

BOARD MEETING MINUTES

| | |
|-------------------------------------|---|
| MEETING: | Board of Commissioners, Nonpublic Postsecondary Education Commission Quarterly Meeting |
| DATE: | November 18, 2024 |
| LOCATION: | Zoom |
| TIME: | 1:00pm, or at the conclusion of the Quarterly TGTF Board of Trustees Meeting |
| PUBLIC CALL-IN INSTRUCTIONS: | Dial-in Number: (646) 558-8656 Meeting ID: 876 0079 2586 Passcode: 733138 |



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. P.K. Martin, Vice Chairman, At-Large Post #3 2. Kate Patterson, Secretary, At-Large Post #8 3. Dr. Linda Adkinson, Degree-Granting Institution Representative 4. Ryan Blythe, Certificate-Granting Institution Representative 5. Pranay Udutha, At-Large Post #1 6. Dr. Lance Barry, At-Large Post #5 |
| Members Absent | <ol style="list-style-type: none"> 1. Doug Roper, At-Large Post #2 2. Amanda Shailendra, At-Large Post #4 3. Dr. Norma Nunez-Cortes, At-Large Post #6 4. Jim Squire, At-Large Post #7 |
| 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. Stephen Debaun, General Counsel |
| Visitors | <ol style="list-style-type: none"> 1. Steven Walters, AG 2. Isabelle Keenum, OPB 3. Francesca Tracy, The CE Shop |

- **CALL TO ORDER AND INVOCATION**
Chairman Van Horn called the meeting to order at 1:11am 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 November 18, 2024, Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Udutha seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Agenda for the November 18, 2024, Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

- **APPROVAL OF MINUTES**

Chairman Van Horn moved to adopt the Minutes from the August 26, 2024, Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission. Vice Chairman Martin seconded the motion. There was no discussion.

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

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

Presented by Phil Embry, External

- FY25 1st Quarter Report (July - September)

| NONPUBLIC POSTSECONDARY EDUCATION COMMISSION TUITION GUARANTY TRUST FUND | | | |
|---|--|--|------------------------|
| CURRENT YEAR | | | |
| FIRST QUARTER REPORT - FISCAL YEAR 2025 | | | |
| QUARTER ENDING SEPTEMBER 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, 2024 | \$ 651,160.42 | \$ 4,803,834.62 | \$ 5,454,995.04 |
| Receipts to Fund | | | |
| Deposits/Fees from Schools | \$ 39,486.98 | \$ 0.00 | \$ 39,486.98 |
| Deposits/Bond Proceeds | \$ - | \$ - | \$ - |
| Transfer Between Accounts | \$ (250,000.00) | \$ 250,000.00 | \$ - |
| Interest Earned on Accounts | \$ 4,044.99 | \$ 65,528.97 | \$ 69,573.96 |
| Total Receipts to Fund | \$ (206,468.03) | \$ 315,528.97 | \$ 109,060.94 |
| Total Income Available | \$ 444,692.39 | \$ 5,119,363.59 | \$ 5,564,055.98 |
| Payments from Fund | | | |
| Administrative Expense | \$ 2,701.89 | \$ 0.00 | \$ 2,701.89 |
| Expense Related to School Closing | | | |
| Refund of Tuition | \$ - | \$ 0.00 | \$ - |
| Reimbursement TO | \$ - | \$ 0.00 | \$ - |
| Teach Out | \$ - | \$ - | \$ - |
| Storage of Records | \$ 1,170.74 | \$ 0.00 | \$ 1,170.74 |
| Total Payments from Fund | \$ 3,872.63 | \$ - | \$ 3,872.63 |
| Fund Balance (Cash Basis) September 30, 2024 | \$ 440,819.76 | \$ 5,119,363.59 | \$ 5,560,183.35 |
| Note: All Trust Bank Statements from July 2024 thru Sep 2024 received. Interest earned on bank account is final. The transfer of \$250K from TGTF to LGIP in Sep 2024 has been made. | | | |

Prepared By:
Phil Embry
Print Date: 1-Nov-24

Secretary Patterson moved to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for April - June 2024 period, as presented. Vice Chairman Martin seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Quarterly Report of the Tuition Guaranty Trust Fund for July – September as approved by the Board of Trustees of the Tuition Guaranty Trust Fund, **be adopted**.

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

Dr. Shook presented the proposed change to the FY25 Schedule of Fees. The single change is shown below in red:

| FY25 NPEC Schedule of Fees | |
|---|-------------------------------|
| NPEC Bond/Letter of Credit Amount | |
| <i>Effective July 1, 2022 and pursuant to O.C.G.A. § 20-3-250.10(a), bonding required by the Executive Director shall be based on the gross tuition of the nonpublic postsecondary educational institution during the previous year or on the estimated gross tuition for the current year, whichever is larger, and shall be as follows:</i> | |
| Gross Tuition | Minimum Bond/Letter of Credit |
| \$0.00 – 50,000.00 | \$20,000.00 |
| \$50,001.00 – 100,000.00 | \$30,000.00 |
| \$100,001.00 – 200,000.00 | \$50,000.00 |
| \$200,001.00 – 300,000.00 | \$75,000.00 |
| \$300,001.00 – 400,000.00 | \$100,000.00 |
| \$400,001.00 – 500,000.00 | \$150,000.00 |
| \$500,001.00 – 1,000,000.00 | \$250,000.00 |
| \$1,000,001.00 – 2,000,000.00 | \$350,000.00 |
| \$2,000,001.00 – 5,000,000.00 | \$500,000.00 |
| \$5,000,000.00 – 10,000,000.00 | \$750,000.00 |
| \$10,000,001.00 and over | \$1,000,000.00* |

**For every \$10,000,000.00 of additional gross tuition reported by the institution, an additional \$1,000,000.00 of bonding shall be required. For example, for an institution reporting \$50 million in gross annual tuition, a \$5 million bond would be required.*

However, in the event an institution's financial situation is indicative of a pending closure and/or poses risk of not fulfilling the educational obligations to students, as determined in the sole discretion of the Executive Director, the Executive Director may cause the institution to obtain and hold a bond higher than the minimum bond amounts listed above, up to 100% of the reported gross tuition. In lieu of a bond, a letter of credit may be secured by institutions. All fee payments and required bonding/letter of credit must be received before authorization or reauthorization applications are approved.

Secretary Patterson moved to approve the change to the FY25 Schedule of Fees, as presented. Commissioner Udutha seconded the motion. There was no discussion.

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

- **APPROVAL OF POLICY UPDATES**

Dr. Shook presented the proposed policy updates. Since both changes reflect already approved changes made by the Commission, Dr. Van Horn asked for the proposed changes to be presented and voted on together.

The update to Policy 15 is as follows:

| Policy 15: Program Offerings of Initial Applicants |
|---|
| <ol style="list-style-type: none">1. Any institution seeking initial authorization in Georgia that is not institutionally accredited by an accrediting agency recognized by the United States Department of Education is limited to the new program application of three (3) two (2) programs as part of its Application Evaluation Fee.2. Any institution seeking initial authorization in Georgia that is institutionally accredited by an accrediting agency recognized by the United States Department of Education is limited to the new program application of ten (10) programs as part of its Application Evaluation Fee.3. If an initial applicant seeks approval of more than the allotted programs during the initial authorization application process, the Program Evaluation Fee, in accordance with the then current published Schedule of Fees as adopted by the Commission, will apply to each additional program. |

The update to Policy 16 is as follows:

2. In accordance with O.C.G.A. § 20-3-250.10, an initial or renewing applicant for authorization to operate may be required to file with the executive director a good and sufficient surety bond with at least a B+ bond rating by a recognized bond rating agency in such sum as determined by the Commission in accordance with the bond amount schedule. As of July 1, 2022, required bond amounts are as follows:

| Gross Tuition | Minimum Bond/Letter of Credit |
|--------------------------------|-------------------------------|
| \$0.00 – 50,000.00 | \$20,000.00 |
| \$50,001.00 – 100,000.00 | \$30,000.00 |
| \$100,001.00 – 200,000.00 | \$50,000.00 |
| \$200,001.00 – 300,000.00 | \$75,000.00 |
| \$300,001.00 – 400,000.00 | \$100,000.00 |
| \$400,001.00 – 500,000.00 | \$150,000.00 |
| \$500,001.00 – 1,000,000.00 | \$250,000.00 |
| \$1,000,001.00 – 2,000,000.00 | \$350,000.00 |
| \$2,000,001.00 – 5,000,000.00 | \$500,000.00 |
| \$5,000,000.00 – 10,000,000.00 | \$750,000.00 |
| \$10,000,001.00 and over | \$1,000,000.00* |

**For every \$10,000,000.00 of additional gross tuition reported by the institution, an additional \$1,000,000.00 of bonding shall be required. For example, for an institution reporting \$50 million in gross annual tuition, a \$5 million bond would be required. However, in the event an institution's financial situation is indicative of a pending closure and/or poses risk of not fulfilling the educational obligations to students, as determined in the sole discretion of the Executive Director, the Executive Director may cause the institution to obtain and hold a bond higher than the minimum bond amounts listed above, up to 100% of the reported gross tuition.*

Commissioner Udutha moved to adopt the revisions of Policy 15: Program Offerings of Initial Applicants and Revisions to Policy 16: Surety Bond Requirements, as presented. Secretary Patterson seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** to adopt the revisions of Policy 15: Program Offerings of Initial Applicants and revisions to Policy 16: Surety Bond Requirements TGTF Board of Trustees Bylaws, **be adopted.**

- **EXECUTIVE DIRECTOR REPORT**

Presented by Dr. Kirk Shook, Executive Director

- Recognition of Commissioners and Staff who contributed to the Clark's Christmas Kids
- NPEC FY25 Operations Budget (1st Quarter)
- Quarterly Budget Comparison (FY24 Q1 v. FY25 Q1)

- **AGENCY OPERATIONS REPORTS**

Presented by Maggie Rivers, Deputy Director

- FY25 1st Quarter Staff Actions

Staff Actions* by the GNPEC During the First Quarter of Fiscal Year 2025 (July 1, 2024 – September 30, 2024)

| No. | Action | Date | Institution | Resolution |
|-----|--|--------------------|-----------------------------------|---|
| 1. | Consumer Alert for Unauthorized Activity | July 8, 2024 | Arise Health Institute | Consumer Alert - closed no records submitted |
| 2 | Consumer Alert for Unauthorized Activity | July 18, 2024 | North Georgia Healthcare Training | Consumer Alert – closed no records submitted |
| 3 | Notification of Unauthorized Activity | August 8, 2024 | New Hope Training Programs | Agency Review |
| 4 | Notification of Unauthorized Activity | August 16, 2024 | MedCare Health Cert LLC | Applied |
| 5 | Notification of Unauthorized Activity | August 20, 2024 | Austell International University | Consumer Alert |
| 6 | Prehearing – virtual – RE Jurisdiction | September 4, 2024 | MiTio Technologies | Confirmed NPEC jurisdiction– however, the hearing originally scheduled for October was postponed by OSAH judge per MiTio's request. |
| 6 | Notification of Unauthorized Activity | September 17, 2024 | New Hope Training Programs | Follow Up |
| 7 | Notification of Unauthorized Activity | September 17, 2024 | PhlebotoMe Medical Training | Removed Georgia from website |
| 8 | Notification of Unauthorized Activity | September 19, 2024 | Benjamin Screening Services | Submitted proposal |

*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.

- FY25 1st Quarter Newly Authorized Schools Report

**Institutions Initially GNPEC Authorized During the First Quarter of Fiscal
Year 2025**

(July 1, 2024 – September 30, 2024)

| | First Date of Authorization | Institution Name | Accreditation Status | Profit Type |
|--------|--|---|----------------------|-------------|
| 1 | July 1, 2024 | Integrity Healthcare Institute | Unaccredited | For-Profit |
| Notes: | Phlebotomy program in Albany, GA | | | |
| 2 | July 8, 2024 | Red Mobile Phlebotomy Services | Unaccredited | For-Profit |
| Notes: | Phlebotomy program in Smyrna, GA | | | |
| 3 | July 9, 2024 | Underwood University/Chamblee | Accredited | For-Profit |
| Notes: | Former teaching site; offers BBA, BFA, MBA, MFA | | | |
| 4 | July 9, 2024 | Underwood University/Marietta | Accredited | For-Profit |
| Notes: | Former teaching site; offers BBA, BFA, MBA, MFA, DBA, PhD | | | |
| 5 | July 30, 2024 | Gatewood Institute | Unaccredited | For-Profit |
| Notes: | Phlebotomy and Electrocardiogram technician program in Stone Mountain, GA | | | |
| 6 | July 30, 2024 | New Orleans Baptist Theological Seminary/Dacula | Accredited | Non-Profit |
| Notes: | Church Ministry, Divinity, and Christian Education programs in Dacula, GA | | | |
| 7 | August 2, 2024 | Pacific College of Technology/Marietta | Accredited | For-Profit |
| Notes: | Former teaching site; Business and Information Systems programming in Marietta, GA | | | |
| 8 | August 6, 2024 | Montessori Teacher Education Institute of Atlanta, LLC/Harbour Oaks | Unaccredited | For-Profit |
| Notes: | Former teaching site; Montessori teacher education in Grayson, GA | | | |
| 9 | August 6, 2024 | Montessori Teacher Education Institute of Atlanta, LLC/Savannah | Unaccredited | For-Profit |
| Notes: | Montessori teacher education in Savannah, GA | | | |
| 10 | August 13, 2024 | Reach University | Accredited | Non-Profit |
| Notes: | Distance education program from Oakland, CA | | | |
| 11 | August 22, 2024 | Experts Examiners on Board Paramedical, Inc. | Unaccredited | For-Profit |
| Notes: | Phlebotomy program in Conyers, GA | | | |
| 12 | August 29, 2024 | Successful Hands LLC | Unaccredited | For-Profit |
| Notes: | Phlebotomy program in Port Wentworth, GA | | | |
| 13 | September 10, 2024 | Phlebotomy Training Specialists/Augusta | Unaccredited | For-Profit |
| Notes: | Phlebotomy program in Augusta, GA | | | |
| 14 | September 10, 2024 | Phlebotomy Training Specialists/Hapeville | Unaccredited | For-Profit |
| Notes: | Phlebotomy program in Hapeville, GA | | | |
| 15 | September 11, 2024 | East Coast Institute of Allied Health | Unaccredited | For-Profit |
| Notes: | Ultrasound program in Woodstock, GA | | | |
| 16 | September 12, 2024 | Dental Careers Institute/Buckhead | Unaccredited | For-Profit |
| Notes: | Dental assisting program in Atlanta, GA | | | |
| 17 | September 27, 2024 | Gas and Supply Training Center | Unaccredited | For-Profit |
| Notes: | Welding programming in Cedartown, GA | | | |

No approval required for this report.

- EXECUTIVE SESSION**

Chairman Van Horn moved to enter Executive Session. Vice Chairman Martin seconded the motion. There was no discussion.

Upon unanimous vote at 1:33pm, the meeting of the GNPEC Board of Commissioners entered Executive Session.

After hearing a report from Steven Walters with the Attorney General's Office concerning pending litigation, Commissioner Barry moved for the Commissioners to exit Executive Session. Commissioner Udutha seconded the motion. There was no discussion.

Upon unanimous vote at 1:37pm, the meeting of the GNPEC Board of Commissioners exited Executive Session.

- **SCHOOL SPOTLIGHT**

Presented by Dr. Kirk Shook, Executive Director

Ultimate Medical Academy

- Held a commencement on September 14, 2024 at the Yuengling Center in Tampa, FL
- More than 5,100 graduates (591 Georgia students) participated
 - Georgia programs:

| Authorized Programs |
|---|
| Associate of Science in Health and Human Services (Associates) - Active |
| Associate of Science in Healthcare Accounting (Associates) - Active |
| Associate of Science in Healthcare Management (Associates) - Active |
| Associate of Science in Health Information Management (Associates) - Active |
| Associate of Science in Health Sciences - Medical Administrative Assistant (Associates) - Active |
| Associate of Science in Health Sciences - Medical Office and Billing Specialist (Associates) - Active |
| Associate of Science in Health Sciences - Pharmacy Technician (Associates) - Active |
| Associate of Science in Medical Billing and Coding (Associates) - Active |
| Diploma in Medical Administrative Assistant (Certificate) - Active |
| Diploma in Medical Billing and Coding (Certificate) - Active |
| Diploma in Medical Office and Billing Specialist (Certificate) - Active |

- The commencement speaker was Chaunte Lowe, a four-time Olympian and cancer survivor. She trained for the 2021 Tokyo Olympics while undergoing chemotherapy and recovering from a double mastectomy.
- The school was excited to celebrate their graduates!

- **OTHER BUSINESS**

Presented by Chairman Van Horn

The next Quarterly Commission Meeting is February 24, 2025, at 1pm at *Interactive College of Technology-Chamblee, 5303 New Peachtree Rd., Chamblee*

Dr. Van Horn announced his retirement as President of Young Harris College effective December 31, 2024. As such, he announced his plans to resign from the Commission effective the same date. Dr. Shook thanked him for his years of service on the Commission and as Chairman.


- **PUBLIC COMMENTS**

No public comments were made.

- **ADJOURN**

Secretary Patterson moved to adjourn the meeting. Commissioner Udutha seconded the motion. There being no further business, the meeting adjourned at 1:44pm.

COMMISSION CHAIR APPROVAL:



Drew L Van Horn (Apr 1, 2025 14:06 EDT)

Signature

04/01/20

Date

COMMISSION SECRETARY APPROVAL:


Kate Patterson (Apr 1, 2025 11:22 EDT)

Signature

04/01/25

Date











2. November 18 2024 Commission Minutes

Final Audit Report

2025-04-01

| | |
|-----------------|--|
| Created: | 2025-04-01 |
| By: | Kirk Shook (kshook@gnpec.ga.gov) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAABdlqywdtcd_pC0IVSadHkSe6VHKOC1MC |

"2. November 18 2024 Commission Minutes" History

-  Document created by Kirk Shook (kshook@gnpec.ga.gov)
2025-04-01 - 3:11:34 PM GMT
-  Document emailed to drewvanhorn@yahoo.com for signature
2025-04-01 - 3:11:40 PM GMT
-  Document emailed to katemeyerpatterson@gmail.com for signature
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-  Email viewed by katemeyerpatterson@gmail.com
2025-04-01 - 3:21:23 PM GMT
-  Signer katemeyerpatterson@gmail.com entered name at signing as Kate Patterson
2025-04-01 - 3:22:26 PM GMT
-  Document e-signed by Kate Patterson (katemeyerpatterson@gmail.com)
Signature Date: 2025-04-01 - 3:22:28 PM GMT - Time Source: server
-  Email viewed by drewvanhorn@yahoo.com
2025-04-01 - 6:05:28 PM GMT
-  Signer drewvanhorn@yahoo.com entered name at signing as Drew L Van Horn
2025-04-01 - 6:06:38 PM GMT
-  Document e-signed by Drew L Van Horn (drewvanhorn@yahoo.com)
Signature Date: 2025-04-01 - 6:06:40 PM GMT - Time Source: server
-  Agreement completed.
2025-04-01 - 6:06:40 PM GMT