

DRAFT MINUTES
STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION
COMMISSION ON POSTSECONDARY EDUCATION

NEVADA COMMISSION ON POSTSECONDARY EDUCATION MINUTES

THIS MEETING WAS HELD VIA VIDEOCONFERENCE AND IN PERSON

The public may observe this meeting and provide public comment during the public comment section on Zoom or in person at:

Live Meeting:

DETR – Job Connect
Conference Room
3405 S. Maryland Parkway
Las Vegas, NV 89169

Zoom Meeting:

Topic: CPE Quarterly Commission Meeting
Time: May 1, 2024, 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://nvdetr-org.zoom.us/j/89727207051?pwd=and2eHBYa2RPY1pYUmlJUMUhnNVlRUT09>

Meeting ID: 897 2720 7051

Passcode: 307291

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Staff Present during Video Conference

Kelly Wuest, CPE Administrator
Maricris Wu, CPE Postsecondary Education Specialist
Susan Beckett, Compliance Audit Investigator I
Kassondra Sott, CPE Administrative Assistant III

Members of the Public, Educational Institutions and Other Agencies Present

Todd Weiss, Nevada Attorney General Office, Chief Deputy Attorney General
Jordan Laub, Nevada Attorney General Office, Deputy Attorney General
Kristine Nelson, DETR, ESD Administrator
Kristi Bordelon
미궁 Dr. Lee
Candice Sonny
Jennifer Green
Cristina Guerra Romero
Dr. Joshua Smith
Ryan Kairalla
Tanya McDonald
Dr. Trott
Hannah Branch
Marion Knight
Sarah Ortkiese
Jackalyn Copeland
Chad Hirschi
Samantha Hyatt
iPhone User
Claudia Araiza
Dr. Patrick Nuzzo
Wesley Pettus
Paul Schwarz
Karen Delmaso Hughey
Michael Whitehead Jr.
Joseph Salvaggio
Judith Marty
Renee Fairless
Michael Muhle
William Doyle

Commissioners Present during Video Conference Meeting

Thomas Kenny, Chair
Sharon Frederick, Vice Chair
Jon Ponder
Randall Kirner

STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION
COMMISSION ON POSTSECONDARY EDUCATION
MINUTES
May 1, 2024 – 9:00 A.M.

Call to Order

The meeting was held via Video Conference ZOOM and In Person, DETR – Job Connect Conference Room, 3405 S. Maryland Parkway, Las Vegas, Nevada 89169. The meeting was called to order by Chair Commissioner Thomas Kenny at approximately 9:24 AM.

Public Comment Phone Option Instructions

For members of the public please note the options for attending this zoom meeting are via web and phone:

Meeting ID: 897 2720 7051

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Public Comments

None

Written Comments

None

Confirmation of Posting

Kassondra Scott, for the record, 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. We are in compliance with the open meeting law.

Roll Call

- Commissioner Chair Kenny – Present
- Commissioner Vice-Chair Frederick – Present
- Commissioner Clyne – Excused
- Commissioner Ponder – Present
- Commissioner Kirner – Present

Administrator Kelly Wuest took a roll by verbal and video. Confirmation of a quorum.

Adoption of Agenda:

Motion: Commissioner Frederick – Move to approve adoption of Agenda for May 1, 2024.

Second: Commissioner Ponder.

Discussion: None.

Results: Unanimous; agenda is adopted.

Approval of Minutes February 7, 2024, Meeting

Discussion: None.
Motion: Commissioner Kenny – Motion to approve the minutes for February 7, 2024 meeting.
Second: Commissioner Ponder.
Discussion: None.
Results: Unanimous; motion carries.

Introduction of Kristine Nelson, ESD Administrator

Administrator Wuest introduced Kristin Nelson, the ESD Administrator. She has administrative responsibility for the Commission, including HR, IT, financials, and signatory on the State Budget. Administrator Nelson addressed the Commissioners.

Administrators Report

Administrator Wuest gave the Administrator's Report as submitted with the updated additions to the total student counts for Quarter 4. The student count is 8,526 with 37 institutions unreported.

Applications for Full Term License

Battle Born EMS Health and Science Learning Center

Testified: Karen Hughey and Michael Whitehead detailed audit issues stemming from internal organizational changes and thanked Susan for getting everyone up to speed.
Discussion: Commissioner Kenny noted that Susan and Maricris are often mentioned positively during Commission meetings and offered a special acknowledgement.
Motion: Commissioner Frederick – The provisional license for Battle Born EMS Health and Science Learning Center be extended for an additional nine months.
Second: Commissioner Ponder.
Results: Unanimous; motion carries.

Galen College of Nursing

Testified: Jennifer Green and Cathy Dwyer noted that Galen runs on a quarter system, and their first ADN and BSN cohorts started April 4, 2024. The first term ends June 18, 2024; students begin with gen ed courses and start nursing courses afterwards. They requested an extension to have a few terms completed before the audit.
Discussion: Commissioner Frederick asked about partnerships with hospital and medical facilities; recommended Encompass Rehabilitation as a nearby facility Galen could partner with.
Commissioner Ponder asked how many students enrolled with the first cohort. Ms. Green stated: 12 students in BSN program; 15 students in ADN program.
Motion: Commissioner Kenny – The provisional license for Galen College of Nursing be extended for twelve months.
Second: Commissioner Frederick.
Results: Unanimous; motion carries.

Genevieve Training Center

Testified: Jackalyn Copeland representing school; stated school has been operating since June 2023 and thanked Susan and Maricris for their help. She expressed interest in adding a phlebotomy program pending approval of a full license. Noted the corrections submitted to Susan, per results of second audit.

Discussion: None.

Motion: Commissioner Ponder – The provisional license for Genevieve Training Center be extended for an additional nine months.

Second: Commissioner Kenny.

Results: Unanimous; motion carries.

Haven University

Testified: Dr. Joshua Smith, Dr. Lee, Dr. McDonald, Dr. Trott, and Dr. Trott were present for the school. Dr. Trott expressed appreciation for Susan and Maricris assisting them throughout their 12 months in provisional status. The university is moving from 12 enrollments this semester to 14 enrollments next semester, hoping to increase enrollment over the next 5 years and move to campus instruction, and continue to grow the university and establish relationships in Nevada.

Discussion: None.

Motion: Commissioner Kenny – That a full-term license be granted to Haven University.

Second: Commissioner Ponder.

Results: Unanimous; motion carries.

OceanPointe Dental Academy of Nevada

Testified: Candice Sonny, Administrator and Instructor, present for OceanPointe Dental. She noted behind-the-scenes issues with a previously involved company that led to changes in operational timeline and a refresh of curriculum, catalog, and other application documents. She is hoping to start classes by the end of June 2024, and requesting another extension due to these setbacks.

Discussion: Commissioner Kenny clarified that classes would start in June and school would be operational.

Commissioner Ponder asked about sourcing students. Ms. Sonny mentioned advertising locally, in Mesquite, and applying with Workforce Connections to gain entry to the ETPL list and funding for students.

Motion: Commissioner Frederick – The provisional licensure for OceanPointe Dental Academy of Nevada be extended for an additional nine months – with the condition that training commences no later than six months from the date of this meeting – or the license will terminate.

Second: Commissioner Ponder.

Results: Unanimous; motion carries.

Applications for Initial License

Doral College

Testified: Judith Marty, President of Doral College in Florida; Renee Fairless, NV Director; and Michael Muhle, attorney/legal in Nevada were present for school. Ms. Marty described Doral's FL charter schools that aim to provide quality education to disadvantaged students; the College serves those students by providing a clear pathway to college for those who otherwise wouldn't have the opportunity to attend. The college currently serves 5,000 students online; they wish to offer hybrid classes in addition to online classes in Nevada. They currently focus on education and business administration programs.

Discussion: Commissioner Kirner asked about the school's relationship with Doral Academy. Mr. Muhle explained that Doral Academy is a sister school, and acts as a pipeline for students to attend Doral College and as professional development for student teachers.

Commissioner Kenny asked how the College intends to recruit students. Ms. Fairless plans to start with presentations for seniors at charter schools and public schools with high populations of low-income students; also networking with principals to develop teacher assistant and student teaching programs.

Commissioner Kenny asked if they plan on offering dual enrollment programs. Ms. Marty stated no, traditional programs at this time.

Motion: Commissioner Kenny – That a twelve-month provisional license be granted to Doral College to offer the Associate of Arts degree, Bachelor of Business Administration, Bachelor of Elementary Education and Master of Educational Leadership degrees contingent upon facility approval, personnel, and surety in the amount of \$556,000 to be reduced to \$83,000 if the institution participates in Title IV financial aid.

Second: Commissioner Kirner.

Results: Unanimous; motion carries.

Path Ways School of Masonry

Testified: Paul Schwarz, VP of HR, and Wesley Pettus, Safety Director, present on behalf of Hirschi Masonry, owners of the institution. Mr. Schwarz described the history of Hirschi – present in NV since 2009, around 700 employees, with a specialization in commercial and residential masonry. They want to educate the next generation of skilled laborers and increase the number of skilled tradesmen to combat the current aging/retiring population, as well as provide opportunities for felons to establish a good career via Hope for Prisoners. They are requesting a license to partner with HFP at the Southern Nevada Correctional Facility's vocational village to offer a *pathway* to earn a Mason Tender certificate and earn \$22-\$25/hour starting out in a field that needs knowledgeable workers.

Discussion: Commissioner Frederick congratulated Path Ways on the program and gratitude for their desire to help the incarcerated population obtain gainful employment.

Commissioner Ponder expressed excitement at the benefits the program will provide to the incarcerated and the community. He also noted his intention to abstain from the vote.

Commissioner Frederick asked for clarification on abstaining; DAG Weiss explained that Commissioner Ponder can vote as long as he discloses the conflict and his ability to be impartial. Commissioner Ponder affirmed.

Motion: Commissioner Ponder – That a twelve-month provisional license be granted to Path Ways School of Masonry to offer the Mason Tender Certification contingent upon approval of staffing, facility, and surety in the amount of \$46,000.

Second: Commissioner Frederick.

Results: Unanimous; motion carries.

Southwest University of Naprapathic Medicine

Testified: Dr. Patrick Nuzzo, Founder and President of the institution, gave a background on naprapathy and how chiropractic medicine is similar yet different. Dr. Nuzzo stated SNU is the first naprapathic school to earn distance education accreditation and they have petitioned the state for licensing. School will run on a quarterly system out of space rented from Roseman University and students will learn drug-free, surgery-free treatment of pain.

Discussion: Commissioner Kenny noted that his father was a chiropractor. Commissioner Frederick expressed interest in dry needling.

Commissioner Kirner asked about active practitioners in Nevada, and SNU's relationship with Roseman beyond renting space. Dr. Nuzzo explained that there isn't a license in NV yet, but there are chiropractors and massage therapists trained in naprapathic techniques. Dr. Nuzzo wants to potentially work with Roseman's physical therapy and nursing students.

Administrator Wuest noted that Title 4 funding would lower the bond amount to \$145,000.

DAG Laub brought up Dr. Nuzzo's license status in Nevada; Dr. Nuzzo clarified that Nevada doesn't currently recognize naprapathy, but he is licensed in other states. DAG Laub advises Commissioners to consider that information when voting. Dr. Nuzzo is qualified to serve as Director. Administrator Wuest confirmed that the Director required the Director to have experience in an accredited institutions in Administration.

Commissioner Ponder asks when licenses will be available. Dr. Nuzzo estimated the end of 2024.

Motion: Commissioner Kenny – That a twelve-month provisional license be granted to Southwest University of Naprapathic Medicine to offer the Doctor of Naprapathic Medicine and Master of Science in Anti-Inflammatory Nutrition contingent upon facility approval, staffing and surety in the amount of \$970,000.

Second: Commissioner Frederick.

Discussion: None.
Results: Unanimous; motion carries.

Order to Refund

Career College of Northern Nevada

Testified: Administrator Wuest noted a clerical error on the list – start date for Castillo-Gonzales should be 7-2023 instead of 7-2024.

Administrator Wuest read the Findings of Fact, Conclusions of Law, and Order required to refund students for tuition and fees from the student indemnification account. In summary, students were attending the Career College of Northern Nevada when the school precipitously closed on February 9, 2024. A total of 226 students were impacted by the closure. Currently 27 students have filed claims totaling \$301,974.38. The list of students, tuition and fee changes along with the indemnification for each student was provided for the Commission’s review. Chair Kenny noted a correction to his name on the document.

Administrator Wuest explained the additional \$5 per student fee for enrollment to replenish the student indemnification account to the minimum \$250,000 balance.

Discussion: Commissioner Kenny mentioned establishing a special committee to discuss NAC changes relating to financials and collecting financial information more often. He also requested a report on the current process for monitoring financial stability of institutions; options for better data reporting/collecting; other agencies with potential to assist.

Motion: None required, per DAG Weiss

Second: n/a

Results: n/a

Authorization to Operate

Southern States University

Testified: Claudia Araiza, Chancellor of SSU, and William Doyle described the March 2024 ACICS closure and how it led to accreditation loss. SSU’s main campus is in San Diego, with a branch in Los Angeles, and agreements with North American University and California Science and Technology University. A transfer agreement with Westwood University is pending.

Administrator Wuest explained SSU’s unique situation – that the agreements support the quality of SSU’s curriculum. The degree is recognized by other programs as equivalent in quality. All 13 current students are international students and accreditation isn’t as relevant in other countries. The law allows unaccredited institutions to operate while seeking accreditation with regular reporting, monitoring, and evaluation. Administrator Wuest recommended limiting the number of enrollments.

Discussion: Commissioner Kenny pointed to the administrative issues, not operational issues, that led to the accreditation lapse. Ms. Araiza stated that the school has been in contact with several regional accreditors to choose the one that best aligns with the school's goal to remain small and cater to international students. An application to HLC should be ready in July.

Motion: Commissioner Kenny – That Southern States University be issued a provisional license for one year, with an enrollment cap of no greater than 20 students at any time, and requirements to: report student enrollments, drops, and completions quarterly; immediately report any changes in BPPE licensing status; provide the Commission with any notices from the Higher Learning Commission regarding their application for accreditation upon receipt.

Second: Commissioner Frederick.

Results: Unanimous; motion carries.

Public Comment

None.

The meeting was adjourned by Commissioner Kenny. Time: 11:27 AM