

BOARD MEETING MINUTES



Georgia Nonpublic Postsecondary
Education Commission

DATE	Monday, October 26, 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. Toby Hinton, Secretary, <i>Degree-Granting Institution Representative</i> 4. Ryan Blythe, <i>Certificate-Granting Institution Representative</i> 5. Victoria Agyekum, <i>At-Large Post #1</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> 9. Dr. Arthur Vaughn, <i>At-Large Post #7</i>
Members Absent	<ol style="list-style-type: none"> 1. Lee Todd, <i>At-Large Post #3</i>
Staff Present	Kirk Shook, Executive Director Dr. Laura Vieth, Deputy Director Adam Hawk, GA-SARA Coordinator Pat Neri, Program Manager Phil Embry, External Auditor Michael Kaiser, Regulatory Specialist James Cheek, Regulatory Specialist
Visitors	Kristen Settlemire, Office of the Attorney General Brian Annino, GSFC General Counsel Emily Jones, Governor’s Office of Planning and Budget Mikayla Mobley, Office of the Attorney General

1. CALL TO ORDER AND INVOCATION

Chair Cohen called the meeting to order at 1:07 PM. Chair Cohen gave the invocation called the roll. Nine members were present and a quorum was declared.

2. WELCOME/INTRODUCTION OF VISITORS

Chair Cohen welcome all the guests and visitors on the teleconference.

3. APPROVAL OF AGENDA

Secretary Hinton moved to adopt the Agenda for the October 26, 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 October 26, 2020 Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

4. APPROVAL OF MINUTES

Commissioner Shailendra moved to adopt the Minutes from the July 27, 2020 Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Kirbo seconded the motion. Upon a majority vote, it was **RESOLVED** that the Minutes from the July 27, 2020 Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted. Dr. Arthur Vaughn abstained from the vote due to absence from the previous meeting.

Secretary Hinton moved to adopt the Minutes from the August 18, 2020 Special Called Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Kirbo seconded the motion. Upon unanimous vote, it was **RESOLVED** that the Minutes from the August 18, 2020 Special Called Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

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

Executive Director Shook presented information on the TGTF Quarterly Report.

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

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

6. APPROVAL OF 2021 TGTF TRUSTEE AND COMMISSION MEETING SCHEDULE

The following proposed 2021 TGTF Trustee & Commission meeting schedule was presented:

2021 Georgia Nonpublic Postsecondary Education Commission

Meeting Dates and Locations

Pursuant to O.C.G.A. §§ 20-3-250.4(e) & 50-14-1(d)(1), the Georgia Nonpublic Postsecondary Education Commission meets quarterly and will hold regular commission meetings on the following dates, times, and locations:

DATE	LOCATION*	TGTF MEETING TIME	COMMISSION MEETING TIME
Monday January 25, 2021	Teleconference	12:45 PM	1:00 PM
Monday April 26, 2021	Brenau University 301 Main Street Gainesville, GA 30501	12:45 PM	1:00 PM
Monday July 26, 2021	Teleconference	12:45 PM	1:00 PM
Monday October 25, 2021	Helms College—Augusta 3145 Washington Road Augusta, GA 30907	12:45 PM	1:00 PM

*Subject to change based on campus COVID-19 policies

Vice Chair Gilbert moved to adopt the 2021 TGTF Trustee & Commission meeting schedule. Commissioner Cortes seconded the motion.

Upon unanimous vote, it was **RESOLVED** that the 2021 TGTF Trustee & Commission meeting schedule **be adopted**.

7. APPROVAL OF 2021 NPEC SCHEDULE OF FEES

The following proposed 2021 NPEC Schedule of Fees was presented:

Name	Description	Type of Fee	Amount	Fee Change
GA-SARA Annual Fee	This fee is assessed for review of the GA-SARA Application.	< 2,500 FTE Students	\$1,250	N/A
		2,500 – 9,999 FTE Students	\$2,000	N/A

		10,000 or more FTE Students	\$2,750	N/A
Application Evaluation Fee	This fee is assessed to cover the evaluation of an application for authorization of an institution seeking initial authorization. This fee must be made in advance of the review of the application and made payable to GNPEC.	Nondegree-granting institution	\$1,000	N/A
		Associate degree-granting institution	\$2,000	N/A
		Bachelor's degree-granting institution	\$3,000	N/A
		Master's/Specialist degree-granting institution	\$4,000	N/A
		Doctoral degree-granting institution	\$5,000	N/A
Authorization Fee	The fee is assessed annually to institutions as part of the application for authorization and must be made payable to GNPEC. This Authorization Fee is calculated based on 2/10 of one percent of estimated tuition and fees minus refunds. In the Initial Authorization Application, this is based on projected tuition and fees. For campuses located in Georgia this figure will be based on tuition and fees for the campus. For campuses located outside of Georgia, this figure will be based on tuition and fees associated with Georgia students only.	Nondegree-granting institutions:		
		Minimum annual fee	\$500	N/A
		Maximum annual fee	\$25,000	N/A
		Degree-granting institutions:		
		Minimum annual fee	\$1,000	N/A
		Maximum annual fee	\$25,000	N/A
Authorization Late Fee	This fee is assessed for failure to submit a complete renewal application, including all fees, 60 days prior to the expiration date on the Certificate of Authorization.		25% of Authorization Fee	N/A
Tuition Guaranty Trust Fund (TGTF) Fee	This fee is assessed to offer a financial safety net for students in the case of a school closing. The TGTF Fee is calculated based on 1/10 of one percent of estimated tuition and fees minus refunds. In the Initial Authorization Application, this is based on projected tuition and fees. For campuses located in Georgia this figure will be based on tuition and fees	Degree and Non-Degree Granting Institutions:		
		Minimum annual fee	\$100	N/A

	for the campus. For campuses located outside of Georgia, this figure will be based on tuition and fees associated with Georgia students only. Payment must be made by every school for the first 5 years of operation and must be made payable to TGTF.	Maximum annual fee	No Maximum Fee	N/A
TGTF Late Fee	This fee is assessed for failure to submit a complete renewal application, including all fees, 60 days prior to the expiration date on the Certificate of Authorization. This fee is assessed for failure to submit a complete renewal application, including all fees, 60 days prior to the expiration date on the Certificate of Authorization. NOTE: Only applicable if TGTF Fee is required.		25% of TGTF Fee	N/A
Program Evaluation Fee	This fee is assessed for evaluation of the curriculum/content for each new or substantively changed program of instruction at an already authorized institution. Fee must be made payable to GNPEC.	Nondegree	\$600	N/A
		Degree	\$800	N/A
Degree Elevation Fee	This fee is assessed for the elevation to each degree level.		\$1,000	N/A
Financial Viability Assessment (FVA) Fee	This fee is assessed to conduct a financial review of the audited financial statements and/or GNPEC Financial Statement submitted by the institution.		\$500	N/A
FVA Late Fee	This fee is assessed on applicable exemption applications if the annual application and FVA fee are not submitted prior to the due date.		\$100	N/A
Other Exemption Application Fee	This fee is assessed to conduct the review of only flight, test preparation, and tax preparation institutions.		\$100	N/A
Other Exemption Late Fee	This fee is assessed to any "Other Exemption" institution if the renewal application is not submitted prior to expiration. For flight, test preparation, and tax preparation institutions, the \$100 application fee is also required to be submitted prior to the due date.		\$100	N/A
Initial Religious Application Fee	This fee is assessed to process applications for religious schools applying for initial formal designation as exempt.		\$500	N/A

Religious Renewal Application Fee	This fee is assessed to process application for religious schools applying to renew their formal designation as exempt.		\$100	N/A
Religious Renewal Late Fee	This fee is assessed if renewal application and fee are not submitted prior to the due date.		\$100	N/A
Change of Name Fee	This fee is assessed for the administrative recording of a new authorized institutional name.		\$100	N/A
Change of Location Fee	This fee is assessed for the administrative recording of a new authorized institutional address.		\$100	N/A
Teaching/ Student Services Site Fee	This fee is assessed for the administrative recording of a new teaching or student services site.		\$100	N/A
Change of Ownership Fee	This fee is assessed for the administrative recording of a new ownership structure.	If notification provided within 10 days of change	\$500	N/A
		If notification provided after 10 days of change	\$1000	N/A
Transcript Request Fee	This fee is assessed for processing a transcript request.		\$10 per request	N/A
Document Fee	This fee is assessed for copying and/or mailing documents or forms.		\$0.10 per page plus postage	N/A

Secretary Hinton moved to adopt the 2021 NPEC Schedule of Fees. Commissioner Shailendra seconded the motion.

Upon unanimous vote, it was **RESOLVED** that the 2021 NPEC Schedule of Fees **be adopted**.

8. COMMISSION OFFICER ELECTIONS

Chair Cohen opened the floor for nominations for Commission Chair, Vice Chair, and Secretary. Karen Gilbert was nominated for Chair, Toby Hinton was nominated for Vice Chair, and Ryan Blythe was nominated as Secretary. No further nominations were made. This slate was elected by acclamation.

For 2021, Karen Gilbert will serve as Chair, Toby Hinton will serve as Vice Chair, and Ryan Blythe will serve as Secretary of the Commission.

9. TGTF TRUSTEE ELECTIONS

Chair Cohen opened the floor for nominations for TGTF Trustees. She reminded the Commission pursuant to O.C.G.A. § 20-3-250.27(b)(2), at least two members shall represent postsecondary education institutions. The following Commissioners were nominated to serve as Trustees: Karen Gilbert (Chair), Toby Hinton (Vice Chair), Ryan Blythe, Amanda Shailendra, and Lee Todd. No further nominations were made. This slate was elected by acclamation.

For 2021, the TGTF Trustees will be Karen Gilbert (Chair), Toby Hinton (Vice Chair), Ryan Blythe, Amanda Shailendra, and Lee Todd.

10. EXECUTIVE DIRECTOR REPORT

Presented by Kirk Shook, Executive Director

- GNPEC FY21 Operations Budget (1st Quarter, ending September 30, 2020)
- Quarterly Budget Comparison (FY20 Q1 v. FY21 Q1)
- Strategic Plan Metrics Update (FY20)
- Updated Strategic Plan (FY21-24)
- FY20 Annual Report Draft
- Remote Work Report (FY21 Q1)
- COVID-19 Update (FY21 Q1)
- Annual Commission/Executive Director Filings (Affidavit of Public Official)
- Argosy Bond Update

- Policy 7 Update
- Internship Report

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.

11. FY21 1st QUARTER NEWLY AUTHORIZED SCHOOLS

Presented by Dr. Laura Vieth, Deputy Director

No.	First Date of Authorization	Institution	Fiscal Type	Bond Amount
1	July 10, 2020	University of California- Berkeley (Berkeley, CA) <ul style="list-style-type: none"> • Accredited by Western Association of Schools and Colleges (WASC) • Offers degrees in data science and cybersecurity 	Nonprofit	\$200k
2	July 17, 2020	Singleton Surgical Institute, LLC (East Point, GA) <ul style="list-style-type: none"> • Unaccredited • Offer certificates in surgical support 	For-profit	\$20k
3	August 1, 2020	Bright Technology Training (Lawrenceville, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificates in IT 	For-profit	\$20k
4	August 9, 2020	Momentum Learning (Durham, NC) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in IT 	For-profit	\$200k
5	August 28, 2020	DWS Drone School, Inc. (Stockbridge, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in drone studies 	For-profit	\$50k
6	August 31, 2020	Gwynnis Mosby Makeup Academy (Tucker, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in make up 	For-profit	\$30k
7	September 1, 2020	Dynamic Information Technology LLC (Austell, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in IT 	For-profit	\$50k
8	September 8, 2020	Med Sales Institute (Atlanta, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificate in medical sales 	For-profit	\$30k
9	September 14, 2020	Allwell Healthcare Certification Inc. (Powder Springs, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificate in allied health 	For-profit	\$30k
10	September 15, 2020	Ralston College (Savannah, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a masters in humanities 	Nonprofit	\$75k
11	September 23, 2020	MSys Technology Training Institute (Alpharetta, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in IT 	For-profit	\$50k
12	September 28, 2020	Helms Career Education (Macon, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in IT, office support, and other vocational areas 	Nonprofit	\$50k

No approval required for this report.

12. FY21 1st QUARTER STAFF ACTIONS

Presented by Dr. Laura Vieth, Deputy Director

No.	Action	Date	Institution	Resolution
1.	Cease and Desist Letter	7/10/2020	Allied Medical Training 445 Elma G Miles Parkway, Suite #104 Hinesville, GA 31313	No response yet from Respondent
2.	Lawsuit	9/29/2020	Terry University (Multiple Addresses)	No response yet from Respondent
3.	Lawsuit	N/A	Gwynnis Mosby Makeup Artist Training Center 1986 Tucker Industrial Blvd., Suite 400A Tucker, GA 30084	Settlement Agreement signed

No approval required for this report.

13. EXECUTIVE SESSION

Secretary Hinton moved to for the Commission to go into Executive Session to discuss pending agency litigation. Commissioner Cortes seconded the motion. The Commission voted unanimously to enter Executive Session.

After discussing legal matters, Commissioner Cortes moved to close the Executive Session. Vice Chair Gilbert seconded the motion. Upon a unanimous vote, the Executive Session was closed.

14. OTHER BUSINESS

The next Quarterly Commission Meeting is January 25, 2021 at 1pm via Zoom teleconference.

15. PUBLIC COMMENTS

Chair Cohen opened the floor for public comments. No public comments were made.

16. ADJOURN

Secretary Hinton moved to adjourn the meeting. Commissioner Kirbo seconded the motion.

There being no further business, the meeting adjourned at 2:27 PM.

COMMISSION CHAIR APPROVAL:

COMMISSION SECRETARY APPROVAL:

Signature

Signature

Date

Date