

BOARD MEETING MINUTES



Georgia Nonpublic Postsecondary
Education Commission

DATE	Monday, July 26, 2021
TIME	1:00 PM
LOCATION	Via Zoom Teleconference
PURPOSE	Quarterly Commission Meeting

Meeting Chair	Toby Hinton
Meeting Title	NPEC Board of Commissioners
Members Present	<ol style="list-style-type: none"> 1. Toby Hinton, Chair, <i>Degree-Granting Institution Representative</i> 2. Dr. Norma Nunez-Cortes, Vice Chair, <i>At-Large Post #6</i> 3. Amanda Shailendra, Secretary, <i>At-Large Post #4</i> 4. Ryan Blythe, <i>Certificate-Granting Institution Representative</i> 5. Karen Gilbert, <i>Exempt Institution Representative</i> 6. Mollie Cohen, <i>At-Large Post #2</i> 7. Lee Todd, <i>At-Large Post #3</i> 8. Kate Patterson, <i>At-Large Post #8</i>
Members Absent	<ol style="list-style-type: none"> 1. Victoria Agyekum, <i>At-Large Post #1</i> 2. Holly Kirbo, <i>At-Large Post #5</i>
Staff Present	Kirk Shook, Executive Director Dr. Laura Vieth, Associate Executive Director Adam Hawk, GA-SARA Coordinator/Division Director Phil Embry, External Auditor Shirlene Mitchell, Office Manager Hannah Morris, Regulatory Specialist Brian Annino, NPEC/GSFC General Counsel
Visitors	Kristen Settlemire, Office of the Attorney General Isabella Lugo, Office of the Attorney General Erin Greenburg, Governor's Office of Planning and Budget Wazir Hossain, Georgia Student Finance Commission Jet Toney, Georgia Independent College Association

1. CALL TO ORDER AND INVOCATION

Chairman Hinton called the meeting to order at 1:00 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 on the teleconference.

3. HONORING OF OUTGOING COMMISSIONERS

Chairman Hinton honored each of the outgoing Commissioners. Dr. Arthur Vaughn submitted his resignation effective June 30, 2021. Other Commissioners who were term-limited and whose terms expired on June 30, 2021 are set to be replaced by Governor Kemp in August 2021. Each member was thanked for their long years of service and commitment to NPEC. Executive Director Kirk Shook announced that a plaque honoring each outgoing Commissioner will be sent in the coming weeks.

The following Commissioners were honored:

- Lee Todd, 7 years of service (August 2014 – August 2021)
- Dr. Arthur Vaughn, 6+ years of service (September 2014 – June 2021)
- Victoria Agyekum, 6+ years of service (October 2014 – August 2021)
- Karen Gilbert, 6+ years of service (October 2014 – August 2021)
- Mollie Cohen, 5+ years of service (October 2015 – August 2021)

It was noted that the following Commissioners would be joining the Board after being swearing-in on August 4, 2021:

- Dr. Drew Van Horn, Exemption Institution Representative
- Pranay Udutha, At-Large Post #1
- Doug Roper, At-Large Post #2

- P.K. Martin, At-Large Post #3

4. APPROVAL OF AGENDA

Commissioner Gilbert moved to adopt the Agenda for the July 26, 2021 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 July 26, 2021 Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

5. APPROVAL OF MINUTES

Commissioner Shailendra moved to adopt the Minutes from the April 26, 2021 Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Todd seconded the motion. There was no discussion.

Upon a unanimous vote, it was **RESOLVED** that the Minutes from the April 26, 2021 Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

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

Executive Director Shook reported on the following:

- FY21 4th Quarter Report ending June 30, 2021
- Tuition Guaranty Trust Fund 4th Quarter Yearly Comparison Report

Commissioner Cohen moved to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for the twelve-month period ending June 30, 2021, as presented. Commissioner Shailendra 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 twelve-month period ending June 30, 2021, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund, **be adopted**.

7. APPROVAL OF REVISED FY22 COMMISSION MEETING DATES AND LOCATIONS

The following calendar of meeting dates were presented, with the revision of the April 2022 date to accommodate scheduled agency travel:

FY22 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 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
Monday January 24, 2022	Teleconference	12:45 PM	1:00 PM
Monday April 18, 2022	Brenau University 301 Main Street Gainesville, GA 30501	12:45 PM	1:00 PM

*Subject to change based on campus COVID-19 policies

Commissioner Gilbert moved to adopt the Revised FY22 Commission Meeting Dates and Locations as presented. Vice Chair Nunez-Cortes seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Revised FY22 Commission Meeting Dates and Locations **be adopted**.

8. APPROVAL OF POLICY UPDATES

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

The policy change, *Policy 17: Use of the State Seal*, was presented:

Policy 17: Use of the State Seal

1. In accordance with O.C.G.A. §§ 50-3-8 and 50-3-9, institutions and persons should not use the state seal (inclusive of digital, electronic, or tangible form) for any purposes, including but not limited to, marketing, advertising, and student degrees unless explicit written permission is received from the Office of the Governor.
2. Requests for the use of the state seal must be in writing and must explain the proposed use of the seal and submitted to the Office of the Governor for review.
3. If written permission is granted by the Office of the Governor, the institution must provide such documentation to the Nonpublic Postsecondary Education Commission if it intends to use the State Seal for any reason.
4. The commission has the authority to require any unauthorized usage of the state seal to be removed immediately and reserves all rights and remedies to enforce such authority, including but not limited to, referring the matter to the Office of Attorney General.

Commissioner Todd moved to adopt *Policy 17: Use of the State Seal*, as presented. Vice Chair Nunez-Cortes seconded the motion. In discussion, Commissioner Blythe asked if use of the state seal was a common problem that we see with our authorized institutions. Executive Director Shook explained that it is not common, but the agency has encountered recent unauthorized use of the state seal. This language was specifically in the previous Minimum Standards but was inadvertently omitted from the new version, passed by the Commission in December 2020. This policy clarifies NPEC intentions and fulfills the mandates of O.C.G.A. §§ 50-3-8 & 50-3-9.

Following discussion, a vote was held. Upon unanimous vote, it was **RESOLVED** that *Policy 17: Use of the State Seal*, **be adopted**.

9. EXECUTIVE DIRECTOR REPORT

Presented by Kirk Shook, Executive Director

- NPEC FY21 Operations Budget (4th Quarter, ending June 30, 2021)
- Quarterly Budget Comparison (FY20 Q4 v. FY21 Q4)
- NPEC Historical Fee Collections (FY19-FY21)
- Agency Legislation Report (effective July 1, 2021)
- New Hire (started July 26, 2021), *Laura Vieth*
- FY22 Agency Restructure
- Division Reports
 - Compliance, Exemptions, Communications, & Operations, *Laura Vieth*
 - Financial Viability, GA-SARA, & Authorization, *Adam Hawk*
- Permanent Remote Work Transition, *Adam Hawk*
- Internship Report, *Maggie Rivers*

No approval required for this report.

10. FY21 4th QUARTER NEWLY AUTHORIZED SCHOOLS

Presented by Adam Hawk, Division Director

No.	First Date of Authorization	Institution	Fiscal Type	Bond Amount
1	April 1, 2021	American Healthcare Documentation Professionals Group, Inc. (Shrewsbury, MA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in healthcare records 	For-profit	\$20k
2	April 16, 2021	OceanPointe Dental Academy of West Cobb (Powder Springs, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificate in dental assisting 	For-profit	\$50k
3	April 20, 2021	theClubhouse (Augusta, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in entrepreneurship and web development 	Nonprofit	\$100k
4	May 4, 2021	INL Diesel Technician Academy (Atlanta, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificate in diesel technician 	For-profit	\$150k
5	May 5, 2021	Spanish American Institute of Atlanta (Norcross, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in allied health 	For-profit	\$50k
6	May 12, 2021	Peach State School (Conyers, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a degree in nursing 	For-profit	\$50k
7	May 18, 2021	City of Refuge (Atlanta, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in NAPA automotive, culinary arts, and Salesforce 	Nonprofit	\$50k
8	May 18, 2021	Bright Beginning's Training (Cairo, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in allied health 	For-profit	\$20k
9	May 27, 2021	Universal Dental Assisting Training, LLC (Decatur, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificate in dental assisting 	For-profit	\$50k
10	May 27, 2021	Crane Industry Services, LLC (Villa Rica, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in rigging and crane operation 	For-profit	\$100k
11	June 8, 2021	Community of Destiny Inc (Atlanta, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificate in culinary arts 	Nonprofit	\$50k
12	June 8, 2021	Brite Futures Orthodontic Assisting, LLC (McDonough, GA) <ul style="list-style-type: none"> • Unaccredited • Offers a certificate in orthodontic assisting 	For-profit	\$20k
13	June 18, 2021	LifeLink, Inc. (Fort Valley, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificates in allied health 	Nonprofit	\$30k
14	June 22, 2021	Special Blends Bartending School (Powder Springs, GA) <ul style="list-style-type: none"> • Unaccredited • Offers certificate in bartending 	For-profit	\$30k
15	June 23, 2021	Chattahoochee Valley Community College (Phenix City, AL) <ul style="list-style-type: none"> • Accredited by Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) • Offers certificate and degrees in allied health 	State	\$200k

No approval required for this report.

11. FY21 4th QUARTER STAFF ACTIONS

Presented by Dr. Laura Vieth, Associate Executive Director

No.	Action	Date	Institution	Resolution
1.	Consumer Alert	April 6, 2021	Erudite Nursing Institute/Medical Career Specialists 3330 Cumberland Blvd. SE, Suite 500 Atlanta, GA 30339	Under Review of Office of the Attorney General
2.	Consent Agreement	April 6, 2021	CCME Training Service 6714 Highway 85 Riverdale, GA 30274	Under Review of Office of the Attorney General
3.	Motion for Default Judgement	April 15, 2021	Terry University (multiple addresses)	Granted April 20, 2021
4.	Consumer Alert	April 20, 2021	Terry University (multiple addresses)	Student Records not yet collected
5.	Consumer Alert	April 20, 2021	Allied Medical Training 445 Elma G. Miles Parkway, Suite 104 Hinesville, GA 31313 Allied Medical Training 121 Oglethorpe Professional Ct., Suite B Savannah, GA 31406 Allied Medical Training 305 B. Slayton Drive Vidalia, GA 30474	Under Review of Office of the Attorney General
6.	Cease and Desist Letter	May 5, 2021	Medical Advance Prep, Inc. 1804 East Park Avenue, 3 rd Floor Valdosta, GA 31602-5503 Medical Advanced Prep, Inc. 223 North Ashley Street, Rm. 310 Valdosta, GA 31601 Dekoya Adams Registered Agent for Medical Advance Prep, Inc. 1505 Madison Heights Dr. Valdosta, GA 31601	Referred to Office of Attorney General
7.	Cease and Desist Email	May 13, 2021	Chronicles Billing, Inc. 2749 Mt Zion Parkway, Suite 200 Jonesboro, GA 30236	Referred to Counsel
8.	Cease and Desist Email	June 9, 2021	Construction Education Foundation of GA 261 Joseph E Lowery Blvd NW Atlanta, GA 30304	Institution is Seeking Authorization
9.	Cease and Desist Email	June 9, 2021	Skillful Coding Prep Academy P.O. Box 877 6080 GA-42, #110 Rex, GA 30273	Referred to Counsel
10.	Cease and Desist Email	June 18, 2021	Realtime Voice 250 Langley Drive Lawrenceville, GA 30046	Referred to Counsel

No approval required for this report.

12. EXECUTIVE SESSION

Commissioner Cohen moved for the Board of Commissioners to go into Executive Session to discuss pending agency litigation. Commissioner Patterson seconded the motion. The Commission voted unanimously to enter into Executive Session.

After discussing legal matters, Commissioner Patterson moved to close the Executive Session. Commissioner Todd seconded the motion. Upon a unanimous vote, the Executive Session was closed.

13. OTHER BUSINESS

The next Quarterly Commission Meeting is scheduled for October 25, 2021 at 1pm at Helms College–Augusta (3145 Washington Road, Augusta, GA).

There will be a Special Called Meeting of the Board of Commissioners in August via Zoom to approve the agency budget submission. A date will be determined in the future.

14. PUBLIC COMMENTS


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

15. ADJOURN

Commissioner Cohen moved to adjourn the meeting. Vice Chair Nunez-Cortes seconded the motion.

There being no further business, the meeting adjourned at 2:10 PM.

COMMISSION CHAIR APPROVAL:


Toby Hinton (Oct 28, 2021 11:58 EDT)

Signature
Oct 28, 2021

Date

COMMISSION SECRETARY APPROVAL:

Amanda Shalendra

Signature
Oct 28, 2021

Date









July 26, 2021 Commission Minutes

Final Audit Report

2021-10-28

Created:	2021-10-28
By:	Kirk Shook (kshook@gnpec.ga.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_jb72Rvj3AZg9qAELEncNWSyVxhC6qnW

"July 26, 2021 Commission Minutes" History

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