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new programs, Mr. Wolf motioned to approve the above-referenced programs effective June 28, 2016. The motion was seconded and carried.

### 4. CodeCrafter School; of Technology - Boulder

Program Specialist Hill presented to the Board for review and consideration one new program: Full-Time UI/UX Design Bootcamp. A school representative was present. The Board determined that the school has adequate surety coverage.

Following review and consideration of the new program, Ms. Malay motioned to approve the above-referenced program effective June 28, 2016. The motion was seconded and carried.

## B. Consideration of Renewal of Certificate of Approval

### 1. The Bartending School, Inc. - Denver

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

2. Aspen Massage Institute - Aspen

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

3. CollegeAmerica – Fort Collins

Mr. Steele recused himself from this matter. A quorum was still present.

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Semakula motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

4. American Institute of Trucking - Henderson

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

5. Montrose Dental Assisting Course - Montrose

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representative was available by telephone. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

6. Rocky Mountain Electric Training Institute - Denver

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the

school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Brooks motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

7. The New Colorado Outdoor Adventure Guide School - Mesa

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

8. Colorado School for Guides, LLC - Montrose

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Semakula motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

9. American School of Dental Assisting – Fort Collins

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was available by telephone. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

10. The Broker Academy - Longmont

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

11. Pikes Peak School of Real Estate – Colorado Springs

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was available by telephone. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Brooks motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

12. The Pilates Institute of Boulder - Boulder

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

13. Frequent Flyers Productions, Inc. - Boulder

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Semakula motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

14. Birth Institute - Boulder

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

15. Redstone College – Denver East

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

16. Vail Valley Dental Assisting School - Eagle

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Wolf motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

17. The School of Floral Arts, LLC - Denver

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Semakula motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

18. The Well Animal Institution, LLP - Brighton

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

19. American Home Inspectors Training Institute - Lakewood

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, Mr. Brooks motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019. The motion was seconded and carried.

C. Consideration of Renewal of Certificate of Approval with Programs

1. Cosmo Beauty Academy - Denver

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of four revised programs presented with additional information required by the Division. A school representative was not present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised programs, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs with the contingency of the one program; Permanent Makeup that the total contact hours be corrected, effective June 28, 2016. The motion was seconded and carried.

## 2. Professional Beauty School & Spa - Aurora

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of three revised programs presented with additional information required by the Division. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised programs, Mr. Wolf motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs effective June 28, 2016. The motion was seconded and carried.

## 3. NuAge Para-Medical Esthetics & Laser College

Program Specialist Cordova presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of one revised program and two revised stand alone courses presented with additional information required by the Division. A school representative was not present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised program and revised courses, Ms. Malay motioned to approve the Standard Certificate of Approval with a contingency for the period beginning July 1, 2016, and ending July 26, 2016, and that the above-referenced revised program and courses not be approved, until such time that a representative be present at the next Board Meeting. The motion was seconded and carried.

## 4. Love Christian Fellowship Educational Center - Denver

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of five revised programs presented with additional information required by the Division. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised programs, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June



30, 2019, and the above-referenced revised programs and revised courses effective June 28, 2016. The motion was seconded and carried.

5. Snowmass Village Salon, Inc., - Snowmass Village

Program Specialist Googins presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of four revised programs presented with additional information required by the Division. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised programs, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs effective June 28, 2016. The motion was seconded and carried.

6. United College of Health and Beauty - Englewood

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of four revised programs presented with additional information required by the Division, and four new courses: 1. Hair Removal by Waxing; 2. Microdermabrasion; 3. Cosmetic Resurfacing Exfoliation; and 4. Electric Files. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, revised programs and new courses, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs and new courses effective June 28, 2016. The motion was seconded and carried.

7. New Dimensions Beauty Academy - Parker

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of six revised programs and seven revised courses presented with additional information required by the Division. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, revised programs and course, Mr. Brooks motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs and revised courses effective June 28, 2016. The motion was seconded and carried.

8. The Cosmetology School - Parker

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of two revised programs presented with additional information required by the Division. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised programs, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised program effective June 28, 2016. The motion was seconded and carried.

9. Rock Creek Laser & Esthetics Institute - Superior

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of one revised program presented with additional information required by the Division, and eleven new courses. School representatives were present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal, revised program and new courses, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs and new courses effective June 28, 2016. The motion was seconded and carried.

10. Spa Education Center - Vail

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval and reapprove of two revised programs presented with additional information required by the Division. A school representative was present. The Board determined that the school has adequate surety coverage and can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the renewal and revised programs, Mr. Semakula motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2019, and the above-referenced revised programs effective June 28, 2016. The motion was seconded and carried.

11. Arts and Educational Hairdressing Academy - Superior

Program Specialist Hill presented to the Board for review and consideration renewal of the school's Certificate of Approval, but has not received revised programs or courses. Program Specialist Hill reported to the Board that she had received the annual reporting from the school and that she reported students that has graduated from programs that had not been approved by the Board.

Following review and consideration of the renewal Mr. Brooks motioned to table this matter until Other Business. The motion was seconded and carried.

Ms. Malay motioned to break at 11:00 a.m. The motion was seconded and carried.

Mr. Wolf motioned to reconvene at 11:17 a.m. The motion was seconded and carried.

D. Consideration of Approval of Provisional Certificate of Approval

1. Big Toe Studio – Fort Collins

Program Coordinator Esquibel presented to the Board for review and consideration a new school with one new program: Pilates Teaching Training. A school representative was present. The Board determined that the school has adequate surety coverage at this time and can be reasonably

maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school and program, Mr. Wolf motioned to approve the Provisional Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2018, and to approve the above-referenced program. The motion was seconded and carried.

## 2. The New York Code & Design Academy - Denver

Program Specialist Googins presented to the Board for review and consideration a new school with eight new courses. A school representative was present. The Board determined that the school has adequate surety coverage and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school with courses, Ms. Malay motioned to approve the Provisional Certificate of Approval for the period beginning July 1, 2016, and ending June 30, 2018, and to approve the above-referenced courses. The motion was seconded and carried.

## 3. Tuliva Academy - Denver

Program Coordinator Esquibel presented to the Board for review and consideration a new school with seven new programs. School representatives were not present. The Board determined that the school has adequate surety coverage at this time and can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the new school and programs, Mr. Brooks motioned to approve the Provisional Certificate of Approval for the period beginning July 1, 2016, 2016, and ending June 30, 2018, and to approve the above-referenced programs. The motion was seconded and carried.

## E. Consideration of Approval of Out of State Schools

Program Coordinator Esquibel presented to the Board for review and consideration approval of twenty two out-of-state schools:

1. American School of Real Estate Express, LLC – St. Louis, MO
2. Appraisal Institute – Chicago, IL
3. Career Webschool – Atlanta, GA
4. Everest University – Orlando, FL
5. Martinsburg College – Martinsburg, WV
6. McKissock, Inc. – Warren, PA
7. Mercerts LLC. – Livonia MI
8. NASCAR Technical Institute – Mooresville, NC
9. ProSchools, Inc. – Atlanta, GA
10. Spartan College of Aeronautics and Technology – Tulsa, OK
11. Swift Driving Academy – Phoenix, AZ
12. TrainingPro – Brookfield, WI
13. Tulsa Welding School, Inc., - Tulsa, OK
14. Tulsa Welding School, Inc., - Jacksonville, FL
15. Universal Technical Institute of Arizona – Avondale, AZ
16. Universal Technical Institute of Northern California – Sacramento, CA
17. Universal Technical Institute of Southern California – Long Beach, CA

18. Universal Technical Institute of Texas – Houston, TX
19. UTI – Motorcycle Mechanics Institute Division – Phoenix, AZ
20. WyoTech – Blairsville, PA
21. WyoTech – Ormond Beach, FL
22. WyoTech – Laramie, WY

The Board determined that each out-of-state school met the minimum requirements as set forth in section 12-59-111(2), C.R.S.; that each school's bond was set in the statutory minimum amount of \$50,000 and was in compliance with section 12-59-115(8), C.R.S.; and that each school can be reasonably maintained in compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended.

Following review and consideration of the out-of-state schools, Ms. Malay motioned to authorize approval to operate for each school for the period beginning July 1, 2016 and ending June 30, 2017. The motion was seconded and carried.

#### F. Notification of School Closings / Change of Status (No action required)

Program Specialist Googins reported the closing of Rocky Mountain Dental Assisting Institute - Broomfield.

No action taken.

#### Other Business Information Only:

##### 1. Modern Institute of Reflexology – Wheat Ridge

Deputy Director Kanaly advised the Board that the Modern Institute of Reflexology was initially approved as a private occupational school in Colorado in 1993. It has been reapproved since its initial certification many times despite the fact that Mr. Brinkerhoff, the owner and operator, has been cautioned and reprimanded several times for advertising and other concerns.

The school has submitted an application for renewal of approval of the certificate to operate, which expires on June 30, 2016. Upon review of the renewal application, Deputy Director Kanaly noted that the school website advertises that they offered "Dr. of Reflexology" certification as well as "Master of Reflexology" certifications. The school has never been approved to issue these types of certifications; rather he has been specifically warned on at least two separate occasions by the division to cease from offering these types of certifications. A review of the school's files shows that they were issued a letter of warning in 1994 and again in 1998 regarding this issue, and advising him to discontinue offering and or advertising these unauthorized certifications. The Division further identified that his website currently contains multiple references to the Doctor and Masters courses. The concern is that the advertising is misleading and in conflict with the deceptive sales and trade provisions of our act as students or consumers reading the advertisements for the school or pursuing an education with the school may believe that this career path could lead to a Masters or Doctoral certification based on the misleading advertising and the erroneous representation that Mr. Brinkerhoff is a Doctor of Reflexology.

After hearing the divisions report, the Board gave Mr. Brinkerhoff an opportunity to explain why his website advertises Doctor of Reflexology and Masters of Reflexology programs, and also why he refers to himself as a "Doctor of Reflexology" when there is no such title, nor has he received a doctorate degree from any recognized institution. Mr. Brinkerhoff stated that the information on the website is historical only, and that he in fact is not offering these types of certifications. Additionally

he stated that he did receive a Doctor of Reflexology degree when it was originally allowed, and again that this is historical information that he believes he can use the title and put it on his website.

The Board considered all of the information provided by Mr. Brinkerhoff and the Division and ordered that Mr. Brinkerhoff immediately remove all advertising related to Masters and Doctorate degrees from his website, as it is misleading to potential students. They further ordered that the School's approval be placed on a probationary status for a period of 60 days during which time Mr. Brinkerhoff was to work with Division staff to correct deficiencies also found in his catalog and enrollment agreement. The Board directed staff to work with the school on these matters, and to inspect the school, its files and facilities for compliance when completing a forthcoming change of location application.

## 2. The Institute for the Psychology of Eating – Longmont

Director Candler advised the Board that the Institute for the Psychology of Eating was certified to operate as a private occupational school in 2012. The School is appearing today to request renewal of its certificate. A school representative was present. The Division has since identified significant concerns when they initially submitted their application materials. In summary, there were three areas of concern noted by the Division: (1) the name of the owner was not consistent with its registration; (2) the School indicated no negative agency actions but the Division became aware of a prior Cease and Desist which had been issued by DORA re the use of the protected term "psychology"; and (3) the person holding himself out as Mr. Cohen's attorney was not licensed to practice law in Colorado.

Division staff asked that this misleading information contained in the application be addressed and that the application be resubmitted and requested clarification on whether or who would be representing Mr. Cohen legally. Furthermore, the Division was concerned that the website and other School materials list its program and certification as one for a "eating psychology coach" while that term is protected in Colorado and it's use constrained in a manner inconsistent with its usage by the School.

In January of 2014, Jacqueline Arcelin, Program Director for the State Board of Psychologist Examiners issued a Cease and Desist Order in the matter of the unauthorized and unlawful practice of psychology in the State of Colorado by Marc David Cohen. Psychology is a protected term under Colorado state law: No other person may hold himself or herself out to the public by any title or description of services incorporating the terms ..... "Psychology". Upon learning of this violation, DPOS initiated corresponded with DORA and gathered additional information from the school. The school agreed to specify that this training was not offered to Colorado students and further agreed to advise each applicant of restrictions regarding the use of the term "psychology."

However, there are no disclaimers on the website or in the schools catalogue which advertises this program as a professional certification training - it is a distance learning program which provides 250 hour over an 8 month time period. Both the catalogue and certificate of completion reflect that this program certifies students as an "Eating Psychology Coach. This enrollment agreement contains a contract and confidentiality agreement; specifically enrollees must agree "not to infringe copyright, patent, trademark, trade secret or other intellectual property rights ... " Despite Marc David's agreement to notify enrollees of the title use restriction, the documents reflecting that this occurred do not appear in the file. More importantly, there notices are not being read or understood. One graduate of the school is holding himself out as an "Eating Psychology Coach". Another student (who is a Colorado resident temporarily living out of state) notified us that she did not receive a disclaimer or understand the potential consequences of improper title use. It appears that the disclaimer, even if provided, is not an effective remedy. It is difficult to image that Colorado

is the only state with such laws, but even if student live in other states when they initiate the training they may relocate to Colorado. As this school has graduated hundreds of students with certificates that violate our laws, we have an obligation to consider how to best protect students. Our understanding is that DORA may be issuing yet another Cease and Desist order to Mark David Cohen.

After consideration and discussion, Ms. Malay motioned to convene in executive session to confer with the Board's attorney and to seek legal advice pursuant to §24-6-402(3) (a) (II), C.R.S, to receive legal advice regarding Modern Institute of Reflexology, and Institute for the Psychology of Eating, with minimum standards specified in the Private Occupational School Act, C.R.S. §12-59-101 et seq. and the Rules and Regulations, 8 CCR 1504-1. The motion was seconded and carried.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and division staff as deemed necessary.

Members of the public left the room during executive session.

The public session tape was turned off at 12:33 p.m.

The public session recorder was turned on and the general public was welcomed back.

Ms. Malay reconvened the public session meeting at 1:19 p.m.

Assistant Attorney General Rich Fredericks (via telephone) affirmed for the record that this 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.

Upon learning that Mr. Cohen objected that he was not notified to have his legal counsel present, Steven Steele, Chair advised Mr. Mark David Cohen, that the Board always has an attorney present, but since our legal counsel was at another meeting, she made herself available via telephone.

After hearing from Mr. Cohen and considering and discussing each of the concerns detailed above in the open meeting and considering the legal options available, the Board was unconvinced that the school The Institute for the Psychology of Eating – Longmont met the requirements for renewal of its standard certificate. Therefore, the Board declined to decide on the application and instead agreed to provide the School with a month to month certificate for sixty days in order to address the Board's concerns regarding making clear to students and potential students of the issue surrounding the use of the terms "psychology" and "psychologist" in the State of Colorado. Specifically, the Board requested that a conspicuous statement be included in application materials, on the website, and within the enrollment agreements indicating that in Colorado, these terms are protected and that no student is able to hold themselves out as a "psychologist" upon completion of this certificate program. Mr. Cohen was agreeable to this arrangement and represented that the School will make these changes and report back to the Board within the sixty day time frame provided by the Board. At that time, if the School has complied as requested, then, the Board anticipates moving forward with the application for renewal.

Motion was made by Ms. Malay that the school we allowed to operate for 60 days on probation noting that this option will give the school sufficient time to get in compliance with our regulations by addressing advertising concerns and providing appropriate disclaimers on the school's web-site, catalog and enrollment agreement. The Motion was second and passed.

Arts and Educational Hairdressing Academy - Superior

Director Candler advised the Board that it is not as problematic as we were advised Program Specialist Hill, Mr. Steele motioned that we give the school a 30 day probation period, to provide the division with the corrected forms for their programs and courses. Motion was seconded and passed.

Adjournment:

Ms. Malay motioned to adjourn the meeting at 1:44 p.m. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday August 23, 2016, 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) 862-3001