

DISTRICT OF COLUMBIA  
HIGHER EDUCATION LICENSURE COMMISSION

Public Session No. 17-01  
January 05, 2017  
810 First Street, NE  
3<sup>rd</sup> floor – Grand Hall B  
Washington, DC 20002

10:30 am

**I. Call to Order**

Commissioner Mary Dilworth called the meeting to order at 10:54 am.

Commissioners Present: Commissioner Mary Dilworth, Ed.D., Chair  
Commissioner John Cross, A.B., A.M., M.S., Vice Chair  
Commissioner Joanne Joyner, Ph.D., Secretary  
Commissioner Janette Hoston Harris, Ph.D.  
Commissioner Cheryl Steplight, Esq.

Staff Present: Angela Lee, Executive Director  
Jocelyn Harris, Education Compliance Specialist  
Dorothy Thomas, Education Compliance Specialist  
Michael Aniton, Attorney Advisor  
Maia Turner, Administrative Assistant

Guests Present: Graduate School USA  
John Mayoski  
Carolyn Nelson  
James Green

SOME CET  
Emily Price  
Veronica Wright  
Lonnie Murray

Aveda Institute  
Lauren Fender  
Aliya Degeneste

Bethel Training Institute  
Carol Grant-Gordon

Nursing Assistant Academy  
Kenneth Mallory  
Valerie Washington  
Mary Loyd-McDaniel

Innovative Institute  
Dr. Christopher Azoroh  
Marcia Mcree

Syracuse University  
Maureen Breed  
Ryan Williams

Relay GSE  
Brooke Buerkle  
Katherine Westerheld  
Shani Dowell

EC Washington, DC  
Anthony Watt  
Haviva Parnes

Prospect College  
Mark Toufanian

Byte Back  
Monique Riviere  
Elizabeth Lindsey

## **II. Ascertainment of Quorum**

Five (5) Commission members were present constituting a quorum.

## **III. Approval of the Agenda**

The Commission voted to approve the January 05, 2017 agenda with the removal of Charter Oak College.

## **IV. Approval of the November 03, 2016 meeting minutes**

The Commission voted to approve the minutes from the November 03, 2016 meeting noting one correction to page 5, Item 8B, which should read that the Commission voted to approve the provisional application submitted by Immaculate School of Allied Health for a period of one year, not to exceed November 30, 2017, with the conditions to provide an unambiguous organizational chart.

## V. Report of the Executive Director

The following are licensure action updates:

- The **Excel Institute** is now in full compliance.
- The **General Assembly** has not submitted their financial audit but remains in compliance as a result of the submission extension granted by the Commission.
- The **University of Phoenix** still needs to provide the update regarding the Department of Education approval for their change of ownership.
- The **Bennett Career Institute** responded to the request via letter for a financial plan. However, they have not yet supplied the actual financial improvement plan.
- **Toni Thomas and Associates d/b/a Community Empowerment Training Academy** has complied with all of the conditions including evidence of entering into an engagement agreement with a certified public accountant and a surety bond. Toni Thomas has indicated that the audit will be available by the February deadline.
- **South University** is on the agenda under unfinished business.
- **BEI Capelli d/b/a The Salon Professional** has satisfied all of the requirements with the exception of a satisfactory site visit with the Board of Barber and Cosmetology and the Higher Education Licensure Commission.
- **Kaplan d/b/a Metis** has supplied the updated work chart and is in good standing.
- **Immaculate School of Allied Health** has supplied all of the requests and are now in good standing.
- **Intellect Health Institute** has supplied all of the requests, changing the email address but not in the form that the Commission recommended.

## VII. Commission Approved Applications

### A. One year approval list

The Commission approved the following applications for one (1) year, not to exceed January 31, 2018.

**Renewals & Amendments submitted at time of renewal**

<b><u>Institutions</u></b>	<b><u>License Type</u></b>
TIYA DC, LLC d/b/a The Iron Yard (ND)	Renewal
DC Central Kitchen (ND)	Renewal
Sistema Universitario Ana G. Méndez (D)	Renewal
Intellect Health Institute (ND)	Renewal
Healthwrite	Renewal
Southeast Welding Academy	Renewal

<b><u>Agents</u></b>	<b><u>License Type</u></b>
Jean-Deane Nwafor (Ross University – School of Veterinary Medicine)	Renewal

**Amendments Only**

\* The licensure period for institutions seeking approval to amend by adding new programs, new location or name change will synchronize with the institutions current license.

<b><u>Institutions</u></b>	<b><u>License Type</u></b>
Technical Learning Centers d/b/a Prospect College (D)	(*New Program Amendment – <i>Health Information Technology, Hospitality, Medical Assistant Associate degree programs</i> ) Licensure will synchronize with current license which expires 5.31.2017
Daniel Morgan Academy (D)	Amendment - name change to <i>Daniel Morgan Graduate School of National Security</i>
Toni Thomas and Associates d/ba/ Community Empowerment Training Academy	Amendment- location change (return to previously approved location)

**Conditional Exemptions**

<b><u>Institutions</u></b>	<b><u>License Type</u></b>
EC Washington, DC (ND)	Renewal
The University of Texas at Dallas (D)	Renewal
Seton Hall University	Renewal

**B. Two year Approval list**

The Commission approved the following applications for two (2) year, not to exceed January 31, 2019.

<b><u>Institutions</u></b>	<b><u>License Type</u></b>
Transemantics, Inc. d/b/a International Language Institute	Renewal
Washington School of Psychiatry	Renewal

Key: (D) – Degree Institution (ND) – Non-Degree Institution (P) – Provisional (R) – Renewal (A) – Amendment

\* The licensure period for institutions, only amending for new programs or new location their license will remain in effect.

## **VII. Unfinished Business**

- A. **South University** submitted an application for conditional exemption licensure to offer degree programs such as: Associate of Science in Paralegal Studies, Bachelor of Science in Behavioral Sciences, Bachelor of Science in Information Technology, Bachelor of Science in Legal Studies, Master of Public Health, and Doctorate in Ministry.

The Commission voted to deny the application for conditional exemption submitted by South University.

- B. **BEI Capelli, LLC d/b/a The Salon Professional Academy** submitted an application for provisional licensure to offer programs in Cosmetology and were approved at the November 3, 2016 public meeting with conditions of submitting a certificate of occupancy. They have subsequently addressed all the Commission’s concerns minus the satisfactory site visit.

The Commission did not take additional action on the application submitted by BEI Capelli, LLC d/b/a The Salon Professional.

## **VIII. Provisional Applications**

### **A. Nursing Assistant Academy**

Nursing Assistant Academy submitted a provisional application for licensure to offer Non-degree programs in Nursing Assistant (NA).

The Commission voted (3 affirmative, 1 negative, 1 abstention) to approve the provisional license for the Nursing Assistant Academy for a period of one (1) year, not to exceed January 31, 2018 with the condition of submitting a resume for Ms. Loyd-McDaniel by February 3, 2017.

## **B. Syracuse University**

Syracuse University submitted a provisional application for licensure to offer degree programs in Business Administration (M.B.A), Business Analytics (M.S), Communications (M.S), Computer Engineering (M.S), Computer Science (M.S) and other degree programs.

The Commission voted to approve (4 affirmative, 1 abstention) the provisional license application for Syracuse University for a period of one (1) year, not to exceed January 31, 2018.

## **C. Relay Graduate School of Education**

Relay Graduate School of Education submitted an application for provisional licensure to offer degree programs in Master of Arts in Teaching (MAT).

The Commission voted to approve (3 affirmative, 2 abstentions) the provisional license application for Relay Graduate School of Education for a period of one (1) year, not to exceed January 31, 2018.

## **IX. Renewals/Amendment Applications**

### **A. Graduate School USA**

Graduate School USA has submitted an application requesting license renewal to continue offering non-degree certificate training and professional development programs.

The Commission voted to approve (4 affirmative, 1 abstention) the application for license renewal submitted by Graduate School USA for a period of one (1) year, not to exceed January 31, 2018.

### **B. Bethel Training Institute**

Bethel Training Institute has submitted to the Higher Education Licensure Commission an application requesting license renewal to continue offering non-degree certificate training programs in Certified Nursing Assistant Training (CNA) and Home Health Aide (HHA).

The Commission voted to approve (4 affirmative, 1 abstention) the application for license renewal submitted by Bethel Training Institute for a period of one (1) year, not to exceed January 31, 2018 with the conditions of submitting an audited financial statement for the period ending December 31, 2016, evidence that all student records are in fire safe cabinets and the institution's plans to have all student files maintained electronically to be satisfied by April 15, 2017.

#### D. SOME Center for Employment

SOME Center for Employment has submitted to the Higher Education Licensure Commission an application requesting license renewal and amendment to add programs in Medical Assistant (MA) and Heating Ventilation Air Conditioning (HVAC).

The Commission unanimously voted to approve the application for license renewal to add a Medical Assistant program submitted by SOME Center for Employment for a period of two (2) years, not to exceed January 31, 2019. The Commission also and voted to approve the amendment request to add Heating Ventilation Air Conditioning with the condition that the program not begin until qualified faculty have been hired and notification of such hire is submitted to the Commission no later than April 15, 2017.

### X. Provisional Agent Applications

#### A. Temple University

Temple University submitted an application for provisional agent license seeking to recruit District residents in its programs.

The Commission voted unanimously to approve the application for initial agent licensure to Matthew Schillizzi, AnneMarie Szambelak, and Tiffany Galloway for a period of one (1) year, not to exceed January 31, 2018. The Commission voted to deny the application for agent licensure to Grace Ann Klensin (Grace Hae Yeun Ahn) for the following reasons: failure to submit a background check, failure to submit a current driver's license, and failure to submit current license with proper name.

### XI. Provisional Conditional Exemption Requests

#### A. Temple University

Temple University submitted an application for conditional exemption to provide programs in Law & Public Policy, Doctor of Physical Therapy, Bachelors in Advertising, Communication, Students, Journalism, Media Studies & Productions or Strategic Communication, Master of Social Work, Bachelor of Sport and Recreation Management, Bachelor or Tourism and Hospitality, Master of Sport Business Management, Masters of Tourism and Hospitality Management.

The Commission voted unanimously to approve the conditional exemption application submitted by Temple University under the provisions of DC Official Code § 38-1310 (f) for a period of one (1) year, not to exceed January 31, 2018.

## B. Ultimate Medical Academy

Ultimate Medical Academy submitted an application for conditional exemption to offer online programs in Associate of Science in Information Technology, Associate of Science in Health Sciences- Pharmacy Technician, and Pharmacy Technician Diploma.

The Commission voted unanimously to deny the conditional exemption application submitted by Ultimate Medical Academy under the provisions of DC Official Code § 38-1310 (a) (6). The Commission voted to approve the conditional exemption under the provisions of DC Official Code § 38-1310 (f) limited only to internship/externship components for a period of 1 year not to exceed January 31, 2018 with the condition that a written statement signed by an authorized representative of the institution indicate the desire to revised the original conditional exemption application to be limited in scope to the externships to be satisfied by January 31, 2017.

## XII. Complaints

### A. Complaint #2016-5, Byte Back

The Commission received complaint on July 15, 2016 from Mozella Boyd Johnson alleging that the institution lacks proper computer equipment, has an unacceptable graduation rate, has an incomplete student handbook, and does not have an exam failure policy. An acknowledgment of receipt of the complaint was sent to the complainant on July 18, 2016 and a notice of complaint was sent to the institution on September 6, 2016. The institution submitted a response to the complaint September 16, 2016. The Complainant submitted a reply to the response on December 8, 2016. This is the first complaint received against ByteBack.

The Commission voted unanimously to dismiss as resolved complaint #2016-5.

### B. Complaint #2016-10, Aveda Institute

The Commission received complaint on September 07, 2016 from Marcus Glen alleging that the institution employed unlicensed staff. An acknowledgment of receipt of the complaint was sent to the complainant on September 17, 2016 and a notice of complaint was sent to the institution on November 17, 2016. The HELC attorney advisor reached out to the complainant to set up a witness conference on November 9 and November 17, but the complainant did not respond. The institution submitted a response to the complaint on November 29, 2016. The complainant did not submit a reply to the institution's response. This is the second complaint against Aveda Institute in the past year.

The Commission voted unanimously to dismiss as resolved complaint #2016-10.

### C. Complaint #2016-4, Innovative Institute

The Commission received complaint on July 5, 2016 from Andrea Neal alleging that the institution failed to provide code for student to take required exam. An acknowledgment of



receipt of the complaint was sent to the complainant on September 16, 2016 and a notice of complaint was sent to the institution on November 17, 2016. The institution submitted a response to the complaint on December 5, 2016. The complainant did not submit a reply to the institution's response. Innovative has not been the subject of any other complaints in the past year.

The Commission voted unanimously to dismiss as resolved complaint #2016-4.

#### D. Complaint #2016-9, Prospect College

The Commission received complaint on August 19, 2016 from Dawn Haygood alleging that there were faculty, curriculum and handbook deficiencies.

The Commission voted unanimously to defer action on complaint #2016-9 until the next public session.

### **XIII. Administrative Hearing**

#### A. Prospect College

In April 2016 Technical Learning Center d/b/a Prospect College entered into an Offer of Compromise requiring to the institution to (1) immediately cease and desist offering a high school diploma program; (2) provide the Commission with the list of students who have successfully completed the high school diploma by May 5, 2016; (3) provide diplomas free of charge without the requirement to enroll in the Technical Learning Centers doing business as Prospect Career College postsecondary educational program to all students who have successfully completed the high school degree program and earned a high school diploma provide diplomas free of charge by May 5, 2016; (4) revise the student catalog and student handbook to reflect the transportation reimbursement if they are tardy or absent; (5) revise the student catalog and student handbook to clearly define the term "tardy" as it relates to class attendance and effect on transportation reimbursement. The Offer of Compromise was the outcome of Case #2016-1.

In a newspaper ad published Monday, November 28, 2016 the institution appears to be violating a condition of the Offer of Compromise.

The Commission will take this under advisement and will notify the institution of any sanctions it will impose.

### **XIV. Correspondence and Communications**

#### A. New York Code & Design

The letter received 11/17/16, notifying that the institution will be converting the Incorporation to an LLC. This conversion is being made solely to ease administrative burdens and allow

NYCDA and its parent company, Strayer Education, Inc., to file consolidated tax returns in all states in which it does business.

The institution has been notified that this change will require the submission of an Application for Amendment.

No action is required at this time by the Commission.

#### B. DeVry Education Group

The letter dated 12/15/16, informing that DeVry Education Group and DeVry University has agreed to settle litigation brought by the Federal Trade Commission regarding DeVry University's use of employment statistics in former advertising.

No action is required at this time by the Commission.

#### C. Bennett Career Institute, Inc.

The letter dated 11/30/16, providing notification by the ACICS to the U.S. Secretary of Education, indicating ACICS' decision to appeal the decision by the Senior Department Official (SDO) of the U.S. Department of Education to deny ACICS' continued recognition.

This letter does not specifically address the Commission's request.

No action is required at this time by the Commission.

#### D. US Department of Education (RE: ACICS)

The letter dated 9/1/16, stating The National Advisory Committee on Institutional Quality and Integrity (NACIQI), which advises the Secretary of Education on accreditation matters, voted on June 23, 2016 to send to the Senior Department Official (SDO) of the Department of Education a recommendation to deny recognition to ACICS. On September 22, 2016, the SDO announced its decision to withdraw ACICS's recognition as a nationally-recognized accreditation agency. On October 21, 2016, ACICS submitted its appeal to the Secretary of Education.

In its appeal, ACICS outlined many additional issues of significant concern, supporting its position that ACICS should be given twelve months to come into compliance with the Department's Recognition Criteria;

- The Department of Education did not follow its procedural requirements in revoking ACICS's status as an accreditor.
- The SDO did not take into consideration significant progress made by ACICS since beginning discussions with the Department in early 2016. The SDO did not take into consideration significant progress made by ACICS since beginning discussions with the Department in early 2016.

- The SDO decision-making process regarding ACICS has been in contrast to procedures and legal standards applied to other accrediting agencies.

No action is required at this time by the Commission.

#### E. Commission on Collegiate Nursing Education

The letter dated 11/14/16, from Dr. Jennifer Butlin, Executive Director announcing that on October 26, 2016, Fortis College, Largo, in Largo, Florida, notified CCNE in writing of the closure of its baccalaureate degree program in nursing on June 26, 2016, and of the closure of Fortis College, Largo, on September 25, 2016. CCNE accreditation of this program is withdrawn effective June 27, 2016.

No action is required at this time by the Commission.

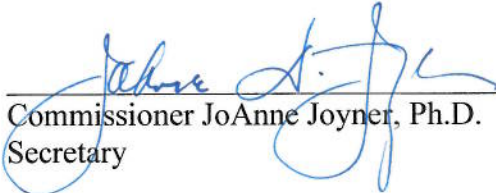
#### **XV. Public Comments**

No public comments.

#### **XVI. Adjournment**

Having no further business, the meeting was adjourned at 2:58 pm.

Respectfully submitted,

  
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Commissioner JoAnne Joyner, Ph.D.  
Secretary