

BOARD MEETING MINUTES

DATE	Monday, November 27, 2023
TIME	1:00 PM
LOCATION	PCOM South Georgia, 2050 Tallokas Rd., Moultrie, GA
PURPOSE	Quarterly Commission Meeting
Public Call-In Instructions	Dial-in Number: (667) 770-1484 Participant Code: 317138#



Georgia Nonpublic Postsecondary
Education Commission

Meeting Chair	Dr. Drew Van Horn
Meeting Title	NPEC Board of Commissioners
Members Present	<ol style="list-style-type: none"> 1. Dr. Drew Van Horn, Chairman, <i>Exempt Institution Representative</i> 2. P.K. Martin, Vice Chairman, <i>At-Large Post #3</i> 3. Kate Patterson, Secretary, <i>At-Large Post #8</i> 4. Toby Hinton, <i>Degree-Granting Institution Representative</i> 5. Pranay Udutha, <i>At-Large Post #1</i> 6. Doug Roper, <i>At-Large Post #2</i> 7. Holly Kirbo, <i>At-Large Post #5</i> 8. Jim Squire, <i>At-Large Post #7</i>
Members Absent	<ol style="list-style-type: none"> 1. Ryan Blythe, <i>Certificate-Granting Institution Representative</i> 2. Amanda Shailendra, <i>At-Large Post #4</i> 3. Dr. Norma Nunez-Cortes, <i>At-Large Post #6</i>
Staff Present	Kirk Shook, Executive Director Adam Hawk, Deputy Director Maggie Rivers, Division Director Phil Embry, External Auditor James Cheek, Regulatory Specialist Lily Grant, Regulatory Specialist Stephen Debaun, General Counsel
Visitors	Danna Yu, AG

1. CALL TO ORDER AND INVOCATION

Chairman Van Horn called the meeting to order at 1:22pm and gave the invocation. Moment of silence was observed for the recent passing the Executive Director's mother, Bridget Shook.

Chairman Van Horn called the roll, and a quorum was declared.

2. WELCOME/INTRODUCTION OF VISITORS

Chairman Van Horn welcomed all the guests and visitors in attendance.

3. SCHOOL SPOTLIGHT

Executive Director Shook and Chairman Van Horn thanked PCOM South Georgia for their hospitality during the visit to the campus.

4. APPROVAL OF AGENDA

Commissioner Hinton moved to adopt the Agenda for the August 28, 2023, Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission. Commissioner Kirbo seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that the Agenda for the August 28, 2023, Quarterly Commission Meeting of the Georgia Nonpublic Postsecondary Education Commission be adopted.

5. APPROVAL OF MINUTES

Vice Chairman Martin moved to adopt the Minutes from the August 28, 2023, Quarterly Meeting of the Georgia Nonpublic Postsecondary Education Commission with changes. Commissioner Squire seconded the motion. There was no discussion.

Upon a unanimous vote, it was **RESOLVED** that the Minutes from the August 28, 2023, 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:

- FY24 1st Quarter Report (July - September 2023)

NONPUBLIC POSTSECONDARY EDUCATION COMMISSION
TUITION GUARANTY TRUST FUND

CURRENT YEAR			
FIRST QUARTER REPORT - FISCAL YEAR 2024			
QUARTER ENDING SEPTEMBER 30, 2023			
(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, 2023	\$ 711,312.95	\$ 4,062,405.26	\$ 4,773,718.21
Receipts to Fund			
Deposits/Fees from Schools	\$ 25,581.11	\$ 0.00	\$ 25,581.11
Deposits/Bond Proceeds	\$ -	\$ -	\$ -
Transfer Between Accounts	\$ -	\$ -	\$ -
Interest Earned on Accounts	\$ 4,889.65	\$ 54,633.99	\$ 59,523.64
Total Receipts to Fund	\$ 30,470.76	\$ 54,633.99	\$ 85,104.75
Total Income Available	\$ 741,783.71	\$ 4,117,039.25	\$ 4,858,822.96
Payments from Fund			
Administrative Expense	\$ 2,749.65	\$ 0.00	\$ 2,749.65
Expense Related to School Closing			
Refund of Tuition	\$ -	\$ 0.00	\$ -
Reimbursement TO	\$ -	\$ 0.00	\$ -
Teach Out	\$ -	\$ -	\$ -
Storage of Records	\$ 1,328.54	\$ 0.00	\$ 1,328.54
Total Payments from Fund	\$ 4,078.19	\$ -	\$ 4,078.19
Fund Balance (Cash Basis) September 30, 2023	\$ 737,705.52	\$ 4,117,039.25	\$ 4,854,744.77
Note: All Truist Bank Statements from July 2023 thru Sep 2023 received. Interest earned on bank account is final. The transfer of \$500K from TGTF to LGIP in Aug 2023 has been delayed until Nov 2023.			

Prepared By:
Phil Embry
Print Date: 9-Nov-23

Commissioner Hinton moved to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for July – September 2023 period, as presented. Commissioner Kirbo 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 2023, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund, **be adopted**.

7. APPROVAL OF POLICY 16: SURETY BOND FORM AND REQUIREMENTS REFUND POLICY REVISION

Executive Director Shook presented the changes to Policy 16. He noted that the only change to the Policy concerned the bond amounts. These amounts were approved as part of the FY24 Schedule of Fees in May 2023, but were not captured in Policy 16. The update to the bond amounts are reflected below and are effective immediately:

<u>Gross Tuition</u>	<u>Minimum Bond</u>
\$ 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
5,000,001.00—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.

Commissioner Udutha moved to adopt Approval of Policy 16: Surety Bond Form and Requirements, as presented. Commissioner Hinton seconded the motion. There was no discussion.

Upon unanimous vote, it was **RESOLVED** that Policy 16: Surety Bond Form and Requirements **be adopted**.

8. EXECUTIVE DIRECTOR REPORT

Presented by Kirk Shook, Executive Director

- GNPEC FY24 Operations Budget (1st Quarter)
- Quarterly Budget Comparison (FY23 Q1 v. FY24 Q1)
- Agency Updates
 - Precipitous Closures / Bonds
 - Revision of Agency Performance Review Instrument
 - Teaching Site Changes

9. AGENCY OPERATIONS REPORT

Presented by Maggie Rivers, Division Director

- FY24 1st Quarter Staff Actions

Staff Actions* by the GNPEC During the First Quarter of Fiscal Year 2024 (July 1, 2023 – September 30, 2023)

No.	Action	Date	Institution	Resolution
1.	Settlement Agreement	July 11, 2023	Heritage Health Career Center	Letter / email from ED
2	Notification of Unauthorized Advertising	August 10, 2023	Gas and Supply	Agency Review
3	Records Demand	August 15, 2023	The Healthcare Training Academy	Agency Review
4	Notification of Unauthorized Advertising	August 22, 2023	RadiumSoft	Agency Review
5	Notification of Unauthorized Activity	September 14, 2023	A Breath of Fresh Air	Agency Review
6	Notification of Unauthorized Activity	September 18, 2023	Tonya M. Holms	Agency Review
7	Notification of Unauthorized Activity	October 23, 2023	Tab Lab Institute	Agency Review

*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.

10. AUTHORIZATION COMPLIANCE REPORT

Presented by Adam Hawk, Deputy Director

- Division Reports
 - FY23 4th Quarter Newly Authorized Schools Report

Institutions Initially GNPEC Authorized During the First Quarter of Fiscal Year 2024

(July 1, 2023 – September 30, 2023)

	First Date of Authorization	Institution Name	Accreditation Status	Profit Type
1	7/6/2023	New Orleans Baptist Theological Seminary	Accredited	Non-Profit
Notes:	Previously exemption as a religious institution and is now seeking Title IX funding.			
2	7/12/2023	Convenient Lab & Phlebotomy School	Unaccredited	For Profit
Notes:	Located in Conyers, GA offering one phlebotomy program			
3	7/13/2023	Montessori Institute of Atlanta, Inc.	Unaccredited	Non-Profit
Notes:	Located in Atlanta, GA offering teacher training. The school lost a previous authorization and immediately applied for authorization again.			
4	8/3/2023	Covered Bridge Creativity Inc.	Unaccredited	Non-Profit
Notes:	Located in Smyrna, GA offering one early childhood education course.			
5	8/5/2023	Rome School of Dental Assisting Inc.	Unaccredited	For-Profit
Notes:	Located in Rome, GA offering one Dental Assisting program.			
6	8/17/2023	MINT Dental Assistant Academy	Unaccredited	For-Profit
Notes:	Located in Norcross, GA offering one Dental Assistant program.			
7	8/29/2023	Heritage Health Career Center	Unaccredited	For-Profit
Notes:	Located in Albany, GA offering Allied Health programs. School lost its previous authorization and came back.			
8	8/31/2023	Phlebotomy Training Specialists/Cumberland	Unaccredited	For-Profit
Notes:	Located in Atlanta, GA. This is the second location of an already-authorized institution offering phlebotomy training.			
9	9/6/2023	One Breath CNA	Unaccredited	For-Profit
Notes:	Located in Bogart, GA offering one Medical Assistant program.			
10	9/8/2023	Atlanta Roswell Dental Assisting	Unaccredited	For-Profit
Notes:	Located in Roswell, GA offering one Dental Assistant program.			
11	9/8/2023	Southeast Music Institute	Unaccredited	For-Profit
Notes:	Located in Cartersville, GA offering band instrument repair.			
12	9/18/2023	OceanPointe Dental Assisting Academy of NW Atlanta	Unaccredited	For-Profit

**Institutions Initially GNPEC Authorized During the First Quarter of Fiscal
Year 2024**

(July 1, 2023 – September 30, 2023)

Notes:	Located in Atlanta, GA offering Dental Assisting.			
13	9/19/2023	Accelerated Academy/Lawrenceville	Unaccredited	For-Profit
Notes:	Located in Lawrenceville, GA offering Dental Assisting.			
14	9/22/2023	AMDA College of Performing Arts	Accredited	Non-Profit
Notes:	Online programming from Los Angeles, CA offering programs in acting and music theatre.			
15	9/25/2023	The Phlebotomy Institute of Middle Georgia	Unaccredited	For-Profit
Notes:	Located in Macon Ga offering Allied Health programs. The school was previously authorized and sought reauthorization.			
16	9/22/2023	Three Times the Love	Unaccredited	For-Profit
Notes:	Located in Valdosta, GA offering Allied Health programs.			

No approval required for this report.

11. EXECUTIVE SESSION

There was no need for Executive Session at this time.

12. PUBLIC COMMENTS

13. OTHER BUSINESS

Presented by Dr. Drew Van Horn, Chairman

- The next Quarterly Commission Meeting is February 26, 2024 at 1pm via Zoom

14. ADJOURN

Commissioner Kirbo moved to adjourn the meeting. Commissioner Udutha seconded the motion. There being no further business, the meeting adjourned at 2:14 pm.

COMMISSION CHAIR APPROVAL:

COMMISSION SECRETARY APPROVAL:


Drew Van Horn (Mar 7, 2024 07:53 EST)


Kate Patterson (Mar 14, 2024 08:29 EDT)

Signature

Signature

03/07/2024

29/02/2024

Date

Date











2. November 27 2023 Commission Minutes

Final Audit Report

2024-03-14

Created:	2024-02-29
By:	Kirk Shook (kshook@gnpec.ga.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA5nYWRUNEi2QIYL8oBuQalrUXs4o_TWTF

"2. November 27 2023 Commission Minutes" History

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