

STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION
COMMISSION ON POSTSECONDARY EDUCATION

This meeting, conducted by the Commission on Postsecondary Education Chapter 394 of Nevada Administrative Code pursuant to Nevada Revised Statute NRS 394.383.

NEVADA COMMISSION ON POSTSECONDARY EDUCATION

Wednesday, November 6, 2019; 9:06 A.M.

Place of Meeting:	<u>Live Meeting:</u>	<u>Video Conference to:</u>
	DETR – SAO Auditorium	DETR – Stan Jones Building, Conf. Rm. A-C
	500 East Third Street	2800 E. St. Louis Avenue
	Carson City, Nevada 89713	Las Vegas, Nevada 89104

Department of Employment, Training and Rehabilitation (DETR) Staff

Present in Carson City

Kimberly Gaa, DETR ESD Administrator
Kelly D. Wuest, CPE Administrator
Chris Sewell, ESD Director’s Office, Commissioner

Department of Employment, Training and Rehabilitation (DETR) Staff

Present in Las Vegas

Maricris Wu, CPE Postsecondary Education Specialist
Susan Beckett, CPE Administrative Assistant III

Members of the Public, Media and Other Agencies

Present in Carson City

Michael Hagan, Strayer University
Alisa Johnson, Skill Center

Members of the Public, Media and Other Agencies

Present in Las Vegas

Robert Whitney, Nevada Attorney General Office Deputy Attorney General
Lisa Carbone, Nova Southeastern University
Greg Stiber, Nova Southeastern University
Laura Buzzallino, XCEL Solutions, LLC
Darren Nelson, MyComputerCareer
Grant Gibsen, MyComputerCareer
Tony Galati, MyComputerCareer
Elizabeth Martinez, Century 21 Americana RE School
Juan Martinez, Century 21 Americana RE School
Alex Garza, Century 21 Americana RE School

Lauri Perdue, Nevada Massage Academy
Linda Montgomery, The Learning Center
Tim Kelly, Save The Art Institute LV
Richard Rock, Save The Art Institute LV
William Turbay, Save The Art Institute LV
Nikolina Tepavac, Glam Sophisticated Makeup Academy
Ivan Ivanov, Glam Sophisticated Makeup Academy
Diane Hale, SW Compliance & Safety
Christine Benbenisty, CRI
Doran Benbenisty, CRI
Enrique Mavin, CRI

**Members of the Commission on Postsecondary Education
Present in Carson City**

Larry Nathan (Nate) Clark, Chair

**Member of the Commission on Postsecondary Education
Present in Las Vegas**

Rene Cantu
Sharon Frederick, Vice Chair
Jill Hersha
Jon Ponder

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November 6, 2019 – 9:06 A.M.

Call to Order

The meeting was held at the Department of Employment Training and Rehabilitation Conference Meeting Rooms, in Las Vegas, Nevada and the SAO Auditorium, Carson City (via video conferencing). The meeting was called to order by Vice Chair Commissioner Nathan Clark at approximately 9:06 AM.

Public Comments

Commissioner Clark asked for public comment, Mr. William Turbay came to speak. He was asked to complete a public comment card for the record (attached as Exhibit A). During the time in which Mr. Turbay was completing the comment card Administrator Wuest stated that there are no public comments in the North. William Turbay from Save The Art Institute Las Vegas, I'm just here to, make sure there is, there are so many things happening to the Art Institute in such quick time that uh if anybody asks after the minutes are read about the Commission or what's going on with the school I'd be happy to answer any more additional questions cause even from last week things have changed quickly and uh good things are happening. So, that's that's I'll be happy to answer any questions from the Commissioners. Thank you.

Commissioner Clark: Just for clarification and I should have mentioned this before Public Comment, we are not able to act on things that are not on our Agenda and while I appreciate the offering of information. Are we able to do question and answer after the Administrator's Report, I don't know?

Administrator Wuest: Robert?

Deputy Attorney General Robert Whitney: This is not something that is typically done. Asking questions of Mr. Turbay would not be any type of action item so it wouldn't really violate if you were to do it to ask him questions.

Commissioner Clark: I see, okay. Well, based on whatever your update is we will see where it goes. Any other public comment?

Written Comments

This is Susan Beckett, we have received no written comments.

Confirmation of Posting

Susan Beckett, for the record, Administrative Assistant III, Employment Security Division, Commission on Postsecondary Education. Yes, proper Notice was provided for this Meeting pursuant to Nevada's Open Meeting Law, NRS 241.020 and confirmation of posting was received.

Open Meeting Compliance

For the record, this is Susan Beckett, again, Administrative Assistant III, Employment Security Division, Commission on Postsecondary Education, we are in compliance with the open meeting law.

Roll Call

- Commissioner Cantu-Present
- Commissioner Clark-Present
- Commissioner Frederick-Present
- Commissioner Hersha-Present
- Commissioner Ponder-Present
- Commissioner Sewell - Present

Kelly Wuest: For the record we do have quorum.

Adoption of Agenda:

Motion: Commissioner Frederick - Motion to adopt the agenda of November 6, 2019.
Second: Commissioner Sewell.
Discussion: None.
Results: Unanimous, agenda is adopted.

Approval of Minutes September 18, 2019

Motion: Commissioner Frederick – Motion to approve the minutes from September 18, 2019, with a correction on page 9 under amended motion one of the sentences is repeated and staff is aware and will make the correction.
Second: Commissioner Hersha.
Discussion: None.
Results: Unanimous, motion carries.

Adoption of 2020 Meeting Dates:

Discussion: None.
Motion: Commissioner Cantu – Motion to adopt the 2020 meeting dates as outlined in Administrator Wuest’s memorandum.
Second: Commissioner Ponder.
Discussion: Commissioner Clark, clarification the dates we are discussing are: February 12, 2020, May 6, 2020, August 12, 2020, and November 12, 2020. Any further discussion?
Results: Unanimous, motion carries.

Administrators Report

Administrator Kelly Wuest read the report submitted in the packet.

Art Institute of Las Vegas - Update

Administrator Kelly Wuest gave an update as submitted to the commission in the packet. Administrator Wuest read a letter received from Receiver, Mark Dottore on November 4, 2019, attached as Exhibit B.

Commissioner Clark stated Department of Education funding is complex and Art Institute needs to have a knowledgeable third party of the funding for students.

Commissioner Sewell requested Mr. Turbay speak on behalf of the extension and the request behind it. Commissioner Clark asked if the extension is going to cause the school to not meet the deadline of February. Commissioner Clark asked about payments recorded on ledgers and funding/payments for students. Mr. Turbay responded by updating the commission pertaining to the hiring of the forensic auditor to review the records.

Commissioner Cantu asked about a timeline of resolution and payments to students and faculty. Mr. Turbay responded that he cannot guarantee money due to Department of Education guidelines. However, he is going to take the information he gets from the auditor and plans on going to the bank for a line of credit, hoping before Christmas. Commissioner Cantu stated, in other words, you don't really have a timeline. I am very concerned about the quality of instruction. Mr. Turbay, this is not a normal situation and I cannot control all situations.

Commissioner Clark let's keep in mind this is informational and we cannot take action at this meeting.

Applications for Full Term License

Century 21 Americana Real Estate School

Testified: Elizabeth Martinez, Century 21 Americana RE School gave an update on the school and the audit.

Discussion: None.

Motion: Commissioner Cantu— A motion that Century 21 Americana Real Estate School be granted full term licensure.

Second: Commissioner Ponder.

Discussion: None.

Results: Unanimous, motion carries.

Skill Center

Testified: Lisa Johnson, Director Skill Center.

Discussion: None.

Motion: Commissioner Frederick – A motion that Skill Center be granter full term licensure.

Second: Commissioner Hersha.

Discussion: None.

Results: Unanimous, motion carries.

SW Compliance & Safety Training Institute

Testified: Diane Hale, President of SW Compliance & Safety Training Institute.
Discussion: Commissioner Clark requested a background pertaining to the request for a 9-month extension. Administrator Wuest, there were only students who have partially completed the program. Typically, we want to see program completions. Commissioner Clark, is that part of the issue record keeping? Administrator Wuest, the issue was the background process and that has been corrected.

Commissioner Frederick, is the student population your employees of Best of the West? Ms. Hale, No, I have used my employees as part of the population to ensure my instructors were vetted.

Commissioner Cantu, can you explain why students have not completed program. Ms. Hale explained, we started with an individual basis and have now revised and are working with other agencies.

Motion: Commissioner Cantu – A motion that SW Compliance & Safety Training Institute be rendered a provisional license for nine months.

Discussion: Commissioner Clark – I think the worded in the paperwork was a little confusing. It should be an extension of the provisional license. They already have a provisional license.

Amended motion:

Commissioner Cantu – A motion that the provisional license be extended for nine-months for SW Compliance & Safety Training Institute.

Second: Commissioner Frederick.

Discussion: None.

Results: Unanimous, motion carries.

Applications for Initial Provisional Licensure

Glam Sophisticated Makeup Academy

Testified: Nikolina Tepavac, Owner, provided a background of school and plans for the school with programs.

Discussion: Commissioner Clark asked when do you expect to have approval of the revised curriculum? Ms. Tepavac responded, I will have everything submitted by the date due which is November 30th. Commissioner Frederick, are you working with an evaluator regarding the copyright? Ms. Tepavac, yes, I am, and it was a misunderstanding on my part. I have been working on this and will describe everything in my own words. Commissioner Sewell, are you working with any employers? What is out there for graduating students? Ms. Tepavac, I am not working with any employers rather to outsource my students, I am a makeup artist myself and will teach them how to do that as well. Commissioner Sewell, have you talked to our research department about what is available in the Las Vegas

Valley? Ms. Tepayac, no I have not talked to anyone about that. I wasn't even aware and will look into that. Commissioner Hersha, can you explain how you came up with your tuition? Ms. Tepavac, I was considering smaller classes and limiting the number of students. Commissioner Hersha, how are you going to find your students? Ms. Tepavac, I am going to find my students on Facebook, Instagram, and Google. This is how I find my clients and I am very successful at this. Commissioner Clark, it looks like you are in the middle of putting together curriculum, pricing, determining where you are going to hold classes. Are you sure you are ready for this? Ms. Tepavac, not right now, but in a month I will be.

- Motion: Commissioner Frederick – That a twelve-month provisional license be granted to Glam Sophisticated Makeup Academy contingent upon receipt of surety bond in the amount of \$19,000, facility approval, personnel information and curriculum approval.
- Second: Commissioner Cantu.
- Discussion: None.
- Results: Unanimous, motion carries.

MyComputerCareer

- Testified: Grant Gibsen, Executive Director of Military Operations, Darren L. Nelson, Executive Director of Compliance, and Tony Galati, CEO. The group provided information about the school, program and the contract with Nellis Air Force Base.
- Discussion: Commissioner Clark, asked about funding, the students you enroll are they active military or veterans? Mr. Gibsen responded, for active duty military on base. Commissioner Hersha, what will your placement services be? Mr. Gibsen, we have a career services department and are planning on have 90% placement. Commissioner Sewell asked about internships with employers. Mr. Gibsen explained the plan for internships.
- Motion: Commissioner Frederick – That a twelve-month provisional license be granted to MyComputerCareer to offer five programs in Cyber Warrior; Information Technology Security and Administration; Cyber Security Engineer; Information Technology and Security Specialist; and AAS in information Technology Network Administrator and Security contingent upon surety in the amount of \$167,354, accreditation approval and personnel information.
- Discussion: Commissioner Clark stated for information purposes the calculation came up to \$157,354.
- Amended Motion: This is Commissioner Frederick, I would like to amend my motion by ten thousand dollars, \$157,354.
- Second: Commissioner Hersha, I will second the amended motion.
- Discussion: None.
- Results: Unanimous, motion carries.

Nevada Massage Academy

Testified: Lauri Perdue, Campus Director, provided background of herself and plans for the school. Kevin Lieu, Director of Operations explained affiliation with Dragon Phoenix LLC.

Discussion: Discussions pertaining to the relationship of Dragon Phoenix LLC and the location, staff and ownerships of the company were explained by Kevin Lieu. Commissioner Sewell, you stated there was a need for a school? How did you determine there was a need? Ms Perdue explained, they were approached by Massage Envy and other companies. Additionally, Northwest Career College is located in the Northwest part of town. Our location will be on the East side of town. Commissioner Cantu asked about average salary per student coming out of school? Ms. Perdue stated \$18.00 to \$25.00 per hour plus tips. If they are self-employed, the starting wage is about \$59.00 per hour. Commissioner Hersha do you have a location? Ms. Perdue, we don't have a location yet. We have an area we were looking at, but we were waiting for this process first. We would like to stay around the East side of town. Commissioner Sewell do you have any internships for your students? Ms. Perdue, we cannot provide internships, students will complete practical training at our clinic.

Commissioner Cantu, this may be a question for Kelly or Maricris. Do you feel there is a separation between Nevada Massage Academy and Dragon Phoenix? Maricris Wu stated, based on the public records I was able to obtain documents linking the fictitious firm name filing with the address of 7322 Iron Oak Avenue to the applicant address and Dragon Phoenix's address. Additionally, one of the individuals on the records was a student from a school previously closed down. That is why it was brought this to your attention.

Commissioner Clark, I would like a little bit more clarification about the former student of Elbe Institute is on the board for Dragon Phoenix or Dragon Phoenix II or both. Mr. Lieu, I don't know who you are referring to and don't know about Dragon Phoenix, so I don't know who you are referring to. This is Maricris Wu for the record, I did email you this documentation. Commissioner Clark, I am going to need to clarification, it is clear Dragon Phoenix paid fees.

Commissioner Cantu, I would like to table this item until assurances and clarifications are received for additional information.

Robert Whitney, would you like to make a motion?

Motion: Commissioner Cantu – I would like to make a motion to table this item until further clarification and reassurances are provided the commission about the relationship with previous massage schools that have been closed down and the current massage school here today.

Second: Commissioner Ponder.

Discussion: Commissioner Clark asked Robert Whitney, are we approaching this correctly. Mr. Whitney replied, I was just questioning Ms. Wu and wondering with Ms. Wuest if there are any time frames for our next meeting for the school. Ms. Wuest, stated, they do have outstanding issues as far as curriculum, a bond, personnel, and facility. Right now, we are in the initial phases. I don't see any issues with tabling this to the next meeting until we receive clarification.

Results: Unanimous, motion carries.

Commissioner Clark, we will table this until February 12, 2020 meeting.

Nova Southeastern University

Testified: Gregory Stiber, Executive Director, Licensure and State Regulations. Lisa Carbone Director, College of Education Mr. Stiber provided a background school and history of previous of school licensure.

Discussion: Commissioner Cantu, my question is about the completion and placement of the program. Mr. Stiber explained most of the students are already employed in education. Commissioner Clark will this program be offered on campus or is it strictly online. Ms. Carbone, this will be a hybrid program of face to face, and online.

Motion: Commissioner Cantu – That a twelve-month provisional license be granted to Nova Southeastern University, to offer the Doctor of Education with concentrations degree contingent upon facility information, staffing and surety in the amount of \$50,000.

Second: Commissioner Hersha.

Discussion: None.

Results: Unanimous, motion carries.

Strayer University

Testified: Michael Hagan, General Counsel Office of Strayer University. Mr. Hagan provided background information and update of the university with the intent to open two campus locations in Reno and Las Vegas.

Discussion: None

Motion: Commissioner Frederick – That a twelve-month provisional license be granted to Strayer University, to offer the diploma, associate, bachelor, masters and graduate certificates as indicated on the application, contingent upon facility information, staffing and surety in the amount of \$366,000.

Second: Commissioner Hersha.

Discussion: None.

Results: Unanimous, motion carries.

XCEL Solution, LLC

Testified: Laura Buzzallino, gave background information about the school.

Discussion: Commissioner Hersha, how are you planning on advertising your program? Ms. Buzzallino, since we are approved in other states we are planning on word of

mouth. Commissioner Clark, page six and page seven of the financial statements, shows a financial loss, can you explain the reason? The overall relationship of the company or the investors, does the company actually employ students. Ms. Buzzallino, I don't know how to answer this question. Commissioner Sewell, what is the average salary of one of your graduates? Ms. Buzzallino, our course is designed to help students pass the exam, we don't guarantee employment or have wage information. Commissioner Clark, if you don't collect data are you going to be able to complete our annual report? Ms. Buzzallino, we would be able to submit the pass rates. Ms. Wuest, we have a section in our annual report that covers pre-licensing course credentialing with the Department of Insurance.

Motion: Commissioner Frederick – That a twelve-month provisional license be granted to XCEL Solution, LLC. contingent upon receipt of a \$14,000 bond, receipt of facility and personnel information, curriculum and instructor approvals from the Nevada Division of Insurance.

Second: Commissioner Ponder.

Discussion: None.

Results: Unanimous, motion carries.

Applicants for Added Program

CRI Counter Terrorism Training School

Testified: Christine Benbensity, Director & Owner; Dorian Benbensity, Owner; gave background of school. Mr. Enrique Mavin, gave a background of the program and his qualifications.

Discussion: Commissioner Sewell, have you reached out to our research and analysis unit? Mr. Mavin, no I have not, I research from federal information and indeed. Commissioner Sewell, are you looking at local businesses, reaching out to them, salaries and things of that nature? Mr. Mavin, yes, not only have we hired at our own agency, the starting pay is \$48,000 to \$60,000 after that they are making a lot more. For example, myself is at \$130,000 a year. Commissioner Clark, I would caution when you quote those salaries at what an entry level person who expect. Commissioner Hersha, can you go into the time and the length of training? Mr. Mavin, we do have 10/11-hour days. They need to do lab work after the teaching sessions. We want it to be tied in a full marketing campaign.

Commissioner Ponder left during the discussion – quorum is not affected.

Motion: Commissioner Cantu– CRI Counter Terrorism School be granted approval to offer the Digital Marketer Specialist program contingent on a surety bond increase of \$4,000; instructor information and curriculum approval.

Second: Commissioner Frederick.

Discussion: None.

Results: Unanimous, motion carries.

Commission Comments

None.

Public Comment

None

Meeting Adjourned

The meeting was adjourned by Commissioner Clark. Time: 11:42a.m.