

BOARD MEETING MINUTES

MEETING:	Board of Commissioners, Nonpublic Postsecondary Education Commission Quarterly Meeting
DATE:	August 26, 2024
LOCATION:	Georgia Nonpublic Postsecondary Education Commission 2082 East Exchange Pl., Tucker, GA
TIME:	1:00pm, or at the conclusion of the Quarterly TGTF Board of Trustees Meeting
PUBLIC CALL-IN INSTRUCTIONS:	Dial-in Number: (667) 770-1484 Participant Code: 317138#



Georgia Nonpublic Postsecondary
Education Commission

Meeting Chair	Dr. Drew Van Horn, Chairman , <i>Exempt Institution Representative</i>
Meeting Title	NPEC Board of Commissioners
Members Present	<ol style="list-style-type: none"> 1. Dr. Drew Van Horn, Chairman, <i>Exempt Institution Representative</i> 2. P.K. Martin, Vice Chairman, At-Large Post #3 3. Kate Patterson, Secretary, At-Large Post #8 4. Dr. Linda Adkinson, Degree-Granting Institution Representative 5. Ryan Blythe, Certificate-Granting Institution Representative 6. Pranay Udutha, At-Large Post #1 7. Doug Roper, At-Large Post #2 8. Dr. Lance Barry, At-Large Post #5 9. Dr. Norma Nunez-Cortes, At-Large Post #6 10. Jim Squire, At-Large Post #7
Members Absent	<ol style="list-style-type: none"> 1. Amanda Shailendra, At-Large Post #4
Staff Present	<ol style="list-style-type: none"> 1. Dr. Kirk Shook, Executive Director 2. Maggie Rivers, Deputy Director 3. Pat Neri, Program Manager, Compliance 4. Phil Embry, External Auditor 5. James Cheek, Program Manager/Authorization 6. Mike Kaiser, Program Manager/Initial Authorization 7. Caroline Fairhurst, Compliance Specialist 8. Shirlene Mitchell, Office Manager 9. Warren Albert, Regulatory Specialist 10. Olivia Sternagle, Intern
Visitors	<ol style="list-style-type: none"> 1. Steven Walters, AG 2. Lynne Riley, President GSFC

- **CALL TO ORDER AND INVOCATION**
Chairman Van Horn called the meeting to order at 1:06pm and gave the invocation.
- **ROLL CALL**
Chairman Van Horn called the roll, and a quorum was declared.

- **WELCOME/INTRODUCTION OF VISITORS**

Presented by Chairman Van Horn

ACTION ITEMS

Presented by Chairman Van Horn

- **APPROVAL OF AGENDA**

Secretary Patterson moved to adopt the Agenda for the August 26, 2024, Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Roper seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Agenda for the August 26, 2024, Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

- **APPROVAL OF MINUTES**

Commissioner Squire moved to adopt the Minutes from the May 20, 2024, Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Roper seconded the motion. There was no discussion.

Upon a unanimous vote, it was **RESOLVED** that the Minutes from the May 20, 2024, Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

- **APPROVAL OF MINUTES FROM AUGUST 2, 2024, SPECIAL CALLED COMMISSION MEETING**

Vice Chairman Martin moved to adopt the Minutes from the August 2, 2024, Special Called Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Udutha seconded the motion. There was no discussion.

Upon a unanimous vote, it was **RESOLVED** that the Minutes from the August 2, 2024, Special Called Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

- **APPROVAL OF QUARTERLY REPORT: TUITION GUARANTY TRUST FUND (unaudited)**

Presented by Phil Embry, External

- FY24 4th Quarter Report (Apr - Jun 2024)

NONPUBLIC POSTSECONDARY EDUCATION COMMISSION
TUITION GUARANTY TRUST FUND

CURRENT YEAR			
FOURTH QUARTER REPORT - FISCAL YEAR 2024			
QUARTER ENDING JUNE 30, 2024			
(UNAUDITED)			
Assets			
	Deposited in Custodial TGTF Account TRUIST Bank	Invested in Local Government Investment Pool Office of Treasury State of Georgia	Total Fund Assets
Revised (Unaudited) Fund Balance (Cash Basis) June 30, 2023	\$ 711,312.95	\$ 4,062,405.26	\$ 4,773,718.21
Receipts to Fund			
Deposits/Fees from Schools	\$193,387.06	\$0.00	\$ 193,387.06
Deposits/Bond Proceeds	\$ 250,000.00	\$ -	\$ 250,000.00
Transfer Between Accounts	\$ (500,000.00)	\$ 500,000.00	-
Interest Earned on Accounts	\$ 13,967.53	\$ 241,429.36	\$ 255,396.89
Total Receipts to Fund	\$ (42,645.41)	\$ 741,429.36	\$ 698,783.95
Total Income Available	\$ 668,667.54	\$ 4,803,834.62	\$ 5,472,502.16
Payments from Fund			
Administrative Expense	\$ 5,662.16	\$ 0.00	\$ 5,662.16
Expense Related to School Closing			
Refund of Tuition	\$ 3,950.00	\$ 0.00	\$ 3,950.00
Reimbursement TO	\$ -	\$ 0.00	-
Teach Out	\$ -	\$ -	-
Storage of Records	\$ 7,894.96	\$ 0.00	\$ 7,894.96
Total Payments from Fund	\$ 17,507.12	\$ -	\$ 17,507.12
Fund Balance (Cash Basis) June 30, 2024	\$ 651,160.42	\$ 4,803,834.62	\$ 5,454,995.04
Note: All Truist Bank Statements from July 2023 thru Jun 2024 received. Interest earned on bank account is final. The transfer of \$500K from TGTF to LGIP was made in Nov 2023. Going forward shredding and imaging costs will be expensed to Records rather than Administration.			

Prepared By:
Phil Embry
Print Date: 25-Jul-24

Commissioner Udutha moved to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for April - June 2024 period, as presented, and to approve the \$250,000 transfer of funds from the TGTF operating account to the LGIP account, as approved by the TGTF Board of Trustees. Commissioner Roper seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Quarterly Report of the Tuition Guaranty Trust Fund for April - June 2024, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund, **be adopted**.

- **APPROVAL OF FY26 NPEC BUDGET**

Dr. Shook presented the FY26 budget proposal. He explained that the Governor recommended not changes from the FY25 to FY26 budgets.

Nonpublic Postsecondary Education Commission FY26 Annual Operating Budget Request								
	Proposed FY26 Budget	FY25 Budget	FY24 Actual	FY23 Actual	FY22 Actual	FY21 Actual	FY20 Actual	FY19 Actual
300 - Personal Services	\$ 1,004,995	\$ 1,004,995	\$ 936,579	\$ 919,817	\$ 889,588	\$ 836,917	\$ 887,540	\$ 889,329
301 - Regular Operating Expenses	\$ 33,204	\$ 33,204	\$ 42,353	\$ 29,636	\$ 25,952	\$ 36,501	\$ 42,655	\$ 78,582
304 - Equipment	\$ 2,104	\$ 2,104	\$ 8	\$ 165	\$ 280	\$ 246	\$ 2,201	\$ 2,003
305 - Computer Charges	\$ 1,677	\$ 1,677	\$ -	\$ 28	\$ 43	\$ (1,264)	\$ -	\$ 5,529
307 - Telecommunications	\$ 6,189	\$ 6,189	\$ 2,850	\$ 5,596	\$ 3,432	\$ 5,364	\$ 5,118	\$ 6,121
312 - Contracts	\$ 5,000	\$ 5,000	\$ 3,573	\$ 130	\$ 354	\$ 4,779	\$ 17,786	\$ 10,174
	\$ 1,053,169	\$ 1,053,169	\$ 985,363	\$ 955,371	\$ 919,649	\$ 882,544	\$ 955,300	\$ 991,738
<i>Surplus returned to OST (includes state funds and other fees collected)</i>			\$ 51,337	\$ 27,704	\$ 49,901	\$ 130,053	\$ 19,520	\$ 79,881

Vice Chairman Martin moved to adopt the FY26 NPEC Budget, as presented. Commissioner Udutha seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the FY26 NPEC Budget, **be adopted**.

- **APPROVAL OF UPDATE TO TGTF BOARD OF TRUSTEES BYLAWS**

Dr. Shook presented the proposed changes to the TGTF Board of Trustees bylaws. He explained that these changes were to ensure that the Board is in compliance with Georgia Open Meetings laws.

II. MEETINGS OF THE BOARD

1. Regular Meetings

The Board shall meet at least quarterly in the office of the Commission, unless otherwise determined by the Board, which will be posted on the Commission website by the end of the prior calendar year. Unless otherwise determined by the Board, the quarterly meetings shall be held in the following months: January, April, July, and October. If a meeting will be held by teleconference, instructions to the public for calling in to the meeting will be provided at least one week in advance on both the Commission website and on the Georgia Student Finance Commission (GSFC) meeting board in the GSFC main lobby.

2. Special Meetings

Special meetings of the Board may be called for any purpose by the Chair or by the Executive Director. **All Special Called Meetings shall be governed by the Open Meeting Act [O.C.G.A. § 50-14-1(d)(2)].** The request shall state the purpose of the proposed meeting. Business transacted at all special meetings shall be confined to the matters stated in the request. A written or oral notice shall be given at least 24 hours in advance of the meeting to the ~~Daily Report~~ **the legal organ of DeKalb County or the county in which the agency conducts operations** for notifying the public of the date, time, location and subject matter of the special called meeting. **However, if the legal organ is published less often than four times weekly, sufficient notice shall be the posting of written notice for at least 24 hours at the place of regular meetings. Copies of meeting the meeting notice and agenda shall be shared with parties that have previously requested to be included in meeting notices and posted on the agency website. The copies shall be shared via email to interested parties.** If a special circumstance occurs and is so declared by the Commission, a meeting may be held with less than 24 hours' notice upon giving such notice of the meeting and the subjects expected to be considered to the legal organ and the GNPEC website as is reasonable under the circumstances.

Commissioner Blythe moved to adopt the update to TGTF Board of Trustees Bylaws, as presented, with one typographical error correction. Secretary Patterson seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the update to TGTF Board of Trustees Bylaws, **be adopted**.

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Secretary Patterson moved to adopt the update to Board of Commissioners Bylaws, as presented, with one typographical error correction. Commissioner Roper seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the update to NPEC Board of Commissioners Bylaws, **be adopted.**

- **APPROVAL OF REVISIONS TO FY25 SCHEDULE OF FEES**

Dr. Shook presented the proposed FY25 Schedule of Fees. The below changes were presented:

FY25 NPEC Schedule of Fees

Name	Description	Type of Fee	Amount	Fee Change	
1	GA-SARA Annual Fee	This fee is assessed for review of the GA-SARA Application.	< 2,500 FTE Students	\$1,500	N/A
			2,500 – 9,999 FTE Students	\$2,500	N/A
			10,000 – 29,999 FTE Students	\$3,500	N/A
			30,000 or more FTE Students	\$4,500	N/A
2	Application Evaluation Fee (Special Purpose Revenue)	<p>This fee is assessed to cover the evaluation of an application for authorization of an institution seeking initial authorization, for an institution seeking an "Other Exemption" Application, an Initial Religious Exemption Application, and a Renewal Religious Exemption. This fee must be made in advance of the review of the application and made payable to NPEC.</p> <p>The renewal application evaluation late fee is assessed if a first-time renewal of authorization applicant or other renewal of authorization applicant, as determined by the executive director, fails to attend authorization renewal training at least 60 days prior to their expiration date. The renewal application will not be approved evaluated if the training requirement is not satisfied if the fee is not paid, if applicable. An "Other Exemption" application late fee is assessed if the application renewing the exemption is not submitted at least 30 days prior to expiration. For all "Other Exemption" applicant institutions, the \$150 application fee is also required to be submitted prior to the due date.</p> <p>NOTE: Institutions not accredited by an accrediting body recognized by the United States Department of Education are limited to two three new program applications included in the Application Evaluation Fee, as long as the programs are within the same scope, as determined by the commission. The Program Evaluation Fee will apply to each additional program beyond the two three, or to programs outside of the programmatic scope as determined by the commission. Accredited institutions are limited to ten new program applications included in the Application Fee. The Program Evaluation Fee will apply to each additional program beyond the ten.</p> <p>If an adverse action has been taken against an institution by the agency in the past, the application evaluation fee for the institution and/or the principal(s) named in the action shall be double the Commission-approved application evaluation fee.</p>	Nondegree-granting institution	\$1,500	N/A
			Degree-granting institution	\$3,000	N/A
			Renewal application evaluation late fee	\$250	N/A
			"Other Exemption" application	\$150 (\$100 late fee for applicable applications)	N/A
			Initial Religious Exemption Application Fee	\$500	N/A
			Religious Exemption Application Fee	\$150 (\$100 late fee for applicable applications)	N/A

Commissioner Nunez-Cortes moved to adopt the Revisions of FY25 NPEC Schedule of Fines, as presented. Commissioner Blythe seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Revisions of FY25 NPEC Schedule of Fines, **be adopted**.

- **EXECUTIVE DIRECTOR REPORT**
Presented by Dr. Kirk Shook, Executive Director

- NPEC FY24 Operations Budget (4th Quarter)
- Quarterly Budget Comparison (FY23 Q4 v. FY24 Q4)
- FY24 Performance Measures
- FY24 Strategic Plan Metrics
- Update on Administrative Hearing

- **AGENCY OPERATIONS REPORTS**

Presented by Maggie Rivers, Deputy Director

- FY24 4th Quarter Staff Actions

**Staff Actions* by the GNPEC During the 4th Quarter of FY2024
(April 1, 2024 – June 30, 2024)**

No.	Action	Date	Institution	Resolution
1.	Notification of Unauthorized Advertising	4/15/2024	Skilled Medical Professionals Unlimited	Agency Review
2.	Notification of Unauthorized Advertising	5/1/2024	ATC Healthcare & Career Training Center	Agency Review
3.	Notification of Unauthorized Advertising	5/2/2024	Vidalia Medical Academy	Agency Review
4.	Notification of Unauthorized Advertising	5/8/2024	Linkup Medical Academy	Agency Review
5.	Notification of Unauthorized Advertising	5/16/2024	Skilled Medical Professionals Unlimited	Follow Up
6.	Notification of Unauthorized Advertising	5/20/2024	Linkup Medical Academy	Follow Up
7.	Notification of Unauthorized Advertising	5/22/2024	Vidalia Medical Academy	Follow Up
8.	Notification of Unauthorized Activity	5/29/2024	Phlebotomy Bureau Agency	Agency Review
9.	Notification of Unauthorized Activity	6/3/2024	Lifeline Health Institute	Agency Review
10.	Notice of Fines	6/3/2024	MiTio Technologies	Referred to AG/Awaiting OSAH Hearing Date
11.	Notification of Unauthorized Advertising	6/11/2024	UYOA (United Youth of America)	DOL/ETPL Approved Apprenticeship- No further action
12.	Notification of Unauthorized Activity	6/25/2024	Spark Forge Labs	Agency Review

*Staff actions include warning letters, cease & desist letters, cease & desist emails, student record demand letters, request for AG representation, consumer alerts, legal actions, hearing referral to OSAH, etc.

No approval required for this report.

- **AGENCY OPERATIONS REPORTS (cont.)**

Presented by Maggie Rivers, Deputy Director

- FY24 4th Quarter Newly Authorized Schools Report

Institutions Initially GNPEC Authorized During the Fourth Quarter of Fiscal Year 2024 (April 1, 2024 – June 30, 2024)				
	First Date of Authorization	Institution Name	Accreditation Status	Profit Type
1	4/25/24	The Perfect Arch	Unaccredited	For-Profit
Notes:	Make up artistry programming in Hampton, GA			
2	5/30/24	Winder CNA Training	Unaccredited	For-Profit
Notes:	Allied health programming in Bogart, GA.			
3	6/25/24	Health Care Career Academy, LLC	Unaccredited	For-Profit
Notes:	Allied health programming in Perry, GA.			
4	6/27/24	Fellowship Training Institute	Unaccredited	For-Profit
Notes:	Culinary arts and phlebotomy training programs in Snellville, GA			

No approval required for this report.

- **EXECUTIVE SESSION**

There was no need for executive session at this meeting.

- **SCHOOL SPOTLIGHT**

Presented by Dr. Kirk Shook, Executive Director

Convenient Lab & Phlebotomy School

- First authorized in July 2023; offers certificates in phlebotomy
- A student who graduated in September 2023 had been to numerous job interviews and was passed over for positions.
- The school held a job interview prep at the school, and it helped the former student secure a job the following week.

- **OTHER BUSINESS**

Presented by Chairman Van Horn

- The next Quarterly Commission Meeting is November 18, 2024, at 1pm
- Location: Zoom

- **PUBLIC COMMENTS**

No public comments were made.

- **ADJOURN**

Commissioner Squire moved to adjourn the meeting. Commissioner Roper seconded the motion. There being no further business, the meeting adjourned at 2:08pm.

COMMISSION CHAIR APPROVAL:



Drew Van Horn (Nov 25, 2024 16:54 EST)

Signature

11/25/24

Date

COMMISSION SECRETARY APPROVAL:


Kate Patterson (Nov 25, 2024 19:54 EST)

Signature

11/25/24

Date










2. August 26 2024 Commission Minutes

Final Audit Report

2024-11-26

Created:	2024-11-25
By:	Kirk Shook (kshook@gnpec.ga.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAVpdOP8BGlrCG1QDkZLNSgQpaH6u13NtB

"2. August 26 2024 Commission Minutes" History

-  Document created by Kirk Shook (kshook@gnpec.ga.gov)
2024-11-25 - 8:18:21 PM GMT
-  Document emailed to Drew Van Horn (dlvanhorn@yhc.edu) for signature
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-  Document emailed to katemeyerpatterson@gmail.com for signature
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-  Email viewed by Drew Van Horn (dlvanhorn@yhc.edu)
2024-11-25 - 9:54:06 PM GMT
-  Document e-signed by Drew Van Horn (dlvanhorn@yhc.edu)
Signature Date: 2024-11-25 - 9:54:46 PM GMT - Time Source: server
-  Email viewed by katemeyerpatterson@gmail.com
2024-11-26 - 0:53:08 AM GMT
-  Signer katemeyerpatterson@gmail.com entered name at signing as Kate Patterson
2024-11-26 - 0:53:58 AM GMT
-  Document e-signed by Kate Patterson (katemeyerpatterson@gmail.com)
Signature Date: 2024-11-26 - 0:54:00 AM GMT - Time Source: server
-  Agreement completed.
2024-11-26 - 0:54:00 AM GMT