

MINUTES
BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
June 25th, 2019 9:35 A.M.

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

Board Members Present:

Paul Garibay, Chair;
Ryan Minic, Vice Chair; Tim Guerrero;
Arlene Rae Malay Shelley Krovitz;

Board Members Absent:

Chris Reister;
A. Richard Behbehani

Division Staff Present:

Lorna Candler, Director;
Mary Kanaly, Deputy Director & Compliance Officer;
Lisa Hill, Program Coordinator;
Rachel Acosta, Program Specialist;
Carrie Harding, Program Specialist;
Brad Uyemura, Compliance Investigator;
Amy Knoblauch, Data & Research Specialist

Division Staff Absent:

Bernadette Esquibel, Program Specialist

Board Counsel Present:

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

Guests Present:

Kiersten Murdoch, CollegeAmerica;
Jon Allison, CollegeAmerica;
Nicole Field, The Vertical Workshop;
Jeff Miner, The New Colorado Outdoor Adventure Guide School;
Tom Bezek, Intellitec College;
Nikki Braun, Allure Academy;
Wayne Zellner, Intellitec College;
Jennifer McCollum, Rock Creek Laser and Esthetics;
Anna Chitty, Colorado School of Energy Studies;
Elizabeth Chitty, Colorado School of Energy Studies;
Jean-Robert Barbette, Aspen Massage Institute;
Courtney Stevens, The Looking Glass;
Sterling Stevens, The Looking Glass;
Albert Dill, Blackfox Training Institute;
Sharon Montana-Beard, Blackfox Training Institute;
Jill Suarez, Allure Academy;

Joel Scimeca, CollegeAmerica;
Lynda Young, Rock Creek Laser and Esthetics Institute;
Jeff Casimir, Turing School of Software and Design;
Jennie Gross, Galvanize, Inc.;
Helen Grigg, Healing Spirits Massage Training Program;
Sheri Sandberg, Healing Spirits Massage Training Program;
Kiul Haier, Galvanize Inc.;
Peter Gilkey, Denver Dental Assistant School;
Fonda Delcamp, Executive Security International;
Wendy Peters, New Dimensions Beauty Academy;
Dawn MacArthur, New Dimensions Beauty Academy;
Carleen Clark, Rock Creek Laser and Esthetics Institute;
Jeannie King, NuAge Para-Medical Institute;
Philippe Ray, National Personal Training Institute;
Mary Gordy, CollegeAmerica;
Haush Patel, Galvanize

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:35 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 28th, 2019 Minutes:

Following review and consideration of the May 28, 2019 meeting minutes, Ms. Malay made a motion to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:

Director Candler requested that items A3, B1, B2, B3 and C1 be moved to follow Action Item G 18.

Director/ Staff Report:

Director Candler reported the following items:

- Board Member, Arlene Rae Malay, has completed her collective terms on the Board. Director Candler congratulated her dedication and commitment to the Board with a Colorado flag that was flown over the Capitol as well as a Certificate signed by the Governor that commemorates her years of service.

Monthly Statistics

Current statistics:

- 290 In-State Schools
- 17 Out-of-State Schools

Since January:

- 7 new schools have opened

- 33 refund complaints
- 2 financial aid complaints
- 2 pending complaints
- 13 other complaints
- 9 schools requesting an exemption
- 1 exemption has been granted
- 4 schools were under investigation

New Business/Action Items:

A. Consideration of Approval of Renewal and Change of Ownership

1. Colorado School of Energy Studies – Boulder – AC

Program Specialist Cordova presented to the Board for review and consideration of renewal with change of ownership. 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 with change of ownership, Ms. Malay motioned to approve the change of ownership and additionally motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motions were seconded and carried.

2. Intellitec College – Colorado Springs Renewal, Ownership Change for All Campuses

Program Specialist Cordova presented to the Board for review and consideration of renewal with change of ownership. 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 with change of ownership, Mr. Minic motioned to approve the change of ownership and additionally motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motions were seconded and carried.

B. Consideration of Approval of Programs/Stand- Alone Courses/Major Revisions/Degree Program

These items were moved to follow Action Item G.

C. Consideration of Approval of Renewal with Programs/Stand-Alone Courses

1. The Looking Glass School of Permanent Cosmetics – Erie – CH

Program Specialist Harding presented to the Board for review and consideration of renewal with the following new stand-alone courses: Corrective Course and Softap Refresher Course. 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 with new stand-alone courses, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 and the stand-alone courses effective June 25, 2019. The motion was seconded and carried.

2. New Dimensions Beauty Academy – Parker - RA

Program Specialist Acosta presented to the Board for review and consideration of renewal with the following new stand-alone courses: Sunless Spray Tan; and Dermaplaning. 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 with new stand-alone courses, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 and the stand-alone courses effective June 25, 2019. The motion was seconded and carried.

D. Consideration of Approval of Renewal

1. Healing Spirits Massage Training Program – Boulder - CH

Program Specialist Harding 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, 2019, and ending June 30, 2022. The motion was seconded and carried.

2. Pikes Peak School of Real Estate – Colorado Springs - CH

Program Specialist Harding 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. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

3. Rock Creek Laser and Esthetics Institute – Superior - CH

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

Following review and consideration of the renewal, Mrs. Krovitz motioned to table the matter to Executive Session. The motion was seconded and carried.

4. SAGE Technical Services – Henderson - CH

Program Specialist Harding 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, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

5. The Pilates Institute of Boulder – Lafayette - CH

Program Specialist Harding 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, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

6. Aspen Massage Institute – Aspen - AC

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, 2019, and ending June 30, 2022. The motion was seconded and carried.

7. Executive Security International – Grand Junction - AC

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, 2019, and ending June 30, 2022. The motion was seconded and carried.

8. Blackfox Training Institute, LLC. – Longmont - AC

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

Following review and consideration of the renewal, Ms. Malay motioned to conditionally approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 provided that the lending institutions are corrected on the approval sheet. The motion was seconded and carried.

9. Denver Dental Assistant School – Lakewood - AC

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, 2019, and ending June 30, 2022. The motion was seconded and carried.

10. The New Colorado Outdoor Guide School – Mesa - AC

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

Following review and consideration of the renewal, Ms. Malay motioned to conditionally approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 provided that: the Division verifies that the student complainant received a refund in full; the school must correct the enrollment agreement to comply with current rules; the school must address Division and complaint concerns by providing more timely responses; and that all conditions are met within 28 days. The motion was seconded and carried.

11. NuAge Para-Medical Esthetics and Laser College – Centennial - RA

Program Specialist Acosta 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, 2019, and ending June 30, 2022. The motion was seconded and carried.

12. The School of Tennis Management – Denver - RA

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

Following review and consideration of the renewal, Ms. Malay motioned to table the matter to Executive Session. The motion was seconded and carried.

13. Turing School of Software and Design – Denver - RA

Program Specialist Acosta 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, 2019, and ending June 30, 2022. The motion was seconded and carried.

14. Galvanize – Boulder - LH

Program Coordinator presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present.

Following review and consideration of the renewal, Ms. Krovitz motioned to table the matter to Executive Session. The motion was seconded and carried.

15. Galvanize – Denver - LH

Program Coordinator presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present.

Following review and consideration of the renewal, Ms. Krovitz motioned to table the matter to Executive Session. The motion was seconded and carried.

At 12:01 P.M., Mr. Minic motioned for a recess. The motion was seconded and carried.

At 12:13 P.M., Chairman Garibay called the meeting back into session.

E. Consideration of Approval of Renewal with Major Revision to a Program/Stand-Alone Course

1. Allure Academy – Eagle - RA

Program Specialist Acosta presented to the Board for review and consideration of renewal with the following major revision to the Cosmetology program. 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 with major revision to a program, Ms. Malay motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022 and the major revision to a program effective June 25, 2019. The motion was seconded and carried.

F. Consideration of Approval of Provisional Certificate

1. The Vertical Workshop, Inc. – Colorado Springs - LH

Program Coordinator Hill presented to the Board for review and consideration of a Provisional Certificate. 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, Mr. Minic motioned to approve the Provisional certificate for the period beginning July 1, 2019 and ending June 30, 2021. The motion was seconded and carried.

G. Consideration of Approval of Out-of-State Renewal

Mrs. Krovitz requested that items 9 and 10, OCL Financial Services LLC dba OnCourse Learning and OCL Real Estate LLC dba OnCourse Learning Real Estate, respectively, be discussed with B1, OCL Real Estate, LLC dba American Home Inspectors Training so that all entities are discussed together. Director Candler informed the Board that only one motion is required for the approval of Out-of-State School renewals. At this time, Mr. Guerrero recused himself due to the conflict of interest for the Spartan College of Aeronautics and Technology Inglewood, Riverside and Tulsa campus approvals. After review and consideration for renewal of the Out-of-State Schools aside from OCL Financial Services LLC dba OnCourse Learning and OCL Real Estate LLC dba OnCourse Learning Real Estate, the Board determined that the following schools can maintain compliance with the minimum standards as prescribed by the Private Occupational Education Act of 1981, as amended:

1. Appraisal Institute – Chicago - LH
2. NASCAR Technical Institute (UTI) – Mooresville - LH
3. Swift Driving Academy – Phoenix - LH
4. Universal Technical Institute of Arizona, Inc. (UTI) – Avondale - LH
5. Universal Technical Institute of Northern California – Sacramento - LH
6. Universal Technical Institute of Texas, Inc. (UTI) – Houston - LH
7. Universal Technical Institute, Motorcycle Mechanic – Phoenix - LH
8. McKissock, Inc. – Warren - LH
9. Spartan College of Aeronautics & Technology – Inglewood - LH
10. Spartan College of Aeronautics & Technology – Riverside - LH
11. Spartan College of Aeronautics & Technology – Tulsa - LH
12. WyoTech – Laramie - LH
13. American School of Real Estate Express – St. Louis - LH
14. Medcerts, LLC – Livonia - LH
15. Tulsa Welding School – Jacksonville - LH
16. Tulsa Welding School – Tulsa - LH

Ms. Malay motioned to renew the Certificates of Approval for the previously mentioned Out-of-State schools for the period beginning July 1, 2019, and ending June 30, 2020, effective June 25, 2019. The motion was seconded and carried.

Mr. Guerrero returned to the Board table to participate in the remainder of the meeting.

At this time, the Board reviewed Other Business Item 3, National Personal Training Institute. A representative was present. Following review and discussion, Mr. Minic motioned to table the matter to Executive Session. The motion was seconded and carried.

At this time, the Board reviewed items B2, B3, and C1: CollegeAmerica. Following review and discussion, Mrs. Krovitz motioned to table the matter to Executive Session. The motion was seconded and carried.

H. Notification of School Closing (no action required)/Consent Item

1. Holmes College – Denver – CH

Program Specialist Harding reported to the Board the closure of Holmes College. All available records are on deposit with the Division. No action taken.

At this time, the Board reviewed items for OCL Real Estate.

OCL Real Estate, LLC dba American Home Inspectors Training Change of Ownership

A representative was present telephonically. 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, Ms. Malay motioned to approve the Change of Ownership. The Board also requested that within 28 days, the names of the members who own the LLC will be submitted to the Division.

OCL Real Estate, LLC dba OnCourse Learning Real Estate Out-of-State Renewal

A representative was present telephonically.

Following review and consideration, Mrs. Krovitz motioned to conditionally approve the out-of-state renewal of the Certificate of Approval provided that the approval application reflects the two dbas. The motion was seconded and carried.

OCL Real Estate, LLC dba American Home Inspectors Training New Program Approval

A representative was present telephonically. 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, Mrs. Krovitz motioned to approve the new program: 5-Day Professional Home Inspection Blended. The motion was seconded and carried.

OCL Financial Services LLC dba OnCourse Learning Out-of-State Renewal

A representative was present telephonically. 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, Ms. Malay motioned to approve the Out-of-State renewal of the Certificate of Approval. The motion was seconded and carried.

Following review and consideration of each of the previous matters discussed during the regular portion of the Board meeting, Ms. Malay motioned to convene in executive session with the Board's attorney to seek legal advice pursuant to C.R.S. §24-6-402(3)(a)(II), on the following matters: Rock Creek Laser and Esthetics Institute; The School of Tennis Management; Galvanize Boulder and Denver; National Personal Training Institute; CollegeAmerica and in consideration of relevant parts of the Private Occupational School Act, C.R.S. §23-64-101 et seq. and the Rules and Regulations, 8 CCR 1504-1. The motion was seconded and carried. The public session recorder was turned off.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 1:50 P.M.

After the review and consideration of the matters previously mentioned, Mr. Garibay resumed the regular session at 2:44 P.M.

The executive session recorder was turned off.

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

Assistant Attorney General Rich Fredericks 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 good faith in what is believed to be attorney-client privileged discussions.

After executive session the Board resumed its agenda as follows.

1. CollegeAmerica – Fort Collins – CH

After discussion in public session, 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, Mr. Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2019, and ending June 30, 2022. The motion was seconded and carried.

2. CollegeAmerica – Colorado Springs – CH

Following review and consideration, Mr. Minic motioned to approve the following new programs: Medical Assisting; Medical Billing and Insurance Specialist; and Pharmacy Technician. The motion was seconded and carried.

3. CollegeAmerica – Denver – CH

Following review and consideration, Mr. Minic motioned to approve the following new programs: Medical Assisting; Medical Billing and Insurance Specialist; and Pharmacy Technician. Mr. Minic requested a copy of CollegeAmerica's response to the ACCSC probation continuation notice. Additionally Mr. Minic requested a copy of the teach-out plan provided to ACCSC as well as a copy of the notice that was sent to the students regarding the probation continuation. The motion was seconded and carried.

4. CollegeAmerica – Fort Collins - CH

Following review and consideration, Mr. Minic motioned to approve the following new programs: Medical Assisting; Medical Billing and Insurance Specialist; and Pharmacy Technician. The motion was seconded and carried.

5. Rock Creek Laser and Esthetics Institute - Superior- CH

Following review and discussion in public session, Mr. Minic motioned to approve the renewal of the Standard Certificate of Approval. Additionally, Mr. Minic motioned to issue a Letter of Warning for advertising available Veterans Affairs funding. The motions were seconded and carried.

6. Galvanize – Boulder - LH

Following review and discussion in public session, Mr. Minic motioned to conditionally approve the Boulder campus renewal of Certificate of Approval provided that the school submit quarterly financials to the Division. The motioned was seconded and carried.

School representatives informed the Board that the Denver campus will be closing.

7. The School of Tennis Management – Denver - RA

Following review and discussion in public session, Ms. Malay motioned to conditionally approve the school's renewal of the Standard Certificate of Approval provided that the tuition fees are representative to the actual cost in all advertisements. The motion was seconded and carried.

8. National Personal Training Institute - LH

Following review and discussion in public session, Mr. Minic requested to receive quarterly financials as well as issue a notice to students that the school has lost accreditation.

9. Modern Institute of Reflexology

Director Candler advised the Board to table the matter until next Board Meeting. The matter was tabled. No action taken.

10. Majestic Vocational Training Center

Deputy Director Kanaly reported to the Board that the indictment against the school has been filed. No action taken.

11. Legal Update

The legal update was discussed in Executive Session.

12. CollegeAmerica Update

The update was not discussed in public session however, a copy of the update was distributed to Board Members.

Adjournment:

Mr. Minic motioned to adjourn the meeting at 3:30 P.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, July 23, 2019, 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