

## **GNPEC Minimum Standards Criteria**

In accordance with O.C.G.A. § 20-3-250.5(b)(2) and 20-3-250.6, the Georgia Nonpublic Postsecondary Education Commission (GNPEC) Minimum Standards provide specific criteria for compliance with the standards set forth in O.C.G.A. § 20-3-250.6(a).

These standards are applied equally to all institutions (sometimes self-referenced as businesses) authorized by GNPEC or seeking to get authorized by GNPEC. Application of the standards is regardless of program level, instructional modality, campus location, or accreditation status.

Responses by applicants in this GNPEC Minimum Standards Criteria document are treated as attestations that documents, situations, and criteria have been met or exist. If requested, the applicant must promptly provide such documentation and information as is required to substantiate these attestations.

**NOTE: Standards Criteria listed below may be in addition to the application requirements.**

**Institution Name:** \_\_\_\_\_

**Individual Completing Form on Behalf of Institution:** \_\_\_\_\_

**Title:** \_\_\_\_\_

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

## Standard 1: Programmatic Integrity

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(1)*

An institution's programmatic offerings must sufficiently address the learning objectives to prepare graduates for employment in the field for which the training is offered, as determined by the GNPEC in its sole discretion.

1. Each individually offered program must be approved by GNPEC.
2. Each program of study must include the following:
  - a. Clear objectives;
  - b. Established and appropriate entrance requirements;
  - c. A detailed curriculum outline;
  - d. Theoretical and practical components;
  - e. Assessment of knowledge gained;
  - f. Remediation services; and
  - g. Final evaluation.
3. Each program must have syllabi and written lesson plans available for each course or, in the instance of single course programs, for the whole program.
4. Programmatic length must be satisfactory to ensure the amount of content offered is relative to the programmatic level.
  - a. Certificate—Minimum credit hours (or equivalent) as determined by the commission; can be offered at any postsecondary level
  - b. Associate—requires at least 60 semester credit hours (or equivalent)
  - c. Bachelor—requires at least 120 semester credit hours (or equivalent)
5. Institutions offering credit for experience and/or competency, or equivalent, must have a policy in place for how credit is granted based upon documented metrics.
6. Institutional accreditation must be first attained in order to offer degree programs.
7. The institution must be able to make available a list of potential employment opportunities for which the program prepares.
8. If certification, licensure, or other state and/or national vocational approval may be required of the graduate to become employed in the field, the institution must disclose if the program does not meet those requirements prior to, or at the time of, enrollment in published institutional materials.
  - a. No program shall use the word "certified" in the program name unless the program is specifically designed to lead to an industry-recognized certification and the institution requires the student to sit and pass the exam for graduation from the program, or as determined by the Executive Director in his/her sole discretion.
9. The institution must have a system in place for evaluating and documenting student achievement such as through periodic examinations, skills assessment logs, and/or standardized achievement tests. Furthermore, the following practices are required:
  - a. Established grading system;
  - b. Ongoing/updated record of grades; and
  - c. Established exit criteria for determining successful completion of course work and programs.

10. The institution must incorporate teaching methods and procedures to provide for direct meaningful interaction between students and faculty.
  - a. The commission has the authority to deny programs for insufficient program length or curricular quality.
  - b. Unaccredited institutions are prohibited from offering fully asynchronous online-only program delivery, as determined by the commission, which includes the use of curriculums developed by third-party vendors. Hands on/lab training related to a field or profession associated with public health, public welfare, or public safety, as determined by the commission, must be done in person, not virtually.
  - c. Asynchronous delivery of the curriculum as part of the total clock hours of the program instruction may be denied by the Executive Director based on the nature of the occupations for which the training is intended.
11. The institution must periodically evaluate its ability to satisfy its mission statement through methods such as student surveys or an institutional effectiveness committee and develop procedures to improve its ability to satisfy its mission statement as necessary.
12. The institution must periodically survey faculty as part of an institution-wide evaluation of its ability to satisfy its mission statement.
  - a. Faculty and staff must be notified of relevant institutional policy changes through regular training and/or meetings.

Comments:

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I certify, represent, and warrant that I have reviewed the content of this standard and confirm that my responses are true, complete, and correct to the best of my knowledge and belief.

Signature:

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## Standard 2: Facilities and Equipment

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(2)*

1. Adequate facilities and equipment must be available for instruction and education of good quality.
  - a. These should be based on programmatic content, number of students, instructional modality, and equipment needs.
  - b. Online programming, if offered, must be delivered through an adequate platform with sufficient technical support.
2. Adequate facilities must be available for supporting instruction, including administration, storage, instructional modality, and student resources.
3. Adequate and up to date equipment and materials must be available to support program content, number of students, and instructional modality.
4. A distance education institution seeking authorization in the State of Georgia must maintain a permanent physical location that supports its educational offerings and business operations, even if the institution primarily delivers instruction online. A post office box may only be used as a mailing address in conjunction with the required physical location.
5. The equipment, buildings, and grounds must meet all applicable federal, state, and municipal codes.
6. The institution's learning resource system (library) must include materials commensurate with the level of education provided and appropriate to the courses of study in sufficient quantity and scope to meet the educational objectives of each program. This may include resources such as the following:
  - a. relevant and current texts and periodicals;
  - b. research journals and databases;
  - c. standard works of reference;
  - d. multi-media and/or electronic resources;
  - e. electronic library resource technologies; and/or
  - f. other resource materials necessary to adequately serve students.

Comments:

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### **Standard 3: Faculty and Staff (i.e., Personnel)**

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(3)*

The faculty and staff must be qualified, based on previous education and experience, to fulfill the responsibilities of each of their institutional roles. Credentials reported must be earned from an institution with accreditation recognized by United States Department of Education, licensure recognized by the State of Georgia, or equivalent based on supporting documentation, as determined acceptable by the GNPEC in its sole discretion. For those educated outside the United States, additional documentation of education must be provided, including evaluation by a certified credential evaluation service at the expense of the institution. If applicable, active state licensure or certification relevant to the specific field of instruction must be maintained.

#### **Faculty (Instructor) Qualifications**

1. A certificate-granting institution must employ faculty (instructors) who demonstrate competency in the field for which training is offered, as evidenced by at least one of the following:
  - a. A bachelor's degree with a major in the field of instruction from an institution accredited by an accrediting agency recognized by the United States Department of Education; or
  - b. At least two years of teaching experience and/or work experience in the field for which training is offered.

In addition to one of the above qualifications, faculty must hold valid and current licensure/certification if the field of instruction requires licensure/certification for employment.

2. A degree-granting institution must employ faculty (instructors) who demonstrate competency in the field for which training is offered, as evidenced by the following:
  - a. A degree in the field of instruction, at least one degree level higher than the program being taught, from an institution accredited by an accrediting agency recognized by the United States Department of Education.
    - i. A reasonable number of faculty must have earned a doctorate or terminal degree from an institution accredited by an agency recognized by the United States Department of Education.
    - ii. In some instances, as approved by the Executive Director, experience and professional recognition may be an acceptable substitute for the degree requirement.
  - b. At least two years of teaching experience and/or work experience in the field for which training is offered.
3. A graduate degree-granting institution must employ faculty (instructors) who demonstrate competency in the field for which training is offered, as evidenced by the following:
  - a. A doctorate or terminal degree in the field of instruction from an institution accredited by an accrediting agency recognized by the United States Department of Education.

- i. In some instances, as approved by the Executive Director, experience and professional recognition may be an acceptable substitute for the degree requirement.
  - b. At least two years of teaching experience and/or work experience in the field for which training is offered.
- 4. The institutional organization chart must reflect adequate personnel necessary to support programming scope.
- 5. The institution must provide programmed orientation to familiarize new hires with institutional policies and procedures along with job requirements.
  - a. Faculty and staff must be provided with an employee handbook with confirming attestation of receipt to be documented in employee file.

### **Staff Qualifications**

- 6. A certificate-granting institution has designated a director who meets at least two of the following requirements:
  - a. A bachelor's degree from an institution accredited by an agency recognized by the United States Department of Education;
  - b. At least one year of administrative or supervisory experience; and/or
  - c. At least two years of teaching experience and/or work experience in the specific field for which training is offered.
- 7. A degree-granting institution must have a designated director who meets the following requirements:
  - a. A bachelor's degree from an institution accredited by an agency recognized by United States Department of Education;
    - i. In some instances, as approved by the Executive Director, experience and professional recognition may be an acceptable substitute for the degree requirement.
  - b. At least two years of administrative or supervisory experience; and
  - c. At least two years of teaching experience and/or work experience in the specific field for which training is offered.
- 8. Institutions with more than one (1) distinct occupational area that leads to an occupational or academic degree must have a program head (e.g., lead faculty, department chair, dean, etc.) who possesses an educational background equal to or exceeding the maximum credential offered in that program area, the requisite qualifications for technical faculty teaching in a degree program, and an ability to administer the occupational components of the program.
  - a. For an institution offering only one (1) program or group of programs in one distinct occupational area, a single individual may fulfill both the director of education and the program head requirements as long as the individual possesses the requisite qualifications for each position.
- 9. Institutions must employ administrators and supervisors who meet the following requirements:

- a. An earned degree from an institution accredited by an agency recognized by the United States Department of Education appropriate for the programming of the institution and/or area of responsibility; and/or
  - b. Adequate professional experience and education necessary to satisfy responsibilities of the position.
- 10. Institutions who employ agents to recruit on behalf of an institution ensure the agents do not engage in advertising, sales, collection, credit, or other practices of any type that are false, deceptive, misleading, or unfair.

## Personnel Records

Information on all owners, trustees, board members, faculty, and staff persons must be made available upon GNPEC request.

- 11. Faculty records must, at a minimum, include the following:
  - a. Proof of employment;
  - b. Record of education and experience (i.e., resume/CV);
  - c. Proof of highest level of education (i.e., transcript/diploma); and
  - d. Proof of completion of orientation and notification of updated institutional policies.

Comments:

I certify, represent, and warrant that I have reviewed the content of this standard and confirm that my responses are true, complete, and correct to the best of my knowledge and belief.

Signature:

## Standard 4: Catalog and Enrollment Agreement

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(4)*

1. Catalog must be provided to prospective students prior to enrollment and include the following:
  - a. Institutional Mission Statement;
  - b. Institutional contact information including address, phone number, and website;
  - c. Description of facilities and equipment;
  - d. Program offerings including each objective, length, curriculum outline, and applicable tuition and fees including all miscellaneous charges and expenses applicable to program completion;
    - i. Disclosure regarding noncompliance with state or national vocational certifications, licenses, etc. must also be provided.
  - e. Administrative policies;
    - i. Student conduct and complaint policies;
    - ii. Withdrawal, refund, cancellation and readmission policies;
    - iii. Grading, Satisfactory Academic Progress (SAP) and graduation policies; and
    - iv. Extenuating circumstances policy.
  - f. Admission policies;
    - i. Degree programs must require completion of a high school education or equivalent.
    - ii. Transfer Credit Policy.
  - g. Descriptions of Supporting Services such as career services and learning management system use/instructions; and
  - h. Such other material facts concerning the institution and the program or course of instruction as are reasonably likely to affect the decision of the student to enroll therein.
2. Students must be provided documentation of the following:
  - a. Prior year's enrollment, graduation, and job placement statistics;
  - b. Accreditation status; and
  - c. Any disclosures specified by the Executive Director.
3. The Enrollment Agreement, Student Contract, or equivalent is the contractual agreement between the institution and the student. It must be provided to students prior to enrollment and include, at a minimum, the following:
  - a. Name and contact information of the institution;
  - b. Program name, length, schedule of sessions (days/hours);
  - c. Program start date and anticipated end date;
  - d. Student name, date of birth, contact information;
  - e. Tuition, registration fee, other fees listed, total cost of program;
  - f. Method of payment;
  - g. Externship, clinical, or other field experience, if required;

- h. Career services;
- i. Complaint procedure;
- j. Refund policy (consistent with GNPEC's requirements); and
- k. Disclosures.
  - i. GNPEC Student Disclosure Form, if enrolling in an unaccredited institution, must be included; and
  - ii. Disclosure regarding noncompliance with state or national vocational certifications, licensures, etc. must also be provided.

Comments:

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Signature:

## Standard 5: Credential

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(5)*

1. Upon completion of program, each student must be issued a certificate or diploma that, at a minimum, must include the following:
  - a. Name of institution;
  - b. City and state of institution;
  - c. Level of credential awarded;
  - d. Name of program;
  - e. Full name of student;
  - f. Date of issuance; and
  - g. Signature from authorized institutional representative.
2. Upon request, each student must be able to request a transcript that, at a minimum, must include the following:
  - a. Name and address of institution;
  - b. Full name of student;
  - c. Program enrolled;
  - d. Enrollment dates;
  - e. Student status; and
  - f. Grades (by course and, if applicable, overall Grade Point Average).

Comments:

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Signature:

## Standard 6: Student Records

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(6); 20-3-250.17*

1. Student records must include the following:
  - a. Attendance record or equivalent measure of progress;
  - b. Ongoing grade records for current students;
  - c. Transcripts for students that are no longer enrolled (graduated or withdrawn) reflecting courses taken with credit and/or grades earned;
    - i. The transcript must be held by the institution as a permanent record.
  - d. Financial ledger;
  - e. Previous education and training documents (e.g., high school diploma, GED, college transcripts, etc.). For those educated outside the United States, additional documentation of education must be provided, including evaluation by a certified credential evaluation service;
  - f. Student Application and/or Enrollment Agreement.
    - i. GNPEC Student Disclosure Form required for unaccredited institutions.
    - ii. Entrance exam results (if required).
2. The institution, while operating, must provide for the permanent storage, retrieval, confidentiality, and adequate protection of student academic records including the following:
  - a. The protection of hard copies of student academic records against pilferage, fire and tampering via digital cloud storage or a second copy off-site.
3. The institution must have established internal policies, controls, and procedures guiding the record keeping of attendance, grades, finances, enrollment, and program/course completion.
  - a. In the case of institutional closure, the closing institution is responsible for teaching out currently enrolled students prior to closure or facilitating teach-out arrangements, which must be approved by the Commission, at another approved institution prior to closure.
4. Should an institution cease operation in Georgia, it must file with GNPEC (or a third party acting on behalf of GNPEC) transcripts for all former students and academic records of students that were active at the time of closure.
5. In the event it appears to the executive director that any such records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the executive director, the executive director may, with court order, seize and take possession of such records, subject to the confidentiality accorded normal school records.

Comments:

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## Standard 7: Institutional and Business Entity Compliance

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(7)*

1. The institution must provide a current, filed copy of the Georgia Secretary of State Annual Registration for its operating entity and the most recently issued Georgia Secretary of State Certificate of Authority (if applicable).
2. The institution must be compliant with the Americans with Disabilities Act of 1990 (ADA) and regulations promulgated thereunder.
3. The institution and operating business entity must comply with all applicable federal, state, and local laws and regulations.
  - a. Failure to comply with O.C.G.A. §§ 20-3-250.7; 20-3-250.8 may be subject to penalties as determined by the most recent Commission-approved Schedule of Fines.

Comments:

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Signature:

## Standard 8: Financial Viability

To ensure the institution is capable of satisfying commitments made to students, GNPEC will review institutional finances annually and may require additional financial documentation.

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(8); 20-3-250.10(a)*

1. The institution must have adequate liquid assets on hand (i.e., cash and cash equivalents, market securities, available bank line of credit) to ensure it can fulfill all commitments to students. The following liquidity standards are recommended:
  - a. Unrestricted liquid funds available in at least the amount of 30 days' projected expenses for authorized institutions; or
  - b. Unrestricted liquid funds available in at least the amount of 90 days' projected expenses for institutions seeking initial authorization.
2. A Certified Public Accountant (CPA) prepared financial documentation, which may include an audit or review (as defined by Generally Accepted Accounting Principles), as required by the Executive Director, of the most recently completed fiscal year must be provided by institutions reporting gross tuition over \$1,000,000.

In lieu of a CPA-prepared audit or review, an institution may provide a bond or letter of credit, if approved to do so by the Executive Director. If approved by the Executive Director, the bond shall be in accordance with Policy 16: Surety Bond Requirements.

3. The institution must provide any documentation received from its accreditor or the United States Department of Education relative to adverse actions taken against the institution.
4. The institution must provide supplemental documentation requested as part of the Financial Viability Assessment (ex. Financial Improvement Plan, Teach-Out Plan, CPA review, and/or CPA audit). In accordance with 20-3-250.10(a), this may include the requirement to obtain institutional bonding in an amount determined by the Executive Director, based on institutional revenue.
5. The institution must immediately advise GNPEC if it files a petition for bankruptcy or determines that its financial position negatively impacts its ability to satisfy commitments to its students.

Comments:

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Signature:

## Standard 9: Advertising

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(9)*

1. All published institutional documentation, including advertisements, must present only accurate information and should never engage in any communications that are false, deceptive, misleading, or unfair.
  - a. Any photos used must not be misleading.
  - b. Job placement cannot be guaranteed.
  - c. No service or equipment provided to enrolled students can be represented as "free."
2. The institution will abide by all applicable consumer protection laws to ensure the fair and equitable treatment of all constituents (potential and enrolled students).
3. The institution will not use authorization by this agency as an endorsement or an apparent endorsement by the agency including but not limited to use on any advertisement, publication, statement, or credential awarded to graduates upon completion; provided, however, an institution shall not be prohibited from publicly stating that it has been duly authorized by this agency.

Comments:

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Signature:

## Standard 10: Owner and Employee Character

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(10)*

Any owner, agent, trustee, board member, faculty, and staff person must be of goodmoral character.

- a. All communication, written or verbal, with GNPEC, students, and other stakeholders must be truthful, respectful, and appropriate.
  - b. Owners, agents, trustees, board members, faculty, and staff persons are expected to remain in compliance with Georgia and local law, particularly with regard to their professional duties.
2. Any owner, trustee, board member, faculty, and staff person must have adequate and appropriate education and/or experience required by his/her institutional role, as determined by GNPEC.
3. All ownership changes must comply with the requirements set forth in O.C.G.A. § 20-3-250.8(f).

Comments:

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Signature:

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## **Standard 11: Housing**

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(11)*

1. Housing affiliated with or recommended by the institution must be adequate and safe.
2. Institutional housing must meet all applicable federal, state, and municipal codes, including but not limited to fire, safety, and health codes.

Comments:

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Signature:

## Standard 12: Refund Policy

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(12)*

The institution must have a clear refund policy to ensure students access to reasonable refunds for tuition and fees paid for programmatic offerings for uncompleted programs.

1. An institution that is accredited by a United States-based accrediting association recognized by the United States Department of Education may use its own refund policy:
  - a. The institution-specific refund policy must be submitted annually to GNPEC.
  - b. GNPEC reserves the right to require any institution to adopt the GNPEC policy if sufficient student complaints occur relative to an existing accredited institution's refund policy and the GNPEC policy is more lenient toward the student.
2. Unaccredited institutions (12.1 above does not apply) are required to adhere to the following guidelines:
  - a. The refund policy must be included as part of the institutional enrollment agreement and catalog.
  - b. The refund policy must include steps for requesting refunds, and it must require submission in writing.
  - c. Tuition and fees must be refunded at a prorated amount, based on the percentage of paid segment completed, should the student withdraw before 50% completion of the course/program.
  - d. The institution must use a withdrawal form to document the withdrawal process. In the case of an administrative withdrawal, the institution must document that it has notified the student that he or she has been withdrawn from the program/course and issue any refund owed to the student based on the refund schedule described above.
  - e. The institution must refund students within 45 days of the withdrawal.
  - f. Non-Refundable Fees for Unaccredited Institutions
    - i. A nonrefundable Application Fee of up to \$150 is permitted if it is listed as nonrefundable in the enrollment agreement and catalog. No other administrative fees may be listed as nonrefundable.
    - ii. Nonrefundable fees for goods and/or services provided by third-party vendors purchased on behalf of the student are permitted if the institution is not able to reuse the equipment or cancel the service.

Comments:

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## Standard 13: Cancellation Policy

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(13)*

1. All tuition and fees paid, excluding nonrefundable fees, must be fully refunded should a cancellation request be made within 72 hours of signing the enrollment agreement.
2. 2. The institution that cancels or changes a program of study or course (time, location, or other change considered substantive by the Executive Director) in such a way that a student who has started the program or course is unable to continue:
  - a. Makes arrangements, in a timely manner, to accommodate the needs of each student enrolled in the program; or
  - b. Refunds all money paid by the student for the program of study or course if alternative arrangements determined by GNPEC to be equitable to both the institution and the student are not possible.

Comments:

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Signature:

## Standard 14: Complaint Policy

Statutory Authority: *O.C.G.A. §§ 20-3-250.5(b)(2); 20-3-250.6(a)(14)*

1. Complaint procedure must include the following:
  - a. Steps for filing a complaint:
    - i. Submission requirements;
    - ii. Institutional review process, including response times; and
    - iii. Notification of right to appeal final institutional decision to GNPEC.
      1. GNPEC contact information including agency name, phone number, and website link for the complaint form must be provided.
2. Complaint procedure must be provided as part of the catalog and enrollment agreement.
  - a. If the institution has a website, the current catalog with the complaint procedure must be posted.
3. For institutions with physical facilities for students, the complaint procedure must be posted prominently in a public place where students congregate (i.e., student break room).

Comments:

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Signature: