

BOARD MEETING MINUTES



Georgia Nonpublic Postsecondary
Education Commission

DATE	Monday, July 27, 2020
TIME	1:00 PM
LOCATION	Via Zoom Teleconference
PURPOSE	Quarterly Commission Meeting

Meeting Chair	Mollie Cohen
Meeting Title	Board of Commissioners
Members Present	<ol style="list-style-type: none"> 1. Mollie Cohen, Chair, <i>At-Large Post #2</i> 2. Karen Gilbert, Vice Chair, <i>Exempt Institution Representative</i> 3. Ryan Blythe, <i>Certificate-Granting Institution Representative</i> 4. Victoria Agyekum, <i>At-Large Post #1</i> 5. Lee Todd, <i>At-Large Post #3</i> 6. Amanda Shailendra, <i>At-Large Post #4</i> 7. Holly Kirbo, <i>At-Large Post #5</i> 8. Norma Nunez-Cortes, <i>At-Large Post #6</i>
Members Absent	<ol style="list-style-type: none"> 1. Toby Hinton, Secretary, <i>Degree-Granting Institution Representative</i> 2. Dr. Arthur Vaughn, <i>At-Large Post #7</i>
Staff Present	Kirk Shook, Executive Director Dr. Laura Vieth, Deputy Director Shirlene Mitchell, Office Manager Adam Hawk, GA-SARA Coordinator Pat Neri, Program Manager Phil Embry, External Auditor Chad Woodard, Regulatory Specialist James Cheek, Regulatory Specialist Alyssa Yuhouse, Regulatory Specialist Hannah Morris, Intern
Visitors	Kayla Washington, Office of Planning & Budget Kristen Settlemire, Office of the Attorney General Heidi Callender, General Counsel, University of Phoenix Lynne Riley, President, Georgia Student Finance Commission Malika Thompson, General Assembly

1. CALL TO ORDER AND INVOCATION

Chair Cohen called the meeting to order at 1:12 PM. Vice Chair Gilbert gave the invocation. Chair Cohen called the roll. Eight members were present and a quorum was declared.

2. WELCOME/INTRODUCTION OF VISITORS

Chair Cohen welcome all the guests and visitors on the teleconference. GSFC President Lynne Riley was given the opportunity to address the Commission. President Riley thanked the Commission for their work and expressed that she is looking forward to a great working relationship with NPEC.

3. APPROVAL OF AGENDA

Commissioner Shailendra moved to adopt the Agenda for the July 27, 2020 Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Cortes seconded the motion.

Upon unanimous vote, it was **RESOLVED** that the Agenda for the July 27, 2020 Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

4. APPROVAL OF MINUTES

Commissioner Todd moved to adopt the Minutes from the April 20, 2020 Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Shailendra seconded the motion. Upon unanimous vote, it was **RESOLVED** that the Minutes from the April 20, 2020 Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

Commissioner Kirbo moved to adopt the Minutes from the April 30, 2020 Special Called Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Todd seconded the motion. Upon unanimous vote, it was **RESOLVED** that the Minutes from the April 30, 2020 Special Called Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

5. QUARTERLY REPORT (unaudited): TUITION GUARANTY TRUST FUND

Chair Cohen acknowledged that the Board of Trustees were present for the earlier Tuition Guaranty Trust Fund meeting and therefore, she entertained a motion that the TGTF Quarterly Report be adopted.

Vice Chair Gilbert moved to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for the twelve-month period ending June 30, 2020, as presented previously. Commissioner Todd seconded the motion.

Upon unanimous vote, it was **RESOLVED** that the Quarterly Report of the Tuition Guaranty Trust Fund for the twelve-month period ending June 30, 2020, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund, **be adopted**.

6. APPROVAL OF POLICY CHANGES

Chair Cohen opened the floor for the reading of submitted comments or those wishing to speak regarding policy changes. No comments were submitted prior to the meeting and no comments were made from the public. Commissioner Kirbo moved to approve *Policy 16: Surety Bonds and Letter of Credit Forms and Requirements* as drafted, together with the attached Bond and Irrevocable Standby Letter of Credit forms which are incorporated into the Policy by reference, and to authorize the Executive Director and GNPEC staff to update the Policy and forms from time to time to reflect statutory revisions to the required Bond amounts and to make non-substantive and grammatical revisions to the Policy and forms from time to time. Vice Chair Gilbert seconded the motion.

Upon unanimous vote, it was **RESOLVED** that *Policy 16: Surety Bonds and Letter of Credit Forms and Requirements* **be adopted**.

Policy 16 will read as thus:

Policy 16: Surety Bond and Letter of Credit Forms and Requirements

1. Pursuant to Code Section 20-3-250.8(a) Each nonpublic postsecondary educational institution desiring to operate or conduct postsecondary activities in this state shall make application to the commission, upon forms to be provided by the commission.

2. In accordance with O.C.G.A. 20-3-250.10, an initial or renewing applicant for authorization to operate must file with the executive director a good and sufficient surety bond in such sum as determined by subsection (b) of that Code section as may be amended from time to time. The bond is based on the gross tuition of the nonpublic postsecondary educational institution during the previous year or on the estimated gross tuition for the current year, whichever is larger. As of July 27, 2020, required bond amounts are as follows:

<u>Gross Tuition</u>	<u>Minimum Bond</u>
\$ 0.00 -- \$ 50,000.00.....	\$ 20,000.00
50,001.00 -- 100,000.00.....	30,000.00
100,001.00 -- 200,000.00.....	50,000.00
200,001.00 -- 300,000.00.....	75,000.00
300,001.00 -- 400,000.00.....	100,000.00
400,001.00 -- 500,000.00.....	150,000.00
500,001.00 and over.....	200,000.00

The required bond amounts are subject to change from time to time by statute. In the event of a conflict between the authorizing statute and this regulation, the statute shall control.

Pursuant to statute and this Policy, the bond must be provided to GNPEC in substantial conformance with the form attached hereto as Exhibit "A," and incorporated herein by reference.

3. For situations where a nonpublic postsecondary educational institution is unable to secure a bond amount provided for by this subsection, a bank standby letter of credit secured from a federally insured financial institution shall be accepted in accordance with this Policy.

Pursuant to statute and this Policy, the standby letter of credit must be provided to GNPEC in substantial conformance with the form attached hereto as Exhibit "B," and incorporated herein by reference.

4. These forms may be updated from time to time by the Commission to reflect revisions to statute and to make administrative revisions.

5. The Executive Director is authorized, in his sole discretion, to issue waivers regarding certain provisions within a bond or standby letter of credit, but does not have authority to issue waivers regarding the requirement that institutions post a bond or standby letter of credit.

6. An institution's failure to maintain a surety bond or letter of credit as set forth herein will result in suspension and/or termination of its authorization to operate, in accordance with O.C.G.A. 20-3-250.10 and a determination by the Executive Director.

7. EXECUTIVE DIRECTOR REPORT

Presented by Kirk Shook, Executive Director

- Recognition of GSFC President Lynne Riley
- GNPEC FY20 Operations Budget (4th Quarter, ending June 30, 2020)
- Quarterly Budget Comparison (FY19 Q4 v. FY20 Q1)
- FY21 Budget/Budget Cuts
- FY21 Agency Organization Chart
- Remote Work Report (Q4)
- COVID-19 Update
- Agency Legislation Update
- Annual Commission/Executive Director Filings (Affidavit of Public Official)
- Argosy Bond Update

No approval required for this report.

Commissioners expressed their thanks to all staff for their work and flexibility during budget cuts and remote work during COVID-19.

8. FY20 FOURTH QUARTER NEWLY AUTHORIZED SCHOOLS

Presented by Dr. Laura Vieth, Deputy Director

No.	First Date of Authorization	Institution	Fiscal Type	Bond Amount
1	April 1, 2020	Spartan College of Aeronautics and Technology (Tulsa, OK) <ul style="list-style-type: none"> • Accredited by the Association of Career Colleges and Schools (ACCSC) • Offers a certificates and degrees in aviation and technology 	For-profit	\$20k
2	April 16, 2020	Georgia Synergy Business Institute (Duluth, GA) <ul style="list-style-type: none"> • Unaccredited • Offer degree in business 	Nonprofit	\$20k
3	May 12, 2020	Clinical Skills Training Center (College Park, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificate in allied health 	For-profit	\$50k
4	May 22, 2020	Pathways Health Career Training Center (Hinesville, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in allied health 	For-profit	\$30k
5	May 27, 2020	Arch Dental Assistant Academy- Macon (Macon, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificate in dental assisting 	For-profit	\$30k
6	June 16, 2020	OnCourse Learning (Brookfield, WI) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in mortgage training 	For-profit	\$20k

No approval required for this report.

9. FY20 THIRD QUARTER STAFF ACTIONS

Presented by Dr. Laura Vieth, Deputy Director

No.	Action	Date	Institution
1.	Student Record Demand Letter	April 3, 2020	Ohio Christian University 1476 Lancaster Pike Circleville, OH 43113
2.	Request for Representation (Student Records)	April 9, 2020	Terry University 3330 Cumberland Blvd., Suite 500 Atlanta, GA 30339
3.	Request for Representation	April 9, 2020	Georgia Academy of Dental Assisting 2625 Piedmont Rd., Suite G-35 Atlanta, GA 30324
4.	Request for Representation	April 9, 2020	Erudite Nursing Institute/Medical Career Specialists 3330 Cumberland Blvd. SE, Suite 500 Atlanta, GA 30339
5.	Cease & Desist Email	May 20, 2020	Care One Institute 3594 Chamblee Tucker Rd. Atlanta, GA 30341
6.	Lawsuit	Ongoing	Gwynnis Mosby Makeup Artist Training Center 1986 Tucker Industrial Blvd., Suite 400A Tucker, GA 30084

No approval required for this report.

10. OTHER BUSINESS

The next Quarterly Commission Meeting is October 26, 2020, 2020 at 1pm at Herzing University/Atlanta, 50 Hurt Plaza SE, Suite 400, Atlanta, GA 30303.

11. ADJOURN

Commissioner Shailendra moved to adjourn the meeting. Commissioner Kirbo seconded the motion.

There being no further business, the meeting adjourned at 2:14 PM.

COMMISSION CHAIR APPROVAL:


Mollie Cohen (Oct 29, 2020 10:55 EDT)

Signature

Oct 29, 2020

Date

COMMISSION SECRETARY APPROVAL:


Toby Hinton (Oct 29, 2020 13:23 EDT)

Signature

Oct 29, 2020

Date










July 27, 2020 Commission Minutes

Final Audit Report

2020-10-29

Created:	2020-10-27
By:	Kirk Shook (kshook@gnpec.ga.gov)
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"July 27, 2020 Commission Minutes" History

-  Document created by Kirk Shook (kshook@gnpec.ga.gov)
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-  Document emailed to Mollie Cohen (mkcohen27@gmail.com) for signature
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