

**MINUTES OF THE STATE BOARD OF CAREER
COLLEGES AND SCHOOLS BOARD MEETING
NOVEMBER 20, 2019**

PRESIDING: Dr. Jerome Brockway, Board Chairperson

PRESENT: Mr. Dennis Bartels, Board Member
Ms. Andrea Fricks, Board Secretary
Mr. Lloyd Graham, Board Member
Dr. Stephanie McCann, Board Member
Ms. Lynn Mizanin, Board Vice Chairperson

ABSENT: Mr. Srikanth Gaddam, Board Member

STAFF: Mr. John Ware, Executive Director
Ms. Laura Essman, Program Administrator 2
Ms. Christine Gregory, Consultant/Evaluator
Ms. Stephanie Swiger, Assistant Attorney General

ABSENT: Ms. Ruth Myers, Assistant Director
Dr. Steven Puckett, Consultant/Evaluator

GUESTS: Mr. Kent Trofholz, Ohio-Michigan Association of
Career Colleges and Schools
Ms. Allison Jenkins, Cyanna Education Services
Ms. Alexandra Hudson, TDDS Tech
Ms. Dina Rathburn, TDDS Tech
Mr. Robert Henry, The Computer Workshop
Ms. Terri Williams, The Computer Workshop
Mr. Peter Martinello, Fortis College

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**MEETING CALLED
TO ORDER**

**Mr. Jerome Brockway, Chairperson
called the meeting to order at 9:30 a.m.**

ROLL CALL:

**Dr. McCann - Absent
Mr. Gaddam - Absent
Dr. Brockway - Yes
Ms. Mizanin - Yes
Mr. Bartels - Yes
Ms. Fricks - Yes
Mr. Graham - Yes (non-voting member)**

(20-031)Mr. Bartels moved that the Board go into Executive Session at 9:31 a.m. to discuss investigations subject to informal methods of conference and conciliation in accordance with Ohio Revised Code section 3332.091(A)(1).

Ms. Mizanin seconded. 4 Ayes - 0 Nays. Motion carried.

ROLL CALL:

**Dr. McCann - Absent (arrived 9:42 a.m.)
Mr. Gaddam - Absent
Dr. Brockway - Yes
Ms. Mizanin - Yes
Mr. Bartels - Yes
Ms. Fricks - Yes
Mr. Graham - Yes (non-voting member)**

Executive Session ended at 9:49 a.m. Public Session began at 10:01 a.m.

ROLL CALL:

**Dr. McCann - Yes
Mr. Gaddam - Absent
Dr. Brockway - Yes
Ms. Mizanin - Yes
Mr. Bartels - Yes
Ms. Fricks - Yes
Mr. Graham - Yes (non-voting member)**

INTRODUCTION OF GUESTS

(20-032)Dr. Brockway moved for Approval of the Minutes of September 18, 2019.

Ms. Fricks seconded. 5 Ayes - 0 Nays. Motion carried.

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Executive Director Mr. Ware reported on the following:

1. **Director Training:** We held our yearly director training workshop on Friday, November 8th as part of the OMACCS fall workshop and annual meeting. Approximately 40 school directors attended the director training workshop. In addition, we have launched our new online director training course that has been incorporated into the new school application. Going forward, new schools will be required to take the online director training as part of the initial school approval process.
2. **Federal Rule Update:** On Friday, November 1st, the US Department of Education published its final state authorization for distance education regulations in the Federal Register. The regulations are slated to take effect on July 1, 2020. The new rule maintains the requirement that institutions obtain any required out-of-state authorizations for distance education programs as a condition of eligibility to offer federal student aid to students located in such states.

The new rule also created a number of new consumer disclosure requirements, particularly around programs that prepare students for professional licensure. More specifically, institutions offering programs that are designed to meet educational requirement for a specific vocational license or certification that is required for employment in an occupation must inform both prospective and currently enrolled student of the specific states in where institution has determined its curriculum meets the state educational requirements for licensure or certification. The rule requires institutions to make the required professional licensure disclosures "readily available." An institution satisfies this requirement by publishing the required disclosures in their catalogs or on their website. This professional licensure disclosure requirement applies to all schools and programs, regardless of mode of delivery. The final rule also requires institutions to make several other student disclosures and I would encourage all schools that participate in federal financial aid programs to review the rule and its new requirements.

3. **Board Update:** Dick Brubaker, who served as a consultant for the Board for the past 15 years passed away in mid-October. Prior to joining the Board, Dick had a distinguished career in the Air Force serving as a pilot for over 20 years and was awarded the bronze star for his service during the Vietnam war. After retiring from the military, Dick went on to earn two (2) masters degrees and a doctorate in public administration and worked as an air force contractor, flight instructor, and as an adjunct faculty member at several universities. Dick's contributions to this Board and Ohio's career colleges and schools will be missed.

Executive Director Mr. Ware reported on the 1st Quarter Financial Report (see attached).

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Program Administrator 2 Ms. Essman reported on the following Compliance items:

Since the September 18, 2019 meeting, we have opened nine (9) new cases.
Since the September 18, 2019 meeting, we have closed seven (7) total cases.

Below is a summary of investigative activity for FY19:

<u>Total Number of Cases</u>	<u>Open/Active Cases</u>	<u>#Open 30 days/more</u>	<u>Closed Cases</u>
49	0	2	47

Below is a summary of investigative activity for FY20:

<u>Total Number of Cases</u>	<u>Open/Active Cases</u>	<u>#Open 30 days/more</u>	<u>Closed Cases</u>
21	8	5	13

PUBLIC COMMENT

There was no Public Comment.

OLD BUSINESS

Executive Director Mr. Ware reported on the Administrative Rule Review Update.

(20-033)Mr. Bartels moved for Approval of the following New Certificate(s) of Registration and Program Authorization(s):

- A. National Center for Urban Solutions, Tec - NEW SCHOOL
3405 Market Street
Youngstown, OH 44507
Consultant: Ms. Gregory
APPROVAL TO NOVEMBER 2020

Certificates in:

- Comptia A+
- Fanuc Handling Tool Operations and Programming
- Microsoft Office Specialist 2016

(anticipated start date: 1/6/20)

Ms. Fricks seconded. 5 Ayes - 0 Nays. Motion carried.

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(20-034)Ms. Mizanin moved for Approval of the following New Certificate(s) of Registration and Program Authorization(s):

- B. The Medical Institute of Kentucky- NEW SCHOOL
2720 Old Rosebud Road, Suite 230
Lexington, KY 40509
Consultant: Out-of-State
**KY APPROVAL RECEIVED
APPROVAL TO NOVEMBER 2020**

Certificates in:

Business Administration
Clinical Medical Assistant
Dental Assistant
Electronic Health Records
Medical Administrative Assistant
Medical Administrative Assistant with Billing and Coding
Medical Administrative Assistant with Billing Coding and Electronic Health
Records
Medical Administrative Assistant with Business Administrative Medical
Administrative Assistant with Electronic Health Records
Pharmacy Technician
Phlebotomy Technician
(anticipated start date: 11/21/19)

Ms. Fricks seconded. 5 Ayes - 0 Nays. Motion carried.

(20-035)Mr. Bartels moved for Approval of the following New Learning Center(s):

- A. Ohio Business College - LEARNING CENTER
41789 North Ridge Road
Elyria, OH 44035
Consultant: Ms. Gregory
APPROVAL TO NOVEMBER 2021

Ohio Business College - MAIN CAMPUS
5095 Waterford Road
Sheffield Village, OH 44035

COURSES:

Selected courses from all currently approved programs

Ms. Fricks seconded. 5 Ayes - 0 Nays. Motion carried.

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(20-036)Ms. Mizanin moved for Approval of the following New Learning Center(s):

- B. The North Coast College - LEARNING CENTER
1360 W. Mall Dr.
Cleveland, OH 44114
Consultant: Ms. Gregory
APPROVAL TO MAY 2020

The North Coast College - MAIN CAMPUS
11724 Detroit Ave.
Lakewood, OH 44107-3002

COURSES:

Selected courses from all currently approved programs

Mr. Bartels seconded. 5 Ayes - 0 Nays. Motion carried.

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(20-037)Dr. McCann moved for Approval of the following Renewal Certificate(s) of Registration:

NAME OF SCHOOL	ACCRED	PROGRAM(S)	CONSULTANT
ABC Bartending School (Columbus)		Bartending/Mixology - Certificate	Puckett
American Institute of Health (Gahanna)		STNA - Certificate	Puckett
Center for Medical Services (Cincinnati)		Home Health Care Technician - Certificate Phlebotomy - Certificate	Staff - Ware
Columbus Bartending School (Columbus) PENDING RESOLUTION OF STAFF CONCERNS		Bartending/Mixology - Certificate	Puckett
Cosmetic Therapy Training Center (Columbus)		Cosmetic Therapy & Laser - Certificate	Puckett
Dental Assistant Pro LLC (Lebanon)		Dental Assisting - Certificate	Puckett
EDWINS Leadership and Restaurant Institute (Cleveland) LEARNING CENTER (13024 Buckeye Road, Cleveland OH 44120)		Culinary & Hospitality - Diploma Selected courses from all currently approved programs	Gregory
Elite Welding Academy (Cincinnati)		Structural and Pipe Welding - Certificate	Puckett

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NAME OF SCHOOL	ACCRED	PROGRAM(S)	CONSULTANT
ETI Technical College of Niles (Niles)	ACCSC	AAB in Business AAB in Business with Major in: Accounting AAB in Business with Major in: Information Systems AAB in Business with Major in: Human Resources AAB with Major in: Legal Secretary AAS in Medical Assistant AAB in Legal Assistant AAB in Legal Assistant with Major in: Criminal Corrections AAS in Nursing Business - Diploma Chemical Dependency Counselor Assistant Preliminary (PHASE I) - Certificate Combination Welding and Fitting - Diploma Digital Marketing Specialist - Certificate Electrocardiograph (EKG) Technician - Certificate Electronic Health Record - Certificate Facilities Maintenance Technician - Diploma Medical Assistant - Diploma Network Academy Network Associate - Certificate Phlebotomy - Certificate Practical Nursing - Diploma Real Estate Pre-Licensing - Certificate Small Engine Repair - Certificate State Tested Nurse Aide - Certificate UAV Drone - Certificate	Gregory

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NAME OF SCHOOL	ACCRED	PROGRAM(S)	CONSULTANT
Fortis College (Cincinnati)	ABHES	Dental Assisting - Diploma Heating, Ventilation, Air Conditioning, and Refrigeration - Diploma Medical Assisting - Diploma Nursing - AAS Practical Nursing - Diploma Welding Technician - Diploma	Staff - Ware
Global Tech College (Toledo)	ACCET	Business Management - AAB Business Management - Diploma Computer Science - AAS Computer Science - Diploma Information Systems Management - AAS Network Administration - AAS	Staff - Essman
Hamrick School (Medina)	ACCSC	160 Hour Class B Training Program - Certificate 600 Master Truck Driver Training Program - Certificate Advanced Truck Driver Training Program - Certificate	Gregory
Lakewood College (Cleveland Hts.)	DEAC	Administrative Medical Assistant - Diploma Criminal Justice - Diploma Mediation Certificate Program - Certificate Medical Billing - Certificate Medical Coding - Certificate Paralegal and Legal Assistant Training Program - Diploma Pharmacy Technician - Certificate	Gregory

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NAME OF SCHOOL	ACCRED	PROGRAM(S)	CONSULTANT
NASCAR Technical Institute (NC)	ACCSC	Automotive Technology & NASCAR Engines I & II - Diploma Automotive Technology & NASCAR Engines I & II + FACT - Diploma Automotive Technology & NASCAR Engines I & II + Mopar TEC - Diploma Automotive Technology & NASCAR Engines I & II + NAIT - Diploma Automotive Technology & NASCAR + FACT + Pit Crew - Diploma Automotive Technology & NASCAR + Mopar TEC + Pit Crew - Diploma Automotive Technology & NASCAR + NAIT - Diploma Automotive Technology & NASCAR + Pit Crew - Diploma CNC Machining Technology - Diploma	Out-of-State
Oak Leaf Dental Technology Center LLC (Worthington)		Basic Education in Dental Technology - Certificate	Puckett
Ohio Business College (Sandusky)	COE	Accounting and Business Management - AAB Administrative Office Professional - AAB Business Administration Specialist - Diploma Business Administration with Concentration in: Accounting - AAB Business Administration with Concentration in: Marketing and Tourism - AAB Computer Support Specialist - Diploma Electrician - Diploma Event Planning and Tourism - Diploma Information Systems/Network Security Support - AAB Legal Secretary - Diploma Medical Assisting - Diploma Medical Office Specialist - Diploma Office Administration - AAB Real Estate - Certificate	Gregory

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NAME OF SCHOOL	ACCRED	PROGRAM(S)	CONSULTANT
Ohio Business College (Sheffield Village)	ACICS	Accounting and Business Management - AAB Administrative Office Professional - AAB Business Administration Specialist - Diploma Business Administration with a Concentration in: Marketing and Sales - AAB Business Administration with Concentration in: Accounting - AAB Business Administration with Concentration in: Human Resource Management - AAB Computer Support Specialist - Diploma Electrician - Diploma Heating, Ventilation, Air Conditioning, and Refrigeration (HVAC/R) - Diploma Information Systems/Network Security Support - AAB Legal Secretary - Diploma Marketing and Business Management - AAB Medical Assisting - Diploma Medical Office Specialist - Diploma Office Administration - AAB Office Administration - Diploma Residential Inspection - Certificate	Gregory
LEARNING CENTER (5075 Pearl Ave, Lorain, OH 44055)		Selected courses from all currently approved programs	

Ms. Fricks seconded.

5 Ayes - 0 Nays.

Motion carried.

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(20-038)Ms. Mizanin moved for Approval of the following New Programs (Degrees/Diplomas/Certificates):

School/City	Program Name/Level	Anticipated Start Date
Bilfinger Westcon Craft Academy (Canton)	Heavy Equipment I - Certificate	12/9/2019
Felbry College (Columbus)	AAS One + One Nursing (Track of the AAS Program)	1/6/2020
1 st Choice Career Center (Garfield Heights)	Nurse Aide Training Program - Certificate	11/21/2019
Great Lakes Truck Driving School (Columbia Station)	Heavy Equipment Training Program - Certificate	11/21/2019
Larock Healthcare Academy (Canton)	Medical Assistant - Certificate	11/21/2019
Larock Healthcare Academy (Columbus)	Medical Assistant - Certificate	11/21/2019
Larock Healthcare Academy (Parma Heights)	Medical Assistant - Certificate	11/21/2019
Lincoln Electric Welding School (Cleveland)	16-Week Comprehensive Program - Certificate	2/3/2020
Matrix Trade Institute (Beachwood)	Collision Repair & Refinish Efficiency - Certificate	1/30/2020
PENDING RECEIPT AND APPROVAL OF LEARNING CENTER		
MAX Technical Training (Mason)	Microsoft Job Role Based Certifications - Certificate	12/1/2019
Universal Technical Institute (TX)	Welding Technology - Diploma	4/6/2020

Dr. McCann seconded. 5 Ayes - 0 Nays. Motion carried.

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No representative for the State Approving Agency for Veterans Training.

Mr. Kent Trofholz reported for the Ohio-Michigan Association of Career Colleges and Schools.

Public Hearing - Administrative Rules

OPENING STATEMENT: RULES HEARING

CHAIR: Good morning. My name is Jerome Brockway, Chair of the State Board of Career Colleges and Schools. For incorporation into the record, I would request that Ms. Essman call the roll.

ROLL CALL:

Dr. McCann - Yes

Mr. Gaddam - Absent

Dr. Brockway - Yes

Ms. Mizanin - Yes

Mr. Bartels - Yes

Ms. Fricks - Yes

Mr. Graham - Yes (non-voting member)

CHAIR: The Chair finds that six of the seven members answered the roll call; therefore, there is the necessary quorum. Let the record show that this rules hearing is called to order at 10:26 a.m. on November 20, 2019, in Room 2925, 30 East Broad Street, Columbus, Ohio 43215.

This hearing is conducted pursuant to Chapters 119 of the Ohio Revised Code for the purpose of amending eight (8) rules of the State Board Career Colleges and Schools. Pursuant to Section 119.03(C) of the Ohio Revised Code, any person affected by the proposed action of the Board may appear and be heard and may present evidence in support or in opposition to the proposed rule change. The Board will rule on the admissibility of evidence. Proffers of evidence may be accepted.

During the hearing, the testimony and offers of evidence shall be recorded by electronic means. The Board may administer oaths or affirmations.

To present the introductory exhibits I would like to present our representative from the office of the Attorney General, Ms. Stephanie Swiger. Ms. Swiger, please enter for the record the identification of certain exhibits that establish compliance with Chapter 119 of the Ohio Revised Code.

ASST. ATTORNEY GENERAL: Thank you, Dr. Brockway. I am presenting to the Board Exhibits 1 thru 13. These exhibits include copies of the public hearing notice and the administrative rule change filed with JCARR and the Governor's office of the Common Sense Initiative. I would ask that the Board admit these exhibits at the end of the hearing.

CHAIR: Thank you. At this time, the Chair would like to call upon the Executive Director to identify the exhibits and provide testimony on the proposed rule change.

(Witness sworn in by Board Chair.)

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EXECUTIVE DIRECTOR: Dr. Brockway and members of the Board, I will identify the exhibits first and then give a brief synopsis of the rules process. State Exhibit 1 is a copy of the Public Hearing Notice identifying the hearing today, November 20, 2019. State Exhibit 2 is a memo from the last Board Meeting in regards to the rules being reviewed for this administrative rule review session. We were reviewing eleven (11) rules but three (3) of those rules were no change rules. So those rules aren't really part of this hearing; we are just discussing the rules that we have evidence on. State Exhibit 3 is a copy of the CSI Business Impact Analysis that was files with CSI on May 15, 2019. State Exhibit 4 is a copy of CSI recommendations that was received August 20, 2019. State Exhibit 5 is a copy of the response to CSI recommendations that was sent on September 4, 2019. State Exhibit 6 is a copy of the rule changes for Administrative Rule 3332-1-04. State Exhibit 7 is a copy of the rule changes for Administrative Rule 3332-1-08. State Exhibit 8 is a copy of the rule changes for Administrative Rule 3332-1-12. State Exhibit 9 is a copy of the rule changes for Administrative Rule 3332-1-16. State Exhibit 10 is a copy of the rule changes for Administrative Rule 3332-1-17. State Exhibit 11 is a copy of the rule changes for Administrative Rule 3332-1-17.1. State Exhibit 12 is a copy of the rule changes for Administrative Rule 3332-1-17.2. State Exhibit 13 is a copy of the rule changes for Administrative Rule 3332-1-25. Those are the exhibits. Just to summarize the rule change process and what led us here today, we initially started this process back in September of 2018. The Board formed a committee to review the rules and make recommended changes to the rules. Those recommended changes have gotten through the process, have been before this Board twice and have been posted on our website since last January. They have also gone through the CSI process and now we are at the Hearing. Any questions from the Board? (No questions from the Board). That would conclude my testimony.

CHAIR: Today we will entertain testimony either orally or in writing for or against the rules that are under consideration. We are requesting that all testimony be limited to no more than five minutes. If additional time is needed, we will consider a reasonable extension.

If you have written testimony, it is important that you provide a copy to the Board so that the testimony will be a part of the record; and if you wish, in the interest of time, you may just submit the written testimony without reading it into the record.

When you are called, please come forward, be sworn in, state any organization you represent here today, and present your testimony.

Do we have anyone here today who will be giving testimony? (There was no written or oral testimony). The only question we received was during the CSI process. A school had brought some attention to some language for Administrative Rule 3332-1-16 and suggested that we clarify that. We talked about this at the last Board Meeting. So we tweaked that language so that it was clear of what we were trying to get at in Rule 16. That's the only comment we received through this entire process.

CONCLUSION

CHAIR: Are there any other comments or statements by anyone at this particular hearing? (No additional comments or statement).

At this time, Ms. Swiger, would you like to move for introduction of the exhibits?

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ASST. ATTORNEY GENERAL: Thank you, Dr. Brockway. I formally move that Board Exhibits marked 1 thru 13 be admitted to the record.

CHAIR: Are there any objections to the exhibits being admitted?

CHAIR: Hearing no objections, the exhibits are admitted.

CHAIR: If there is no other testimony or exhibits, I declare this public hearing closed. We wish to thank all of you for your participation in our hearing today. I will now entertain a motion for approval of the rules under review including any recommended changes.

(20-039)Mr. Bartels moved that the Board approved the rules under review including any recommended changes.

Ms. Fricks seconded. 5 Ayes - 0 Nays. Motion carried.

Executive Director Mr. John Ware made one final comment. These rules are still subject to JCARR jurisdiction. We will have to appear on the JCARR agenda. Once that process is concluded, assuming that we don't have any issues, we will bring these rules back to the Board one final time so that the Board can issue a final approval and set an implementation date. So that will happen at our January 2020 Board Meeting. Once that process is completed, we will set an effective date for those rules and then we will notify the schools.

- Dr. McCann - Yes**
- Mr. Gaddam - Absent**
- Dr. Brockway - Yes**
- Ms. Mizanin - Yes**
- Mr. Bartels - Yes**
- Ms. Fricks - Yes**
- Mr. Graham - Yes (non-voting member)**

(20-040)Ms. Mizanin moved that the Board adjourn at 10:35 a.m.

Ms. Fricks seconded. 5 Ayes - 0 Nays. Motion carried.

Respectfully Submitted,

Chairperson or Vice Chairperson

Board Secretary