

**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: August 7, 2024, 9:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://nvdetr-org.zoom.us/j/84525576972?pwd=TUNHQWZxSU3cnpDZU83VnhYS0NpZz09>

Meeting ID: 845 2557 6972

Passcode: 797505

One tap mobile
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Meeting ID: 813 4085 0321

Passcode: 611842

Staff Present during Video Conference

Kelly Wuest, CPE Administrator

Maricris Wu, CPE Education Specialist

Susan Beckett, CPE Compliance Investigator I

Kassondra Sott, CPE Administrative Assistant III

Members of the Public, Educational Institutions and Other Agencies Present

Jordan Laub, Nevada Attorney General Office, Deputy Attorney General

Olivia GrafMan

Breaunna Hill

Ryan Hill

Commissioners Present during Video Conference Meeting

Dr. Thomas Kenny, Chair

Sharon Frederick, Vice Chair

Jon Ponder

Dr. Randall Kirner

Jessica Totdman

Kara Abe

STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION
COMMISSION ON POSTSECONDARY EDUCATION
MINUTES

August 7, 2024 – 9:00 AM PDT

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 9:00 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: 845 2557 6972

Passcode: 797505

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Public Comments

Kassondra Scott confirmed no one was physically present in the conference room, on the Zoom meeting, or phone for public comment.

Written Comments

Administrator Wuest confirmed that no written comments were received.

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 Ponder – Present
- Commissioner Kirner – Present
- Commissioner Todtman – Present
- Commissioner Abe – Present
- Commissioner Mikhail – Excused

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

Introduction of New Commissioners

Commissioner Kenny called for introductions to introduce and welcome new commissioners, Commissioner Abe and Commissioner Todtman, to their first quarterly meeting.

Adoption of Agenda:

Motion: Commissioner Kenny – Motion to approve adoption of Agenda for August 7, 2024.
Second: Commissioner Todtman.
Discussion: None.
Results: Unanimous; agenda is adopted.

Approval of May 1, 2024 Meeting Minutes:

Motion: Commissioner Kenny – Motion to approve the minutes for the May 1, 2024 meeting.
Second: Commissioner Kirner.
Discussion: None.
Results: Unanimous, with Commissioner Abe and Commissioner Todtman abstaining; motion carries.

Administrator’s Report

Administrator Wuest gave the Administrator’s Report as submitted, with an update to the quarterly report. The number of student enrollments is 8,647 with 30 institutions unreported.

Adoption of 2025 Meeting Dates:

Motion: Commissioner Kenny – Motion to approve the 2025 quarterly meeting dates as presented by staff: February 5, 2025; May 7, 2025; August 6, 2025; November 5, 2025.
Second: Commissioner Frederick.
Discussion: None.
Results: Unanimous; motion carries.

Applications for Full Term License

Unity Dental

Testified: No representatives from Unity Dental were present. Susan Beckett gave an update on the institution’s progress and noted that there were issues with marketing delays, leading them to request a 6–9-month extension. The institution was initially planning on mirroring their Arizona facility but encountered difficulties with market differences between Nevada and Arizona.
Discussion: None.
Motion: Commissioner Frederick – The provisional license for Unity Dental be extended for an additional nine months.
Second: Commissioner Kirner.
Results: Unanimous; motion carries.

Applications for Initial License

Pretty in Ink Brow Academy

Testified: Co-owners Breanna Hill and Ryan Hill were present for the institution. Ms. Hill detailed her 7 years of experience applying permanent makeup and her desire to help others learn proper technique and procedures at a reasonable cost to establish a career in the field.

Discussion: Commissioner Kenny asked about the school's plan for recruiting students. Ms. Hill explained that a local company reached out to place the institution on their vendor list to gain exposure to potential students, and Mr. Hill's veteran status has them interested in eventually pursuing approval with the veteran education programs.

Commissioner Kenny noted that permanent makeup would benefit from social media marketing due to the visual nature of the field. Ms. Hill stated that Mr. Hill is experienced in SEO and online marketing, and they've already received inquiries.

Commissioner Frederick asked about having students practice on real clients. Ms. Hill stated that there are people interested in being models, under the close supervision of Ms. Hill and Mr. Hill, to enable students to gain the necessary practice and confidence to perform complete permanent makeup procedures. The institution will also rent stations to graduates, to give them additional time to learn while sharing a space with experienced professionals. Commissioner Frederick likened this practice to a hair or nail salon. Ms. Hill agreed, with the exception that the stations would be at affordable rates for new artists business start up.

Commissioner Kenny asked about licensing requirements for permanent makeup graduates. Ms. Hill stated that independent artists in their own facility require a Health Department permit and inspection, but there is no governing body for permanent makeup. Commissioner Kenny expressed surprise. Ms. Hill agreed and noted her hope to one day see stricter regulations in the US, similar to those in Europe.

Commissioner Kenny asked about financials in relation to cash on hand and overhead costs. Ms. Hill described how the business recently expanded from a 900 square foot to 3,000 square foot facility and is also licensed to practice cosmetology, so rent from cosmetologists and lash techs help to keep the salon self-sufficient.

Motion: Commissioner Frederick – A twelve-month provisional license be granted to Pretty in Ink Brow Academy to offer the Deluxe Permanent Makeup Course and 5 Day Brow Course contingent upon facility approval, personnel, fictitious firm name and surety in the amount of \$10,000.

Second: Commissioner Ponder.

Results: Unanimous; motion carries.

Order to Refund

The Learning Center

- Testified: Commissioner Kenny read the Findings of Fact, Conclusions of Law, and Order required to refund students for tuition and fees from the student indemnification account after surety bond funds are received. In summary, students were attending The Learning Center when the school precipitously closed on June 27, 2024. A total of 4 students were impacted by the closure. The institution held surety in the amount of \$46,400 which requires the Commission to submit a claim and Finding of Fact, Conclusions of Law, and Order to collect. There is no anticipated impact on the Student Indemnification Account.
- Discussion: Commissioner Ponder asked for the total amount the students will be refunded from the surety bond. Administrator Wuest stated that amount is currently undetermined, but the total refund for the 4 affected students is less than the bond.
- Motion: Commissioner Kenny – Approve the findings of fact, conclusions of law and order.
- Second: Commissioner Kirner.
- Results: Unanimous; motion carries.

Student Indemnification Claims

Career College of Northern Nevada

- Testified: Commissioner Kenny read Administrator Wuest’s report on CCNN student indemnification claims. 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. At the May 1 meeting, 27 refund claims were approved, totaling \$301,974.38. This claim approval resulted in the Student Indemnification Account balance falling below the required \$250,000 balance in Quarter 3 of 2024. Starting in Quarter 3 (July 1, 2024 – September 30, 2024), CPE will begin collecting the required \$5 per new student fee pursuant to NRS 394.557 to be deposited into the Account for Student Indemnification. This is a fee that can be charged to incoming students by the institution and will remain in place until the account balance reaches a minimum of \$250,000. 11 new refund claims are presented for approval, and claims will be processed as funds become available in the account based on the submission date. CPE anticipates account interest and \$5 new payments will cover the \$37,996.94 by October 2024.
- Discussion: Commissioner Kenny asked about the balance of the indemnification account after the initial claims. Administrator Wuest explained that the account would have approximately \$70,000 remaining, with this new set of claims pushing the balance into negative, but the accrued interest from the last quarter and the additional \$5 enrollment fee will help to replenish funds as claims continue to be paid. CPE is accepting claims until February 7, 2025, so there is potential to receive new claims.

Commissioner Kirner asked about who pays the additional \$5 enrollment fee.

Administrator Wuest explained that institutions can pass that fee onto students or choose to pay it themselves. The process is detailed in the Nevada revised statutes and institutions are given advanced notice of the fee being implemented.

Commissioner Kenny noted that the fees are very low, especially considering the time the fees were legislated. It is worth looking into how to utilize the legislature to raise the student indemnification fee, generate additional income, and bolster the indemnification claim account. Commission Kenny requested the Administrator to research how much tuition costs have increased since the \$250,000 account balance was established and determine a recommended amount.

Administrator Wuest stated she will work with Commissioner Kirner, a former Nevada legislator, to determine the best way to actualize increasing CPE fees and report back at the next Commission meeting.

Motion: Commissioner Kenny – Approve the update to the Career College of Northern Nevada student indemnification claims as presented.

Second: Commissioner Ponder.

Results: Unanimous; motion carries.

Public Comments

Kassondra Scott confirmed no one was physically present, on the Zoom meeting, or on the phone for public comment.

Adjournment

The meeting was adjourned by Commissioner Kenny. Time: 10:00 AM PDT