



**Nonpublic Postsecondary Education Commission
2082 East Exchange Place
Tucker, Georgia 30084-5305
(770) 414-3300
Fax (770) 414-3309**

**Brian P. Kemp
Governor**

**Kirk Shook
Executive Director**

To: All Parties on the Nonpublic Postsecondary Education Commission's Policy Making Mailing List
All Interested Parties via Publication by the Nonpublic Postsecondary Education Commission

From: Georgia Nonpublic Postsecondary Education Commission
2082 E. Exchange Place
Tucker, GA 30084

Date: May 4, 2023

The Nonpublic Postsecondary Education Commission (NPEC) is continuing to take steps to update its currently promulgated policies to ensure that they are accurate and current. NPEC will hold its Quarterly Commission meeting on Monday, May 15, 2023 at 1pm at Georgia Trade School. At that meeting, the Commission intends to take the following steps.

The Commission will vote regarding amending the following policies:

Policy 11: Change of Institution Ownership

"Owner" is defined in O.C.G.A. § 20-3-250.2 (14). In the event of an ownership change, the following steps must be taken:

1. The new owner must within ten (10) business days of the official change of ownership, pay the Change in Ownership Fee as listed on the GNPEC website and notify GNPEC of the change of

ownership using the GNPEC Change of Ownership Form located on GNPEC's website at <https://gnpec.georgia.gov>.

1. If the new owner does not notify GNPEC by submitting the form and the fee within ten (10) days of the official change of ownership, the institution's authorization to operate shall terminate, and GNPEC will require the new owner to initiate the complete Initial Authorization Application along with the Application Evaluation Fee set forth by the GNPEC Schedule of Fees.
2. In accordance with O.C.G.A. § 20-3-250.8(f) the new owner must submit a complete Renewal of Authorization Application with all required fees (Annual Authorization and TGTF, if applicable) within thirty (30) calendar days of the official change of ownership.
 1. Alternatively, if the new owner does not submit the Renewal of Authorization application and fees within (30) calendar days, the institution's authorization to operate shall terminate, and GNPEC will require the new owner to initiate the complete Initial Authorization Application along with the Application Evaluation Fee.
3. In accordance with O.C.G.A. § 20-3-250.27(c)(4), following a change of ownership, a postsecondary educational institution may be required to participate in the fund for a period of up to seven years as determined by the Executive Director in his or her sole discretion.

Policy 12: Use of "College" or "University"

1. In accordance with O.C.G.A. § 20-3-250.7(b), no person, agent, group, or entity of whatever kind shall use the term "college" or "university" unless approved to do so by the commission, unless it falls within one of the statutory exceptions set forth in O.C.G.A. § 20-3-250.7(b).
2. Pursuant to Code Section 250.5(b)(5), the commission delegates the task of authorizing use of the term "college" or "university" to the Executive Director.
 - a. In the instance that the requestor is a postsecondary institution, it must be accredited by an accreditor recognized by the United States Department of Education to be permitted to use the term "college" or "university".
 - b. The Executive Director has the sole discretion to deny a name request whenever he/she determines that the use of the name is likely to be misleading or to cause confusion with the general public.

Policy 14: Permitted Programming of Unaccredited Institutions

1. Any institution that is not institutionally accredited by an accrediting agency recognized by the United States Department of Education may not offer any degree in Georgia (including but not limited to associate, bachelor's, master's degrees and doctorate degrees).
2. For any unaccredited institution authorized to offer a graduate-level degree in Georgia or which has submitted a materially complete application for authorization, as determined by the Commission in its sole discretion, to offer a graduate-level degree in Georgia prior to July 1, 2020, that institution will have until July 1, 2023 to obtain accreditation with an institutional accrediting agency recognized by the United States Department of Education or be a candidate for accreditation status with an institutional accrediting agency recognized by the United States Department of Education and, in the sole determination of GNPEC, showing substantial progress toward becoming fully institutionally accredited by July 1, 2024. In the event that such an institution subject to the above deadline to obtain candidacy status by July 1, 2023 was delayed in

enrolling students as a result of the COVID-19 pandemic, the Commission will extend the deadline for the institution to obtain candidacy status to July 1, 2025, showing substantial progress toward becoming fully institutionally accredited by July 1, 2026. To receive such an extension, the institution must apply in writing to the Executive Director on or before June 15, 2023. A plan for compliance shall be included with the written extension request for the commission to monitor the status of the timeline. The Executive Director may deny, in whole or in part, the plan for compliance or require changes prior to approving the extension.

3. For any unaccredited institution authorized to offer a degree in Georgia prior to August 29, 2022, that institution will have until July 1, 2025 to obtain accreditation with an institutional accrediting agency recognized by the United States Department of Education or be a candidate for accreditation status with an institutional accrediting agency recognized by the United States Department of Education and, in the sole determination of GNPEC, showing substantial progress toward becoming fully institutionally accredited by July 1, 2026.
4. An accredited institution will not be permitted to offer any degree program that is not directly included as part of its institutional accreditation or other programmatic accreditation recognized by the United States Department of Education.

Interested persons may submit written comments to Kirk Shook, Executive Director, Georgia Nonpublic Postsecondary Education Commission, 2082 East Exchange Place, Tucker, Georgia 30084- 5305, info@gnpec.ga.gov. All written comments must be received by 9:00 a.m. on Monday, May 15, 2023. Interested persons may also participate in the proposed policy making by presenting comments orally at a public hearing to commence at 1:00 p.m. on May 15, 2023 at Georgia Trade School at the Quarterly Commission Meeting.

Oral presentations at the hearing may be limited to five (5) minutes per person in order to afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact the Nonpublic Postsecondary Education Commission.

Based upon full consideration of all written and oral comments regarding the above matters, the Commission may reject or adopt the proposed policies or may make changes to the proposed policies.

The Commission intends to consider these matters at a Quarterly Commission Meeting at 1:00 p.m. on May 15, 2023 at Georgia Trade School.

Direct all written correspondence to:

Kirk Shook, Executive Director
Georgia Nonpublic Postsecondary Education Commission
2082 East Exchange Place
Tucker, Georgia 30084-5305
info@gnpec.ga.gov