

BOARD MEETING MINUTES



GA Nonpublic Postsecondary
Education Commission

DATE: Monday, April 29, 2019

TIME: 10:49 AM

LOCATION: Embry-Riddle Aeronautical University,
Savannah, GA (Pooler)

MEETING CHAIR: Holly Kirbo

MEETING TITLE: Board of Commissioners

MEMBERS PRESENT:

Holly Kirbo, **Chair**
Mollie Cohen, **Vice Chair**
Karen Gilbert, **Secretary**
Victoria Agyekum
Lee Todd
Amanda Shailendra (via teleconference)
Norma Nunez-Cortes
VACANT

MEMBERS ABSENT:

Toby Hinton
Dr. Arthur Vaughn
Ryan Blythe

VISITORS PRESENT:

James E. "Jet" Toney, Cornerstone Communications Group, Inc.

1. CALL TO ORDER & INVOCATION

Chair, Holly Kirbo called the meeting to order at 10:49AM. Mollie Cohen proceeded with the Invocation.

2. Roll Call

by Chair, Holly Kirbo

3. APPROVAL OF AGENDA

Karen Gilbert made a motion to adopt the Agenda for the April 29, 2019 Quarterly Commission Meeting of the Nonpublic Postsecondary Education Commission. Norma Nunez-Cortes seconded the motion.

Upon unanimous vote it was **RESOLVED** that the Agenda for the April 29, 2019 Quarterly Commission Meeting, of the Nonpublic Postsecondary Education Commission be approved.

4. APPROVAL OF MINUTES

Lee Todd made a motion to adopt the Minutes from January 28, 2019 Quarterly Meeting of the Nonpublic Postsecondary Education Commission. Victoria Agyekum seconded the motion.

Upon unanimous vote it was **RESOLVED** that the Minutes from the January 28, 2019 Meeting of the Nonpublic Postsecondary Education Commission be adopted.

Lee Todd made a motion to adopt the Minutes from April 8, 2019 Special Called Meeting of the Nonpublic Postsecondary Education Commission. Norma Nunez-Cortes seconded the motion.

Upon unanimous vote it was **RESOLVED** that the Minutes from April 8, 2019 Special Called Meeting of the Nonpublic Postsecondary Education Commission be adopted.

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

Executive Director, Kirk Shook reported the following during the previous meeting:

- Fiscal Year 2019 Third Quarter Report ending March 31, 2019, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund
- Tuition Guaranty Trust Fund Third Quarter Yearly Comparison Report

Chair, Holly Kirbo asked the commissioners if there were any questions. There were none.

Mollie Cohen made a motion to adopt the Quarterly Report of the Tuition Guaranty Trust Fund for the nine-month period ending March 31, 2019. Karen Gilbert seconded the motion.

Upon unanimous vote it was **RESOLVED** that the Quarterly Report of the Tuition Guaranty Trust Fund for the nine-month period ending March 31, 2019, as approved by the Board of Trustees of the Tuition Guaranty Trust Fund be adopted.

6. APPROVAL TO ALLOW THE EXECUTIVE DIRECTOR TO REIMBURSE STUDENTS FROM THE TGTF BEFORE BOND SURRENDER

Chair Kirbo asked for a motion to **APPROVE** the Executive Director permission to reimburse Argosy University students from the Tuition Guaranty Trust Fund before bonds are surrendered from the insurance company. The claim process for the bonds can be extensive.

Lee Todd made a motion to **APPROVE** the Executive Director permission to reimburse Argosy University students from the Tuition Guaranty Trust Fund before the bonds are surrendered. Norma Nunez-Cortes seconded the motion.

Upon unanimous vote it was **RESOLVED** that the Executive Director is given **APPROVAL** to reimburse Argosy University students from the Tuition Guaranty Trust Fund before bonds are surrendered.

7. APPROVAL OF 2019 MEETING SCHEDULE PER O.C.G.A. § 50-14-1(d)(1)

Executive Director, Kirk Shook presented the following 2019 Meeting Schedule to the Commission for approval. Going forward, Commission Meetings will be held the last Monday of the month, each quarter. The Meeting Schedule for the upcoming year will be approved during each October Commission meeting.

DATE	LOCATION	TIME
Monday January 28, 2019	GNPEC Office 2082 E Exchange Place Tucker, GA 30084	1:15pm
Monday April 29, 2019	Embry-Riddle Aeronautical University/Savannah 25 Southern Junction Blvd. Bldg. 200, Ste. 204 Pooler, GA 31322	11:00am
Monday July 29, 2019	GNPEC Office 2082 E Exchange Place Tucker, GA 30084	1:00pm
Monday October 28, 2019	South College 2600 Century Parkway Suite 110 Atlanta, GA 30345	1:00pm

Chair Kirbo asked that a motion be made to **APPROVE** the 2019 Meeting Schedule per O.C.G.A. § 50-14-1(d)(1), as presented.

Mollie Cohen motioned to approve the 2019 Meeting Schedule per O.C.G.A. § 50-14-1(d)(1), as presented. Karen Gilbert seconded the motion.

Upon unanimous vote, it was **RESOLVED** that the 2019 Meeting Schedule per O.C.G.A. § 50-14-1(d)(1), be **APPROVED**.

**8. DISCUSS HEARING PROCEDURES RULE CHANGES: 392-1-08, 392-1-11, & 392-7-02
(...must be posted for 30 days before vote)**

Executive Director Shook discussed the following:

The Attorney General's office has made suggestions to formalize GNPEC's Rules so that they agree with GNPEC's Law. GNPEC current Rules are outdated and do not follow GNPEC Law nor the Policy & Procedures set in place. This includes recent changes that the Commission has made.

In making these revisions, not only is it necessary but will also give GNPEC schools more clarity when following policy & procedures.

Executive Director Shook said there are three rules that requires priority, and these are the rules being discussed (392-1-08, 392-1-11, & 392-7-02).

GNPEC has a law intern that will start May 16, 2019 and it will be his job to revise/rewrite all the rules, starting with these three rules taking first priority and then all other Rule revisions to follow gradually.

The Commission cannot vote on any of these Rules today, because one of the Rules require that any revisions must be posted 30 days before vote. Therefore, this is information only.

No approval required.

9. Executive Director's Report

Executive Director Shook presented the following:

- GNPEC FY19 Operations Budget Report for Third Quarter
 - a. Slightly over budget in Personal Services due to two Executive Directors salaries being expensed during the period of 02/01/19 – 02/28/19; should balance itself out by fiscal year end
 - b. Telecommunications budget is usually over budget due to under budgeted State allocation; will pull resources from other budgeted areas to balance out at fiscal year end
- Report from NASASPS Conference in Jacksonville, FL
- SB 91 (Orthodontics School Exemption)
 - a. Georgia School of Orthodontics is now eligible for exemption
 - b. Anticipate the governor signing the bill to be effective July 1, 2019
- HB 242 (Board of Massage)
 - a. Bill to allow the Board of Massage more authority, with the assistance of GNPEC
- GICA Concerns
 - a. GNPEC code section requires Financial Viability Assessment for private/independent schools
 - b. Going forward, Financial Viability Assessments will be reported to the Governor's office
 - c. GNPEC plans to improve relationship with accrediting agencies
- CCME Hearing (Schedule of Fines)
 - a. School has lost authorization on several occasions
 - b. GNPEC summoned CCME to surrender student records; they did not
 - c. AG's office became involved and sent a letter demanding student records
 - d. Court hearing on April 17th; Judge presented CCME with GNPEC "Schedule of Fines"
 - e. As of April 29th, CCME still has not surrendered records. CCME is looking at over a \$1,000 in fines
- American National College (upcoming hearing)
 - a. Sister institute of University of Atlanta
 - b. GNPEC closed University of Atlanta due to fraudulent activity
 - c. ANC closed due to association with University of Atlanta
 - d. GNPEC allowed ANC to continue to operate until May 31st
 - e. After concluded investigation, documents of non-compliance were provided to ANC
 - f. GNPEC closed ANC May 31st due to non-compliance
 - g. ANC has appealed; Executive Director will keep the Commission updated about the appeal hearing date
- SIFT Institute Hearing
 - a. Hearing initially scheduled for June
 - b. Deputy Director Vieth revoked authorization to operate school based on violation of Minimum Standard 1 - " are of good reputation and character".
 - c. Owner previously committed stock trade fraud; lifetime band from stock trading with hefty fine involved

- d. School wanted to offer stock trade related courses, as well as other unlike courses
 - e. Owner appealed GNPEC decision
 - f. Executive Director Shook reached out to owner to offer a compromise; Owner will be allowed to offer all courses, except courses related to stock trading and private equity analyst
 - g. Owner agreed to the compromise
 - h. AG's office drew up a Consent Agreement for owner to sign, prior to GNPEC reconsidering authorization
 - i. Consent Agreement has been mailed to owner
 - j. Hearing will be cancelled, and authorization will be granted once GNPEC receive signed Consent Agreement from owner
- Argosy Bond Update
 - a. No updates from the AG's office yet
 - b. Will update Commissioners at next meeting
 - Internship Program
 - a. Two interns scheduled to start soon
 - b. One is a law intern who will be assisting with the revisions of GNPEC Rules
 - FY20 Personnel Updates
 - a. Dr. Ben Sealy will be retiring June 30th
 - b. Full-time contractor will be hired to replace Dr. Sealy's position
 - c. Search has begun for applicants
 - IPM Change – Use of College/University (to be presented in future meeting)
 - a. Proposed change: Any school wanting to use "college" or "university" in their name must be accredited

Executive Director Shook provided follow-up information on the following:

- HBCU Task Force; have reached out to person in charge but have not heard back from them yet
- Deputy Director Vieth referenced Commissioner Blythe's concern for certified welding instructors for program evaluation in this area. Deputy Director Vieth explained that for unaccredited institutions, GNPEC hire content experts to evaluate like programs. GNPEC has reached out to the technical colleges for reference to certified instructors to evaluate like programs. GNPEC has no specific guidelines in this area, however lean heavily on content experts.

REPORT ON FY19 THIRD QUARTER NEW AUTHORIZED SCHOOLS
Presented by Deputy Director, Dr. Laura Vieth

- a. Omega One Medical Institute, Conyers, GA, Initial authorization, January 14, 2019
- b. Tech Talent South, LLC, Atlanta, GA, Initial authorization, February 1, 2019
- c. The Phlebotomy Institute of Middle Georgia, Macon, GA, Initial authorization, February 4, 2019
- d. Atlanta Academy of Dental Assisting, Marietta, GA, Initial authorization, March 8, 2019
- e. Elite Lineman Training Institute, Inc., Tunnel Hill, GA, Initial authorization, March 24, 2019
- f. Brandman University, Irvine, CA, Initial authorization, March 24, 2019

No approval required.

10. OTHER BUSINESS

No other business.

11. ADJOURN

Mollie Cohen made a motion to adjourn the meeting. Karen Gilbert seconded the motion.

There being no further business, the meeting adjourned at 11:52 AM

BOARD CHAIR APPROVAL:
 (Signature & Date)

Howard C. Keib

BOARD SECRETARY APPROVAL:
 (Signature & Date)

Mollie Cohen