

**KANSAS BOARD OF REGENTS
ACADEMIC AFFAIRS STANDING COMMITTEE**

AGENDA

**May 17, 2017
10:30 am – noon**

The Board Academic Affairs Standing Committee will meet in the Kathy Rupp Room located in the Curtis State Office Building at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612.

- I. Call To Order** Regent Van Etten, Chair
- A. *Approve May 2, 2017, Meeting Minutes* p. 2
- II. Discussion**
- A. *Approve Proposed Private Postsecondary Fee Regulation Amendments* Jacqueline Johnson, KBOR p. 4
- B. *BAASC Goal 17-03: Academic Calendars* Jean Redeker, KBOR p. 10
- C. *Performance Funding Model* Jean Redeker, KBOR p. 12
- D. *BAASC Goal 17-04: Receive Adult Education Report* Connie Beene, KBOR p. 14
- E. *BAASC Goal 17-06: Receive Concurrent Enrollment Report* Karla Wiscombe, KBOR p. 15
- III. Other Matters**
- IV. Adjournment**

**Board Academic Affairs Standing Committee
Meeting Schedule**

AGENDA MATERIALS DUE	MEETING DATES		TIME
April 26, 2017	May 17, 2017	Face to Face	10:30 am
May 1, 2017	May 30, 2017	Conference Call	11:00 am
May 24, 2017	June 14, 2017	Face to Face	10:30 am
	Tentative September 5, 2017	Conference Call	11:00 am
	Tentative September 20, 2017	Face to Face	10:30 am

**Kansas Board of Regents
Board Academic Affairs Standing Committee**

**Tuesday May 2, 2017
MINUTES**

The Board Academic Affairs Standing Committee of the Kansas Board of Regents met by conference call at 11:01 a.m. on Tuesday, May 2, 2017.

In Attendance:

Members:	Regent Helen Van Etten	Regent Zoe Newton	
	Regent Daniel Thomas	Regent Dave Murfin	
Staff:	Jean Redeker	Scott Smathers	Jacqueline Johnson
	Karla Wiscombe	April Henry	Max Fridell
	Renee Burlingham	Julene Miller	
Institutions Represented:			
	KSU	WSU	
	Barton CC	WATC	
Other:	KACCT		

Meeting called to order at 11:01 a.m.

I. Approve April 4, 2017 Minutes

Regent Thomas moved, with the second of Regent Newton, that the April 4, 2017 minutes be approved as written. The motion carried.

II. Agenda Planning

A. Consent Agenda

Request for New Certificate of Approval with Degree Granting Authority

Jacqueline Johnson presented the request for a New Certificate of Approval with Degree Granting Authority for Bryan University and Nazarene Bible College. After thorough review of staff qualifications, record keeping systems, coursework, materials, and online platforms, the institutions demonstrate they meet and comply with all statutorily imposed requirements. Staff recommends issuance of a Certificate of Approval with New Degree Granting Authority for both institutions.

After discussion, Regent Murfin moved, with the second of Regent Thomas, to place the Request for a New Certificate of Approval with Degree Granting Authority for Bryan University and Nazarene Bible College on the Board's May 2017 agenda. The motion carried.

Requests for Approval for Degree and Certificate Programs

April Henry presented the requests for approval for the following Degree and Certificate Programs:

- Barton Community College to offer a technical certificate in Scale Technician
- Wichita Area Technical College to offer a technical certificate in Emergency Medical Technician

These programs addressed all criteria requested and were reviewed by the Technical Education Authority. They are recommended for approval.

Following discussion, Regent Newton moved, with the second of Regent Thomas, to place the Requests for Approval for Barton Community College to offer a technical certificate in Scale Technician and for Wichita Area

Technical College to offer a technical certificate in Emergency Medical Technician on the Board's May 2017 agenda. Motion carried.

Request for Approval for a Bachelor of Science in Biomedical Engineering (BME) at Kansas State University
Max Fridell presented the request for approval for a Bachelor of Science in Biomedical Engineering (BME) at Kansas State University. The Council of Chief Academic Officers and the Council of Presidents has reviewed and approved this proposal. Jean Redeker informed BAASC of University of Kansas' intent to submit a proposal next academic year for an undergraduate degree program in Biomedical Engineering.

After discussion, Regent Murfin moved, with the second of Regent Thomas, to place the Request for Approval for Kansas State University to offer a Bachelor of Science in Biomedical Engineering on the Board's May 2017 agenda. The motion carried.

III. Other Matters

Midwest Student Exchange Program Policy

Jean Redeker presented a request to revise Board policy governing the Midwest Student Exchange Program (MSEP). The proposed revisions are intended to streamline reporting and take advantage of what are now redundant reporting processes. Staff recommends approval.

After discussion, BAASC is in favor of the proposed revisions to the Midwest Student Exchange Program Policy, and by consensus, forwarded the proposed revisions to the Governance committee.

There being no other business, the meeting was adjourned by unanimous consent at 11:29 a.m.

Approve Proposed Private Postsecondary Fee Regulation Amendments

Summary and Staff Recommendation

K.S.A. 74-32,181 sets the maximum and minimum fees that must be charged to private and out-of-state postsecondary institutions operating in Kansas and grants the Board authority to set the various categories of fees through regulation (K.A.R. 88-28-6). These fees pay for the expenses necessary to regulate this sector and carry out the Board's statutory responsibilities. Based on an analysis of revenue and expense projections, staff recommends amending the fee regulation to reduce the amount charged for renewal of in-state branch campus site fees. If the Board Academic Affairs Standing Committee and the Board Governance Committee approve this fee change in concept, staff will begin the statutorily prescribed process for making this regulatory amendment.

May 2017

Background: Pursuant to K.S.A. 74-32,181, the Kansas Board of Regents is authorized to charge fees in connection with the work associated with regulating private and out-of-state postsecondary educational institutions that wish to operate and/or offer degrees in Kansas. The collected fees generate the revenues necessary to support the work done to regulate this sector and help to protect the public. After almost a year of working its way through the Administrative Rules and Regulations Filing Act processes, K.A.R. 88-28-6 was last amended by the Board at its April 19, 2017 meeting.

State law establishes the procedure an agency must follow to adopt or amend administrative regulations. These steps included approval by the Kansas Department of Administration (as to language and form), approval by the Attorney General's office (as to legal authority and compliance with applicable laws), review by the Joint Committee on Administrative Rules and Regulations, and a public hearing. Final Board approval is required and a roll call vote must be taken.

From FY 2008 to FY 2015, there was a 96% increase in schools operating in Kansas. However, from FY 2015 to FY 2017, the number of schools operating in Kansas declined by 39%. Even with this decline, over time the numbers of schools and programs being reviewed has provided more revenue than necessary to operate the division. The revised business plan and financial projections and the impact of this proposed fee reduction have been reviewed by the Board's Administration and Finance unit.

Staff Recommendation: Staff requests the Board authorize taking the steps necessary to amend K.A.R. 88-28-6 to reduce the fee being charged to in-state branch campus sites. If the Board Academic Affairs Standing Committee and the Board Governance Committee approve of this fee change in concept, staff will begin the statutorily prescribed process for making this regulatory amendment.

The full text of the regulation, and the highlighted changes being made to it, are set forth below.

88-28-6. Fees. Fees for certificates of approval, registration of representatives, and certain transcripts shall be paid to the state board in accordance with this regulation.

(a) For institutions chartered, incorporated, or otherwise organized under the laws of Kansas and having their principal place of business within the state of Kansas, the following fees shall apply:

(1) Initial application fees:

(A) Non-degree-granting institution \$1,000

(B) Degree-granting institution \$2,000

(2) Initial evaluation fee, in addition to initial application fees:

(A) Non-degree level \$750

(B) Associate degree level \$1,000

(C) Baccalaureate degree level \$2,000

(D) Master's degree level \$3,000

(E) Professional and doctoral degree levels \$4,000

(3) Renewal application fees:

(A) Non-degree-granting institution 2% of gross tuition
but not less than \$500 and not more than \$10,000

(B) Degree-granting institution 2% of gross tuition,
but not less than \$1,200 and not more than \$10,000

(4) New program submission fees, for each new program:

(A) Non-degree program \$100

(B) Associate degree program \$250

(C) Baccalaureate degree program \$500

(D) Master's degree program	\$750
(E) Professional and doctoral degree programs	\$1,500
(5) Program modification fee, for each program	\$100
(6) Branch campus site fees, for each branch campus site:	
(A) Initial non-degree-granting institution	\$1,000
(B) Initial degree-granting institution	\$2,000
(7) Renewal branch campus site fees, for each branch campus site:	
(A) Non-degree-granting institution	2% of gross tuition, but not less than \$500 and not more than \$10,000 <u>\$1,000</u>
(B) Degree-granting institution	2% of gross tuition, but not less than \$1,200 <u>\$1,000</u> and not more than \$10,000 <u>\$1,500</u>
(8) On-site branch campus review fee, for each branch campus site	\$100
(9) Representative fees:	
(A) Initial registration	\$200
(B) Renewal of registration	\$10
(10) Late submission of renewal of application fee	\$500
(11) Student transcript copy fee	\$10
(12) Returned check fee	\$50
(13) Changes in institution profile fees:	
(A) Change of institution name	\$50
(B) Change of institution location	\$50

(C) Change of ownership only \$50

(b) For institutions that are not chartered, incorporated, or otherwise organized under the laws of Kansas that have their principal place of business outside the state of Kansas, the following fees shall apply:

(1) Initial application fees:

(A) Non-degree-granting institution \$3,000

(B) Degree-granting institution \$4,000

(2) Initial evaluation fee, in addition to initial application fees:

(A) Non-degree level \$1,500

(B) Associate degree level \$2,000

(C) Baccalaureate degree level \$3,000

(D) Master's degree level \$4,000

(E) Professional and doctoral degree levels \$5,000

(3) Renewal application fees:

(A) Non-degree-granting institution 3% of gross tuition
received or derived from Kansas students, but not
less than \$1,800 and not more than \$10,000

(B) Degree-granting institution 3% of gross tuition
received or derived from Kansas students, but not
less than \$2,400 and not more than \$10,000

(4) New program submission fees, for each new program:

(A) Non-degree program \$250

(B) Associate degree program \$500

(C) Baccalaureate degree program	\$750
(D) Master's degree program	\$1,000
(E) Professional and doctoral degree programs	\$2,000
(5) Program modification fee, for each program	\$100
(6) Branch campus site fees, for each branch campus site:	
(A) Initial non-degree-granting institution	\$3,000
(B) Initial degree-granting institution	\$4,000
(7) Renewal branch campus site fees, for each branch campus site:	
(A) Non-degree-granting institution	3% of gross tuition received or derived from Kansas students, but not less than \$1,800 and not more than \$10,000
(B) Degree-granting institution	3% of gross tuition received or derived from Kansas students, but not less than \$2,400 and not more than \$10,000
(8) On-site branch campus review, fee for each branch campus site	\$500
(9) Representative fees:	
(A) Initial registration	\$350
(B) Renewal of registration	\$10
(10) Late submission of renewal of application fee	\$500
(11) Student transcript copy fee	\$10
(12) Returned check fee	\$50
(13) Changes in institution profile fees:	
(A) Change of institution name	\$50

(B) Change of institution location \$50

(C) Change of ownership only \$50

(Authorized by and implementing K.S.A. 2016 Supp. 74-32,181; effective Oct. 20, 2006; amended April 16, 2010; amended, T-88-7-20-11, July 20, 2011; amended Oct. 21, 2011; amended April 10, 2015; April 19, 2017)

Discuss Academic Calendars

Summary and Recommendation

In 1984, the Board adopted common elements for the academic calendars of state universities, including having a common Spring Break, but never incorporated this element into the Policy Manual. There appears to be an inherent tension surrounding imposition of a common Spring Break while also trying to avoid having Spring Break the week the Board meets and managing enrollment for some institutions. The Council of Chief Academic Officers recommends providing for local control of the scheduling of Spring Break instead of having a common Spring Break.
May 2017

Background

Board policy on academic calendars was adopted in 1970 in response to the student activism of the late 1960s and early 1970s. However, a review of Board minutes and academic affairs files reveals the Board has been concerned with a variety of issues pertaining to academic calendars since the early 1960s. Consequently, the Board has made additional statements or imposed additional requirements on calendars -- some of which were incorporated into the Policy Manual, and some of which were not.

Although current Board policy permits diversity among the universities in the construction of academic calendars, the adoption of common elements by the Board in 1984 and 1990 has forced considerable consistency in the number of instructional days, exam days, and vacation days. The crux of this discussion stems from the Board's December 1984 meeting in which it adopted the five common elements below for academic calendars, but only incorporated the first three elements into the Policy Manual.

1. File a three-year calendar with the Board of Regents office
2. Adhere to a semester calendar with a minimum of two sixteen week semesters
3. Have a minimum of 80 academic days per semester (though this was later modified to the current policy of "no fewer than 146 instructional days")
4. *End the fall semester before December 31 and begin the Spring semester no earlier than the beginning of the calendar year*
5. *Have a common Thanksgiving and Spring Break*

This leaves the Spring Break portion of the fifth element as the basis for the current discussion. Various documents indicate the Board asked state universities to share a common Spring Break because families with students at two or more state universities were unable to plan vacations when each campus set its own Spring Break.

Critical to this discussion is the Board's Bylaws, which state "the regular meeting date of the Board shall be the third Thursday of each month and the Wednesday preceding it. With adequate notice and with good cause, the Chair shall have the authority to change the date of or cancel any particular meeting." Board policy does not expressly prohibit Spring Break being held the third week in March, but university CEOs, provosts, faculty, and student leaders are expected to attend Board meetings – even if the University has scheduled its Spring Break that week.

In checking records for the 16-year period of AY 2002 through AY 2017, state universities have shared a common Spring Break. However, on eight separate occasions the Board moved its March meeting so it would not meet the third week of that month to work around Spring Break schedules. This allowed universities to have a common Spring Break the third week in March. On one occasion the Board approved a Spring Break that coincided with its March Board meeting. On seven occasions the Board maintained its regular meeting schedule and universities shared a common Spring Break that was held either before or after the regularly-scheduled March Board meeting.

Recommendation

At its March 15, 2017 meeting, BAASC discussed the scheduling of Spring Break and requested state universities reach a consensus on this issue. By consensus, the Council of Chief Academic Officers (COCAO) recommends providing for local control of the scheduling of Spring Break instead of having a common Spring Break. COCAO understands if an institution does schedule a Spring Break that overlaps the Board meeting, institutional personnel are none-the-less required to attend the appropriate Board, committee, and council meetings. Providing for local control of the scheduling of Spring Break allows universities to best respond to local needs and constituents.

Kansas Board of Regents Policy on Academic Calendars

CHII.A.1. ACADEMIC CALENDAR

- a. The Academic Calendar of each state university shall provide for an academic year minimally consisting of two sixteen week semesters totaling no fewer than 146 instructional days plus five final exam days each semester.

- b. Each state university shall file a three-year Academic Calendar adhering to holidays and breaks approved by the Board. Each state university shall follow the calendar as approved by the Board. Any deviation for reasons other than natural disasters or national emergencies must have prior approval of the Board.

- c. The President and Chief Executive Officer of the Board shall have the authority to approve or deny non-substantive revisions to Board-approved three-year calendars and shall periodically report these changes to the Board.



TO: Board Academic Affairs Standing Committee

FROM: Jean Redeker

DATE: May 8, 2017

RE: Performance Funding Recommendations

BACKGROUND

In 2002, the Legislature enacted K.S.A. 74-3202d which gave the Board authority to 1) approve performance agreements and 2) determine the amount of new state funds awarded.

At its March, 15, 2017 meeting, BAASC asked staff to draft a revised Performance Funding model that gives the Board more flexibility and recognizes differences among institutions.

Currently, institutions receive “credit” for an indicator if they improve from the established baseline or maintain the established baseline. It is important to use a three-year baseline to smooth out any anomalies in a given year; however, an anomalous year -- whether that be high or low -- could negatively impact an institution for the life of the performance agreement.

POSSIBLE FUNDNG MODEL

Additional Flexibility for the Board

To increase flexibility for the Board, BAASC could recommend awarding new funding based on four funding tiers. The model below removes the “90% or 100%” funding tier and adds a new funding tier at the 75% level.

- 100% of new funding: maintaining or improving from the baseline in at least 51% the majority of the indicators (i.e. four or more)
- ~~90% or 100% of new funding: maintaining or improving from the baseline in 50% of the indicators (i.e. three indicators). The Board has the option of awarding 90% or 100% of new funding.~~
- 90% of new funding: maintaining or improving from the baseline in less than ~~least 51%~~ a majority of the indicators (i.e. three) and has specific plans for improvement.
- 75% of new funding: maintaining or improving from the baseline in less than a majority of indicators (i.e. two) and has specific plans for improvement.
- 0% funding: maintaining or improving from the baseline in only one indicator.

The addition of the 75% funding tier provides the Board options to better tailor institutional performance to funding.

Potential of Additional Flexibility for Institutions

To further increase flexibility, institutions qualifying for the 0%, 75%, or 90% funding tier could be allowed to make a case to move to the next higher funding tier using additional evaluation methods beyond “maintaining or improving from a baseline.”

In such cases, an institution chooses one indicator for which it did not maintain or improve from the established baseline and submits evidence the indicator meets one or more of the following criteria:

-
- sustained excellence,
- improvement from the prior year,
- ranking on the indicator based on a relevant peer group, and/or
- improved performance using a three-year rolling average of the most recent three years.
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BAASC would review the evidence and determine if an institution warrants recommended funding at the next higher funding tier. If such a determination is made, institutions shall only qualify for the next higher funding tier and shall not qualify for funding tiers beyond the next higher funding tier.

Annual Report on Adult Education

Summary and Recommendation

This is the annual report on the Adult Education programs funded by the federal Adult Education and Family Literacy Act. Programs include Adult Basic Education, Adult Secondary Education, and English as a Second Language. Staff recommends acceptance of this report.

05/17/17

Background

Approximately 223,000 Kansas adults lack a high school diploma. Of these, about 171,000 are of working age. Additionally, about 52,000 Kansas adults describe themselves as having limited proficiency in English.

Adult Education Programs in Kansas

In FY 2016, Kansas Adult Basic Education (ABE), Adult Secondary Education (ASE), and English as a Second Language (ESL) classes assisted over 7,000 adults to improve their basic skills, prepare for the GED® Test, and enter postsecondary education. ABE/ASE/ESL instruction was provided by 23 local programs at community and technical colleges, unified school districts, and community based-organizations. Learners represented all ethnic groups in Kansas, and entered programs with less than college or career ready skills in math, reading, writing, or listening.

While programs served only a small share of the target population, they were very successful, ranking tenth in the nation in the federal measure of the percent of students who enrolled in postsecondary education or training. Success in transitioning to higher education is attributable to several factors, including the sponsorship of 16 of 23 programs by community or technical colleges, the incentives provided by performance-based funding, and the integrated career pathways model, Accelerating Opportunity: Kansas (AO-K).

Adult Education Students

Kansas adults enroll in Adult Basic Education and Adult Secondary Education for many reasons: to meet life tasks such as obtaining a driver's license or helping with homework, to prepare for the GED® Test, or to gain skills for success in college and careers.

Students enroll in English as a Second Language classes to improve their abilities in reading, writing, speaking, and listening. All Adult Education ESL students are immigrants who need to be able to communicate in English to help their families, participate in their communities, and be successful at work.

Consequences of Lacking a High School Credential

Completing a basic skills program or passing the GED® Test will not guarantee success in college or careers, but a lack of fundamental skills or a high school credential places an individual at a huge disadvantage. The U.S. Department of Labor data for 2016 indicates that the median earnings for someone without a high school diploma is about \$26,208 annually, which is \$10,000 less than someone with a high school diploma. The unemployment rate for dropouts is generally four percentage points higher than the national average, and the poverty rate for dropouts is over twice as high as college graduates.

In addition, there are consequences for families, communities, and states. Young women who leave high school without a diploma are nine times more likely to be, or become, young single mothers, and over 80% of incarcerated adults do not have a high school credential. Over their lifetime, individuals without a high school credential cost taxpayers an average of \$292,000 more than a high school graduate due to the expenses associated with incarceration, health care, and other factors such as lost tax revenue.

Concurrent Enrollment Partnership Report

Summary

The participation in Concurrent Enrollment Partnerships (CEP) has consistently grown in Kansas and provides the opportunity for high school students to earn college credit. Data for the AY 2016 CEP report will summarize trends for course enrollments and the success of students enrolled in CEP courses. The report will also gauge progress on institutional efforts to meet the standards for qualified CEP instructors as determined by Board policy and the Higher Learning Commission.

5/17/17

Background

Concurrent Enrollment Partnerships began as part of the 1993 Kansas Challenge to Secondary School Pupils Act (K.S.A. 72-11a1-05) with the purpose and intention to “provide a means whereby school districts in cooperation with institutions of postsecondary education may provide new and exciting challenges to secondary pupils by encouraging them to take full advantage of the wealth of postsecondary education opportunities in this state.” State statute specifies that any person enrolled in grades 10, 11, or 12 in a school district, or a gifted child in grades 9th-12th grades is eligible for enrollment in CEP courses.

Board policy requires an agreement between the postsecondary institution and the school district, which outlines the liaisons, an implementation plan, compensation, awarding of credit, and a review of the agreement at least every five years. Board policy also requires CEP curriculum standards, course content, assessment of students, and faculty qualifications to be equivalent to those courses offered on campus. Institutions are required to report credit hours, course enrollment, and faculty qualifications as part of the Board’s annual data collection efforts. Biennial reporting of partnering high schools, student guides, and agreements must also be submitted to the Board office for review.

In 2013, the Higher Learning Commission (HLC), the accrediting body for all 32 system institutions, revised policies regarding the qualifications of faculty. Board policy was revised to align with new HLC policies, and the Board’s data collection efforts were modified to track HLC faculty qualifications for CEP courses beginning with the 2015-16 academic year. HLC requires compliance with the new standards by September 1, 2017, though institutions can apply to extend the deadline. KBOR staff and chief academic officers collaborated on developing a website listing online graduate programs for faculty needing to update credentials to the new standards.

Data on Concurrent Enrollment Partnerships

Information will be provided to indicate growth in CEP opportunities for high school students in Kansas. The report will use data submitted by institutions via the Kansas Higher Education Data System (KHEDS). Enrollment numbers in CEP courses, success rates of students enrolled in CEP courses, and qualifications of CEP faculty will be covered.