

STATE BOARD OF COMMUNITY COLLEGES
Refusal to Recommend Initial Proprietary School Licensure

The State Board of Proprietary Schools submits this Refusal to Recommend Proprietary License Renewal to the State Board of Community Colleges, pursuant to Article III, Chapter 150B of the North Carolina General Statutes, and 2B SBCCC Subchapter 100.

Proprietary School: Center for Montessori Teacher Education/North Carolina
12340 Mt. Holly-Huntersville Road
Huntersville, NC 28078

School Administrator: Tiffeny Adams

A copy of this document as compiled has been presented to the following:

1. Chair of the North Carolina State Board of Proprietary Schools
2. NCCCS Executive Vice President
3. NCCCS General Counsel
4. NCCCS Director of Marketing and Public Affairs

A copy of this document as compiled has been presented to the Chief Administrator of the proprietary school at issue within five (5) business days of the license renewal recommendation of the State Board of Proprietary Schools via email and U.S. Mail.

Submitted this 9th day of May, 2018



Scott Corl, Executive Director
Office of Proprietary Schools

REFUSAL TO RECOMMEND PROPRIETARY LICENSE RENEWAL

The State Board of Proprietary Schools submits this Refusal to Recommend Proprietary License Renewal to the State Board of Community Colleges, pursuant to Article III, Chapter 150B of the North Carolina General Statutes, and 2B SBCCC Subchapter 100.

I. Statutory Authority

Under Article 8, Chapter 115D of the North Carolina General Statutes, the State Board of Community Colleges ("SBCC") licenses proprietary schools upon the recommendation of the State Board of Proprietary Schools ("SBPS").

In accordance with N.C.G.S. §115D-93, refusal to renew a proprietary license shall be made in accordance with Chapter 150B of the General Statutes. The State Board of Community Colleges Code provides due process through 2B SBCCC Subchapter 100.

II. School, License Renewal Process, and Unpaid Fees

Center for Montessori Teacher Education/North Carolina was approved for initial proprietary school licensing in 2014. The current owners purchased the school in June 2017. The new owners were granted a 90-day temporary license in accordance with N.C.G.S. §115D-91(d), before issuance of a full license authorizing the school to operate from August 18, 2017 through June 30, 2018. The school is currently licensed to offer four (4) programs: Infant/Toddler (786 clock hours); Early Childhood (846.5 clock hours); Elementary I (1450 clock hours); and Elementary I-II (1632.5 clock hours).

In accordance with N.C.G.S. §115D-91, Center for Montessori Teacher Education/NC was required to file a renewal application to be considered for proprietary licensing effective July 1, 2018 – June 30, 2019. The statute required the school to file an application in the form and manner prescribed by the State Board, acting by and through the State Board of Proprietary Schools. Pursuant to 2A SBCCC 300.2, the school was required to submit an application on or before March 15, 2018. License renewal applications postmarked after March 15th are assessed a \$500 late fee (2A SBCCC 300.6).

The July 1, 2018 – June 30, 2019 renewal application was posted on the Office of Proprietary School's website on or about January 22, 2018 with the heading: "2018-19 License Renewal Application (MUST BE POSTMARKED BY MARCH 15, 2018)." (<http://www.nccommunitycolleges.edu/proprietary-schools>). The application required schools to pay: 1) a licensing fee of \$1,700 plus \$50 per program submitted for renewal; and 2) a Student Protection Fund Assessment pursuant to the statutory formula in N.C.G.S. §115D-95.1(e). The application also contained a checklist and detailed instructions that both specifically stated, "**Submit ONLY a certified check or money order, made payable to the North Carolina State Treasurer**" for each payment owed.

After failing to receive Center for Montessori's renewal application, the Office of Proprietary Schools ("OPS") left a detailed voicemail message on what is believed to be the personal cell phone of school owner/Director Tiffeny Adams ("Adams") on March 28, 2018. On April 5th, OPS contacted all schools who failed to submit a renewal

application by email (including Center for Montessori), requesting that they confirm nonrenewal. An additional email was sent to the school on April 9th, with Adams responding: "I have put all of our documents in the mail, you should receive them by Wednesday morning. We are submitting for renewal. I apologize for the delay, I have had a family emergency."

On April 12th OPS received Center for Montessori's renewal application. According to the information provided in the application, the school owed a license fee of \$1,900 and a Student Protection Fund Assessment of \$[REDACTED]. Because the application was postmarked after the March 15th deadline, it was subject to the \$500 late fee. The application OPS received did not include any financial payments. On April 13th, OPS contacted Adams regarding the lack of payments and requested some additional documentation to complete the application. Thereafter, Adams submitted personal checks for the license fee and Student Protection Fund Assessment—the required \$500 late fee was not received. OPS immediately advised the school that personal checks were not acceptable and requested appropriate replacement checks per the instructions in the application. On April 25th, OPS contacted Adams via phone and email: "Just wanted to check in regarding the renewal revisions and the replacement checks. The Board meets next Friday." On May 2nd, Adams responded: "Yes, I did get your voicemail-I am sorry about the checks, I totally forgot that they needed to be certified checks. The problem is we are out of the country until May 15th. I understand that this is my mistake, please let me know what we will need to do from this point forward." OPS responded: "Unless you can get the replacement checks to me today (May 2nd), we will have to move forward and present your renewal application to the Board as incomplete because you have not paid the fees."

III. Rationale for SBPS' Refusal to Recommend Renewal of Center for Montessori Teacher Education/North Carolina's Proprietary License

In accordance with N.C.G.S. §115D-91(b), proprietary licenses are renewable if all of the following conditions are met:

(1) An application for the renewal of the license has been filed in the form and manner prescribed by the State Board, acting by and through the State Board of Proprietary Schools.

(2) The renewal fee has been paid.

(3) The school and its courses, facilities, faculty and all other operations are found to meet the criteria set forth in the requirements for a school to secure an original license.

In accordance with N.C.G.S. §115D-93(c), the State Board of Community Colleges, acting by and through the State Board of Proprietary Schools, shall have the power to refuse to issue or renew a license if it finds that the applicant for or holder of a license has failed to pay assessments into the Student Protection Fund [115D-93(c)(11)]. N.C.G.S. §115D-95.1(h) further provides: "The full and timely payment into the Fund pursuant to this section is a condition of licensure."

2A SBCCC 300.6 (North Carolina Proprietary School Fee Schedule) mandates: "Any license renewal application postmarked after March 15th shall be assessed a \$500 late fee."

On May 4, 2018 the State Board of Proprietary Schools met to consider renewal applications for the July 1, 2018 – June 30, 2019 licensing year. During consideration of Center for Montessori's application, the Board found:

1. The application failed to meet the licensing requirements mandated in N.C.G.S. §115D-91(b) because it was not filed in the form and manner prescribed by the State Board, acting by and through the State Board of Proprietary Schools, and because the renewal fee was not paid in a timely, appropriate, and acceptable manner.
2. Refusal to renew the school's license was appropriate under N.C.G.S. §115D-93 because the school failed to pay the required Student Protection Fund Assessment in a timely, appropriate, and acceptable manner.
3. The mandatory \$500 late fee required by 2A SBCCC 300.6 was not received or otherwise paid.

Based on the above, the State Board of Proprietary Schools voted to refuse to recommend license renewal of Center for Montessori Teacher Education/North Carolina for the July 1, 2018 – June 30, 2019 licensing year.

IV. Notice of Right to Provide Written Response:

You (or another authorized agent of the school) have the right to provide a written response within ten (10) business days of receiving this Notice. The response must be signed and directed to the Executive Director of the Office of Proprietary Schools on behalf of the State Board of Proprietary Schools:

Scott Corl, Office of Proprietary Schools
North Carolina Community College System Office
5001 Mail Service Center
Raleigh, NC 27699-5001

Center for Montessori Teacher Education North Carolina

11242 Heritage Green Dr. Cornelius, NC 28031
(704) 728-6873

Director:
India Adams

www.teachmontessori.org

Infant and Toddler
Early Childhood
Elementary I, I - II

Administrator:
Tiffeny French- Adams

May 20, 2018

Mr. Corl,

We have received the Refusal to Recommend Proprietary License Renewal Notice. CMTE/NC is providing a written response to the necessary parties to state that CMTE/NC does indeed want to take all the necessary steps to meet the requirements for Proprietary License Renewal. It was my error sending the required payments in the form of personal check, my father had passed away and arrangements were being made during this time.

I have spoken with Scott Corl and Rasheeda McCormick regarding this issue, and was advised to provide the written response and to wait for the decision to send the required certified checks into NCCCS.

We apologize to the oversight on our part, and assure all parties that this will not occur again. CMTE/NC is committed to meeting all requirements necessary to renew and maintain the Proprietary School License.

Respectfully,

Tiffeny French-Adams
Administrator

[Redacted signature block]

North Carolina

REFUSAL TO RECOMMEND PROPRIETARY LICENSE RENEWAL

The State Board of Proprietary Schools submits this Refusal to Recommend Proprietary License Renewal to the State Board of Community Colleges, pursuant to Article III, Chapter 150B of the North Carolina General Statutes, and 2B SBCCC Subchapter 100.

Proprietary School: Umanah Healthcare Institute -Charlotte
5801 Executive Center Drive, Suite 103
Charlotte, NC 28212

School Administrator: Patricia Umanah

A copy of this document as compiled has been presented to the following:

1. Chair of the North Carolina State Board of Proprietary Schools
2. NCCCS Executive Vice President
3. NCCCS General Counsel
4. NCCCS Director of Marketing and Public Affairs

A copy of this document as compiled has been presented to the Chief Administrator of the proprietary school at issue within five (5) business days of the license renewal recommendation of the State Board of Proprietary Schools via email and U.S. Mail.

Submitted this 9th day of May, 2018



Scott Corl, Executive Director
Office of Proprietary Schools

REFUSAL TO RECOMMEND PROPRIETARY LICENSE RENEWAL

The State Board of Proprietary Schools submits this Refusal to Recommend Proprietary License Renewal to the State Board of Community Colleges, pursuant to Article III, Chapter 150B of the North Carolina General Statutes, and 2B SBCCC Subchapter 100.

I. Statutory Authority

Under Article 8, Chapter 115D of the North Carolina General Statutes, the State Board of Community Colleges ("SBCC") licenses proprietary schools upon the recommendation of the State Board of Proprietary Schools ("SBPS").

In accordance with N.C.G.S. 115D-93, refusal to renew a proprietary license shall be made in accordance with Chapter 150B of the General Statutes. The State Board of Community Colleges Code provides due process through 2B SBCCC Subchapter 100.

II. School, DHHS Program Withdrawal, Office of Proprietary Schools Investigation, and License Renewal Process

The Charlotte campus of Umanah Healthcare Institute was approved for initial proprietary school licensing in 2010, and is approved to offer five (5) programs: Nurse Aide I, measured at 112 clock hours; Nurse Aide II (160 clock hours); Phlebotomy (280 clock hours); Pharmacy Technician (270 clock hours); and Medication Aide (24 clock hours). Licensing for the Nurse Aide I program (and all other Nurse Aide I programs offered at proprietary schools) was contingent upon approval of the program by the North Carolina Department of Health and Human Services ("DHHS").

On April 5, 2018 DHHS formally noticed the school, the North Carolina Board of Nursing, and the Office of Proprietary Schools ("OPS") that it was immediately withdrawing approval to offer Nurse Aide I training at all Umanah Healthcare Institute campuses (Charlotte, Gastonia, and Monroe). An investigation report attached to the notice identified ten (10) violations of federal and/or state guidelines (See attached Documentation of Noncompliance and Notice of Investigation). On April 6th, OPS advised school owner/Director Patricia Umanah ("Umanah") to immediately cease Nurse Aide I enrollment and instruction at the schools. On April 18th, OPS initiated a formal investigation into all three Umanah Healthcare Institute campuses.

In accordance with N.C.G.S. §115-91, Umanah Healthcare Institute -Charlotte was required to file a renewal application to be considered for proprietary licensing effective July 1, 2018 – June 30, 2019. The school filed a timely renewal application requesting relicensing of all programs (including Nurse Aide I) and paid all required fees.

III. Rationale for SBPS' Refusal to Recommend Renewal of Umanah Healthcare Institute-Charlotte's Proprietary License

In accordance with N.C.G.S. §115D-91(b), proprietary licenses are renewable if all of the following conditions are met:

(1) An application for the renewal of the license has been filed in the form and manner prescribed by the State Board, acting by and through the State Board of Proprietary Schools.

(2) The renewal fee has been paid.

(3) The school and its courses, facilities, faculty and all other operations are found to meet the criteria set forth in the requirements for a school to secure an original license.

Pursuant to N.C.G.S. §115D-90(c), a proprietary school license shall be granted to the applicant when it is shown (among other things) to the satisfaction of the State Board, acting by and through the State Board of Proprietary Schools, that:

- The courses, curriculum and instruction are consistent in quality, content and length with similar courses in public schools and other private schools in the State, with recognized accepted standards. [N.C.G.S. §115D-90(c)(1)]; and
- The school complies with all local, city, county, municipal, State and federal regulations. [N.C.G.S. §115D-90(c)(8)]

N.C.G.S. §115D-93(c) provides that the State Board, acting by and through the State Board of Proprietary Schools, shall have the power to refuse to issue or renew a proprietary license if it finds one or more of the following:

- That the applicant for or holder of such a license has violated any of the provisions of this Article or any of the rules promulgated thereunder.
- That the applicant for or holder of such a license has knowingly presented to the State Board of Community Colleges false or misleading information relating to approval or license.
- That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative, supervisory or teaching staff.

On May 4, 2018 the State Board of Proprietary Schools met to consider renewal applications for the July 1, 2018 – June 30, 2019 licensing year. During consideration of Umanah Healthcare Institute-Charlotte's application, the Board found:

1. The application failed to meet the licensing requirements mandated in N.C.G.S. 115D-91(b) because it did not meet the criteria set forth in the requirements for a school to secure an original license:
 - a. The application failed to meet the requirements in N.C.G.S. §115D-90(c)(1), specifically as it relates to Nurse Aide I. Nurse Aide I programs offered in North Carolina are required to be approved by DHHS. Nurse Aide I programs offered at proprietary schools are contingent upon continued approval by DHHS. DHHS withdrew the school's Nurse Aide I program approval effective April 5, 2018. The Nurse Aide I program at Umanah Healthcare Institute-Charlotte is therefore not consistent in

quality, content and length with similar courses in public schools and other private schools in the State, with recognized accepted standards.

- b. The applicant failed to meet the requirements in N.C.G.S. §115D-90(c)(8). The attached DHHS notice and investigative report identified ten (10) violations of federal and/or state regulations. Due to the nature and severity of the violations, DHHS immediately withdrew approval to offer Nurse Aide I training at all three Umanah Healthcare Institute campuses and forwarded their findings to the North Carolina Board of Nursing (owner/Director Patricia Umanah is a registered nurse).
2. The OPS Documentation of Noncompliance and Notice of Investigation issued to the school on April 18, 2018, attached and incorporated herein by reference, presents the following allegations for investigation:
 - School administrator Patricia Umanah may have violated N.C.G.S. § 115D-90(c)(12), by not maintaining good reputation and character.
 - Umanah Healthcare Institute may be in violation of §115D-93(c)(9), by failing to provide and maintain adequate standards of instruction.
 - Umanah Healthcare Institute may be in violation of 2A SBCCC 400.11(a)(2) by not maintaining current, complete, and accurate records showing student progress and attendance.
 - Umanah Healthcare Institute may be in violation of §115D-93(c)(9), by failing to maintain an adequate and qualified teaching staff.
 - School administrator Patricia Umanah may be in violation of §115D-93(c)(2), by knowingly presenting false or misleading information relating to approval or license.

Based on the above, the State Board of Proprietary Schools voted to refuse to recommend license renewal of Umanah Healthcare Institute-Charlotte for the July 1, 2018 – June 30, 2019 licensing year. The State Board of Proprietary Schools anticipates calling a special meeting to review OPS' findings after its investigation concludes. But regardless of that outcome, the school's Nurse Aide I program cannot be found to be consistent in quality, content and length with similar courses in public schools and other private schools in the State. The school also failed to comply with federal and/or state regulations as identified in the attached DHHS investigative report.

IV. Notice of Right to Provide Written Response:

You (or another authorized agent of the school) have the right to provide a written response within ten (10) business days of receiving this Notice. The response must be signed and directed to the Executive Director of the Office of Proprietary Schools on behalf of the State Board of Proprietary Schools:

Scott Corl, Office of Proprietary Schools
 North Carolina Community College System Office
 5001 Mail Service Center
 Raleigh, NC 27699-5001

REFUSAL TO RECOMMEND PROPRIETARY LICENSE RENEWAL

The State Board of Proprietary Schools submits this Refusal to Recommend Proprietary License Renewal to the State Board of Community Colleges, pursuant to Article III, Chapter 150B of the North Carolina General Statutes, and 2B SBCCC Subchapter 100.

Proprietary School: Umanah Healthcare Institute - Monroe
607 East Windsor Street
Monroe, NC 28112

School Administrator: Patricia Umanah

A copy of this document as compiled has been presented to the following:

1. Chair of the North Carolina State Board of Proprietary Schools
2. NCCCS Executive Vice President
3. NCCCS General Counsel
4. NCCCS Director of Marketing and Public Affairs

A copy of this document as compiled has been presented to the Chief Administrator of the proprietary school at issue within five (5) business days of the license renewal recommendation of the State Board of Proprietary Schools via email and U.S. Mail.

Submitted this 9th day of May, 2018



Scott Corl, Executive Director
Office of Proprietary Schools

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I. Statutory Authority

Under Article 8, Chapter 115D of the North Carolina General Statutes, the State Board of Community Colleges ("SBCC") licenses proprietary schools upon the recommendation of the State Board of Proprietary Schools ("SBPS").

In accordance with N.C.G.S. §115D-93, refusal to renew a proprietary license shall be made in accordance with Chapter 150B of the General Statutes. The State Board of Community Colleges Code provides due process through 2B SBCCC Subchapter 100.

II. School, DHHS Program Withdrawal, Office of Proprietary Schools Investigation, and License Renewal Process

The Monroe campus of Umanah Healthcare Institute was approved for initial proprietary school licensing in 2015. Since initial licensing, the school was authorized to offer a single program: Nurse Aide I, measured at 112 clock hours. Licensing for this program (and all other Nurse Aide I programs offered at proprietary schools) was contingent upon approval of the program by the North Carolina Department of Health and Human Services ("DHHS").

On April 5, 2018 DHHS formally noticed the school, the North Carolina Board of Nursing, and the Office of Proprietary Schools ("OPS") that it was immediately withdrawing approval to offer Nurse Aide I training at all Umanah Healthcare Institute campuses (Charlotte, Gastonia, and Monroe). An investigation report attached to the notice identified ten (10) violations of federal and/or state guidelines (See attached Documentation of Noncompliance and Notice of Investigation). On April 6th, OPS advised school owner/Director Patricia Umanah ("Umanah") to immediately cease Nurse Aide I enrollment and instruction at the schools. On April 18th, OPS initiated a formal investigation into all three Umanah Healthcare Institute campuses.

In accordance with N.C.G.S. §115-91, Umanah Healthcare Institute -Monroe was required to file a renewal application to be considered for proprietary licensing effective July 1, 2018 – June 30, 2019. The school filed a timely renewal application and paid all required fees.

III. Rationale for SBPS' Refusal to Recommend Renewal of Umanah Healthcare Institute-Monroe's Proprietary License

In accordance with N.C.G.S. §115D-91(b), proprietary licenses are renewable if all of the following conditions are met:

(1) An application for the renewal of the license has been filed in the form and manner prescribed by the State Board, acting by and through the State Board of Proprietary Schools.

(2) The renewal fee has been paid.

(3) The school and its courses, facilities, faculty and all other operations are found to meet the criteria set forth in the requirements for a school to secure an original license.

Pursuant to N.C.G.S. §115D-90(c), a proprietary school license shall be granted to the applicant when it is shown (among other things) to the satisfaction of the State Board, acting by and through the State Board of Proprietary Schools, that:

- The courses, curriculum and instruction are consistent in quality, content and length with similar courses in public schools and other private schools in the State, with recognized accepted standards. [N.C.G.S. §115D-90(c)(1)]; and
- The school complies with all local, city, county, municipal, State and federal regulations. [N.C.G.S. §115D-90(c)(8)]

N.C.G.S. §115D-93(c) provides that the State Board, acting by and through the State Board of Proprietary Schools, shall have the power to refuse to issue or renew a proprietary license if it finds one or more of the following:

- That the applicant for or holder of such a license has violated any of the provisions of this Article or any of the rules promulgated thereunder.
- That the applicant for or holder of such a license has knowingly presented to the State Board of Community Colleges false or misleading information relating to approval or license.
- That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative, supervisory or teaching staff.

On May 4, 2018 the State Board of Proprietary Schools met to consider renewal applications for the July 1, 2018 – June 30, 2019 licensing year. During consideration of Umanah Healthcare Institute-Monroe's application, the Board found:

1. The application failed to meet the licensing requirements mandated in N.C.G.S. 115D-91(b) because it did not meet the criteria set forth in the requirements for a school to secure an original license:
 - a. The application failed to meet the requirements in N.C.G.S. §115D-90(c)(1). The school's renewal application requested licensing of a single program—Nurse Aide I. Nurse Aide I programs offered in North Carolina are required to be approved by DHHS. Nurse Aide I programs offered at proprietary schools are contingent upon continued approval by DHHS. DHHS withdrew the school's Nurse Aide I program approval effective April 5, 2018. The Nurse Aide I program at Umanah Healthcare Institute-Monroe is therefore not consistent in quality, content and length with

similar courses in public schools and other private schools in the State, with recognized accepted standards.

- b. The applicant failed to meet the requirements in N.C.G.S. §115D-90(c)(8). The attached DHHS notice and investigative report identified ten (10) violations of federal and/or state regulations. Due to the nature and severity of the violations, DHHS immediately withdrew approval to offer Nurse Aide I training at all three Umanah Healthcare Institute campuses and forwarded their findings to the North Carolina Board of Nursing (owner/Director Patricia Umanah is a registered nurse).
2. The OPS Documentation of Noncompliance and Notice of Investigation issued to the school on April 18, 2018, attached and incorporated herein by reference, presents the following allegations for investigation:
 - School administrator Patricia Umanah may have violated N.C.G.S. § 115D-90(c)(12), by not maintaining good reputation and character.
 - Umanah Healthcare Institute may be in violation of §115D-93(c)(9), by failing to provide and maintain adequate standards of instruction.
 - Umanah Healthcare Institute may be in violation of 2A SBCCC 400.11(a)(2) by not maintaining current, complete, and accurate records showing student progress and attendance.
 - Umanah Healthcare Institute may be in violation of §115D-93(c)(9), by failing to maintain an adequate and qualified teaching staff.
 - School administrator Patricia Umanah may be in violation of §115D-93(c)(2), by knowingly presenting false or misleading information relating to approval or license.

Based on the above, the State Board of Proprietary Schools voted to refuse to recommend license renewal of Umanah Healthcare Institute-Monroe for the July 1, 2018 – June 30, 2019 licensing year. The State Board of Proprietary Schools anticipates calling a special meeting to review OPS' findings after its investigation concludes. But regardless of that outcome, Umanah Healthcare Institute -Monroe does not have an instructional program that could be found to be consistent in quality, content and length with similar courses in public schools and other private schools in the State. The school also failed to comply with federal and/or state regulations as identified in the attached DHHS investigative report.

IV. Notice of Right to Provide Written Response:

You (or an another authorized agent of the school) have the right to provide a written response within ten (10) business days of receiving this Notice. The response must be signed and directed to the Executive Director of the Office of Proprietary Schools on behalf of the State Board of Proprietary Schools:

Scott Corl, Office of Proprietary Schools
 North Carolina Community College System Office
 5001 Mail Service Center
 Raleigh, NC 27699-5001

REFUSAL TO RECOMMEND PROPRIETARY LICENSE RENEWAL

The State Board of Proprietary Schools submits this Refusal to Recommend Proprietary License Renewal to the State Board of Community Colleges, pursuant to Article III, Chapter 150B of the North Carolina General Statutes, and 2B SBCCC Subchapter 100.

Proprietary School: Umanah Healthcare Institute -Gastonia
635D Cox Road
Gastonia, NC 28053

School Administrator: Patricia Umanah

A copy of this document as compiled has been presented to the following:

1. Chair of the North Carolina State Board of Proprietary Schools
2. NCCCS Executive Vice President
3. NCCCS General Counsel
4. NCCCS Director of Marketing and Public Affairs

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Submitted this 9th day of May, 2018



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I. Statutory Authority

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In accordance with N.C.G.S. 115D-93, refusal to renew a proprietary license shall be made in accordance with Chapter 150B of the General Statutes. The State Board of Community Colleges Code provides due process through 2B SBCCC Subchapter 100.

II. School, DHHS Program Withdrawal, Office of Proprietary Schools Investigation, and License Renewal Process

The Gastonia campus of Umanah Healthcare Institute was approved for initial proprietary school licensing in 2012. Since initial licensing, the school was authorized to offer a single program: Nurse Aide I, measured at 112 clock hours. Licensing for this program (and all other Nurse Aide I programs offered at proprietary schools) was contingent upon approval of the program by the North Carolina Department of Health and Human Services ("DHHS").

On April 5, 2018 DHHS formally noticed the school, the North Carolina Board of Nursing, and the Office of Proprietary Schools ("OPS") that it was immediately withdrawing approval to offer Nurse Aide I training at all Umanah Healthcare Institute campuses (Charlotte, Gastonia, and Monroe). An investigation report attached to the notice identified ten (10) violations of federal and/or state guidelines (See attached Documentation of Noncompliance and Notice of Investigation). On April 6th, OPS advised school owner/Director Patricia Umanah ("Umanah") to immediately cease Nurse Aide I enrollment and instruction at the schools. On April 18th, OPS initiated a formal investigation into all three Umanah Healthcare Institute campuses.

In accordance with N.C.G.S. §115-91, Umanah Healthcare Institute -Gastonia was required to file a renewal application to be considered for proprietary licensing effective July 1, 2018 – June 30, 2019. The school filed a timely renewal application and paid all required fees.

III. Rationale for SBPS' Refusal to Recommend Renewal of Umanah Healthcare Institute-Gastonia's Proprietary License

In accordance with N.C.G.S. §115D-91(b), proprietary licenses are renewable if all of the following conditions are met:

(1) An application for the renewal of the license has been filed in the form and manner prescribed by the State Board, acting by and through the State Board of Proprietary Schools.

(2) The renewal fee has been paid.

(3) The school and its courses, facilities, faculty and all other operations are found to meet the criteria set forth in the requirements for a school to secure an original license.

Pursuant to N.C.G.S. §115D-90(c), a proprietary school license shall be granted to the applicant when it is shown (among other things) to the satisfaction of the State Board, acting by and through the State Board of Proprietary Schools, that:

- The courses, curriculum and instruction are consistent in quality, content and length with similar courses in public schools and other private schools in the State, with recognized accepted standards. [N.C.G.S. §115D-90(c)(1)]; and
- The school complies with all local, city, county, municipal, State and federal regulations. [N.C.G.S. §115D-90(c)(8)]

N.C.G.S. §115D-93(c) provides that the State Board, acting by and through the State Board of Proprietary Schools, shall have the power to refuse to issue or renew a proprietary license if it finds one or more of the following:

- That the applicant for or holder of such a license has violated any of the provisions of this Article or any of the rules promulgated thereunder.
- That the applicant for or holder of such a license has knowingly presented to the State Board of Community Colleges false or misleading information relating to approval or license.
- That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative, supervisory or teaching staff.

On May 4, 2018 the State Board of Proprietary Schools met to consider renewal applications for the July 1, 2018 – June 30, 2019 licensing year. During consideration of Umanah Healthcare Institute-Gastonia's application, the Board found:

1. The application failed to meet the licensing requirements mandated in N.C.G.S. 115D-91(b) because it did not meet the criteria set forth in the requirements for a school to secure an original license:
 - a. The application failed to meet the requirements in N.C.G.S. §115D-90(c)(1). The school's renewal application requested licensing of a single program—Nurse Aide I. Nurse Aide I programs offered in North Carolina are required to be approved by DHHS. Nurse Aide I programs offered at proprietary schools are contingent upon continued approval by DHHS. DHHS withdrew the school's Nurse Aide I program approval effective April 5, 2018. The Nurse Aide I program at Umanah Healthcare Institute-Gastonia is therefore not consistent in quality, content and length with

similar courses in public schools and other private schools in the State, with recognized accepted standards.

- b. The applicant failed to meet the requirements in N.C.G.S. §115D-90(c)(8). The attached DHHS notice and investigative report identified ten (10) violations of federal and/or state regulations. Due to the nature and severity of the violations, DHHS immediately withdrew approval to offer Nurse Aide I training at all three Umanah Healthcare Institute campuses and forwarded their findings to the North Carolina Board of Nursing (owner/Director Patricia Umanah is a registered nurse).
2. The OPS Documentation of Noncompliance and Notice of Investigation issued to the school on April 18, 2018, attached and incorporated herein by reference, presents the following allegations for investigation:
- School administrator Patricia Umanah may have violated N.C.G.S. § 115D-90(c)(12), by not maintaining good reputation and character.
 - Umanah Healthcare Institute may be in violation of §115D-93(c)(9), by failing to provide and maintain adequate standards of instruction.
 - Umanah Healthcare Institute may be in violation of 2A SBCCC 400.11(a)(2) by not maintaining current, complete, and accurate records showing student progress and attendance.
 - Umanah Healthcare Institute may be in violation of §115D-93(c)(9), by failing to maintain an adequate and qualified teaching staff.
 - School administrator Patricia Umanah may be in violation of §115D-93(c)(2), by knowingly presenting false or misleading information relating to approval or license.

Based on the above, the State Board of Proprietary Schools voted to refuse to recommend license renewal of Umanah Healthcare Institute-Gastonia for the July 1, 2018 – June 30, 2019 licensing year. The State Board of Proprietary Schools anticipates calling a special meeting to review OPS' findings after its investigation concludes. But regardless of that outcome, Umanah Healthcare Institute -Gastonia does not have an instructional program that could be found to be consistent in quality, content and length with similar courses in public schools and other private schools in the State. The school also failed to comply with federal and/or state regulations as identified in the attached DHHS investigative report.

IV. Notice of Right to Provide Written Response:

You (or another authorized agent of the school) have the right to provide a written response within ten (10) business days of receiving this Notice. The response must be signed and directed to the Executive Director of the Office of Proprietary Schools on behalf of the State Board of Proprietary Schools:

Scott Corl, Office of Proprietary Schools,
North Carolina Community College System Office
5001 Mail Service Center
Raleigh, NC 27699-5001

1



5801 Executive Center Drive, Suite 103, Charlotte, NC 28212. Phone: 704-531-1100, Fax: 704-531-4638.

Website: www.umanahinstitute.com, Email: umanahinstitute@yahoo.com.

Mr. Scott Corl
Executive Director
Office of Proprietary School
North Carolina Community College System

RE: Response "The Notice of Proprietary Schools Boards Refusal to Recommend License Renewal"

Sir,

1. I have to state that I am American Citizen and a resident of the State of North Carolina for twenty-three years (23). I believe strongly in the due process of law for the American people.
2. The notice of the Proprietary School Board's Refusal to recommend License Renewal for Umanah Healthcare Institute is probably based on the fact the Board was unaware of the inconsistencies in the alleged violations. The Board probably did not see the counter response presented by me/Umanah Healthcare Institute.
3. I have to state that on the date of the surprised visit by Ms. Middleton with Mr. Scott Corl on March 22nd (Charlotte Campus) and March 27th, 2018 (Gastonia Campus), respectively I was debarred input in the information/ allegations gathering, otherwise "most of those issues could have been clarified and dissolved" and would not have been included in the investigative reports.

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4. Ms. Jan Middleton audited Umanah Healthcare Institute's records in November 2017 and sent the renewals for all three campuses (Charlotte, Gastonia, and Monroe) in December 2017.

5. On the March 22nd, 2018 Ms. Jan Middleton visited my school, she asked for the records of the school's "recent classes". "These were incomplete records the school was working with. I physically picked up these folders and gave them to Ms. Jan Middleton".

6. Basis for Surprise Visit

The basis of the "surprise visit" was as a result of "my disgruntled employee [REDACTED]'s allegations. The Board did not take into consideration **that these Incomplete Records have now all been completed.** It is now filed in **Locked and Keyed** placement in our office with the rest of the Completed Records.

Points in Disputes to Mention But A Few:

Umanah Healthcare Institute Focused Only on Skills Required To Pass State Examination:

- a. There is no evidence to prove these allegations. Appendix A Skills Performance Checklists only have about 44 skills and addition for school specific skills, Umanah Healthcare included **4 School Specific Skills namely--* Assist in Changing Client gown with Intravenous fluid, * Assist with Changing Adult Briefs, *Assist with Cleaning Colostomy Site and Emptying Colostomy Bag, and * Assist to Cleaning Supra Pubic catheter** (these skills are not required for State Exam). Umanah taught every student these skills and before Clinicals.
- b. Umanah Healthcare Institute provides **a job listing board/table. Employers come to our campuses and post their job availabilities and invite our students to apply.**

- c. **The angry and disgruntled employee- [REDACTED], and instructors conducted job fair every month at our Charlotte and Gastonia campuses. Please see evidence of such a job fair. Umanah paid "[REDACTED]" the informant to conduct such job fair at the expense of Umanah Healthcare to benefit our students and employers in our community.**

The attached pictures show [REDACTED] the informant "left of the picture and instructor Shelbi Crowder on the right". The second picture shows our instructor, students, and others applying for employment. This job fair was conducted at our school. **The third picture shows employers - Five-Star Nursing Home, Sentinel Home Care, Homestead Senior Care etc. participating and our students and others applying for employment. This allegation is clearly untrue.**

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Umanah uses all State approved Curriculum. Umanah also adds an additional Text book as part of the tuition of \$ [REDACTED] to give students, the understanding as to "Why They Do What They Do." **The Hartman's Nursing Assistant Care- "The Basic Nursing Assistant Care". Middleton approved of this Textbook. The class attendance sheet shows these curriculum as it being taught daily. No evidence was given as to what Curriculum Umanah uses to be deemed Unapproved by the State. Our students perform excellently at North Carolina CNA I State Examination. Any reasonable person will differ as to why our students do very well at State CNA I exam if we are not using the State Approved Curriculum. This is absolutely not true.**

Skill Performance Checklists (Individual Skill Steps):

Skill Performance Checklists were given to every student and were used in the Lab by every student. No evidence is provided to the contrary.

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The Candidates Handbook was only used for references:

This is totally not true.

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Review Classes:

Review Classes at Umanah are **optional**; and it is clearly indicated in the student's registration package. Students, after their clinical exercise and the length of time it takes before the State Exam; students request for a review. I usually give review on both written and skills examinations. **The motivation is not about \$ [REDACTED] fees. I have a personal/professional interest to make sure my students succeed.** It is my responsibility to do so. They have paid their tuition and have spent a month to two months with Umanah. I have to make sure they succeed. Let us breakdown the \$ [REDACTED] fees to see if this is my motivation as it is alleged. Take for example that there are ten (10) students seeking review at \$ [REDACTED] per students, which total \$ [REDACTED]. I spend one hour on written review session, and 4 hours on skills review. If we divide (\$ [REDACTED] by 5 hours, we have \$ [REDACTED] I have twenty-two (22) skills to review. Therefore, \$ [REDACTED] dollars) divided by the twenty-two (22) skills; we have \$2.30 per hour per student. **My passion, motivation, and interest are about the success of my students.** Now, let me refocus attention to the above two items of allegations. We can confirm vehemently that these allegations are not true to review means going back on/ after subject matters that had been taught. From now, and in the future Review Classes at Umanah Healthcare Institute are free.

Classes in the Gastonia Campus Scheduled for The 8th of January 2018 to February 2nd, 2018:

Umanah healthcare Institute schedules its classes in advance. This class in particular was scheduled to begin on the 8th of January 2018 to February 2nd, 2018. Prior to moving our School location from 635 Cox Road, Suite D, to 645 Cox Road Suite A, Ms. Jan Middleton and Mr. Scott Corl instructed that we cannot start any instruction until; they did inspection. They finally carried out the inspection, but due to the freezing temperature in January, the water pipe was frozen. They suggested that when the temperature is normal, and the water runs; I should send the picture to them, which I did on January 12th, 2018. This incident moved the class start date from January 8th, 2018 to January 16th, 2018(January 15th, was Martin Luther King's holiday). The End date of this class also moved from February 2nd, 2018 to February 9th, 2018. Ms. Jan Middleton and Mr. Corl were fully aware of this. Both requested for a picture showing the water running, which I also sent them via email on January 12th, which was a Friday. There was nothing nefarious or intentional to benefit me or Umanah Healthcare Institute. Please see pictures and communicative evidence attached.

Students Records Must Be Maintained for a Minimum of Three Years in A Locked Cabinet

Ms. Middleton request and received folders of the recent students /classes. All files of recent students were given to her, not a single file was missing or either laying around unattended to merit the above rational. This is not a due violation and there is no evidence to prove. The folders were with our staff and they were working on it and most of the files were one to two months old.

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There are situations when students especially those aspiring for entrance into the nursing school admission and were stressing, to meet their time limits. These students are usually attending other schools and time management are usually their obstacles. I accommodate them and usually try to enable them to achieve their dreams by timing and managing their timetable while they are on clinicals.

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In conclusion, I have to say, I have been running Umanah Healthcare Institute for a period of seven (7) years. Six of these years under the direct supervision of Ms. Middleton; she has viewed Umanah Healthcare Institute as a "model school" under her zone. Ms. Middleton awarded me a "Certificate of Appreciation". It was In Recognition of My Dedication to Provide Quality Nurse Aide I Training and Outstanding Participation in the Piedmont Region Summit.

Today, the above commendation is my mission. I am a passionate and hardworking School Coordinator. I believe in the values of America, honesty, education and handwork.

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There are works, skills, and attributes which are not written in the students' folders/files that Patricia Umanah is doing, which are not highlighted about me. I am not in any way trying to gloss over these important gauges. There are works my employees and I have worked on. We have completed all the recent students files/record (January 2018 to March 2018) respectively and have filed them for perusal by appropriate and approved agencies.

On January 2, 2017, [REDACTED] of Central Piedmont Community College (CPC) through its program "NC Works NextGen" expressed a desire to partner with me (Umanah Healthcare Institute) to train its students under the NC Works NextGen. The first batch were two students namely:

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And since then till February 2018 Umanah Healthcare Institute has trained 34 Students for CNA I under this program. Please see contact phone number for [REDACTED]. The reason I pinpoint these two students is, they were both in very tough situations (single mothers) but determined to work hard and to complete the program. On their first day of class, I sat them down and counsel them. They did not only go through the CNA I training and passed the state exam successfully, CPCC also granted me at Umanah Healthcare Institute an internship program to train, mentor, and prepare these students for employment.

Through this partnership with CPCC, and the mentoring and counseling I gave to these students, Ms. [REDACTED] is now employed with Umanah Healthcare Institute. [REDACTED] is now with me/ Umanah Healthcare Institute on this internship program and she is also a young lady with a similar situation and based on her willingness to work hard, Umanah Healthcare Institute is planning to employ her when she finishes her internship. I attach her with other organizations who have, based on my excellent abilities in training and mentoring these adult students have partnered with Umanah Healthcare Institute. These are evidence of my passion and sacrifice of labor to make sure people who did not have a level plain field; they are now working. They are now contributing to their families and the community. Another is a young lady who stopped by the school to say "thanks" to me (Patricia Umanah) is [REDACTED]. She is one of the first students CPCC sent to Umanah Healthcare Institute. She and her two children were living with a friend, but today, she is working after being counselled, mentored, and interned at Umanah. She has bought a new car; she and her two children have moved to a new apartment. [REDACTED] is now fully employed as a CNA/phlebotomist.

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These are some but a few of the achievements I and Umanah Healthcare Institute is doing to enhance the well beings of its students. I am working with my staff and we have rectified the cited deficiencies in our records. I humbly appeal to every Member of the Board to reconsider and to please reinstate Umanah's participation in the CNA I training program.

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