MINUTES
COLORADO BOARD OF PRIVATE OCCUPATIONAL SCHOOLS
April 22, 2025 at 9:31 a.m.

Join Zoom Meeting
https://highered-colorado-gov.zoom.us/j/82912846095?pwd=Vx2nhiXav2ddqEkTLobuebnzZmqIoi.1
Meeting ID: 829 1284 6095
Passcode: 408005

Board Members Present:
JoAnn Stevens, Chair;
Jessica Wagner Vice Chair;
Ellen Wamser, Secretary;
Chris Smith;
Jennifer Hash;
Chad J. Nash; and
Scott Cardona

Division Staff Present:
Chief Occupational Education Officer/Director Lorna Candler;
Deputy Director & Compliance Officer Mary Kanaly;
Compliance Investigator Lisa Combs;
Program Specialist Rachel Acosta;
Program Specialist Martha Torres-Recinos;
Program Specialist Austin Bentz;
Program Specialist Kerrie Solis;
Program Specialist Assistant Bernadette Esquibel;
Division Accountant Greg Simonds; and
Division Specialist Kristi Connors

Board Counsel Present:
Assistant Attorney General Paige Olson, Office of the Colorado Attorney General

Guests Present:
Tom Bezak, IntelliTec Colleges;
Randy Myers, CDL Certifiers;
John Werkmeister, A Plus Real Estate School;
Jon Cruz Penaflor Jr., Elysian Academy;
Matthew Gentzler, Cosmo Beauty Academy;
Rhonda Larson, Heritage School of Interior Design;
Todd Cordrey, American Dream Real Estate School;
Shonna Dent, IntelliTec Colleges;
Amber Rodri, Elite Aesthetics Academy;
Erica Roybal, Elite Aesthetics Academy;
Briana Young, Skill Distillery;
Debi Portararo, A Plus Real Estate School;
Wayne Zellner, IntelliTec and IBMC;

Natalie Robinson, Colorado Dental Assisting School;
Melissa Cannata, The CE Shop;
Jeff Casimir, Turing School of Software and Design; and
Dr. Angie Paccione, Colorado Department of Higher Education

Call to Order:

The regularly scheduled meeting of the Private Occupational Schools Board was called to order by JoAnn Stevens, 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 Minutes:

Following review and consideration of the March 25 and April 4, 2025 regular and executive session minutes, Board member Smith motioned to approve the minutes as written. The motion was seconded and carried.

Additions / Changes to the Agenda:
COEO/Director Candler reported no additions or changes to the agenda.

Director / Staff Report

- COEO/Director Candler reported that she will be attending with Deputy Director Kanaly the spring conference of NASASPS next week and will report back to the Board at the next meeting.

- COEO/Director Candler reported that the legislative session is in full swing and the Division has been asked to provide input on a number of bills as they move through the legislature.

- COEO/Director Candler reported that program specialists have been out conducting site visits and completing review of renewal applications.

- COEO/Director Candler reported that the Division has been working with Board Council to address a large number of difficult and challenging legal issues this month.

New Business/Action Items:

A. Consideration of Approval of Renewal

1. CDL Certifiers/CDL Trainers – Colorado Springs – AB

Program Specialist Bentz presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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, Secretary Wamser motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

2. A Plus Real Estate School – Westminster – MR

Program Specialist Recinos presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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, Board member Cardona motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

1. American Dream Real Estate School – Cortez – MR

Program Specialist Recinos presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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, Board member Hash motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

4. American Dream Real Estate School - Arvada - MR

Program Specialist Recinos presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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, Board member Hash motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

5. Skill Distillery – Greenwood Village – KS

Program Specialist Solis presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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, Secretary Wamser motioned to conditionally approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30,

2028 with the requirement for the school to submit year-to-date financial reports on a quarterly basis to show financial stability. The motion was seconded and carried.

6. Heritage School of Interior Design – Denver – KS

Program Specialist Solis presented to the Board for review and consideration renewal of the school's Certificate of Approval. A school representative was present. A site visit was conducted. The Board determined 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, Vice Chair Wagner motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

7. Colorado Dental Assisting School – Aurora – 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. A site visit was conducted. The Board determined 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, Board member Hash motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

8. Cosmo Beauty Academy – Aurora – 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. A site visit was conducted. The Board determined 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, Board member Hash motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

9. Elite Aesthetics Academy – 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. A site visit was conducted. The Board determined 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, Board member Hash motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

10. Elysian Academy of Cosmetology – Greeley – 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. A site visit was conducted. The Board determined 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, Board member Hash motioned to approve the Standard Certificate of Approval for the period beginning July 1, 2025 and ending June 30, 2028. The motion was seconded and carried.

B. Consideration of Approval of Change of Ownership

1. IntelliTec – Colorado Springs - KS

Program Specialist Solis presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to approve the application for change of ownership structure effective April 22, 2025 and ending June 30, 2025. The motion was seconded and carried.

2. IntelliTec – Grand Junction - KS

Program Specialist Solis presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to approve the application for change of ownership structure effective April 22, 2025 and ending June 30, 2027. The motion was seconded and carried.

3. IntelliTec – Pueblo – KS

Program Specialist Solis presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to approve the application for change of ownership structure effective April 22, 2025 and ending June 30, 2027. The motion was seconded and carried.

4. IBMC – Fort Collins – MR

Program Specialist Recinos presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to approve the application for change of ownership structure effective April 22, 2025 and ending June 30, 2025. The motion was seconded and carried.

5. IBMC – Greeley – MR

Program Specialist Recinos presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to approve the application for change of ownership structure effective April 22, 2025 and ending June 30, 2027. The motion was seconded and carried.

6. IBMC – Longmont – MR

Program Specialist Recinos presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to approve the application for change of ownership structure effective April 22, 2025 and ending June 30, 2026. The motion was seconded and carried.

7. A Plus Real Estate School – Westminster – MR

Program Specialist Recinos presented to the Board for review and consideration of approval of change of ownership application. 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, Secretary Wamser motioned to conditionally approve the application for change of ownership effective April 22, 2025 and ending June 30, 2025 with the requirement to submit a signed bill of sale, update surety, update agent information, update Secretary of State filings, and any other items as deemed necessary by the Division. The motion was seconded and carried.

C. Closures (no action)

1. JC Styles Salon Academy

The school has not enrolled students at this location since the date of closure on 01/22/2025 and all available student and educational records are on deposit at the Division as of 04/17/2025.

Other Business:

A. Legal Update

The Board's Counsel, Assistant Attorney General Paige Olson, updated the Board on the following legal matters and other business items listed on the Board's agenda:

1. Springs Truck Driving School (no action)

   Springs Truck Driving School ceased operations on June 30, 2023, after the Board denied its renewal application. In March 2024, the Board voted to issue 1) a subpoena to the school because the school had not turned over all student records, and 2) a letter demanding the school stop advertising on its website that it was regulated by the Board (because its certificate of approval was not renewed).

   The school provided some records for students to the Division after multiple extensions of time, but not all records. The records demonstrated that the school had been accepting Workforce Innovation Opportunity Act (WIOA) funding for its students, even though it did not have approval to do so from the Board, as required.

   In August 2024, at the instruction of the Board, counsel filed a complaint in district court asking the court to order the school to produce all of its records and assess a fine against the school. The school was served the complaint in November 2024. The school did not respond to the complaint, as required.

   Counsel asked the court to find in favor of the Board since the school didn't answer (motion for default). The Court entered judgment against the school on February 24, 2025, and ordered the school:
   1) to stop operating without a certificate of approval from the Board;
   2) to deposit any remaining records by March 26, 2025 (or the Division is allowed to seize the school's records); and
   3) to pay civil penalties in the amount of $110,200.

   Counsel sent a letter to the school's owner on March 11, 2025, notifying the owner of the default judgment.

   The school did not provide additional records as required by the court's order. AAG Natalie Powell and I will consult with the Division on the option to seize the records as permitted by the court's order. The school also has not paid the civil penalties ordered by the court. AAG Natalie Powell is reviewing options to potentially execute on the judgment for civil penalties.

2. Aplmed Academy (no action)

At its June 25, 2024 Board meeting, the Board voted to issue a Notice of Noncompliance and Nonrenewal for violations of the Bord's Act and Rules (providing shorter courses than required/approved, failure to track students' attendance or produce transcripts for students, enrollment agreement violations). The Notice was sent to Aplmed on July 1, 2024 and the school did not submit a response.

In July 2024, the Board voted to uphold the denial of the school's renewal application.

- The school timely requested a hearing on the denial.
- Counsel filed a notice of charges, as required, in October 2024.
- The school did not file an answer to the notice of charges.
- A hearing is set for September 29-30, 2025.

The Board previously voted to file a motion for default because the school didn't submit an answer.
After the March 2025 Board meeting, a school representative responded to counsel's communication and said the school would get back to counsel soon. We have not heard from the school since that time. Unless we hear back from the school, we will file the motion for default before the May 2025 Board meeting.

3. Colorado Beauty College (Action Available)

In June 2024, the Board voted to issue a Notice of Noncompliance and Nonrenewal to Colorado Beauty College because the Division observed sanitation and hygiene violations at the school, failure to track student progress and maintain records, and failure to provide educational instruction to students. The school provided several records in response to the Notice, but many records were not provided or accounted for.

At its July 2024 meeting, the Board voted to deny the school's renewal application and summarily suspend the school's certificate of approval due to the health and safety conditions of the school.

- The summary suspension order was sent to the school on July 26, 2024.
- The school timely requested a hearing on the denial of its renewal application.
- The school subsequently withdrew its request for a hearing, making the school's non-renewal of the certificate of approval final.

The School has not responded to, or complied with, follow-up requests to obtain the required records upon closure. In February 2025, the owner's brother-in-law spoke with the Board. The Board voted to issue a subpoena for the records in February 2025, and the school was required to produce the records by March 28, 2025.

No records were provided in response to the subpoena. The Board may choose to pursue a civil action against the school seeking an order for the deposit or seizure of records or civil penalties.

Board member Hash motioned to move Colorado Beauty College to executive session. The motion was seconded and carried.

4. Ritually Rooted (no action)

At its February 2024 meeting, the Board voted to issue a Cease and Desist Order to Ritually Rooted for operating a private occupational school without Board approval. The school offers a program that trains students and issues certificates for holistic medicine practices. The school does not have an approved exemption to operate without a certificate of approval.

In October 2024, the Board voted to file a complaint for an injunction against Ritually Rooted that would require Ritually Rooted to stop operating without a certificate of approval (after the Division presented information that Ritually Rooted continued to operate after the Cease and Desist Order). Counsel filed a complaint with the district court in Delta County in January 2025, asking the court to order Ritually Rooted and its owner, Page Erickson, to stop operating without a certificate of approval or exemption. The owner filed a motion to dismiss, arguing Ritually Rooted is a faith-based organization. Counsel for the Board filed a response to the motion to dismiss on March 14, 2025. Counsel for Ritually Rooted entered the case at the end of March and asked for an extension of time to reply to the Board's response. The reply was due on April 1, 2025.

After the Board filed a response to the motion to dismiss, a lawyer entered the case to represent Ritually Rooted and requested an extension of time to respond to the Board's response. The court gave Ritually Rooted until April 1, 2025, to file a reply. As of today, Ritually Rooted has still not filed a reply. We are now waiting for the court to decide whether to move forward or dismiss the case.

5. Skin Addict – Action Available

In October 2024, the Board voted to issue a Notice of Noncompliance to Skin Addict due to reports that the school was allowing students to pay for and take advanced courses before the school was approved to offer the courses and before the students had an esthetician license.

- Skin Addict represented in its request to offer advanced courses that it would only allow students who had licenses to enroll when the Board approved Skin Addict for those courses.

The school responded to the Notice, which showed substantial deficiencies in the School's recordkeeping related to students' progress in the course, transcripts, and attendance.

At its January 2025 meeting, the Board voted to file a notice of charges to initiate the hearing process to revoke Skin Addict's certificate of approval. After the January 2025 Board meeting, Counsel learned about private litigation between the school and a former student that involved, in part, a claim that the student owed tuition for advanced courses the student took before she was licensed as an esthetician and before the courses were approved by the board.

At its February 2025 meeting, the Board voted:

1) to file a motion to intervene in a limited manner, if necessary, to request the private litigation be stayed until the action against Skin Addict is resolved, and
2) to summarily suspend the school's certificate of approval due to reports that the school continued to allow students to take advanced courses and perform advanced services on

members of the public, and was asking students to sign new enrollment agreements and retake advanced courses to correct the school's deficient records.

Skin Addict's certificate of approval was suspended on March 7, 2025. Because the school was forced to shut down, students who were currently enrolled in courses are no longer able to continue their education at this time. A hearing is set for September 8-11, 2025, to determine whether to revoke Skin Addict's certificate of approval.

The Board did not provide a counteroffer to the settlement offer provided by Skin Addict before the March 2025 Board meeting. The offer, which is still available, proposes the following terms:

1) Going forward, Skin Addict will use a school management and record tracking program called SMART, and provide the Division with access to the SMART system to review records at any time,
2) The current owner of Skin Addict will resign as the school's director, effective as soon as a new director can be located,
3) Skin Addict is willing to pay a reasonable fine assessed under Board Rule XI, and
4) If the Board is willing to lift the suspension, Skin Addict offers to re-train students who completed advanced courses before the students possessed a license at no cost to students,

OR, in the alternative,
Skin Addict is willing to pay the enrollment fee and tuition for students who completed advanced courses at Skin Addict before the students possessed a license to re-take the advanced courses at a different school.
**Before the summary suspension was issued, Skin Addict contacted 15 of the 33 students who received training in advanced courses before they had a license, and re-trained 4 students in the advanced courses.
(5) Skin Addict requests the Division lift the suspension of its certificate of approval in full, OR Skin Addict requests the Division lift the suspension for the limited purpose of allowing students who are currently enrolled in the basic esthetics course to complete their training.

For the private litigation, the parties agreed to drop the claims for money related to the advanced courses until the administrative case is concluded. Because of this, the Board did NOT file a motion to intervene since the parties dropped the issue.

On April 11, 2025, the Division held a community discussion for students of Skin Addict whose education was interrupted by the Summary Suspension to discuss refunds to students for money paid for courses they were no longer receiving.

- Prior to the discussion with students, Skin Addict provided the Division with refund calculations and student records/transcripts.
    - There is a statute that lays out the amount a student should receive as a refund, found at section 23-64-120, C.R.S.
    - The refunds owed to students are based on the school's records showing how much of the course a student completed and the amount paid by the student for the course(s).
- The school informed the Division it would be issuing refunds so it did not use the surety bond funds at this time.
- The student records did not adequately record the hours spent by the students towards theory (also, the school's basic esthetics program was approved for 150 theory hours

but the school said it was providing 200 hours; students said they did not complete a full 200 hours of theory).

- The Division is preparing to have a call with Skin Addict to discuss the theory hours reported by the school to determine how this affects refund calculations.
- The amount of refund owed to students will change significantly if the theory hours are or are not counted. (i.e., a student is entitled to a larger refund if they completed less of a program, so they will receive more money back as a refund. But, the student will also get less credit if they choose to complete their training at another school).
- It is not clear if the school will agree to issue refunds if the refund calculations increase due to an adjustment of theory hours.

Board member Smith motioned to move Skin Addict to executive session. The motion was seconded and carried.

6. Colorado Academy of Veterinary Technology (CAVT) – Action necessary

At the Board's January 2025 meeting, the Board considered information related to CAVT based on a report from the US Department of Education that:

1) CAVT was placed on a Heightened Cash Monitoring 2 status; and
2) Its accreditation was revoked by the Council on Occupational Education.

The Board issued CAVT a Notice of Noncompliance citing the school's failure to report the accreditation and financial status changes to the Division, as required. If the school were to lose its accreditation status, students attending CAVT would no longer be eligible for Title IV funds (this would affect approximately 20 out of the 25 currently enrolled).
CAVT provided a timely response to the Notice and informed the Board it appealed the accreditation determination. A hearing took place in February 2025. The Board voted at its last meeting to table any further action regarding the Notice of Noncompliance to await the Appeal Board's decision.

In March, the Appeal Board issued a unanimous decision to remand the accreditation decision. The decision noted:

1) the initial accreditation decision used an incorrect timeline for CAVT to come into compliance with a Council of Occupational Education Standard for Financial Resources; and
2) CAVT had not paid its annual dues and had an outstanding amount owed to the Council on Occupational Education of $9,602.00. This is a reason to drop a school's accreditation, but the Appeal Board held it was not clear if that was part of the reason for the accreditation revocation for CAVT.

Depending on the outcome of the dues, this Council on Occupational Education may choose to issue a new accreditation decision revoking the school's status for failure to pay annual dues. The Board's financial representative, Board Member Wamser, also reviewed the financial information provided by the school in response to the Notice of Noncompliance. Board Member Wamser reported the school's financial situation seemed to be improving since it was assessed in December 2023, but still felt the school was "borderline in terms of its operations."

Board member Smith motioned to move CAVT to executive session. The motion was seconded and carried.

7. Center Beauty College (CBC) – (no action)

At its January 2025 meeting, the Board learned about complaints filed against CBC alleging failure to provide refunds and transcripts to students. The Board also learned the school shut down at its approved location in October 2024 and did not have a new approved location as of the Board meeting.

- The School had not been operating since it ceased operations in October 2024 and students were still enrolled, but their education on pause.
- The Board voted to issue a Notice of Noncompliance and the school provided a timely response. The response demonstrated the school had not maintained student records as required.

In March 2025, the Program Specialist informed the Board that CBC had prepared its new location for educational instruction and was working with the Program Specialist to revise its recordkeeping practices for student records.

- The Board voted to work with the school to enter a stipulated agreement which required the school to comply with student records and other recordkeeping requirements, subject to additional review and check-ins by the Program Specialist.

Counsel spoke with the school owner, Ms. Richardson, on 4/17/2025 about the Stipulated Agreement and CBC expressed initial agreement with the proposed language and terms. CBC is going to review and confirm it has no additional questions and get back to counsel soon. CBC reported it resumed operations on or around 4/7/2025, after students completed all required updates to the students' records.

8. Fadez Academy – Action Necessary

At its February 2025 meeting, the Board considered information presented by the Division from a recent site visit performed as part of the Board's terms for conditional approval of the School. The Division presented information that the School owner stated he had an apprentice, although he was not approved by CDLE to offer apprenticeships.

- After discussion at the Board meeting, the Board determined the School owner may have been using the term "apprentice" in a different manner than the term is used by CDLE, and instead only had an individual perform job shadowing.
- The Board voted to issue a notice of noncompliance to the School to get more information from the School, as well as extended the School's conditional approval. The School's provisional certificate of approval remains valid for another year.

The Board voted at its February meeting to extend a condition on the school's provisional certificate of approval which requires the Division to perform 1 additional site visit to the school location in the next 6 months.

A Notice of Noncompliance was issued to the school on March 27, 2025. The school provided a timely response with 3 documents. Notably, nowhere in the response did the school agree to cooperate with subsequent visits by the Division as a condition to the school's provisional

certificate of approval (which was one of the requests for information in the Notice of Noncompliance). Counsel has reached out to the school to let the owner know about the information requested in the school's response letter.

Board member Smith motioned to move Fadez Academy to executive session. The motion was seconded and carried.

8. Turing School of Software and Design – Action Necessary

The Board held an interim meeting on April 4, 2025, to discuss information received from the school that Turing's operating funds were frozen, including funds which were supposed to be held in a Certificate of Deposit at Bellco Credit Union as a surety for Turing's students in the event the school were to close.

- The school was involved in a civil court case with its previous landlord because the school failed to pay rent for the last 8 months of its lease. The court issued a judgment ordering the school to repay the landlord approximately $492,000 ($450,000 plus interest).
- Because Turing didn't pay on the judgment, the landlord filed a Writ of Garnishment asking FirstBank to freeze Turing's funds until the court orders the bank to pay the funds to the landlord to satisfy the debt owed by the school.
- The school did not inform the Division of the case with the landlord or the movement of the surety funds from Bellco to FirstBank until March 29, 2025, when its funds were frozen.

The Board voted to intervene in the civil court case to ask the court to exclude the funds which were supposed to be in the Certificate of Deposit as a surety for Turing's students. Counsel also informed the Board that the school's certificate of approval was suspended by operation of law because the school did not have a surety in place as required to operate a private occupational school.

- If Turing were to obtain a new surety bond or surety bond alternative (like the Certificate of Deposit it had previously), the school would be able to resume operations

On April 8, 2025, the Board filed a motion to intervene asking the court to exclude the surety funds from any garnishment of the school's FirstBank account and return the funds to the Division (or the school if the school wanted to continue to operate).

- The Court has not ruled on the Board's motion yet because the school and landlord have 21 days to respond (due April 29, 2025).

The school has been communicating with Counsel for the Board and for the landlord to try to work on a settlement. The school expressed it plans to shut down and likely will file Chapter 7 bankruptcy in the near future.

- The school reports it has identified train-out or transfer options for students who were impacted by the school's suspension of operations. The Division has not yet confirmed the schools' willingness to take on Turing's students at minimal or no additional cost.

Board member Cardona motioned to move Turing School to executive session. The motion was seconded and carried.

Following review and consideration of the previous matters discussed during the regular portion of the meeting, Board member Cardona motioned to convene in executive session with the Board's Counsel to seek legal advice pursuant to C.R.S. §24-6-402(3)(a)(II), on the following matters: Colorado Beauty College, Skin Addict School of Aesthetics, Fadez Academy, Turing School, and Colorado Academy of Veterinary Technology 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 at 12:30 p.m.

The Board of Private Occupational Schools convened in executive session with its attorney of record, the Division Director, and Division staff at 12:45 p.m.

Summary of Return to Regular Session:

After the review and consideration of the matters previously mentioned, Chair Stevens resumed regular session at 2:22 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 Paige Olson, 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.

Following executive session, the Board resumed its agenda as follows:

Colorado Beauty College
Chair Stevens stated that several steps have been taken by Counsel to obtain the required student records, but the school has not complied. Secretary Wamser motioned to direct Counsel to take civil action against the school and to seek penalties related to that action. The motion was seconded and carried.

Skin Addict School of Aesthetics
Chair Stevens expressed that although there is great value in this type of school located in Grand Junction, concerns remain with the school owner having any involvement in the school due to credibility challenges, Vice Chair Wagner stated that there is a huge impact on students, and the Board was able to hear from many of the affected students today about those direct impacts. This is a complicated issue with other state agencies involved and the Board takes all feedback seriously in order to find the best solution to serve the students. Vice Chair Wagner motioned to table discussion of further Board action or a possible settlement agreement until the May Board meeting. The motion was seconded and carried.

Colorado Academy of Veterinary Technology
Vice Chair Wagner restated the pending issues involved with this school that are not necessarily in the Board's control. There is a renewal application being reviewed by the Division for presentation to the Board that will ensure the school is able to operate appropriately and the additional evaluation from the accrediting body outside of this Board. Vice Chair Wagner motioned to note this action as resolved and no further action will be taken in regard to the Notice of Noncompliance. The school will be required to continue financial reporting to ensure financial stability. The motion was seconded and carried.

Fadez Academy

Chair Stevens provided a summary of the deficiencies with the response to the Notice of Noncompliance and concerns with the school moving forward presenting challenges to the Division. Other Board members also expressed concern with what the best path forward would be for the school as the owner is indicating the plan to close the school. Board member Cardona motioned to table Fadez Academy to the May Board meeting. The motion was seconded and carried.

Turing School of Software and Design

Chair Stevens expressed concern for the impacted students who believe the school is closing, but that process has not been formally started, and the students are in transition receiving misinformation from the school owner. It would be best for the school to cease communication with all students about teach-out plans and refunds. It is necessary for the Division to oversee this process and manage the options for each student. Vice Chair Stevens reiterated the importance of starting the school closure process to protect all students and for the Division to present the students with clear options available to them. Chair Stevens highlighted the fact that the school does not have an active surety currently and statute requires a summary suspension of the school's certificate of approval.

Vice Chair Stevens motioned to direct Counsel to withdraw from the garnishment action in Denver County. The motion was seconded and carried. Vice Chair Wagner motioned to deny the application for renewal and direct Counsel to issue a Notice of Noncompliance and Nonrenewal. The motion was seconded and carried. Board member Smith motioned to direct Counsel to issue a summary suspension of the school's certificate of approval. The motion was seconded and carried.

Adjournment:

Board member Smith motioned to adjourn the meeting at 3:27 p.m. The motion was seconded and carried.

The next regularly scheduled meeting of the Board is Tuesday, May 20, 2025, at 9:30 a.m. and will be held via the web conference application, Zoom; meeting details will be posted on the Division's website: highered.colorado.gov/dpos.