

# BOARD MEETING MINUTES



Georgia Nonpublic Postsecondary  
Education Commission

|                 |                              |
|-----------------|------------------------------|
| <b>DATE</b>     | Monday, January 24, 2022     |
| <b>TIME</b>     | 1:00 PM                      |
| <b>LOCATION</b> | Teleconference               |
| <b>PURPOSE</b>  | Quarterly Commission Meeting |

|                        |   |
|------------------------|---|
| <b>Meeting Chair</b>   | Toby Hinton   |
| <b>Meeting Title</b>   | NPEC Board of Commissioners   |
| <b>Members Present</b> | <ol style="list-style-type: none"> <li>1. Toby Hinton, <b>Chair</b>, <i>Degree-Granting Institution Representative</i></li> <li>2. Dr. Norma Nunez-Cortes, <b>Vice Chair</b>, <i>At-Large Post #6</i></li> <li>3. Amanda Shailendra, <b>Secretary</b>, <i>At-Large Post #4</i></li> <li>4. Ryan Blythe, <i>Certificate-Granting Institution Representative</i></li> <li>5. Dr. Drew Van Horn, <i>Exempt Institution Representative</i></li> <li>6. Pranay Udutha, <i>At-Large Post #1</i></li> <li>7. P.K. Martin, <i>At-Large Post #3</i></li> <li>8. Jim Squire, <i>At-Large Post #7</i></li> <li>9. Kate Patterson, <i>At-Large Post #8</i></li> </ol> |
| <b>Members Absent</b>  | <ol style="list-style-type: none"> <li>1. Doug Roper, <i>At-Large Post #2</i></li> <li>2. Holly Kirbo, <i>At-Large Post #5</i></li> </ol>   |
| <b>Staff Present</b>   | Kirk Shook, Executive Director<br>Adam Hawk, GA-SARA Coordinator<br>Pat Neri, Program Manager<br>Maggie Rivers, Program Manager<br>Phil Embry, External Auditor<br>James Cheek, Senior Regulatory Specialist<br>Ally Konishi, Regulatory Specialist<br>Shirlene Mitchell, Office Manager<br>Brian Annino, NPEC/GSFC General Counsel   |
| <b>Visitors</b>        | Lisa Hardt, Governor's Office of Planning and Budget  |

## 1. CALL TO ORDER AND INVOCATION

Chairman Hinton called the meeting to order at 1:38 PM and gave the invocation. Chairman Hinton called the roll and a quorum was declared.

## 2. WELCOME/INTRODUCTION OF VISITORS

Chairman Hinton welcomed all the guests and visitors in attendance.

## 3. INTRODUCTION OF NEW COMMISSIONER

Chairman Hinton welcomed and introduced the new Post #7 Commissioner, Jim Squire. With Commissioner Squire's appointment and swearing-in on December 29, 2021, the Commission now has no vacant positions.

## 4. APPROVAL OF AGENDA

Commissioner Van Horn moved to adopt the Agenda for the January 24, 2022 Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission. Vice Chair Nunez-Cortes seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Agenda for the January 24, 2022 Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

## 5. APPROVAL OF MINUTES

Commissioner Van Horn moved to adopt the Minutes from the October 25, 2021 Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Patterson seconded the motion. There was no discussion.

Upon a unanimous vote, it was **RESOLVED** that the Minutes from the October 25, 2021 Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

## 6. APPROVAL OF QUARTERLY REPORT: TUITION GUARANTY TRUST FUND (unaudited)

External Auditor Phil Embry reported on the following:

- FY22 2<sup>nd</sup> Quarter Report ending December 31, 2021
- Tuition Guaranty Trust Fund 2<sup>nd</sup> Quarter Yearly Comparison Report

Commissioner Udutha moved to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for the six-month period ending December 31, 2021, as presented. Vice Chair Nunez-Cortes seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Quarterly Report of the Tuition Guaranty Trust Fund for the six-month period ending December 31, 2021, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund, **be adopted**.

## 7. APPROVAL OF COMMISSION DATE CHANGE

Due to reporting time constraints associated with the original April meeting date, Executive Director Shook proposed that the next Quarterly Commission meeting be moved to May. Commissioner Van Horn moved for the next Commission meeting to be held on May 16, 2022 at Brenau University. Commissioner Squire seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the motion to move the next Quarterly Commission meeting from April 18, 2022 to May 16, 2022 at Brenau University, **be adopted**.

## 8. APPROVAL OF POLICY UPDATES

Chairman Hinton opened the floor for the reading of submitted comments or those wishing to speak to the proposed policy changes. There were no comments made.

The following policy proposal was reviewed:

### Policy 18: Whistleblower Policy and Procedure

The purpose of this policy is to establish a procedure for employees to report on violations of the Georgia Nonpublic Postsecondary Education Commission (GNPEC) policies and procedures or suspected violations of law. The policy applies to all GNPEC employees in accordance with O.C.G.A. § 45-1-4.

GNPEC is administratively attached to the Georgia Student Finance Commission (GSFC); therefore, GNPEC has adopted the framework of GSFC's Whistleblower policy and procedure through which concerns or complaints involving GNPEC's accounting, internal accounting controls, auditing matters, violations of GNPEC's policies and procedures, as well as complaints regarding possible violations of law may be reported as set forth herein. The primary responsibility to receive such concerns or complaints will be with the GNPEC General Counsel and the secondary responsibility will be with GSFC Human Resources ([humanresources@gsfc.org](mailto:humanresources@gsfc.org)).

It is GNPEC's policy to comply with all applicable laws that protect employees against unlawful discrimination or retaliation as a result of their lawfully reporting information regarding, or their participation in investigations involving corporate fraud or other violations by GNPEC staff or its agents of federal or state law. This policy prevents any employee from being subject to disciplinary or retaliatory action by GNPEC or any of its employees or agents as a result of (1) the employee disclosing or submitting information to a government or law enforcement agency, GNPEC's General Counsel, or other party with responsibility under this policy, where the employee has a reasonable belief that a violation or possible violation of federal or state law has occurred or is occurring, and/or (2) an employee providing information or assistance in an investigation or proceeding regarding any concern or complaint. This policy will be communicated to staff by the Executive Director.

Specifically, relevant concerns or complaints submitted through this process that involve concerns by employees regarding questionable auditing practices, internal accounting controls, violations of GNPEC's policies and procedures, or possible violations of law pertaining to GNPEC should be presented in writing to GNPEC's General Counsel. Attached to this notice is a form that employees may use to submit concerns regarding such questionable practices. All such submissions by employees will be thoroughly reviewed and investigated. If the employee submits his or her name with the concern or complaint, he or she will receive a response upon completion of the investigation. Alternatively, a complaint may be filed directly with the Office of the Inspector General (OIG) by email ([inspector.general@oig.ga.gov](mailto:inspector.general@oig.ga.gov)) or by writing to the Inspector General at 2 Martin Luther King, Jr. Drive, SW, 1102 West Tower, Atlanta, GA 30334.

Whistleblower Policy and Procedure

GEORGIA NONPUBLIC POSTSECONDARY EDUCATION COMMISSION EMPLOYEE SUBMISSION REGARDING QUESTIONABLE ACCOUNTING, AUDITING, OR OTHER MATTERS

To: GNPEC General Counsel
Email: bannino@gsfc.org
Telephone: (770) 724-9019

Concerns regarding questionable auditing practices, internal accounting controls, violations of the Agency's policies and procedures, or possible violations of law:

Three horizontal lines for writing concerns.

If additional space is required, please continue using the other side of this sheet or attach an additional page. To enable the GNPEC General Counsel to communicate with you, you are encouraged to provide your name, address, and a telephone number where you can be reached during the day or evening. You have the right, however, to make the above submission on an anonymous basis.

Employee Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

City, State, Zip (optional) \_\_\_\_\_

Daytime or evening telephone number (optional) \_\_\_\_\_

Commissioner Patterson moved for the approval of Policy 18: Whistleblower Policy and Procedure. Commissioner Van Horn seconded the motion. There was no discussion.

Upon unanimous vote, it was RESOLVED that Policy 18: Whistleblower Policy and Procedure, be adopted.

9. EXECUTIVE DIRECTOR REPORT

Presented by Kirk Shook, Executive Director

- GNPEC FY22 Operations Budget (2nd Quarter)
Quarterly Budget Comparison (FY21 Q2 v. FY22 Q2)
Governor's Budget Recommendation—AFY22 & FY23
Personnel (New Contractor—Ally Konishi; Senior Regulatory Specialist Promotions)
Meeting modality shift starting in April 2022 (all virtual or all in-person)
Non-Compliant Institution List beginning 2/1/22
Affidavit of Public Official due to the State Ethics Commission by January 31st

No approval required for this report.

10. AGENCY OPERATIONS REPORT

Presented by Pat Neri and Maggie Rivers, Program Managers

- Compliance, Pat Neri
o FY22 1st Quarter Staff Actions Report

Staff Actions\* by the GNPEC During the Second Quarter of Fiscal Year 2022 (October 1, 2021 – December 31, 2021)

Table with 6 columns: No., Action, Date, Institution, City and State, Resolution. Row 1: 1, Complaint Filed, October 5, 2021, Allied Medical Training, Hinesville, Savannah & Vidalia, Georgia, AG Litigation

| No. | Action                  | Date              | Institution                    | City and State       | Resolution                                    |
|-----|-------------------------|-------------------|--------------------------------|----------------------|---|
| 2.  | Consumer Alert          | October 19, 2021  | Atlanta Institute of Business  | Norcross, Georgia    | Consumer Alert, Agency Review, and Advised AG |
| 3.  | Cease and Desist Letter | October 21, 2021  | Atlanta Institute of Business  | Norcross, Georgia    | Pre-litigation                                |
| 4.  | Consumer Alert          | November 2, 2021  | GNPEC Help                     | Suwanee, Georgia     | Consumer Alert Only                           |
| 5.  | Consumer Alert          | November 27, 2021 | Chronicles Billing Inc         | Jonesboro, Georgia   | Consumer Alert Only                           |
| 6.  | Cease and Desist Email  | December 1, 2021  | North Georgia Dental Assisting | Johns Creek, Georgia | Agency Review                                 |
| 7.  | Cease and Desist Email  | December 1, 2021  | JER Online                     | Dawsonville, Georgia | Agency Review                                 |
| 8.  | Cease and Desist Email  | December 8, 2021  | Xcellent Healthcare Services   | Savannah, Georgia    | Agency Review                                 |
| 9.  | Cease and Desist Letter | December 30, 2021 | Xcellent Healthcare Services   | Savannah, Georgia    | Pre-litigation                                |

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

- Communications, *Maggie Rivers*
  - Legislative Liaison Report
    - SB 333
- Operations, *Maggie Rives*
  - Annual Report
  - Biennial Report

No approval required for this report.

## 11. AUTHORIZATION COMPLIANCE REPORT

*Presented by Adam Hawk, Division Director/GA-SARA Coordinator*

- FY22 2<sup>nd</sup> Quarter Newly Authorized Schools Report

### Institutions Initially GNPEC Authorized During the First Quarter of Fiscal Year 2022 (October 1, 2021- December 31, 2021)

|   | First Date of Authorization | Institution Name                   | City, State      | Accreditation Status | Fiscal Type | Bond Amount |
|---|-----------------------------|------------------------------------|------------------|----------------------|-------------|-------------|
| 1 | October 6, 2021             | Alliance Dental Institute          | Villa Rica, GA   | Unaccredited         | For Profit  | \$75,000    |
| 2 | October 12, 2021            | Anchored Phlebotomy Institute LLC  | Duluth, GA       | Unaccredited         | For Profit  | \$20,000    |
| 3 | October 12, 2021            | K-Beauty School                    | Griffin, GA      | Unaccredited         | For Profit  | \$100,000   |
| 4 | October 13, 2021            | OTC Professional K9 Academy        | Kennesaw, GA     | Unaccredited         | For Profit  | \$75,000    |
| 5 | October 13, 2021            | TechBridge, Inc.                   | Atlanta, GA      | Unaccredited         | Non Profit  | \$200,000   |
| 6 | October 14, 2021            | Six Consulting Training Center     | Alpharetta, GA   | Unaccredited         | For Profit  | \$30,000    |
| 7 | October 20, 2021            | Creekside Dental Assisting Academy | Douglasville, GA | Unaccredited         | For Profit  | \$50,000    |
| 8 | October 28, 2021            | Yes-M Systems LLC                  | Alpharetta, GA   | Unaccredited         | For Profit  | \$50,000    |
| 9 | November 1, 2021            | 1st Class Dental Assistant Academy | Marietta, GA     | Unaccredited         | For Profit  | \$20,000    |

|    |                   |   |                   |              |            |           |
|----|-------------------|---|-------------------|--------------|------------|-----------|
| 10 | November 2, 2021  | Good Nursing and Medical Training, LLC.   | Norcross, GA      | Unaccredited | For Profit | \$50,000  |
| 11 | November 3, 2021  | GoMedical Phlebotomy Training and Laboratory Services Institution                             | Lawrenceville, GA | Unaccredited | For Profit | \$20,000  |
| 12 | November 15, 2021 | Atria Medical Institute   | McDonough, GA     | Unaccredited | For Profit | \$30,000  |
| 13 | November 16, 2021 | MedCerts, LLC   | Livonia, MI       | Unaccredited | For Profit |           |
| 14 | November 16, 2021 | Trident University International, a member of the American InterContinental University System | Chandler, AZ      | Unaccredited | For Profit | \$45,000  |
| 15 | December 6, 2021  | Golden Age Healthcare Training SW, LLC  | Fayetteville, GA  | Unaccredited | For Profit | \$30,000  |
| 16 | December 10, 2021 | Miller-Motte College/ Chattanooga   | Chattanooga, TN   | Unaccredited | For Profit | \$20,000  |
| 17 | December 14, 2021 | Aspen University  | Denver, CO        | Accredited   | For Profit | \$200,000 |
| 18 | December 17, 2021 | Georgia Training Center, LLC  | Columbus, GA      | Unaccredited | For Profit | \$20,000  |
| 19 | December 21, 2021 | SSG Appliance Academy LLC   | Lilburn, GA       | Unaccredited | For Profit | \$20,000  |

▪ Authorization Report

# GNPEC

## AUTHORIZATION OVERVIEW

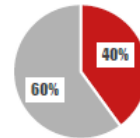
AS OF  
**January 19, 2022**

Total Authorized Institutions  
**345**

Site Visits to Date  
**120**

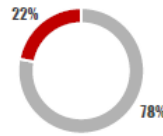
Initial Proposals to Date  
**67**

Accreditation Status



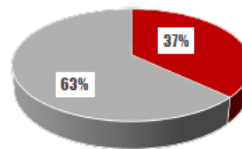
■ Accredited- 137   ■ Unaccredited- 208

Location



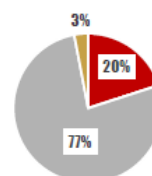
■ In-State- 269   ■ Out of State- 77

Type of Institution



■ Degree Granting- 127  
■ Nondegree Granting- 218

Profit Type



■ Non-Profit- 73   ■ For-Profit- 264   ■ Public- 8

No approval required for this report.

**12. EXECUTIVE SESSION**

Commissioner Van Horn moved for the Board of Commissioners to go into Executive Session at 2:54pm to discuss pending agency litigation. Commissioner Martin seconded the motion. The Commission voted unanimously to enter into Executive Session.

After discussing legal matters, Commissioner Van Horn moved to close the Executive Session. Commissioner Squire seconded the motion. Upon a unanimous vote, the Executive Session was closed at 3:04pm.

**13. OTHER BUSINESS**

The next Quarterly Commission Meeting is scheduled for May 16, 2022 at 1pm (Brenau University, Brenau Downtown Center, 301 Main Street SW, Gainesville – no virtual option).

**14. PUBLIC COMMENTS**

Chairman Hinton opened the floor for public comments. No public comments were made.

**15. ADJOURN**

Commissioner Squire moved to adjourn the meeting. Commissioner Van Horn seconded the motion.

There being no further business, the meeting adjourned at 3:05 PM.

**COMMISSION CHAIR APPROVAL:**

*Toby Hinton*  
Toby Hinton (May 25, 2022 08:41 EDT)

\_\_\_\_\_  
*Signature*

**May 25, 2022**

\_\_\_\_\_  
*Date*

**COMMISSION SECRETARY APPROVAL:**

*Amanda Shalendra*

\_\_\_\_\_  
*Signature*

**Sep 2, 2022**

\_\_\_\_\_  
*Date*












# January 24, 2022 Commission Minutes

Final Audit Report

2022-09-02

|                 |  |
|-----------------|--|
| Created:        | 2022-05-24                                   |
| By:             | Kirk Shook (kshook@gnpec.ga.gov)             |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAGIMZLtebUcYnkZFvM1yfVJS_1OsCLzqk |

## "January 24, 2022 Commission Minutes" History

-  Document created by Kirk Shook (kshook@gnpec.ga.gov)  
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-  Document emailed to Toby Hinton (thinton@brenau.edu) for signature  
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2022-09-02 - 7:50:57 PM GMT