I. Brief description of the proposed rule(s) and regulation(s).

The overall purpose for the proposed amendments, new regulations and revocations for Article 29b and Article 29d is to establish different criteria, beginning with the summer 2022 cohort, for admission to the University of Kansas of first-time freshmen who have graduated from an accredited high school.

Currently, the qualified admission regulations applicable to the University of Kansas offer two guaranteed admission options:

1) 21+ ACT and a minimum 3.25 cumulative high school GPA or
2) 24+ ACT and a minimum 3.0 cumulative high school GPA.

Both of the above options require an ACT score and both options also require that a student achieve at least a 2.5 GPA on any transferable college course work taken while in high school.

The Board of Regents is proposing to replace these two guaranteed options for the University of Kansas qualified admissions with the following two options:

1) 21+ ACT and a minimum 2.0 cumulative high school GPA or
2) minimum 3.25 cumulative high school GPA\(^1\) regardless of test score.

Both of these new options would require a student to achieve at least a 2.0 GPA on any transferable college course work taken while in high school.

\(^1\) Accredited high schools only
These changes would allow for a test-optional guaranteed admission alternative at the University of Kansas as there is now at the other state universities.

Also, for freshmen admission to the University of Kansas currently, there is an application deadline for guaranteed admission, which is February 1. Applications received after February 1 are referred to the review committee, regardless of whether they meet the ACT and GPA requirements. The Board is proposing a removal of the February 1 deadline for all categories of students thus giving more prospective students the opportunity for guaranteed admission.

The new University of Kansas criteria would be established by amendments to existing regulations that will take effect with the review of applications for the 2022 summer session. In this way, students, high schools and the University of Kansas will have lead-time to become acquainted with the new criteria during the year prior to implementation.

Each of the new regulations in Article 29c and Article 29d will replace existing regulations in Article 29a and Article 29b that are being revoked. The goal is to have the majority of the qualified admissions regulations in just the two newest Articles, 29d for the University of Kansas and 29c for the other five state universities, to make navigating the regulations simpler for students, families, high school administrators and other stakeholders. At this time, we are proposing revocation of twenty-five (25) of the current Article 29, Article 29a and Article 29b regulations.

The remainder of the proposed amendments are to update internal references.

See attached Addendum for a regulation by regulation description.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

These regulations and the proposed amendments and revocations are not mandated by federal law. Not all states have qualified admissions requirements for admission to state universities. The required qualifications of those that do vary depending on the policies sought to be achieved and the number of expected applicants. States that are “oversubscribed,” meaning there are more students than seats, often have more rigorous admissions qualifications whereas states that are “undersubscribed” often have less rigorous requirements. Kansas is an undersubscribed state. In establishing the qualifications set forth in these regulations, the Kansas Board of Regents is balancing access against predicted ability to succeed at the state universities. The qualifications differ among the state universities, and between Kansas and other states’ public universities, for this reason.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

There is no expectation that these rules and regulations will either enhance or restrict business activities and growth in any significant way. However, among the Board of Regents’ strategic goals is to attract, retain and graduate qualified students to meet the needs of business and industry in this State or that may be looking to locate in this State.
B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

There is no anticipated economic impact on Kansas high schools from these amendments. The University of Kansas may see an increase in enrollment as more students become eligible for admission and may therefore choose to apply to that institution. If this occurs, and to the extent these students would have chosen to attend other institutions in the state if not eligible for admission to the University of Kansas, those other institutions (some public and some private) may see a decline in enrollment and the students/parents may see a difference in the net cost of attendance they would incur (higher or lower depending on each student’s other options as well as potential financial aid awards). However, there are too many factors that go into students’ decisions whether and where to attend a postsecondary educational institution to estimate the impact of these regulations on any individual student or institution. Any implementation and compliance costs on businesses, business sectors, public utility ratepayers, other individuals and local government units are expected to be negligible; the regulations will be implemented by the state universities but the substantive changes in this set of proposed regulations will directly impact only the University of Kansas, and should ease the administrative burden associated with the application deadlines being eliminated. To the extent students admitted under the amended criteria are less-prepared, there may need to be more support services in place to help them persist and graduate, but this is not a requirement or direct result of the regulations and is speculative at best.

There will be no economic impact on other public agencies or private businesses as a result of these regulations and the regulations will neither enhance nor restrict business activities and growth other than as discussed previously in this section.

C. Businesses that would be directly affected by the proposed rule and regulation;

Only prospective students (and the students’ families) and the state universities will be potentially affected by these proposed rules and regulations.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

There are no direct costs associated with these rules and regulations. One of the anticipated benefits to the state would be an increase in an educated workforce.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The Board and the University of Kansas carefully considered and weighed the projected impact of several alternatives (GPA requirement, curriculum requirement, etc.) on students, families, institutions, and businesses. One of the anticipated benefits to the State would be an increase in educated workforce as it is possible more Kansas high school students will apply to and attend the University of Kansas rather than going out of state and for higher education and potentially not returning to Kansas. Because the proposed changes to these regulations simply align KU’s guaranteed admission requirements more closely with those of the other state universities, allowing for a test-flexible option, we do not anticipate these changes will negatively impact the other state universities.
F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

No annual implementation or compliance costs are reasonably expected to be incurred or passed along to others as a result of enacting these changes. Whatever standards are in place for admission, the universities and Board Office will administer and comply with them.

Do the above total implementation and compliance costs exceed $3.0 million over any two-year period?

YES ☐  NO ☒

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

The Board Office simply relates the information above and has no data upon which to rely beyond our knowledge of how current standards are administered.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed $3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES ☐  NO ☒

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

While the regulations are not anticipated to increase or decrease revenues of cities, counties or school districts, nor will they increase expenditures or fiscal liability, the Board nevertheless sent copies of the proposed regulations and the draft economic impact statement to the Kansas Association of School Boards, giving them 14 business days to provide any desired response.

H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The substantive changes in this set of regulations directly impact only the University of Kansas. The Board has worked with the University to determine what those changes should be and the University was given an opportunity to review and comment on the final proposals. KBOR staff also sent copies of the proposed regulations and a summary of each to KSDE, KASB and the six state universities for feedback as to the fiscal impact they might have; the feedback we received has been incorporated into the regulations and/or this statement. As noted previously, these regulations are anticipated to have no effect on businesses, cities, counties, or other state agencies.
I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Not applicable.