KANSAS ADMINISTRATIVE REGULATIONS

ECONOMIC IMPACT STATEMENT

FOR THE KANSAS DIVISION OF THE BUDGET

Kansas Board of Regents
Agency

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Agency Contact

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Amendments: K.A.R. 88-29-3, 88-29-12 through 88-29-17, 88-29a-1, 88-29a-5, 88-29a-6, 88-29a-7, 88-29a-7a, 88-29a-9, 88-29a-10, 88-29a-11, 88-29a-18, 88-29a-19, 88-29b-1, 88-29b-3, 88-29b-5, 88-29b-6, 88-29b-7, 88-29b-7a, 88-29b-9, 88-29b-10.


K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget

900 SW Jackson, Room 504-N
Topeka, KS 66612

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

The overall purpose for this set of proposed amendments, new regulations and revocations is to establish different criteria, beginning with the summer 2021 cohort, for admission to the state universities of first-time freshmen who have graduated from high school. The changes to current criteria include 1) eliminating the requirement for completing a specified precollege curriculum with a specified GPA, and 2) replacing the top third rank option with an overall GPA of 2.25 for admissions to Emporia State, Fort Hays State, Pittsburg State and Wichita State Universities, or 3.25 for admissions to Kansas State University, option.

The new criteria are established by new regulations that will take effect with the review of applications for the 2021 summer session. Regulations containing current criteria that will change are being amended to cease being affective on June 1, 2021. In this way, students, high schools and state educational institutions will have lead-time to become acquainted with the new criteria during the year prior to implementation. Thus, K.A.R. 88-29-12 through 88-29-17, 88-29a-1, 88-29a-5, 88-29a-7, 88-29a-9, 88-29a-10, 88-29a-11, 88-29a-18, 88-29a-19, 88-29b-1, 88-29b-5, 88-29b-7, and 88-29b-10 are being amended to apply only to review of applications before the 2021 summer session, and proposed new regulations K.A.R. 88-29c-1, 88-29c-5, 88-29c-7, 88-29c-9, 88-29c-10, 88-29d-1, 88-29d-5, 88-29d-7, 88-29d-9, and 88-29d-10 will replace them beginning with review of applications for the 2021 summer session. K.A.R. 88-29-3, 88-29a-6, 88-29a-7a, 88-29a-11, 88-29b-3, 88-29b-6, 88-29b-7a are amended to update internal references to effectuate these changes.

K.A.R. 88-29-1, 88-29-11, 88-29-18, and 88-29-19 are being revoked because they have timed out in accordance with their own terms (having been effective only for review of applicants before the 2016 summer session or applying to students who would now be at least 21 years old and no longer subject to the freshman admissions criteria).

See attached 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 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.

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. State universities may see an increase in enrollment as more students become eligible for admission and may therefore choose to apply to those institutions. 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 a state university, 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’ decision 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 and elimination of the precollege curriculum will significantly ease their burden in reviewing freshman applicants for admission. 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 or 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. A benefit to Kansas high schools will result from the elimination of the precollege curriculum as the high schools will no longer be required to establish a Board required curriculum or seek approval of specific courses.

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 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 an educated workforce as it is possible more Kansas high school students will apply and attend a state university.

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).

Board staff employed an inclusive process to ensure that the proposed admission criteria changes were viewed through the lens of state universities, public community and technical colleges, and K-12 educational entities. First, Board staff collaborated with an eight-member working group consisting of state university admissions officers, diversity and inclusion staff, and enrollment management personnel, to evaluate existing admission criteria and develop new proposed admission criteria. This working group met multiple times over a two-year period before reaching a consensus on the proposed admission changes in 2019. The proposed admission changes were subsequently reviewed and discussed among the System Council of Presidents, which includes presidents from state universities, Washburn University, and public community and technical colleges. KBOR staff also met with the Kansas State Department of Education to discern how the proposed admission changes may impact K-12. Lastly, KBOR staff 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.