

**MINUTES**  
**BOARD OF PRIVATE OCCUPATIONAL SCHOOLS**  
**June 23<sup>rd</sup>, 2020 9:32 A.M.**

<https://us02web.zoom.us/j/84609994036>

Meeting ID: 846 0999 4036

Find your local number: <https://us02web.zoom.us/u/kd2KzP6kcg>

Board Members Present:

Paul Garibay, Chair;	Barbara Kearns;
Ryan Minic, Vice Chair;	JoAnn Stevens;
Shelley Krovitz;	Chris Reister (joined at 10:33 AM)
Ellen Wamser	

Board Members Absent:

Division Staff Present:

Mary Kanaly, Deputy Director & Compliance Officer;  
Brad Uyemura, Compliance Investigator;  
April Cordova, Program Specialist;  
Rachel Acosta, Program Specialist;  
Carrie Harding, Program Specialist;  
Jonathan Rendon, Program Specialist;  
Amy Knoblauch, Data & Research Specialist  
Bernadette Esquibel, Program Specialist Assistant

Division Staff Absent:

Lorna Candler, Chief Occupational Education Officer/Director

Board Counsel Present:

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

Guests Present:

Casara Andre, Colorado School of Animal Massage;  
Kara Taylor, Colorado School of Animal Massage;  
Jeff Zhuk, Internet Technology University;  
Leasa Wood, Center Beauty College;  
Altaf Siddiqui, Aurora College;  
Susan Patzer, Hair Fusion Training Institute;  
Heather Linn, Blades and Fades Barber Academy;  
Jesse Farnlof, Colorado Real Estate School;  
Sarah Covalt, Paul Mitchell the School Denver;  
Jeff Donaldson, Barnett Bicycle Institute;  
Jessica Thrasher, Headwaters Institute;  
Chandra Couch, Paul Mitchell the School Denver;  
Matt Moore, Quality Bicycle Products;  
Monica Lichtenberger, Phoenix Strategies, Inc.;  
Mark Mitchell, Avalon School of Cosmetology;

Dani Parsons, Flatiron School;  
Josh Couper, Flatiron School;  
Bridget Mangan, American Home Inspectors Training;  
John Turnage, Paul Mitchell the School Denver;  
Michael Mulholland, Accent Beauty Academy;  
Leigh Keatts, Barnett Bicycle Institute;  
Sheila Summer, Independent Higher Ed Consultant;  
Virginia Martinez, Paul Mitchell the School Denver;;  
Martin Lavine, Public Member;  
"BM" participant, unsure;

#### Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by Mr. Paul Garibay, Chair, at 9:32 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 26<sup>th</sup> and June 16<sup>th</sup> 2020 Minutes:

Following review and consideration of the May 26<sup>th</sup>, 2020 meeting minutes, Mrs. Kearns made a motion to approve the minutes as written. Following review and consideration of the June 16<sup>th</sup> interim meeting minutes, Mrs. Krovitz made a motion to approve the minutes as written. The motions were seconded and carried.

#### Additions / Changes to the Agenda:

No changes made from updated agenda that was released on Monday.

#### Director/COEO/Staff Report:

Deputy Director Kanaly reported to the Board the following:

- All Out of State schools under the Division's jurisdiction have been approved and the Division has mailed out new certificates of approval;
- Because of the extenuating circumstances of COVID-19, the Division had to implement multiple new workflow processes in addition to managing renewals. Therefore, the Board, through emergency rule, extended the renewal period to October 30, 2020 to ensure that all schools will be timely renewed and will not lose authorization to operate after June 30th.
- Approvals today and in the past several months have been approved conditioned upon a favorable site visit. Staff are still unable to conduct site visits until September per the Department's policy. The Division is looking into the possibility of conducting virtual site visits. Program Specialists will determine if a virtual site visit is possible dependent on a case by case basis;
- DPOS held meeting with Intellect and Julia to ensure that ETPL platform maintains necessary integration with the DPOS workflow and schools for purposes of tracking and reporting data consistent with the Department's mission;

- On June 19th, 2020 the Division sent out the latest Public Health Notice. Essentially, this order provides an opportunity for further opening for our higher education institutions in conjunctions with public health requirements. While the Department has posted some preliminary clarification and guidance, the Division seeking further input via a stakeholder meeting to gather feedback from Occupational Schools.
- The Division is managing a particularly difficult closure involving one of our former Board member's schools. This school has approximately 107 esthetics students enrolled at this time. Compliance Investigator, Brad Uyemura, has been managing a large number of complaints from CIE students. The Division coordinated with the school's Accrediting body (NACCAS) to explore all potential options for continuing educations and training for students currently enrolled. The Division organized and lead a meeting with the Accreditor and stakeholders including students impacted by the closure and schools interested in providing train out- or closure options. While these meetings are difficult in the best of times, the COVID-19 pandemic adds a new layer of complexity in managing continued training. This was Jonathan's first closure and he has done an incredible job working most closely with Rachel in this instance.
- As the Vice President of NASASPS, Lorna was charged with planning the annual Spring conference (which was canceled due to the pandemic). In order to deliver the most relevant portions of the conference, the content was reworked to factor in the COVID-19 impacts on state authorization to timely deliver best practices to our members and stakeholders through our first virtual conference. On June 9th, 2020, NASASPS held half-day conference focusing on the following topics: best practices for distance education; remote site visits, and school closures. The presentations were all excellent and very well received.

New Business/Action Items:

A. Consideration of Approval of Renewal Certificate

1. Rocky Mountain Ortho-Bionomy Center – 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 not present.

Following review and consideration of the renewal, Board Member Wamser motioned to table the matter until the July Board Meeting. The motion was seconded and carried.

2. Colorado Real Estate School – Denver - 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. Additionally, a favorable site visit had been completed.

Following review and consideration of the renewal, Board Member Stevens motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2020, and ending June 30, 2023. The motion was seconded and carried.

3. Phoenix Strategies, Inc. – 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 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. Additionally, a favorable site visit had been completed.

Following review and consideration of the renewal, Board Member Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2020, and ending June 30, 2023. The motion was seconded and carried.

4. Headwaters Institute – Fort Collins - 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. Additionally, a favorable site visit had been completed.

Following review and consideration of the renewal, Board Member Wamser motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2020, and ending June 30, 2023. The motion was seconded and carried.

5. Center Beauty College – Pueblo - JR

Program Specialist Rendon 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, Vice Chair Minic motioned to approve the Standard Certificate of Approval conditioned upon a favorable site visit. The motion was seconded and carried.

6. Colorado School of Animal Massage – Wheat Ridge - JR

Program Specialist Rendon 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. Additionally, a favorable site visit was completed.

Following review and consideration of the renewal, Board Member Kearns motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2020, and ending June 30, 2023. The motion was seconded and carried.

7. Royal Academy of Surgical Assisting – Aurora - JR

Program Specialist Rendon presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was not present.

Following review and consideration of the renewal, Board Member Wamser motioned to table the matter until the July meeting. The motion was seconded and carried.

8. Aurora College – Aurora - JR

Program Specialist Rendon 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, Board Member Wamser motioned to approve the Standard Certificate of Approval conditioned upon receipt of a plan to increase enrollment that focuses on improving marketing and protecting the assets of the School. The motion was seconded and carried.

9. Hair Fusion Training Institute – Englewood - 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, Board Member Kearns motioned to approve the Standard Certificate of Approval conditioned upon a favorable site visit. The motion was seconded and carried.

10. Internet Technology University – Englewood - 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, Board Member Stevens motioned to approve the Standard Certificate of Approval conditioned upon a favorable site visit. The motion was seconded and carried.

11. Paul Mitchell The School Denver – 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. Additionally, a favorable site visit had been completed.

Following review and consideration of the renewal, Vice Chair Minic motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2020, and ending June 30, 2023. The motion was seconded and carried.

At this time, Vice Chair Minic motioned for a recess. The motion was seconded and carried. At 11:52 A.M. Chairmen Garibay called the public meeting back to order.

## B. Consideration of Approval of Renewal with Change of Ownership

### 1. Barnett Bicycle Institute – Colorado Springs - AC

Program Specialist Cordova presented to the Board for review and consideration of Change of Ownership and Renewal. A school representative was present.

Following review and consideration, Mr. Reister motioned to approve the Change of Ownership and Renewal conditioned upon a favorable site visit for the renewal and change of ownership. The motion was seconded and carried.

## C. Consideration of Approval of Provisional Certificate

### 1. Blades & Fades Barber Academy – Aurora - RA

Program Specialist Acosta 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, Mrs. Stevens motioned to approve the Provisional certificate for the period beginning June 23, 2020 and ending June 30, 2021. The motion was seconded and carried.

## Other Business

### 1. Legal Update

Counsel reported to the Board the following legal updates:

- CDL College
  - o Awaiting response from The Hartford regarding a claim on the bond.
- CollegeAmerica
  - o School's response was that since Independence University is a NC-SARA approved School, Independence University need not apply for authorization through the Division. The Division and Counsel investigated the provisional NC-SARA designation by Stevens-Henager College – Ogden, as it applies to Independence University, in response to the additional information CollegeAmerica provided in response to the myriad Board Actions. The Board voted to issue a letter.
- Integrity CDL

- The School response to the Notice of Noncompliance was received. The Division has reviewed the response and the Division and Counsel recommend issuance of a letter.
- Westland Beauty Academy
  - The supplemental training has still not occurred due to the COVID-19 pandemic. The Board voted to alter the deadline set forth in Paragraph 28 until October 31, 2020, to allow for cessation of the pandemic restrictions, resumption of in-person delivery, and sufficient notice to impacted students in advance of the training. Once the Board is advised that all requirements of the Agreement have been met, then, the Board must vote to dismiss the litigation before the Office of Administrative Courts.
- Executive and Public Health Orders
  - Counsel provided resources to the Board regarding the most recent Executive and Public Health Orders along with a copy of the Division's website indicating the forthcoming guidance and setting a date for the upcoming constituent listening session.
- Counsel continued to update the Board that guidance has been created and can be discussed in Executive Session regarding an analysis of the Board's scope of authority. This guidance was discussed and developed between Counsel and the Division.

## 2. CollegeAmerica

Deputy Director Kanaly reported that on June 15<sup>th</sup>, 2020 a notice was sent to the Department of Education for an increase of the School's Letter of Credit. On June 16<sup>th</sup>, 2020 the School notified the Division that they are closing all Colorado campuses effective September 13<sup>th</sup>, 2020. The School has notified the Division that they will work with students during the closure processes regarding transferring credits. The School provided the Division with a student roster of paid tuition, tuition earned and tuition owed to the students along with the notice they are providing to students regarding their options for transferring or a refund. The Division is considering holding a stakeholder meeting with the students. Board Member Wamser informed the Division that the Letter of Credit should extend into the two-year time period of students who could potentially file a complaint. Program Specialist Harding reported that the Letter of Credit is continuous. Deputy Director Kanaly stressed the importance of providing notice to the bank that funds should not be released and to understand the terms of the Letter of Credit. Board Member Krovitz mentioned that the notice that will be sent to students is a draft and Deputy Director recommended that the Division request the final version. Following review and discussion, no action taken.

## 3. College of International Esthetics Update

Deputy Director Kanaly reported to the Board that the Division is working through student complaints and working with the bonding company to understand what process to follow for refunds due to the School's closure. Individual complaints should be submitted to the

Division and separate checks will be distributed to the students requesting a refund. Status reports are being collected from the students to understand their progress at the School and what is still needed to complete their education. The School is waiting on Return to Title IV calculations to be able to provide transcripts to the students. Records of completion are currently being sent via mail to students and the Division. The Division will send an email to all active students and on leave of absence to determine what the students' plans are moving forward. Following discussion, no action taken.

Adjournment:

Board Member Reister motioned to adjourn the meeting at 11:49 A.M. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, July 28, 2020, at 9:30 A.M. and will be held via the web conference application, Zoom, with the following log in information:

Please click the following link to join the Zoom Meeting from your computer:

Join Zoom Meeting:

<https://us02web.zoom.us/j/86478038475>

Meeting ID: 864 7803 8475

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