

# AGENDA

## Council on Postsecondary Education August 27, 1997

9 a.m. (ET), Rudd Heart and Lung Conference Center, Jewish Hospital, East Chestnut Street,  
Louisville, Kentucky

- A. Roll Call
- B. Oath of Office
- C. *Approval of Minutes*
  - 1. *July 21 CPE Meeting* .....C-1
  - 2. *July 22 CPE Meeting* .....C-13
- D. Changing the Culture: CPE Roles, Responsibilities, and Relationships
- E. *CPE Bylaws* .....E-1
- F. *Administrative Regulation 13 KAR 2:060 Degree Program  
Approval; Equal Opportunity Goals* .....F-1
- G. *Position Description for President* .....G-1
- H. Presidential Selection: Request for Proposals to Employ a Search Firm .....H-1
- I. Tuition Waiver Policy .....I-1
- J. Meeting Dates
- K. Other Business
- L. Adjournment

All agenda materials will be available on the CPE home page at <http://www.cpe.state.ky.us>.

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*Action items are indicated by italics.*

**Tuesday, August 26**

6:00 p.m. (ET) Reception & Dinner for CPE Members  
The Inn at Jewish Hospital  
Louisville

**Wednesday, August 27**

Rudd Heart and Lung Conference Center  
Jewish Hospital  
Louisville

8:00 a.m (ET) Continental Breakfast  
Photos taken of CPE Members

9:00 a.m. (ET) CPE Meeting

11:45 a.m. (ET) Lunch at The Inn

After lunch continue CPE meeting at the Inn

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**CHANGING THE CULTURE:  
CPE ROLES, RESPONSIBILITIES,  
AND RELATIONSHIPS**



**AUGUST 27, 1997**

**KENTUCKY COUNCIL ON POSTSECONDARY EDUCATION  
1024 CAPITAL CENTER DRIVE, SUITE 320  
FRANKFORT KY 40601-8204**

# RETREAT AGENDA

8:00 a.m. **Continental Breakfast**

**Welcome and Overview of Retreat Goals**  
(Leonard Hardin/Gary Cox)

**Session I: An Overview of the New Postsecondary Education System**  
(Presentation by Gary Cox)

**Session II: Probing House Bill 1: CPE Duties and Responsibilities**  
(Full Council Discussion)

**Break**

**Session III: Leadership in Action - Part 1**  
(Small Group Breakout Exercise)

**Session IV: Leadership in Action - Part 2**  
(Full Council - Small Group Reports and Discussion)

11:45 a.m. **Lunch - Move to Lunch Location**

**Session V: Making Connections - Part 1**  
(Small Group Breakout Exercise)

**Session VI: Making Connections - Part 2**  
(Full Council - Small Group Reports and Discussion)

**Kentucky Plan for Equal Opportunities in Postsecondary Education**  
(presentation by Charles Whitehead)

**Session VII: Developing a Transition Agenda**  
(Full Council Discussion)

**Closing Remarks**  
(Leonard Hardin/Gary Cox)



# CHANGING THE CULTURE: CPE ROLES, RESPONSIBILITIES, AND RELATIONSHIPS

## *RETREAT GOALS*

### **—Learn . . .**

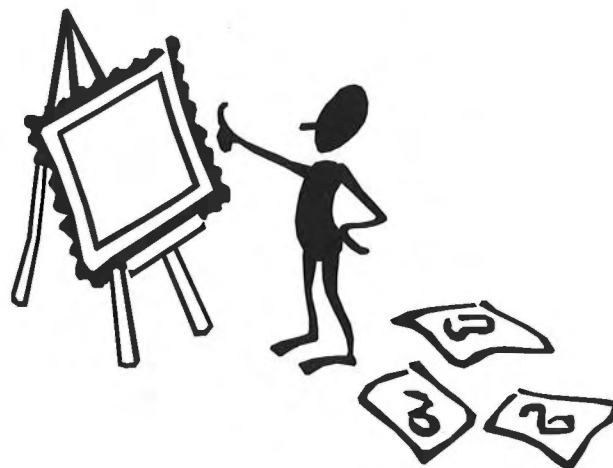
- . . . about HB1 and HB4
- . . . about the new postsecondary education system
- . . . about CPE's place in the postsecondary education system
- . . . about CPE's statutory duties and responsibilities

### **—Discuss . . .**

- . . . how we translate leadership into action
- . . . how we work with organizations, institutions, and individuals within and outside the system

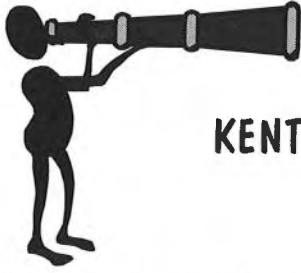
### **—Decide . . .**

- . . . what requires our immediate attention
- . . . what else we're anxious to move ahead on
- . . . what the CPE staff needs to do
- . . . how we involve others during this transition period
- . . . how and when we continue this discussion



**SESSION I**

**AN OVERVIEW OF KENTUCKY'S NEW POSTSECONDARY  
EDUCATION SYSTEM**



## KENTUCKY'S POSTSECONDARY GOALS FOR 2020

The six goals listed below will drive the development of a statewide postsecondary strategic agenda to take us into the twenty-first century; in turn, this statewide postsecondary agenda will inform the development and revision of individual institutions' current and future missions and strategic plans. In addition, these goals emphasize a *seamless, integrated, well-coordinated* postsecondary system that is also *efficient, responsive, and cooperative* and mandate an explicit connection between postsecondary education and enhanced economic development. Thus, achieving these goals will demand a concerted Council and institutional effort to review, rethink, and reformulate many of the current academic policies, programs, and practices.

- Goal 1.** A seamless, integrated system of postsecondary education strategically planned and adequately funded to enhance economic development and quality of life.
- Goal 2.** A major comprehensive research institution ranked nationally in the top twenty public universities at the University of Kentucky.
- Goal 3.** A premier, nationally-recognized metropolitan research university at the University of Louisville.
- Goal 4.** Regional universities, with at least one nationally-recognized program of distinction or one nationally-recognized applied research program, working cooperatively with other postsecondary institutions to assure statewide access to baccalaureate and master's degrees of a quality at or above the national average.
- Goal 5.** A comprehensive community and technical college system with a mission that assures, in conjunction with other postsecondary institutions, access throughout the Commonwealth to:
- a two-year course of general studies designed for transfer to a baccalaureate program,
  - the training necessary to develop a workforce with the skills to meet the needs of new and existing industries, and
  - remedial and continuing education to improve the employability of citizens.
- Goal 6.** An efficient, responsive, and coordinated system of autonomous institutions that delivers educational services to citizens in quantities and of a quality that is comparable to the national average.

## THE HEART OF THE PROBLEM



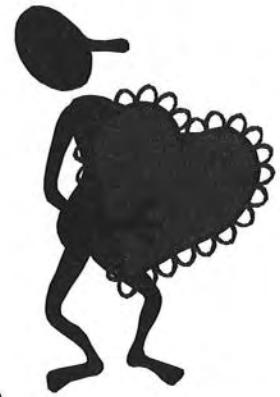
- ◆ **KENTUCKY HAS LACKED A STRUCTURE TO LINK ALL OF ITS POSTSECONDARY EDUCATION RESOURCES WITH A LONG-RANGE STRATEGY TO ENHANCE THE ECONOMIC COMPETITIVENESS AND QUALITY OF LIFE OF ITS CITIZENS;**
- ◆ **PAST POSTSECONDARY EDUCATION FUNDING MECHANISMS HAVE SERVED AS DISINCENTIVES FOR PROGRAM EFFICIENCY AND INSTITUTIONAL COOPERATION;**
- ◆ **POSTSECONDARY EDUCATION OFFERS VIRTUALLY NO INCENTIVES FOR THE ATTAINMENT OF QUALITY AND THE PURSUIT OF EXCELLENCE;**
- ◆ **KENTUCKY SERIOUSLY LAGS THE NATION AND COMPETITOR STATES IN RESEARCH AND DEVELOPMENT ACTIVITY;**
- ◆ **THE SYSTEM OF POSTSECONDARY EDUCATION HAS HAD NO COMPREHENSIVE STRATEGY TO MAXIMIZE THE USE OF EXISTING AND EMERGING TECHNOLOGIES; AND**
- ◆ **KENTUCKY HAS LACKED AN EFFICIENT STATEWIDE STRUCTURE TO COORDINATE ALL OF POSTSECONDARY EDUCATION AND PROVIDE A STRATEGIC VISION.**

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Source: Postsecondary Education in Kentucky: An Assessment; A Report to the Task Force on Postsecondary Education, March, 1997.



## THE HEART OF THE REFORM



- ◆ EXPANSION OF THE SYSTEM TO INCLUDE ALL POSTSECONDARY EDUCATION
- ◆ ESTABLISHMENT OF STATEWIDE GOALS FOR THE YEAR 2020
- ◆ CREATION OF THE STRATEGIC COMMITTEE ON POSTSECONDARY EDUCATION (SCOPE)
- ◆ STRENGTHENING OF THE COORDINATING BOARD
- ◆ ELIMINATION OF FUNDING FORMULA
- ◆ *AND ALL THE TOOLS IN HBI . . .*



## WELCOME TO THE "NEW KID ON THE BLOCK"

- ◆ HIGHER EDUCATION BECOMES POSTSECONDARY EDUCATION
- ◆ MEET KCTCS
- ◆ ROLE
- ◆ CHARACTERISTICS
- ◆ TIMEFRAME
- ◆ CPE CHALLENGES AND OPPORTUNITIES



## TECHNICAL INSTITUTIONS

Anderson County Technology Center  
Lawrenceburg, KY

Ashland Regional Technology Center  
Ashland, KY

Bowling Green Regional Technology Center  
Bowling Green, KY

Cumberland Valley Health Technology  
Center  
Pineville, KY

Danville Health Technology Center  
Danville, KY

Glasgow Health Technology Center  
Glasgow, KY

Harlan Regional Technology Center  
Harlan, KY

Hazard Regional Technology Center  
Hazard, KY

Kentucky Advanced Technology Institute  
Bowling Green, KY

Kentucky Tech Central Campus  
Lexington, KY

Kentucky Tech Daviess County Campus  
Owensboro, KY

Kentucky Tech Elizabethtown  
Elizabethtown, KY

Kentucky Tech Jefferson Campus  
Louisville, KY

Kentucky Tech Laurel County Regional  
Technology Center  
London, KY

Kentucky Tech Madisonville Health  
Technology Center  
Madisonville, KY

Kentucky Tech Madisonville Regional  
Technology Center  
Madisonville, KY

Kentucky Tech Owensboro Campus  
Owensboro, KY

Kentucky Tech Rowan Regional Technology  
Center  
Morehead, KY

Kentucky Tech Somerset Regional  
Technology Center  
Somerset, KY

Mayo Regional Technology Center  
Paintsville, KY

Northern Campbell Tech  
Edgewood, KY

Northern Kentucky Health Technology  
Center  
Edgewood, KY

Northern Kentucky Tech  
Covington, KY

Southeast Regional Technology Center  
Middlesboro, KY

West Kentucky Tech  
Paducah, KY

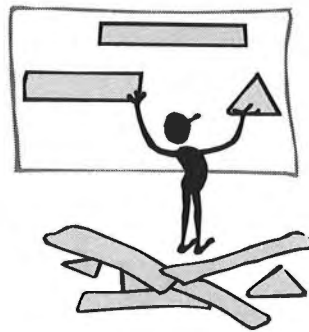
NOTE: Excludes programs at correctional facilities.

**SESSION II**

**PROBING HOUSE BILL 1:  
CPE DUTIES AND RESPONSIBILITIES**

## PROBING HOUSE BILL 1: CPE DUTIES AND RESPONSIBILITIES

- **develop** and **implement** the strategic agenda (with advice & counsel from SCOPE) consistent with the six goals
- **revise** the strategic agenda and strategic implementation plan
- **develop** a system of public accountability
- **review, revise, and approve** the missions of the state's universities and the Kentucky Community and Technical College System; **shall have the final authority to determine the compliance** of postsecondary institutions with their academic, service, and research missions
- **establish** and **ensure** that all postsecondary institutions in Kentucky cooperatively provide for an integrated system of postsecondary education
- **engage in** analyses and research
- **develop** plans that may be required by federal legislation
- **determine** tuition
- **approve** the minimum qualifications for admission to the state postsecondary education system
- **devise, establish, and periodically review and revise** policies for consideration in developing recommendations to the General Assembly for appropriations to the universities and the KCTCS. The Council **has sole discretion...**to devise policies that provide for allocating funds among the universities and the KCTCS.
- **lead and provide staff support** for the biennial budget process
- **review and approve** capital construction projects
- **require** such reports from institutions as it deems necessary
- **develop** a university track program within the KCTCS
- **define and approve** the offering of all postsecondary education technical, associate, baccalaureate, graduate, and professional degrees, certificates, or diplomas in the public postsecondary education institutions
- **develop/implement and monitor** a statewide equal opportunity plan
- **postpone** approval of academic programs for institutions failing to meet equal opportunity goals
- **eliminate** existing programs or **make changes** in existing programs
- **ensure** that the governing boards and faculty of all postsecondary education institutions are committed to providing instruction free of discrimination against students who hold political views and opinions contrary to those of the governing board and faculty
- **review proposals and make recommendations** to the Governor regarding proposed new public community colleges, technical institutions, and four-year colleges
- **ensure** the coordination, transferability, and connectivity of technology among postsecondary institutions in the Commonwealth
- **approve** the teacher education programs in the public institutions



## CPE DUTIES AND RESPONSIBILITIES (CONTINUED)

- **constitute** the representative agency of the Commonwealth in all postsecondary education matters not otherwise delegated to one or more postsecondary institutions
- **maintain procedures** for approving a designated receiver to provide for maintaining student records of the postsecondary institutions
- **monitor** and **transmit** a report on compliance with KRS 164.351
- **develop** a comprehensive orientation program for new members of the Council and the governing boards
- **develop** a financial reporting procedure to be used by all state postsecondary education institutions
- **select** and **appoint** a president of the council
- **employ** consultants (as needed)
- **prepare** and **present** an annual status report
- **ensure** that Kentucky's postsecondary system does not unnecessarily duplicate services and programs provided by private postsecondary institutions; **promote** maximum cooperation between the state postsecondary system and the private postsecondary institutions
- **create** advisory groups representing presidents, faculty, students and non-teaching staff
- **develop** a statewide policy to promote employee and faculty development through a tuition waiver system
- **establish** regional advisory groups (and staff support for these groups) to assist in developing regional strategies for workforce development
- **establish** policies to control and promote the use of distance learning systems to be used by the Commonwealth Virtual University (CVU), upon consideration of the recommendations of the Distance Learning Advisory Committee (DLAC)
- **exercise** any other powers, duties, and responsibilities necessary to carry out the purposes of this chapter

## DISCUSSION

**WHICH COUNCIL DUTIES AND RESPONSIBILITIES ARE YOU MOST EXCITED ABOUT BEING A PART OF?**

**WHICH COUNCIL DUTIES AND RESPONSIBILITIES WILL BE THE MOST DIFFICULT TO ACCOMPLISH?**

**WHICH OF THESE RESPONSIBILITIES DO YOU THINK ARE KEY TO CHANGING THE CULTURE OF THE SYSTEM?**

**HOW DO YOU MAKE THE "SUM" OF THESE DUTIES GREATER THAN THE INDIVIDUAL DUTIES LISTED?**

**SESSIONS III AND IV**  
**LEADERSHIP IN ACTION**



# LEADERSHIP IN ACTION

## THE TOOLS OF COORDINATION



A closer look at the language of House Bill 1 indicates the Council on Postsecondary Education shall:

approve  
direct  
define  
determine  
implement  
evaluate  
advocate  
lead  
review  
create  
establish  
maintain  
monitor  
revise  
ensure  
adopt  
eliminate  
develop  
make  
require  
devise

## DISCUSSION

WHAT DO THESE ACTION VERBS SUGGEST ABOUT THE CPE ROLE?

HOW DO WE TRANSLATE INTO ACTION OUR VISION OF LEADERSHIP?

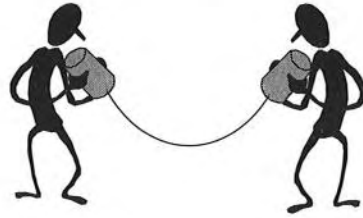
WHAT DO WE NEED TO DO SO THAT OTHERS VIEW US AS EFFECTIVE LEADERS AND STEWARDS OF KENTUCKY'S POSTSECONDARY EDUCATION SYSTEM?

WHAT DOES IT MEAN TO BE THE CHIEF ADVOCATE FOR THE SYSTEM?

**SESSIONS V AND VI**

**MAKING CONNECTIONS**

# MAKING CONNECTIONS



## DISCUSSION

**HOW DO WE WORK WITH INDIVIDUALS,  
INSTITUTIONS, AND ORGANIZATIONS BOTH WITHIN AND  
OUTSIDE OF THE POSTSECONDARY EDUCATION SYSTEM TO  
CARRY OUT OUR RESPONSIBILITIES MOST EFFECTIVELY?**

**WHAT PARTNERSHIPS ARE NECESSARY FOR US TO  
CREATE A TRULY COORDINATED, SEAMLESS SYSTEM?**

**HOW WILL WE SEEK THE PERSPECTIVES OF OUR  
CONSTITUENTS AS WE MAKE INFORMED POLICY  
DECISIONS?**

## MAKING CONNECTIONS (CONTINUED)

### **Responsibilities of institutional governing boards . . .**

- Organization and administration of institution
- All hiring/firing/tenure decisions (including appointment of presidents)
- All personnel matters including setting salaries and adopting retirement and insurance plans
- Power to grant degrees
- Power to purchase/sell property (including the power of eminent domain)
- Set student fees
- Set academic policies
- Set student life policies (including housing and dining)
- Authority to develop and execute annual operating budgets, control finances, invest funds
- Set admission requirements (as long as they meet or exceed CPE minimums)
- All payroll and purchasing
- Evaluate and be accountable for institution's progress toward goals of statewide strategic agenda

## DISCUSSION

HOW ARE THE CPE AND BOARD ROLES MUTUALLY REINFORCING?

IN WHAT AREAS OR ON WHAT ISSUES MIGHT WE EXPECT THE CPE'S PERSPECTIVE TO MOST DIFFER FROM THE GOVERNING BOARD PERSPECTIVE?

WHAT DO WE NEED TO DO TO BALANCE THE NEED FOR SYSTEMWIDE DIRECTION WITH INSTITUTIONAL AUTONOMY?

## MAKING CONNECTIONS (CONTINUED)

### Responsibilities of SCOPE are to . . .

- Serve as a forum for the Council and elected leadership of the Commonwealth to exchange ideas about the future of postsecondary education in Kentucky. *House Bill 1, Section 4(4), 1997 First Extraordinary Session*
- Be advised by the Council on the allocation of potential funds based on priorities and projected resources
- Be advised by the Governor about the financial condition of the Commonwealth and the probable funds the executive branch intends to recommend to the General Assembly for postsecondary education
- Receive reports from the Council on the Strategic Agenda and on biennial budget requests
- Review the Council's proposed objectives and benchmarks related to the achievement of strategic goals
- Consider and advise the Council on the general budget parameters regarding the biennial budget request for postsecondary education
- Review the Council's biennial budget requests
- Receive from the Council, at least annually, accountability reports, budget information and any other information the committee deems proper
- Serve as the search committee for the selection of the first president and narrow the search to three candidates. (SCOPE is to use a national search firm. Final selection of the president is the responsibility of the Council.)



## DISCUSSION

WHAT INFORMATION SHOULD BE PRESENTED TO **SCOPE**  
BY **CPE**?

HOW DOES **CPE** MAXIMIZE THIS RELATIONSHIP?

HOW SHOULD **CPE** REPORT ON PROGRESS IN  
ACHIEVING STRATEGIC GOALS?

**SESSION VII**

**DEVELOPING A TRANSITION AGENDA**

## DEVELOPING A TRANSITION AGENDA

**"TO DO LIST"**



**"WHERE DO WE START?"**

- Make an operating budget
- Develop a capital request
- Establish investment & incentive funds
- Set tuition rates
- Incorporate technical institutions
- Develop a strategic agenda
- Develop new accountability system
- Expand comprehensive data base
- Search for a president
- Establish program approval policies
- Implement EEO Plan
- Change pre-college curriculum
- Get ready for 1998 General Assembly
- Complete remedial education study
- Require common electronic admissions
- Create virtual university
- Complete technology assessment
- Establish regional advisory groups
- Work with SCOPE
- Implement transfer frameworks

**"URGENT"! LIST**

**"SOONER THAN LATER" LIST**

**"BACK BURNER" LIST**

## DISCUSSION

WHAT REQUIRES OUR IMMEDIATE ATTENTION BECAUSE OF THE 1998 LEGISLATIVE SESSION?

WHAT ELSE ARE WE ANXIOUS TO MOVE FORWARD ON?

HOW WILL WE INVOLVE OTHERS DURING THIS TRANSITION PERIOD?

DOES THE CPE STAFF HAVE ADEQUATE DIRECTION FROM US?

WHAT ASSIGNMENTS CAN BE MADE TO COMMITTEES NOW?

WHERE DO WE GO FROM HERE?

WHEN DO WE MEET AGAIN?

## THE DOWN PAYMENT — 1997/98 FUNDING

House Bill 4 provided an additional \$38 million in 1997/98 for the postsecondary education system:

### BASE ADJUSTMENT - \$23 MILLION

- \$3.1 million - operating budget increases (MuSU, UK, UofL, CPE)
- \$17.9 million - equity (EKU, KSU, MoSU, NKU, WKU, KCTCS)
- \$2.0 million - research and development (UofL)

### INCENTIVE TRUST FUND - \$15 MILLION

- \$6.0 million - Research Challenge Trust Fund (UK, UofL)
- \$6.0 million - Regional University Excellence Trust Fund
- \$3.0 million - Postsecondary Workforce Development Fund



## THE COMMITMENT — 1998/2000

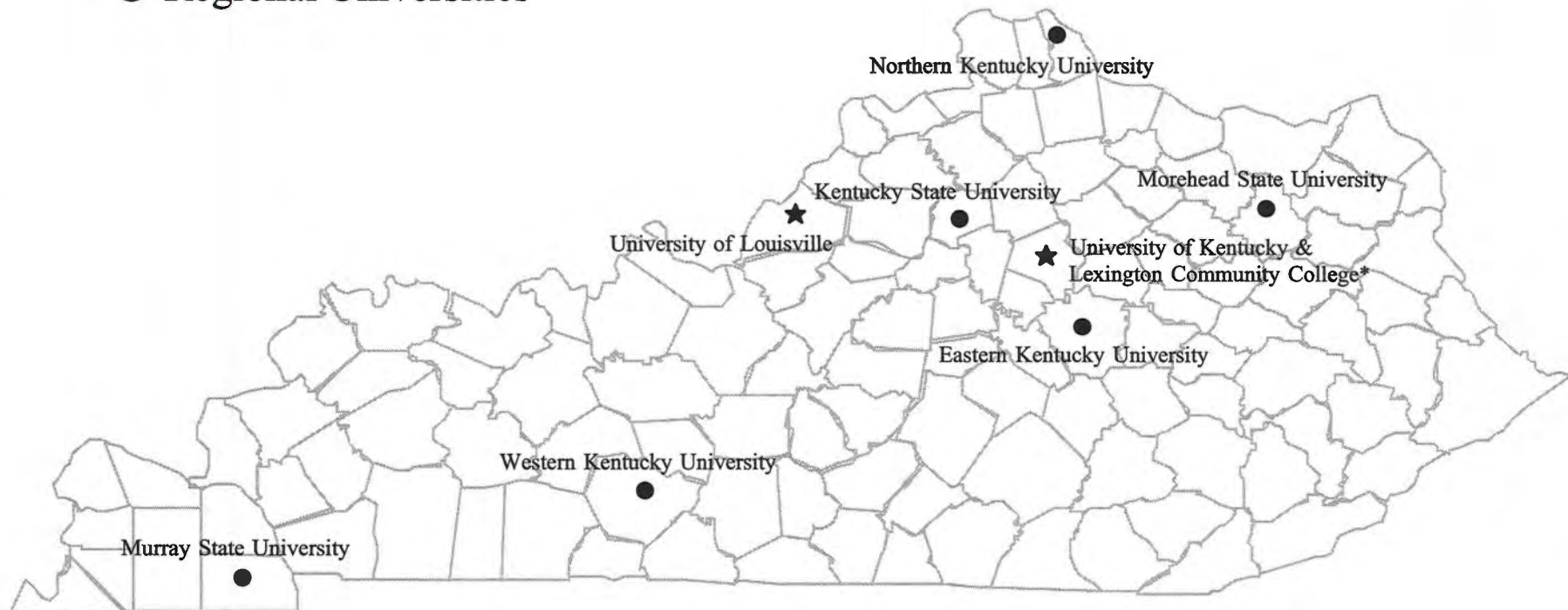
- 3% increase in Current Services in each year of the biennium
- \$47 million in Strategic Investment Funds in the first year
- \$77 million in Strategic Investment Funds in the second year

**APPENDIX**

**MAPS**

# Public Doctoral and Regional Universities in Kentucky

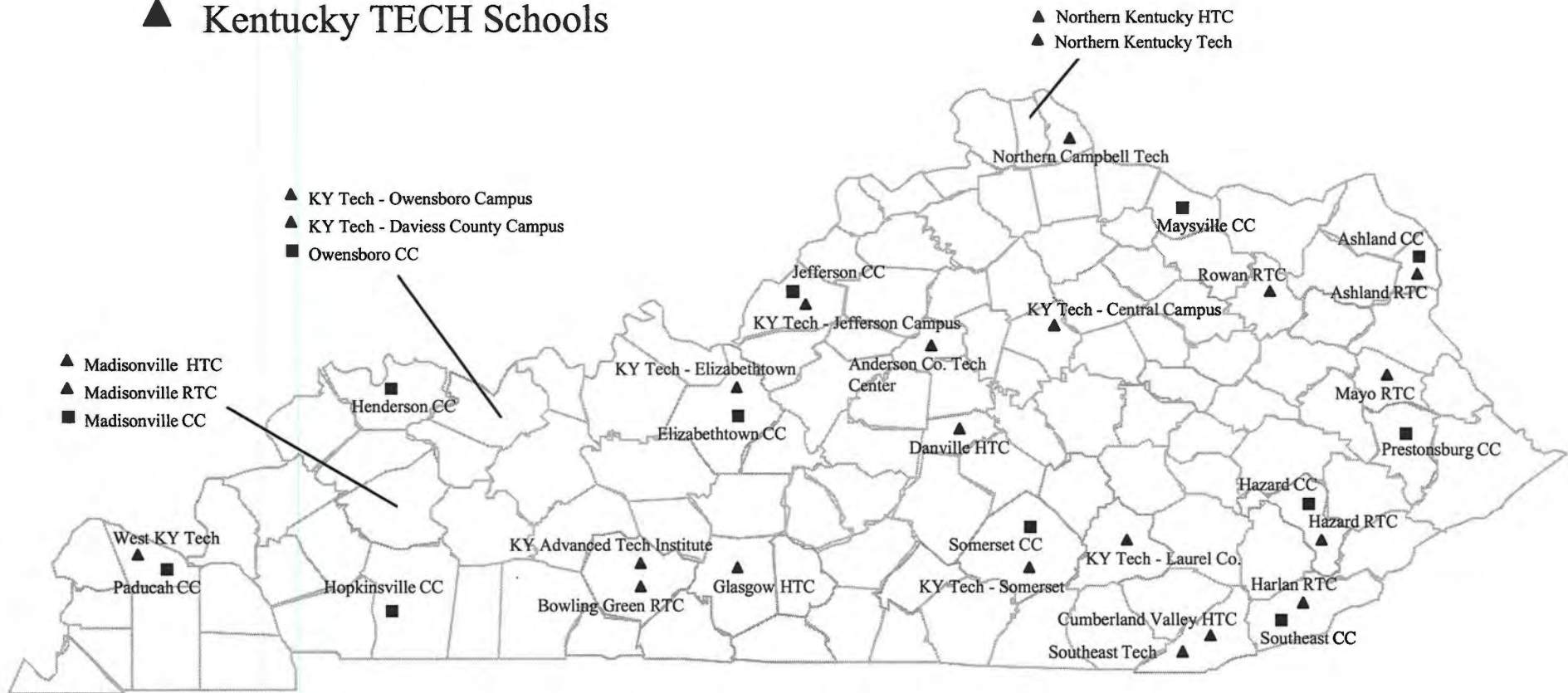
- ★ Doctoral Universities
- Regional Universities



\* This map includes Lexington Community College which is operated by the University of Kentucky

# KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

- Community Colleges
- ▲ Kentucky TECH Schools



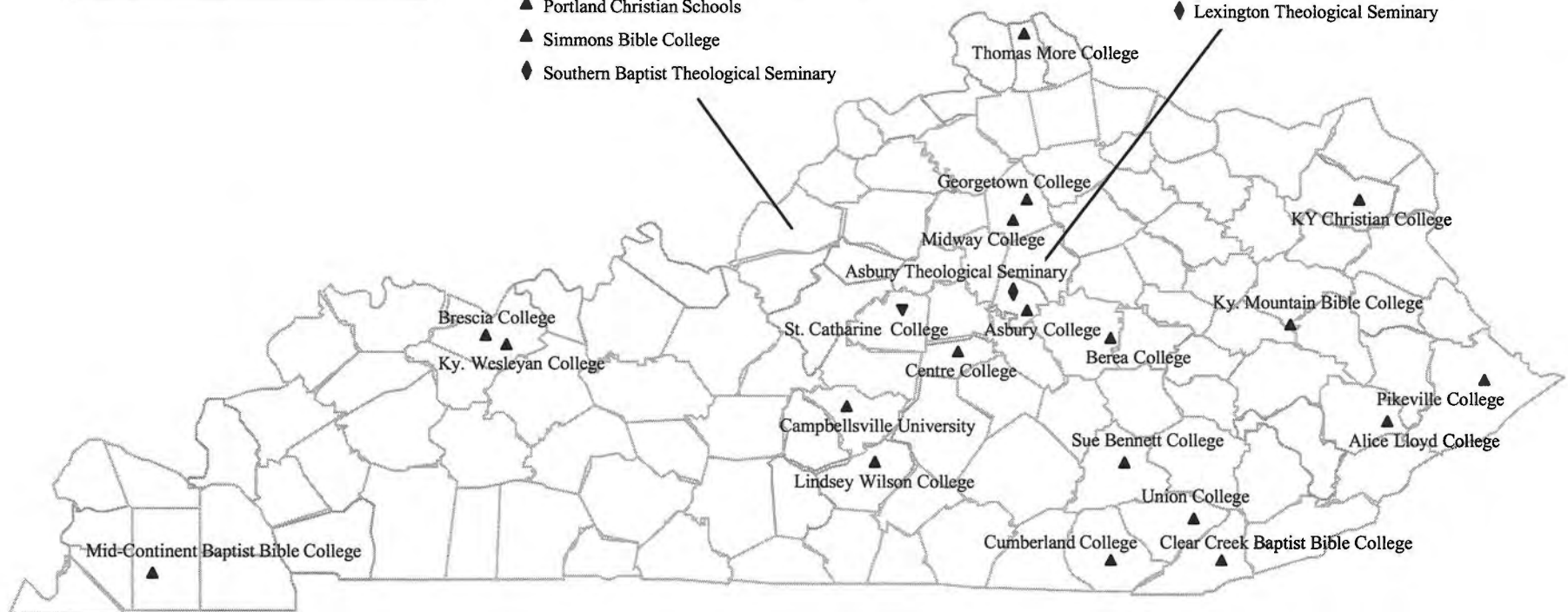
NOTE: HTC = Health Technology Center  
 RTC = Regional Technology Center



# PRIVATE POSTSECONDARY INSTITUTIONS IN KENTUCKY

KEY TO SYMBOLS	
▲	Private Senior
▼	Private 2-year
★	Proprietary 4-year
◆	Graduate Seminaries

- ▲ Bellarmine College
- ▲ Spalding University
- ★ Sullivan College
- ▲ Louisville Bible College
- ◆ Louisville Presbyterian Theological Seminary
- ▲ Portland Christian Schools
- ▲ Simmons Bible College
- ◆ Southern Baptist Theological Seminary
- ▲ Transylvania University
- ▲ Lexington Baptist Bible College
- ◆ Lexington Theological Seminary



Note: This map excludes proprietary schools that do not offer a 4-year degree.

IT'S A BIG JOB . . .

BUT CPE HAS TO DO IT!



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**COUNCIL ON POSTSECONDARY EDUCATION  
BYLAWS**

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**ACTION ITEM  
CPE (E)  
August 27, 1997**

**Recommendation:**

That the CPE approve the bylaws as submitted and include them in the CPE Policy Manual.

**Rationale:**

- The CPE is a corporate body and needs to develop and publish rules and regulations governing the operation of the CPE.
- The current bylaws do not conform to all of the requirements of the *Kentucky Postsecondary Education Improvement Act of 1997*.
- The Southern Association of Colleges and Schools (SACS) has requested a revised copy of the bylaws revised as a result of the changes by the 1997 General Assembly in the First Extraordinary Session. The community colleges will undergo a substantive change review under SACS criteria; the CPE bylaws are one small, but important part of that review.

## **Background:**

Bylaws provide a framework for the deliberations and actions of the CPE as it carries out statutory duties and responsibilities. The bylaws establish rules for the selection of officers, the notification and conduct of meetings, the committee structure of the CPE, and define the relationship of the CPE as a corporate entity to the staff of the CPE.

The CPE, although a corporate entity, is also a state agency and therefore must conform to state statutes such as the *Kentucky Open Meetings Act*. The legislature in the *Kentucky Open Meetings Act* set forth specific requirements for the conduct of meetings. The bylaws provide a single place where a CPE member or interested party may find those requirements.

The *Kentucky Postsecondary Education Improvement Act of 1997* requires CPE to create several Standing Advisory Committees. The Distance Learning Advisory Committee will assist the CPE on issues related to the operation of the Commonwealth Virtual University. Regional Advisory Groups will assist the CPE with issues related to workforce needs throughout the state.

The bylaws as submitted include only an operating committee structure for the CPE plus one Standing Advisory Committee, the Committee on Equal Opportunities. Generally, committees will be classified as operating, standing advisory, or special advisory groups and task forces. Once the CPE has determined the number and nature of other Standing Advisory Committees, they will be added to Section 4 in the bylaws.

Approved:

**COUNCIL ON POSTSECONDARY EDUCATION  
1.2: BYLAWS**

**I. Statement of Purpose**

The bylaws provide a framework for the deliberations and actions of the Council on Postsecondary Education (CPE) in carrying out statutory duties and responsibilities. The bylaws establish rules for notification and conduct of meetings, the selection of officers, and the committee structure under which the Council operates.

The Kentucky Community and Technical College System (KCTCS) was created by the legislature during the 1997 First Extraordinary Session. Two branches of the KCTCS were created: the Technical Institutions' Branch consisting of the postsecondary education elements of the Kentucky Tech system in the Workforce Development Cabinet; and the University of Kentucky Community College System excluding the Lexington Community College. *House Bill 1, 1997 First Extraordinary Session* provides for a transition period to the new KCTCS structure. During the period of transition and for purposes of these bylaws, CPE will ensure that both the Technical Institutions' Branch and the University of Kentucky Community College System Branch are equitably represented in all undertakings of the Council. House Bill 1 provides that KCTCS will have the same status as other state-supported institutions. Specifically, academic program proposals and biennial budget requests will advance directly from the KCTCS Board of Regents to CPE.

**II. Statutory Authority**

The primary authority for Council actions comes from *KRS Chapter 164* and encompasses public, private nonprofit, and proprietary degree-granting postsecondary institutions as well as postsecondary technical institutions. The Council bylaws also conform to the requirements of *KRS Chapter 61, the Kentucky Open Meetings Law*.

**III. Policy**

**Section 1: General Rules**

**A. Amendment of Bylaws**

- A.1 The Council may amend, revoke, or approve additional bylaws including appendices of the bylaws by action of eight of the voting members.
- A.2 Notice shall be given to the members of any proposed changes or additions to the bylaws in the agenda of a regularly scheduled or special meeting of the Council. All changes shall be consistent with state law and administrative regulations.

**B. Rules on the Conduct of Meetings**

- B.1 The Council shall follow *Robert's Rules of Order* concerning motions, recognition of speakers, and order of business.
- B.2 The chair may recognize a non-Council speaker.
- B.3 The Council shall designate a parliamentarian from the membership of the Council or Council staff to assist the chair in interpreting the rules of order.

**C. Policy Statements and Administrative Regulations**

- C.1 Actions taken by the Council shall constitute the policy of the Council until changed or superseded.
- C.2 The Council may act by adoption of policy or by administrative regulation when permitted by law.
- C.3 The Council shall promulgate administrative regulations when required by state law.
- C.4 The policy statements of the Council including all administrative regulations shall be maintained in the *CPE Policy Manual*.

**Section 2: Selection and Terms of Officers**

**A. Nominating Committee**

- A.1 A nominating committee consisting of the current chair and vice chair and two other Council members appointed by the chair shall be created annually by March 31 for the purpose of nominating a new chair and vice chair.
- A.2 The recommendations of the nominating committee shall be presented to the Council at a regularly scheduled or special meeting prior to June 30 of each year.
- A.3 The provisions of A.1 and A.2 above become effective in 1998.

**B. Selection of Officers**

- B.1 A chair and vice chair shall be elected annually at a regularly scheduled or special meeting held prior to June 30 and shall serve one year terms or at the pleasure of the Council. The provisions of this subsection become effective in 1998.
- B.2 In the absence of the chair or in the event the chair is unable to perform, the vice chair shall perform the duties of the chair. In the absence of both the chair and vice chair or in the event the vice chair is unable to perform the duties of the chair, the Council shall appoint a temporary chair.

B.3 In the event the chair resigns and the vice chair assumes the duties of the chair, the Council may select a vice chair to complete the unexpired term of the vice chair.

B.4 The president shall serve as the secretary to the Council and shall cause the minutes of the meetings of the Council to be recorded and presented to the Council.

**C. Terms of Offices**

C.1 Terms of offices for the chair and vice chair shall commence on the date of election and continue for one year unless the Council takes action to remove the chair or vice chair.

C.2 The chair and vice chair may be elected to subsequent terms without limitation.

**Section 3: Meetings of the Council on Postsecondary Education**

**A. Regular Meeting Schedule**

A.1 The Council shall set the regular meeting schedule for the next year by resolution at the last regularly scheduled meeting of the calendar year.

A.2 The regular meeting schedule shall provide that the Council meet no less than quarterly but may provide for more than quarterly meetings. *KRS 164.011(9)*

A.3 The schedule and agenda of regular meetings shall be made available to the public through release to the press by written or electronic means. *KRS 61.820*

A.4 The Council shall meet with the Advisory Conference of Presidents at least once each year. *KRS 164.021*

**B. Special Meetings and Emergency Special Meetings**

B.1 A special meeting or emergency special meeting is a meeting that is not part of the regular schedule of meetings established by the Council pursuant to Section 3 A.1. above.

B.2 The chair may call a special meeting of the Council when, in the view of the chair, such a meeting is necessary. *KRS 164.011(9) and KRS 61.823*

B.3 The chair shall call a special meeting upon receipt of a written request from a majority of the Council stating the reason for the meeting. *KRS 164.011(9) and KRS 61.823*

B.4 The following items are required in calling a special meeting and in the conduct of the special meeting:

a. The agenda of a special meeting shall be stated in the notification of the meeting.

b. Discussions and action at a special meeting shall be limited to items listed on the agenda in the notice. *KRS 61.823(3)*



- c. Written notice shall be provided to every member of the Council and to each media organization filing a written request to be notified. The notice shall be provided as soon as possible but shall be calculated to be received at least twenty-four hours before the special meeting. *KRS 61.823(4)(a)(b)*
- B.5** Emergency special meetings may be called by the chair subject to the following requirements:
- a. The agency makes reasonable efforts to inform members of the Council, the public, and the media of the date, time, and place of the meeting. *KRS 61.823(5)*
  - b. The chair shall, at the commencement of the meeting, state the reason for the emergency; the statement shall subsequently appear in the minutes of the special meeting. *KRS 61.823(5)*
  - c. Discussion and action by the Council is limited to the emergency for which the meeting was called. *KRS 61.823(5)*
- C. Place of the Meeting**
- C.1** The Council shall fix the place of meetings at the time they are scheduled. The Council may change the place of meetings. *KRS 164.070*
- C.2** The Council may hold meetings, regularly scheduled or special, by video teleconference. Meetings held by video teleconference shall conform to the notice requirements of the Open Meetings Law and Section 3 A. and B., as appropriate. Meetings held by video teleconference shall also conform to these requirements:
- a. The notice of the meeting shall clearly state that the meeting is a video teleconference. *KRS 61.826(2)(a)*
  - b. The locations of the video teleconference as well as the designation of one location as the primary location shall be contained in the notice. *KRS 61.826(2)(b)*
  - c. Rules concerning participation, distribution of materials, and other matters that apply at the primary location shall apply to all video teleconference locations. *KRS 61.826(3)*
- D. Notice of and Agenda for Meetings**
- D.1** Notice of all meetings, regularly scheduled and special, shall be given to members at least ten (10) days prior to the time of the meeting unless all members of the Council waive notice. Waiver may be given orally or in writing. *KRS 164.080*
- D.2** The agenda and supporting materials for a regularly scheduled meeting shall, to the extent possible, be available to the members at least seven (7) days prior to the meeting. In the event some agenda materials are not available within the required time period, the president shall, as soon as possible, indicate in writing the reason for the delay and when the materials shall be available.

- D.3 Notice to members shall be by mail, personal delivery, or electronic transmission such as facsimile (FAX) or e-mail.
- D.4 The notice of a regularly scheduled or special meeting shall contain the date, time, place of the meeting and the agenda. *KRS 61.823(3)*
- D.5 Notice of and the agenda for all meetings shall be given to the Advisory Conference of Presidents. *KRS 164.021*
- D.6 Special information to be presented to the Council by interested parties shall be provided to the president or chair of the Council seven (7) days in advance of the scheduled meeting. The chair may waive this requirement.

**E. Minutes of Meetings**

- E.1 The minutes of all meetings, regular and special, shall accurately record the deliberations of the Council and all actions taken.
- E.2 All meetings of the Council and operating committees shall be recorded on audio tape, and the tape shall be maintained in the Council offices.
- E.3 The minutes shall be open to public inspection immediately following the next regularly scheduled meeting of the Council. *KRS 61.835*

**F. Quorum and Council Actions**

- F.1 A quorum shall be a majority of the appointive membership of the Council. *KRS 164.011(10)*
- F.2 A quorum shall be required to organize and conduct business. *KRS 164.011(11)*
- F.3 An affirmative vote of eight (8) of the appointive members shall be required to carry all propositions. *KRS 164.090 and KRS 164.011(11)*
- F.4 The Council may consolidate multiple agenda items of a similar nature for the purpose of voting if there is no objection from a Council member.
  - a. Before a vote is taken, the chair shall ask if any member objects to the consolidation of the items and shall specify the items to be voted upon.
  - b. The objection of a single member of the Council shall be sufficient to require a separate vote on each item.
- F.5 The Council may, at regularly scheduled meetings, act on any subject within the powers of the Council. The Council may, by a vote of eight members, add items to the agenda of a regularly scheduled meeting.

## **G. Closed Sessions**

- G.1 It is the policy of the Council that all meetings, regularly scheduled or special, be open to the public unless the matter under discussion meets the exceptions contained in *KRS 61.810*.
- G.2 The following requirements, consistent with *KRS 61.815*, shall be met as a condition for conducting closed sessions:
- a. The chair shall give notice in the open meeting of the general nature of the business to be discussed in a closed session.
  - b. The chair shall state the reason for the closed session citing a specific *KRS 61.810* provision authorizing a closed session.
  - c. The session may be closed only upon a motion made and approved by a majority of the appointive membership of the Council present at the meeting.
  - d. No formal action may be taken at a closed session.
  - e. No matters may be discussed at a closed session other than those publicly announced prior to convening a closed session.
- G.3 The requirements of the Council for the conduct of closed sessions shall at all times meet the requirements of *KRS 61.815*.

## **Section 4: Committees**

### **A. Committees--General**

- A.1 Committees of the Council shall be designated upon creation as Operating Committees, Standing Advisory Committees, or Special Advisory Groups or Task Forces.
- a. Operating Committees are established to manage the work of the Council, specifically to review all agenda items assigned, discuss and evaluate issues and recommend action to the Council. Membership on Operating Committees is restricted to Council members with Council staff assigned by the president to assist the committee.
  - b. Standing Advisory Committees are established by the Council to provide advice and counsel to the Council on issues and policies. Membership on Standing Advisory Committees may include Council members, Council staff, representatives of postsecondary education institutions, lay citizens and public officials. The designation of an advisory committee as "standing" is recognition of the significance and on-going nature of the subject matter assigned to the committee.
  - c. Special Advisory Groups or Task Forces are established by the Council to address specific issues and problems. By their nature, Special Advisory Groups or Task Forces are time-limited. Membership on Special Advisory Groups or Task Forces may include Council members, Council staff, representatives of postsecondary education institutions, lay citizens and public officials.

- A.2 The chair of the Council shall appoint members to all committees unless membership is directed by statute or Council policy.
- A.3 The chair of the Council shall assign specific tasks and subject matter to all committees unless action of the Council directs the assignment of a task or subject matter to a committee.
- A.4 The president shall assign staff, as appropriate, to assist Operating Committees, Standing Advisory Committees or Special Advisory Groups or Task Forces.
- A.5 The Council may create, modify, or abolish any committee, unless the committee is established by statute, upon action taken by a majority of the appointive membership.
- A.6 The chair of the Council shall be an ex officio, voting member of all Operating and Standing Advisory Committees.
- A.7 The president shall be an ex officio, non-voting member of all Standing Advisory Committees and Special Advisory Groups or Task Forces unless otherwise indicated by action of the Council.

**B. Trends and Operations Committee (TOC)--Operating**

**B.1 Purpose**

The purpose of the Trends and Operations Committee is to advise and recommend to the Council on the following issues and activities:

- a. The Strategic Agenda and Strategic Implementation Plan
  - (1) Develop a strategic agenda for postsecondary education, communicate actions of the Strategic Committee on Postsecondary Education (SCOPE) to the Council, and communicate actions of the Council to SCOPE; and
  - (2) Develop a Strategic Implementation Plan for the postsecondary education system designed to accomplish the strategic agenda.
- b. Trends
  - (1) Develop a mechanism to determine future trends for the postsecondary education system and to incorporate those trends into the Strategic Implementation Plan and into other Council policy initiatives; and
  - (2) Provide trend information in support of the Strategic Implementation Plan.
- c. Operations
  - (1) Review all agency budget and personnel matters, including an annual evaluation of the president, and recommend annual compensation for the president;
  - (2) Monitor institutional progress relative to the *Kentucky Plan for Equal Opportunities* and serve as liaison with the Committee on Equal Opportunities;

and

(3) Develop an annual work plan for the Council in conjunction with the Quality and Effectiveness Committee and the Investments and Incentives Committee.

d. Perform such other duties and tasks as assigned by the Council or by the chair of the Council.

## B.2 Membership

Membership on the Trends and Operations Committee shall consist of seven members:

- a. The chair of the Council;
- b. Vice chair of the Council;
- c. The chairs of the Quality and Effectiveness Committee and the Investments and Incentives Committee;
- d. The immediate past chair of the Council; and
- e. Two additional members of the Council appointed by the chair of the Council.

## B.3 General

- a. The Trends and Operations Committee is empowered to act on behalf of the Council only on those matters directed by the Council and within the limits of the direction given by the Council.
- b. Where the Trends and Operations Committee acts relative to B.1. d. above, the Council shall specifically state the authority of the committee.
- c. The Trends and Operations Committee shall report any actions taken to the Council at the next regular meeting. Committee actions are advisory only.

## B.4 Meetings

The Trends and Operations Committee shall meet at the call of the chair.

## C. Quality and Effectiveness Committee (QEC)--Operating

### C.1 Purpose

The purpose of the Quality and Effectiveness Committee is to address matters relating to quality assurance and enhancement efforts that result in an efficient, responsive, seamless, and integrated system of postsecondary education. Specifically, the Committee shall advise the Council and make recommendations on policies, standards, initiatives, and reporting related to the following areas:

- a. Academic Programs and Student Services
  - (1) Academic program coordination, delivery, and outcomes, including standards for the review of all existing academic programs and criteria and standards for the establishment of new academic programs;
  - (2) Support for P-12 education reform;
  - (3) Transfer of academic credit among public institutions;
  - (4) Admissions-related policies, including minimum admission standards, pre-college curriculum, and dual credit; and
  - (5) Student services, programs, and communications, including partnerships with the P-12 education system, that help create a more student-centered postsecondary education system.
- b. A comprehensive system of public accountability, including performance indicators related to educational quality, student advancement and success, research and service, and use of resources;
- c. A coordinated and comprehensive approach to workforce development and technology transfer;
- d. Private college and university licensing; and
- e. Other tasks as assigned by the chair of the Council.

## C.2 Membership

Membership on the Quality and Effectiveness Committee shall consist of eight members:

- a. A chair;
- b. Vice chair;
- c. Five members of the Council all appointed by the chair of the Council; and
- d. The Commissioner of Education or designated representative as an ex officio, non-voting member.

## C.3 General

The Quality and Effectiveness Committee shall report any actions taken to the Council at the next regular meeting. Committee actions are advisory only.

#### C.4 Meetings

The Quality and Effectiveness Committee shall meet at the call of the chair.

#### D. Investments and Incentives Committee (IIC)--Operating

##### D.1 Purpose

The purpose of the Investments and Incentives Committee is to address issues related to finance, construction and data management and to advise and recommend to the Council on the following activities:

- a. Biennial budget and financial reporting
  - (1) Determine tuition for the postsecondary education institutions. *KRS 164.020(8) and 13 KAR 2:050*;
  - (2) Develop funding proposals for the biennial budget consistent with the strategic agenda for postsecondary education. *House Bill 1, Sections 7 through 15, 1997 First Extraordinary Session*;
  - (3) Develop, review, analyze and recommend biennial budget requests for institutions and for the system of postsecondary education;
  - (4) Develop and implement a financial reporting system for the institutions. *KRS 164.020(25)*;
- b. Review and recommend institutional capital projects, including the acquisition of real property, consistent with *KRS 45.750(1)(f)* which establishes the financial limits for projects requiring legislative approval. *KRS 164.020(11)*;
- c. Maintain a comprehensive data base for the postsecondary education system; and
- d. Perform such other tasks as assigned by the chair of the Council.

##### D.2 Membership

The Investments and Incentives Committee shall consist of eight members:

- a. A chair;
- b. Vice chair; and
- c. Six members of the Council all appointed by the chair of the Council.

##### D.3 General

The Investments and Incentives Committee shall report to the Council any actions taken at the next regular meeting. Committee actions are advisory only.

#### D.4 Meetings

The Investments and Incentives Committee shall meet at the call of the chair.

### E. Standing Advisory Committees

#### E.1 General Rules

- a. The Council shall establish Standing Advisory Committees as required by statute and consistent with an executive order or administrative regulation.
- b. The Council may establish such Standing Advisory Committees as it deems necessary to carry out the statutory duties and responsibilities of the Council.
- c. The Council shall develop a charter for each Standing Advisory Committee and include each committee charter in Appendix A as part of these bylaws.

E.2 Membership may consist of Council members, Council staff, institutional representatives, lay citizens, or public officials.

E.3 Institutional representation shall be determined by the president of the institution except where such representation is set by statute or by the action establishing the committee.

E.4 In appointing members to Standing Advisory Committees, the chair shall consider the need for institutional and constituent representation.

### F. Special Advisory Groups and Task Forces

F.1 The Council may create a Special Advisory Group or Task Force to address specific issues or to advise the Council on matters of interest. *House Bill 1, Section 74, 1997 First Extraordinary Session*

#### F.2 General Rules

- a. A Special Advisory Group or Task Force may be created by a majority of the voting membership of the Council.
- b. The action by the Council creating a Special Advisory Group or Task Force shall describe the charge to the committee and the timeframe, if appropriate, for the completion of the assigned task.

F.3 Membership may consist of Council members, Council staff, institutional representatives, lay citizens, or public officials.

F.4 Institutional representation shall be determined by the president of the institution except where such representation is set by the action establishing the committee.

F.5 In appointing members to Special Advisory Groups or Task Forces, the chair shall consider the need for institutional and constituent representation.



## **Section 5: Strategic Committee on Postsecondary Education (SCOPE)**

### **A. Purpose**

SCOPE is a statutory committee consisting of membership of the Council on Postsecondary Education, the Governor and members appointed by the Governor and legislative branch members. *House Bill 1, Section 4, 1997 First Extraordinary Session.*

SCOPE is to serve as a forum for the Council and elected leadership of the Commonwealth to exchange ideas about the future of postsecondary education in Kentucky. *House Bill 1, Section 4(4), 1997 First Extraordinary Session*

### **B. Council Membership on SCOPE**

B.1 SCOPE, by statute, includes six Council members and one Council staff member to be determined as follows:

- a. The chair of the Council (by statute);
- b. The vice chair of the Council;
- c. The chairs of the Quality and Effectiveness Committee and the Investments and Incentives Committee;
- d. The president of the Council (by statute); and,
- e. Two members of the Council appointed by the chair of the Council.

B.2 The chair of the Council serves as chair of SCOPE.

## **Section 6: Compensation and Expenses of Members**

### **A. General**

A.1 For the purpose of compensation and payment of expenses to members of the Council, meetings shall include all regularly scheduled and special meetings of the Council; meetings of Council committees; hearings; and special events where a member represents the Council at the request of the chair.

A.2 Members of the Council who reside out of state shall not be reimbursed for out-of-state travel to Council meetings. *KRS 164.050*

### **B. Compensation of Members**

B.1 Members of the Council shall receive compensation for each meeting attended in the amount specified by *KRS 164.050*.

**C. Expenses of Members**

- C.1 Council members shall receive reimbursement for actual expenses incurred traveling to and attending meetings of the Council as defined in Section 6A.1.
- C.2 The chief state school officer shall receive reimbursement of expenses in the same manner as other expenses reimbursed through the Department of Education.

**Section 7: President and Staff**

**A. President**

- A.1 The Council shall set the qualifications for the position of president. *House Bill 1, Section 5(1) and (3), 1997 First Extraordinary Session*
- A.2 The president shall be selected by the Council.
  - a. The Council shall employ a search firm and conduct a national search when it seeks to employ a president. *House Bill 1, Section 5(1), 1997 First Extraordinary Session*
  - b. The provision of Section 7 A. 2. a. shall not apply to the selection of the first president of the Council. SCOPE shall conduct a national search using a search firm and shall recommend to the Council the names of three candidates. *House Bill 1, Section 5(2), 1997 First Extraordinary Session*
- A.3 The president is the chief executive officer of the Council and as such makes proposals to the Council for consideration, develops and directs the programs and plans established by the Council, ensures compliance with federal and state law, and represents the Council on numerous state, regional, and national education and planning organizations. Specific duties of the president are contained in the statutes. *House Bill 1, Section 5, 1997 First Extraordinary Session*
- A.4 The president is responsible for employing, directing, and administering the staff.
- A.5 The president shall make periodic reports to the Council on the operation of the agency as the Council shall so direct.
- A.6 The Council shall perform an evaluation of the president and shall fix the compensation and terms of the contract annually.
- A.7 The president shall be compensated in excess of the base salary of any president of a Kentucky public university. The Council shall annually review the salaries of the presidents of the public universities to assist in satisfying this requirement. *House Bill 1, Section 5, 1997 First Extraordinary Session*
- A.8 The president shall have a contract for a term not to exceed five years, renewable at the pleasure of the Council.

A.9 The president has a statutory role in the licensing of private colleges and universities and shall exercise those duties consistent with the requirements of the statutes and the direction of the Council. *KRS 164.945 through 164.947*

**B. Staff**

B.1 Staff of the Council shall be employed by and be responsible to the president of the Council.

B.2 Staff shall serve at the pleasure of the president, subject to the provisions, rules, and regulations approved by the Council. The president shall develop and maintain rules and policies regulating the rights, duties, and responsibilities of employees.

B.3 The president shall develop and maintain an organization chart for the organization and shall ensure that all positions have written descriptions of duties and responsibilities.

B.4 The president shall develop and maintain a performance evaluation system for all employees.

**Certification:** \_\_\_\_\_  
**Gary S. Cox, Acting President**

**Previous Actions:**

**Original Approval:** \_\_\_\_\_

**Amended:** \_\_\_\_\_

**Council on Postsecondary Education Bylaws  
Committee on Equal Opportunities (CEO)**

**Purpose**

The Committee on Equal Opportunities, created by *Executive Order 97-1072*, is charged by the Council with the following responsibilities:

- to develop, in conjunction with the state-supported institutions, a statewide equal opportunity plan;
- to monitor institutional progress in meeting equal educational opportunity goals and objectives;
- to advise the Council on eligibility of institutions for new academic programs pursuant to the provisions of *KRS 164.020(18) and 13 KAR 2:060*;
- to conduct public college and university site visits to determine conditions on the campuses of those institutions relative to equal opportunity goals and objectives and issues; and
- to make recommendations to the Council for programs and activities promoting equal opportunity.

**Statutory Authority**

*Executive Order 97-1072*

**Membership and Officers**

1. The committee membership consists of thirteen voting members:
  - a. four members of the Council including one member designated as chair;
  - b. no more than eight citizens, who shall be lay members with a demonstrated interest and leadership in equal opportunities; and
  - c. no more than one legislator, all appointed by the chair of the Council.
2. The president of the Council shall be an ex officio, non-voting member of the committee.
3. The CEO may designate a vice chair to serve at meetings when the chair is absent or unable to perform assigned duties.

**Meetings**

1. The committee shall meet as needed at the call of the chair.
2. The chair shall call a meeting when requested, in writing, by a majority of the committee.
3. The chair shall call a meeting when requested, in writing, by the chair of the Council.



**ADMINISTRATIVE REGULATION  
13 KAR 2:060 DEGREE PROGRAM APPROVAL;  
EQUAL OPPORTUNITY GOALS**

**ACTION ITEM  
CPE (F)  
August 27, 1997**

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**Recommendation:**

That the attached administrative regulation, *13 KAR 2:060 Degree Program Approval; Equal Opportunity Goals*, be approved by the CPE, filed with the Legislative Research Commission, and that public comments be taken from the Committee on Equal Opportunities, institutional representatives and interested parties. The CPE staff is authorized to amend the administrative regulation during the public comment phase of review.

**Rationale:**

- KRS 164.020(18) requires the CPE to postpone the approval of a new degree program if an institution fails to meet equal opportunity goals. The CPE is required to implement the statutory provision through an administrative regulation. The administrative regulation is required to contain “waiver” provisions.
- The current version of the administrative regulation contains time-limiting provisions that render it ineffective in terms of implementing the new *Kentucky Plan for Equal Opportunities: 1997-2002*. The proposed amendment to this administrative regulation brings the plan and the evaluation mechanisms into accord.
- The evaluation mechanisms need to be in place by the end of the current calendar year. Because of the length of time of the administrative regulation review process, CPE action on the administrative regulation is required before the Committee on Equal Opportunities (CEO) has had a full chance to review the administrative regulation. The recommendation above recognizes the critical role of CEO in the review process.

## **Background:**

The Council, in 1981, was given primary responsibility by the Governor's office for developing and implementing *The Higher Education Desegregation Plan* as recommended by the U.S. Office for Civil Rights (OCR). That plan was implemented over a five year period ending in 1987; a second plan was developed and implemented over a period ending in November 1995. The Council extended the second plan for a period ending July 1997 in order to provide time for the development of a new plan.

The CPE adopted the *Kentucky Plan for Equal Opportunities 1997-2002* at its July 21, 1997, meeting. Attention now turns to implementation of the plan and meeting the requirements of KRS 164.020(18) (SB 398, 1992 Regular Session) that the Council postpone action on degree programs when an institution fails to meet or make significant progress toward meeting equal opportunity goals.

The requirements of KRS 164.020(18) were implemented through an administrative regulation beginning in 1993. The implementation strategy as referenced in the current administrative regulation, *13 KAR 2:060*, references specific initiatives from the 1990 Kentucky Plan for Equal Opportunities which expired upon adoption of the new *1997-2002 Kentucky Plan* and are therefore no longer applicable. Revisions must be made to the existing administrative regulation to allow the incorporation of the objectives from the new plan and to reflect new evaluation mechanisms.

1 COUNCIL ON POSTSECONDARY EDUCATION  
2 (Proposed Amendment)

3  
4 **13 KAR 2:060. Degree program approval; equal opportunity goals.**

5  
6 RELATES TO: KRS Chapter 164~~164.020(8)~~

7 STATUTORY AUTHORITY: KRS 164.020~~(18)~~~~(8)~~

8 NECESSITY, FUNCTION, AND CONFORMITY: Responsibility for the development of a  
9 system wide equal opportunity plan is assigned to the Council on Postsecondary Education pursuant  
10 to KRS 164.020(18). The statute connects an institution's eligibility for new academic programs  
11 to its performance in implementing equal opportunity objectives. ~~{KRS 164.020(8) requires that}~~  
12 The Council on Postsecondary ~~{Higher}~~ Education approves the offering of ~~{all}~~ degree programs  
13 at each ~~{the}~~ state-supported postsecondary education institution~~{s of higher education}~~ pursuant  
14 to KRS 164.020(14) but an institution's eligibility for new academic programs is limited by the  
15 requirement of KRS 164.020(18) that an institution meet its equal opportunity objectives. ~~{Unless~~  
16 ~~a temporary waiver is granted by the Council on Higher Education, approval of any new degree~~  
17 ~~program is contingent upon an institution's having met its equal opportunities goals.}~~ The statute  
18 does grant the Council on Postsecondary Education authority to grant a temporary waiver if an  
19 institution demonstrates progress in meeting equal opportunity objectives. This administrative  
20 regulation sets forth the criteria used to ~~{terms for}~~ determin~~e~~~~ing~~ an institution's compliance with  
21 ~~{an institution's}~~ equal opportunity objectives, ~~{goals}~~ and for the granting of a temporary waiver~~{s}~~  
22 to a ~~{the}~~ state-supported postsecondary education institution~~{s of higher education}~~ which has~~{have}~~



1 (3) Seven (7) categories of African-American employment are included in the Kentucky Plan  
2 with objectives established and measured for three (3) of those categories:

3 (a) Executive, administrative and managerial;

4 (b) Faculty; and,

5 (c) Professional non-faculty.

6 (4) The Kentucky Plan includes enhancement provisions for Kentucky State University, the  
7 historically black institution, including the following categories which shall be reported on by the  
8 University: (a) identification by the University, subject to agreement by the Council, of new and  
9 continuing academic programs which promote and build on the University's strength as a  
10 historically black institution;

11 (b) evidence of marketing or showcasing programs which are developed and implemented as  
12 part of section 2(4)(a);

13 (c) evidence of funding by the University of programs identified in section 2(4)(a) including  
14 identification of private funding; and

15 (d) identification of quality assurance assessment activities for programs identified in section  
16 2(4)(a).

17 (5) The Council on Postsecondary Education evaluates institutional progress in implementing  
18 the flexible objectives established in the Kentucky Plan in order to determine: (a) an institution's  
19 automatic eligibility for new academic programs; or

20 (b) an institution's eligibility for a waiver.

21 Section 3. Enrollment, Retention and Graduation [Institutional] Objectives. (1) (a) An  
22 institution's [The] objective for the enrollment of undergraduate, Kentucky resident African-  
23 American students [at a state-supported institution of higher education] shall be [equal to] the

1 the institution's enrollment objective by the institution's retention objective for all undergraduates.  
2 ~~However, The objective for Kentucky State University shall be to maintain the level achieved~~  
3 ~~in the 1986-87 school year].~~

4 (5)(a) ~~An~~ ~~Each~~ institution's objective for the enrollment of Kentucky resident African-  
5 American graduate students shall be equal to the institution's percentage of enrollment of ~~objective~~  
6 ~~for the awarding of baccalaureate degrees to~~ Kentucky resident white ~~African-American~~ students  
7 as measured by the base year of the Kentucky Plan.

8 ~~(b) However,~~ Kentucky State University and the community colleges shall be exempt from  
9 this objective.

10 Section 4. Employment Objectives. (1) The Kentucky Plan incorporates seven (7)  
11 institutional employment objectives and provides for the measurement and evaluation of each of the  
12 three (3) following categories of employment: (a)~~(6) Each institution's objective for the~~  
13 ~~employment of African-Americans in] executive, administrative, and managerial;~~

14 ~~(b) positions shall be those established through existing affirmative action plan agreements~~  
15 ~~between the institution and the U.S. Department of Labor or the U.S. Department of Education.~~

16 ~~(7) Each institution's objective for the employment of African-American] faculty; and,~~

17 ~~(c) shall be those established through existing affirmative action plan agreements between the~~  
18 ~~institution and the U.S. Department of Labor or the U.S. Department of Education.~~

19 ~~(8) Each institution's objective for the employment of African-Americans in the category of]~~  
20 ~~professional nonfaculty [not within subsections (6) and (7) of this section shall be those established~~  
21 ~~through existing affirmative action plan agreements between the institution and the U.S. Department~~  
22 ~~of Labor or the U.S. Department of Education].~~

23 (2) Employment objectives for an institution shall be based on an institution's plan developed

1        (e) in employment of African-Americans by demonstrating continuous progress each year in  
2 each category. The Council may, upon request by an institution, determine that an employment  
3 category has too few positions in order to evaluate continuous progress, and may indicate that the  
4 institution has met its annual implementation plan objectives for the year.

5        (f) For Kentucky State University, the Council may substitute objectives from Section 2(4) for  
6 those contained in Sections 3 and 4.

7 ~~{ For each objective, annual progress shall be calculated using one (1) of the following two (2)~~  
8 ~~methods:~~

9 ~~—— (a) If the level of achievement for a particular objective exceeds that of the 1987 baseline, the~~  
10 ~~following equation shall be applied:~~

11 ~~—— 1. 100, multiplied by the difference between the percentage attained in the year being~~  
12 ~~measured and the percentage attained in 1987, divided by the difference between the percentage~~  
13 ~~expected by 1995-96 and the percentage attained in 1987.~~

14 ~~—— 2. Example of the use of the equation identified in subparagraph 1 of this paragraph:~~

15 ~~—— 1987            1991-92            1995-96~~

16 ~~—— 5.0%            6.0%            8.0%~~

17 ~~annual progress~~

18 ~~—— = 100 ((6.0 - 5.0)/(8.0 - 5.0))~~

19 ~~—— = 100 (1.0/3.0)~~

20 ~~—— = 100 (0.333)~~

21 ~~—— = 33.3%~~

22 ~~—— (b) If the level of achievement for a particular objective falls below that of the 1987 baseline,~~  
23 ~~the following equation shall be applied:~~

1           (3) Certification of automatic eligibility and for quantitative and qualitative waivers shall occur  
2 prior to the end of each calendar year and shall be reported to the Council on Postsecondary  
3 Education and the Committee on Equal Opportunities, [except for:

4           ~~1. Kentucky State University which shall exhibit progress in five (5) of the seven (7)~~  
5 ~~objectives; and~~

6           ~~— 2. Community colleges which shall exhibit progress in three (3) of the four (4) objectives in~~  
7 ~~Section 1 of this administrative regulation which applies specifically to the community colleges,~~  
8 ~~objectives (1), (6), (7), and (8); and~~

9           ~~— (b) Average annual progress meets or exceeds forty (40) percent for fiscal year 1991-92; sixty~~  
10 ~~(60) percent for fiscal year 1992-93; eighty (80) percent for fiscal year 1993-94; and, 100 percent~~  
11 ~~for fiscal year 1995-96.~~

12           ~~— (2) Qualifying for automatic eligibility based on the analysis of fiscal year 1995-96 data shall~~  
13 ~~mean that an institution may submit degree programs for approval in calendar year 1997.]~~

14           Section 7[5]. Waivers. (1) If an institution is not automatically eligible under Section 6[4]  
15 of this administrative regulation and eligible for a quantitative or qualitative waiver, [and intends  
16 to submit degree programs to the Council on Higher Education for approval], the institution may  
17 request a one (1) year waiver which shall be either: (a) quantitative; or,

18           (b) qualitative.

19           (2) A waiver request by an institution shall include a resolution submitted to the Council on  
20 Postsecondary [Higher] Education approved by the institution's governing board and shall include  
21 [be based upon] either a quantitative or qualitative assessment, as appropriate, of the institution's  
22 efforts to achieve the institution's objectives as set forth in the Kentucky Plan.

23           (3) An institution shall be eligible to receive a quantitative waiver if: (a) for Kentucky State

1 retention of African-American students or employees show promise of future success.

2 (6) The written request for a qualitative waiver shall ~~{3. The submission shall also}~~ include  
3 specific and quantifiable aspects of the institution's efforts to meet ~~{the}~~ equal opportunity objectives  
4 including: (a) ~~{4. Student-related data or plans may include:~~

5 ~~— a.}~~ Commitment of funds to equal opportunity related activities;

6 ~~(b){b.}~~ Financial aid distribution;

7 ~~(c){c.}~~ Student services activities;

8 ~~(d){d.}~~ High school visitations and results; ~~{and}~~

9 ~~(e){e.}~~ Academic support services;

10 ~~(f){f.}~~

11 ~~— 5. Employee-related data or plans may include:~~

12 ~~— a.}~~ Number of interviews granted to African-American applicants for positions;

13 ~~(g){g.}~~ Offers of employment made that are accepted or rejected;

14 ~~(h){h.}~~ Utilization of funds to stimulate units to improve their employment data;

15 ~~(i){i.}~~ Special actions for units within an ~~{the}~~ institution~~{s}~~ where additional efforts are  
16 required; and

17 ~~(j){j.}~~ An evaluation of long-range data trends for those objectives that fell below expectations.

18 (7) An institution's written request for a qualitative waiver shall be reviewed by the Council  
19 on Postsecondary Education's Committee on Equal Opportunity which shall make a  
20 recommendation to the Council on whether a qualitative waiver should be granted.

21 (8) The Council on Postsecondary Education shall consider an institution's request for a  
22 qualitative waiver at the next subsequent meeting of the Council following submission of the  
23 information by the institution in support of their request and after a recommendation is forwarded

**POSITION DESCRIPTION FOR PRESIDENT**

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**Recommendation:**

That the CPE approve the attached position description for the president of CPE and authorize its use in the search process for president.

**Rationale:**

- The *Kentucky Postsecondary Education Improvement Act of 1997 (House Bill 1, 1997 First Extraordinary Session)* created a new CPE and a new chief executive officer called president. The new position description incorporates the duties and responsibilities of that new position and the desirable qualities of a new president as they are set out in the statutes.
- The statutes require that the CPE set the qualifications for the new position of president. The proposed position description accomplishes that task.
- The Strategic Committee on Postsecondary Education (SCOPE) began the search process for a new president of the CPE with the issuance of a Request for Proposals for a search firm to assist with the selection of the president. The position description is necessary to assist the search firm and SCOPE as they recruit candidates.

**Background:**

*House Bill 1, Section 5, 1997 First Extraordinary Session* generally describes the duties and responsibilities of the new chief executive officer of the CPE. Section 5(4) also details desirable qualities of a new president. The position description for president incorporates those duties and responsibilities and desirable qualities as well as the major duties and responsibilities contained in the primary CPE statute, *KRS 164.020*.

The position description will be provided to SCOPE and to the search firm selected to assist in the presidential search.

**COUNCIL ON POSTSECONDARY EDUCATION  
POSITION DESCRIPTION**

**Unit:** Executive Support

**Date:** August 27, 1997

**Title of Position:** President, Council on Postsecondary Education

**Function of Position:**

The president of the Council as the chief executive officer is the primary advocate for postsecondary education and is the primary advisor to the Governor and the General Assembly on matters relating to postsecondary education. The president is responsible for the day-to-day operations of the Council and shall determine staffing positions and the organizational structure of the agency.

**Principal Duties and Responsibilities:**

- The president shall be the primary advocate for the postsecondary education system and is the chief spokesperson for the Kentucky system of postsecondary education.
- The president shall keep the Council, Governor, legislators and the Strategic Committee on Postsecondary Education (SCOPE) informed about postsecondary education issues.
- The president shall ensure that the Council is fully informed as to the statutory goals for postsecondary education.
- The president shall coordinate the development of a statewide strategic agenda and statewide implementation plan for postsecondary education.
- The president as chief executive officer of the Council shall manage the day-to-day operations of the Council.
- The president shall ensure that the Council develops and implements programs and activities consistent with achieving the goals and with the duties and responsibilities contained in KRS Chapter 164.
- The president shall be the primary agency representative on state, regional and national groups with an interest in postsecondary education.



- The president shall serve as a member of the Kentucky Board of Education and has a responsibility to ensure that the system of postsecondary education supports P-12 reform.
- The president shall be the primary officer in the licensing of private and for-profit degree granting institutions.

**Professional Criteria:**

The president shall possess an excellent academic and administrative background, have strong communication skills, have significant experience and an established reputation as a professional in the field of postsecondary education, and shall not express, demonstrate, or appear to have an institutional or regional bias.

**PRESIDENTIAL SELECTION:  
REQUEST FOR PROPOSALS TO EMPLOY  
A SEARCH FIRM**

**CPE (H)  
August 27, 1997**

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**Information:**

Attached is the Request for Proposals (RFP) issued by the Strategic Committee on Postsecondary Education (SCOPE) at their August 12, 1997 meeting. The Request for Proposals serves as the vehicle to identify parties that wish to show interest for employment of a national search firm to assist SCOPE and the CPE in the search for a president for the CPE.

*House Bill 1, Section 5, 1997 First Extraordinary Session*, sets out the following information relative to the employment of a new president of the CPE:

- The CPE shall set the qualifications for the new president. [*House Bill 1, Section 5(1).*] A copy of the position description for the new position is included elsewhere in the agenda materials.
- SCOPE shall serve as the search committee for the selection of the first new president. [*House Bill 1, Section 5(2).*] SCOPE is to narrow the search down to three candidates and submit the names to the CPE. The final decision on the selection of a new president rests with the CPE.
- Both SCOPE, in the selection of the first president, and the CPE in future searches for a president, are required to employ a search firm for assistance. [*House Bill 1, Section 5(1) and (2).*]

SCOPE began the presidential search process on August 13 with the issuance of the RFP. Selection of the search firm is tentatively scheduled for no later than the middle of October. Based on that schedule, it is reasonable to expect SCOPE to complete its portion of the search process sometime this winter.



**Request for Proposal for Search Firm  
to Assist the Strategic Committee on Postsecondary Education (SCOPE)  
in the Selection of a President for the Council on Postsecondary Education**

**Section I - Purpose**

This Request for Proposal solicits proposals to establish a contract through competitive negotiations for an Executive Search Firm to assist the Strategic Committee on Postsecondary Education (SCOPE) in the selection of a president for the Council on Postsecondary Education (CPE).

**Section II - Background**

The Council on Postsecondary Education (CPE) was established by action of the General Assembly through *House Bill 1, Section 73 (KRS 164.011), 1997 First Extraordinary Session*. It is the successor organization to the Council on Higher Education. CPE has been given broader powers and expanded authority and responsibility to coordinate the Kentucky postsecondary education system. The chief operating officer of CPE is the president. The president is employed by CPE.

*House Bill 1, Section 4* creates a new advisory committee (SCOPE) with broad powers to review a strategic agenda for the postsecondary education system and with responsibility for reviewing budgetary priorities for the postsecondary education system. Membership of SCOPE includes CPE members, the Governor and appointees of the Governor, and members of the legislative branch. The chair of CPE serves as chair of SCOPE.

SCOPE also serves as the search committee for the selection of the first president of CPE, *House Bill 1, Section 5(2), 1997 First Extraordinary Session*. SCOPE, with the assistance of a Search Firm, will conduct a national search for the president of CPE and will recommend three names to CPE. The final decision on the first, and subsequent presidents, rests with CPE. If CPE is not satisfied with the candidates forwarded by SCOPE, the process begins again until a president is selected.

*House Bill 1, Section 5, 1997 First Extraordinary Session* sets out desirable qualities for the president and details the duties and responsibilities of the president. The duties and responsibilities of CPE are also detailed in *House Bill 1, Section 74*.

SCOPE has developed this Request for Proposal to seek assistance in the search for a new president pursuant to the requirements of *House Bill 1, Section 5(2), 1997 First Extraordinary Session*.

**ATTACHMENT A** provides the relevant sections of House Bill 1 that apply to the new CPE and also to the president of CPE.

**Section III-Proposal Requirements**

Interested proposers should submit:

1. A history of their firm.
2. A list of the key personnel of the firm who will be directly involved in working with SCOPE. This information should provide a brief resume, including years employed by the Executive Search Firm and specific search processes that the individual has been involved with that have resulted in the successful employment within postsecondary education. SCOPE is particularly interested in individuals with proven experience administering a system of postsecondary education including technical institutions, community colleges, colleges and universities.
3. A list of current and past clients of the firm for presidential searches including: name, title, phone/fax numbers of references for at least five recent comparable client institutions where searches have been completed.
4. As part of the proposal, the firm shall submit the following:
  - A. A detailed list of services that will be provided by the Search Firm.
  - B. A description of the Search Firm's ability to stay abreast of emerging national candidates for postsecondary education leadership positions.
  - C. Proposed price schedule commensurate with the detailed list of services.

**Section IV - Criteria for Selection of the Firm**

The following criteria have been assigned points to reflect their relative importance for scoring purposes.

1. The reputation and expertise of designated personnel. **(15 points)**
2. Reputation and expertise of firm based upon references of the Executive Search Firm. **(15 points)**
3. Firm's contribution to perceived integrity and confidentiality of searches of recent clients. **(10 points)**
4. Specific services offered. **(30 points)**

5. Potential of firm relevant to identifying recruitable, suitable candidates with relevant experience in conducting thorough and exhaustive background inquiries. *(30 points)*

**Section V - Proposed Price Schedule**

The price proposals of Executive Search Firms deemed acceptable for award will be considered during the second level of review (see below - Section VI-5).

**Section VI - General**

1. Proposals should be mailed to:

**Leonard Hardin, Chairman  
c/o Debbie McGuffey  
Strategic Committee on Postsecondary Education  
1024 Capital Center Drive  
Suite 320  
Frankfort, Kentucky 40601**

- A. Proposers should submit one original and nine copies of their proposals *(excluding Cost Proposals)* for evaluation purposes by **September 26, 1997**.
  - B. Outer envelope should be marked in the lower left-hand corner - **SCOPE--RFP**.
  - C. One copy of the Cost Proposal should be submitted in a separate envelope marked in the lower left hand corner - **SCOPE--COST PROPOSAL**.
2. Any contract resulting from this RFP shall be a Personal Service Contract pursuant to KRS 45A.695 - **ATTACHMENT B**.
  3. Any contract resulting from this RFP shall be governed by all provisions of KRS Chapter 45A and Finance and Administration Cabinet's Manual of Policy and Procedures, both available on-line at <http://www.state.ky.us/agencies/purch/vipweb2.htm>.
  4. Commonwealth of Kentucky reserves the right to reject any and all proposals and bears no responsibility for any costs of preparing any proposal.
  5. **ATTACHMENT C** is a proposed timetable of the selection process for the Search Firm. Please note that there will be two levels of review in this process. The first level will involve the review and technical scoring of proposals submitted in response to this RFP by SCOPE or a work group appointed by SCOPE. Once this process is completed, it is anticipated that a short list consisting of approximately five (5) or less Executive Search Firms will be invited to participate in a second level of review involving SCOPE members. This second phase may involve an oral presentation to SCOPE. SCOPE will award the contract based on the results of the second level of review.

6. Questions pertaining to the RFP should be directed to:

**Debbie McGuffey**  
**Council on Postsecondary Education**  
**1024 Capital Center Drive**  
**Suite 320**  
**Frankfort, Kentucky 40601**  
**Phone: (502) 573-1555 Fax : (502) 573-1535**  
**e-mail: [debbie.mcguffey@mail.state.ky.us](mailto:debbie.mcguffey@mail.state.ky.us)**

**Attachment C**  
**Request for Proposals: SCOPE**  
**Calendar for Selection of a President for**  
**Council on Postsecondary Education**

**I. Employment of Search Firm**

- |    |   |                    |
|----|---|--------------------|
| A. | SCOPE adoption of RFP to employ a search firm | August 13, 1997    |
| B. | RFP's due to SCOPE                            | September 26, 1997 |
| C. | Initial review of RFP's by SCOPE              | October 3, 1997    |
| D. | Final Review and Selection by SCOPE           | October 17, 1997   |



## **FACULTY AND STAFF TUITION WAIVER POLICY**

**CPE (I)  
August 27, 1997**

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### **Information:**

KRS 164.020(32), enacted as a part of HB 1, allows faculty and employees of the public postsecondary institutions to take up to six hours per semester, tuition-free, at any of the public institutions. The statute further directs the CPE to develop a statewide policy to implement the program.

At its meeting on July 22, 1997, the CPE authorized the Acting President to develop and implement an interim policy in order to accommodate the number of employees who were seeking to register for the fall semester. A copy of the policy follows this agenda item.

Once registration for this fall is completed, staff plans to contact each of the institutions to evaluate whether any modifications to the interim policy would be in order. At that point, a final document will be presented to the CPE for review and action.



Approved: August 8, 1997

## 2.51: FACULTY AND STAFF TUITION WAIVER PROGRAM INTERIM POLICY

### I. Statement of Purpose

The 1997 First Extraordinary Session of the General Assembly resulted in the creation of a faculty and staff tuition waiver program [KRS 164.020(32)] with the express purpose of promoting employee and faculty development. Specific responsibility was granted to the Council on Postsecondary Education to develop and implement this program. Consistent with stated legislative purpose, this policy sets out the parameters of this program, which is intended to enhance the professional development opportunities of the employees and faculty of the public postsecondary institutions.

The Council on Postsecondary Education authorized the Acting President to implement a policy so that employees seeking to participate in the Faculty and Staff Tuition Waiver Program could enroll for the 1997 fall semester. This policy is an interim policy that will be reviewed by the Council during the fall semester.

### II. Statutory Authority

Authority is expressly granted in KRS 164.020(32) which provides the Council on Postsecondary Education shall:

(32) Develop a statewide policy to promote employee and faculty development in all postsecondary institutions through the waiver of tuition for college credit coursework in the public postsecondary education system. Any regular full-time employee of a postsecondary public institution may, with prior administrative approval of the course offering institution, take a maximum of six (6) credit hours per term at any public postsecondary institution. The institution shall waive the tuition up to a maximum of six (6) credit hours per term; . . .

Additional requirements for employees of the Kentucky Community and Technical System are stated in House Bill 1, 1997 Extraordinary Session, Section 19(6):

(6) A regular full-time employee may, with prior administrative approval, take one (1) course per semester or combination of summer sessions on the University of Kentucky's campus or at a community college during the employee's normal working hours. The University of Kentucky shall defray the registration fee up to a maximum of six (6) credit hours per semester or combination of summer sessions.

### III. Policy

#### Section A. Definitions

1. "Course-offering institution" means the institution where an employee has enrolled to take a college credit course under the provisions of this policy.
2. "Employing institution" means the institution where an employee seeking a benefit under this policy, works on a full-time basis.
3. "Institution" means a state-supported postsecondary institution as described in KRS 164.001(10).
4. "Regular full-time employee" or "employee" means an employee so classified by an employing institution within the human resources system of that institution. *NOTE: Until July 1, 1998, participation by the technical branch of the Kentucky Community and Technical College System (KCTCS) is limited to employees of the postsecondary technical institutions and the postsecondary faculty of the area centers. On July 1, 1998, all KCTCS employees will become eligible.*
5. "Summer term" or "summer session" means the period in the academic calendar between the spring and the fall semester.

#### Section B: General Requirements

1. The program is to be titled the Faculty and Staff Tuition Waiver Program.
2. The Faculty and Staff Tuition Waiver Program applies to the waiver of tuition and does not include mandatory student fees, course and other fees, textbooks or other charges assessed by a course-offering institution.
3. The Council on Postsecondary Education requires that all tuition waived under this program:
  - a. be recorded consistent with residency requirements;
  - b. be recorded in the financial accounting system of the course-offering institution consistent with financial reporting guidelines of the Council; and
  - c. be separately identified in the course-offering institution's student database consistent with Council guidelines.
4. The Faculty and Staff Tuition Waiver Program applies to all courses offered for college credit not specifically excluded by this policy.

5. A course-offering institution may, through a written policy, exclude non-credit continuing or community education courses, courses offered through overseas programs, correspondence courses, and audited courses.
6. Participation in the Faculty and Staff Tuition Waiver Program may generate additional taxable income under the provisions of the federal tax code for graduate, professional and doctoral level programs.
  - a. The course-offering institution shall provide a report to the chief personnel officer of each employing institution on all employees participating in the Faculty and Staff Tuition Waiver Program. The report shall designate the course number and whether the course is undergraduate, graduate, doctoral or professional.
  - b. The employing institution is responsible for withholding of the proper taxes and for reporting taxable income for all employees of the institution regardless of the institution where the course is taken.
  - c. Any tax liability incurred through participation in this program is the responsibility of the employee.
7. This policy confers a financial benefit to regular, full-time employees and is not intended to guarantee access or preferential treatment to any academic course or program.
8. An employee eligible to participate in this program may take courses during normal working hours with written permission of the employing institution.
9. An institution is not required to offer a course during an academic term unless there are a sufficient number of tuition-paying students taking the course. An institution may restrict enrollment in a course if space is not available.
10. An institution may offer additional benefits to its own employees or to employees of other postsecondary institutions that exceed the benefits of this policy.

### **Section C: Eligibility Criteria**

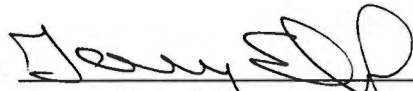
1. An employee, to be eligible for participation in the Faculty and Staff Tuition Waiver Program, must be classified by the employing institution as a regular full-time employee. Certification of employment shall be provided by the employing institution for each academic term in which the employee seeks to participate in the program.
2. If employment is terminated prior to the first day of classes, an approved tuition waiver will be cancelled.

3. An employee is not eligible to receive a tuition waiver under this program in excess of six credit hours per academic term from an institution or combination of institutions.
4. Employees must meet the course-offering institution's:
  - a. general admission requirements; and
  - b. any specific program requirements.
  - c. A course-offering institution may require that a student achieve a minimum grade level, not to exceed a 2.0 on a 4.0 grade scale, in order to continue to be eligible to participate in the Faculty and Staff Tuition Waiver Program in subsequent academic terms.

**Section D: Effective Date of This Policy**

1. This policy shall be effective August 8, 1997.
2. The Council on Postsecondary Education shall review and act on this policy prior to the start of the spring 1998 academic term.

Certification: \_\_\_\_\_

  
\_\_\_\_\_

**Gary S. Cox, Acting President**

**Previous Actions:**

**Original Approval:** \_\_\_\_\_

**Amended:** \_\_\_\_\_

## **BIENNIAL BUDGET PROCESS**

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### **Information:**

The enactment of House Bill 1 during the May Special Session of the General Assembly will result in a 1998/2000 biennial funding recommendation process for postsecondary education much different than has existed in previous biennia. Council staff discussed a potential biennial budget process for postsecondary education with the Governor's Office for Policy and Management (GOPM), and Ron Carson, Deputy State Budget Director, has written a memorandum to State Budget Director Jim Ramsey outlining that potential process. A copy of that memorandum is attached. Also attached is a copy of correspondence transmitting this memorandum to the university presidents.

Following is a summary of the most significant points of this revised biennial budget process for postsecondary education.


- Institutions will not submit biennial budget requests to the Council on September 1, 1997.
- The previous funding formula no longer exists in statute and will not be used in making the 1998/2000 funding recommendation.
- The General Fund Budget Outlook presented during the Special Session anticipates providing a current services (i.e., inflation-related) operating funds increase of slightly less than 3 percent each year of the biennium for universities, the Kentucky Community and Technical College System (KCTCS) (including community colleges and postsecondary technical schools), the Council, and the Kentucky Higher Education Assistance Authority (KHEAA).
- There will be approximately \$47 million in 1998/99 and \$77 million in 1999/2000 for the Strategic Investment and Incentive Trust Funds established by HB 1.
- The focus of the Council's biennial operating funding recommendation should be on the allocation of available funds each year among the six trust funds as well as on development of eligibility criteria (including required matching funds and/or funds reallocation) for each trust fund.
- The Council's funding recommendations must be forwarded to the Governor and General Assembly by November 15, 1997.
- The Council's performance funding system has been replaced by the Strategic Investment and Incentive Funding Program. Selected performance funding indicators could and should be incorporated into the revised accountability program.



Gary S. Cox  
Executive Director

**MEMORANDUM**

**TO:** University Presidents  
Ben Carr  
Sandy Gubser

**FROM:** Gary S. Cox 

**DATE:** July 7, 1997

**SUBJECT:** 1998-2000 Biennial Budget Development  
Process for Postsecondary Education

Attached is a memo from Ron Carson to Jim Ramsey outlining the 1998-2000 biennial budget development process for postsecondary education. Some of you may have seen an unsigned draft of this memo. This final signed version of the memo reflects some changes made by GOPM to the original draft.

Please call Ken Walker, GOPM staff, or me if you have any questions or comments.

cc: Jim Ramsey  
Ron Carson  
Ken Walker



During the Special Session, the State Budget Director, on behalf of Governor Patton, presented a "General Fund Budget Outlook" through fiscal year 2004. At this point, we need to focus only on the next two years of this Budget Outlook, the 1998-2000 biennium, which calls for a 2.9 percent increase in base postsecondary education appropriations in fiscal year 1999 and an additional 2.8 percent increase in base appropriations in fiscal year 2000 above the revised fiscal year 1998 operating base. The Budget Outlook also planned for an additional \$38 million for postsecondary education in fiscal year 1998, \$70 million in fiscal year 1999, and \$100 million in fiscal year 2000. The \$38 million increase was provided by House Bill 4 during the Special Session; \$23 million of that total can be viewed as a recurring base adjustment to the enacted fiscal year 1998 appropriations for universities, community colleges, and CPE (i.e., "the revised base") with the remaining \$15 million available for the Strategic Investment and Incentive Funding Program for universities, community colleges, and postsecondary technical schools.

Thus, from a postsecondary system perspective, the Budget Outlook anticipates providing:

- Slightly less than a 3 percent "current services" increase each fiscal year over the respective bases for universities, KCTCS (including community colleges and postsecondary technical schools), CPE, and the Kentucky Higher Education Assistance Authority (KHEAA) (based on a national economic forecast of CPI annual change);
- Approximately \$47 million in Strategic Investment Funds in fiscal year 1999 above the 1998 revised base; and
- Approximately \$77 million in Strategic Investment Funds in fiscal year 2000 above the 1998 revised base.

HB 1 also calls for CPE to adopt a "strategic agenda" to identify specific objectives to implement the long-term goals for postsecondary education as identified in HB 1. The "first cut" at the development of a strategic agenda, i.e., the identification of specific objectives related to long-term goals for the system, needs to occur before July 1, 1998; however, I do not believe that it can or even needs to be developed before November 15, 1997. Given the phased-in implementation schedule envisioned in House Bill 1, the following possible budget development approach for the upcoming biennium results:

- The revised base budget (the fiscal year 1998 original appropriation plus the relevant portion of the \$23 million recurring base adjustments to the fiscal year 1998 appropriations described above) for each university, the community college system, the postsecondary technical schools, CPE, and KHEAA should be maintained and supplemented by a "current services" increase (an inflation-related adjustment) in both fiscal year 1999 and fiscal year 2000.

- KCTCS will need to take action on the 1998-2000 biennial capital projects request for the community college system and the postsecondary technical schools prior to action by CPE.
- CPE will probably want to expand its capital planning contract to include a review of projects for the postsecondary technical schools.
- A conventional capital projects request will probably need to be developed because HB 1 does not envision that the Physical Facilities Trust Fund be the only state-funded capital budget mechanism for postsecondary education.
- It should be recognized that all universities, the University of Kentucky Community College System, and Kentucky Tech/Workforce Development Cabinet have already submitted Six-Year Capital Plans to the Capital Planning Advisory Board under existing capital planning/capital construction law. The practical effect of this is certainly a point for further discussion and potential revision by CPE.

**Possible Postsecondary Education Budget Development Schedule for the 1998-2000 Biennium**

- June 26 LRC Subcommittee on 1998-2000 Budget Preparation and Submission adopts statewide budget instructions
- July 1 Deadline for LRC approval of 1998-2000 Budget Guidelines
- July Present information item for discussion at CPE meeting (current members)
- July 17-18 Capital Planning Advisory Board public hearing to review all 1998-2002 capital plans (including individual universities, the University of Kentucky Community College System, and the Kentucky Tech/Workforce Development Cabinet priorities).
- July-August Present item for discussion or action at KCTCS and CPE meetings (new members)
- August-September Present approach to SCOPE



Gary S. Cox  
Acting President

August 26, 1997

Ms. Mary Smith  
President  
Kentucky State University  
Frankfort, Kentucky 40601

Dear President:

I received your letter of August 18 concerning the proposed administrative regulation and its relationship to enhancement at Kentucky State University and had an opportunity to discuss it with Charles Whitehead and with staff here at CPE.

Permit me to put the proposed administrative regulation in perspective. The administrative regulation sets out the general approach to enhancement of Kentucky State University. It is not intended that the administrative regulation detail the provisions of enhancement--the details are left to KSU and CPE to work out. We fundamentally believe, however, that enhancement of KSU relates as much to current programs and services as it does to new programs, services and facilities. Truly, strengthening, marketing and showcasing current programs can result in enhanced value that improves the quality and condition of those programs.

The proposed administrative regulation recognizes the state's fifteen-year commitment to enhancing KSU and continues that commitment in the context of new expectations for all postsecondary institutions as reflected by the passage of HB 1. Emphasis is placed on strengthening and improving what exists and on being strategic in proposing new programs and activities. I encourage you and the board of regents to recognize these new expectations of postsecondary education in your approach to enhancement. I also agree with your statement that enhancement of KSU should be consistent with the strategic directions/program priorities delineated in its refined mission of 1994. This statement applies as much to the quality and condition of existing programs and services as it does to proposed expansion of programs and services.

The details of enhancement have yet to be worked out. The KSU proposed enhancement initiatives represent a universe of possible enhancements. Discussion between CPE staff and KSU is necessary to work out the specifics of enhancement as contemplated in the Kentucky Plan. The enhancement plan must be one that CPE and KSU jointly support.



RECEIVED COUNCIL  
ON POSTSECONDARY EDUCATION

AUG 20 6 23 AM '97

# Kentucky State University

Frankfort, Kentucky 40601

Office of the President

August 18, 1997

**Dr. Gary Cox**  
**Acting President**  
**Council on Postsecondary Education**  
**Suite 320, 1024 Capital Center Drive**  
**Frankfort, Kentucky 40601-8204**

Dear Dr. Cox:

I am responding to the proposed Administrative Regulation on the Equal Opportunity Goals as submitted by the Chair of the Committee on Equal Opportunities. It is my understanding that the Council on Postsecondary Education will act on the proposed Administrative Regulation at its August 27, 1997 meeting. There are several issues that I need to bring to your attention and that of the CPE pertaining to the Enhancement of Kentucky State University.

At the July 21, 1997 meeting of the Council on Postsecondary Education the recommendation to approve the enhancement of Kentucky State University as a component of the Kentucky Plan for Equal Opportunities in Higher Education 1997-2002 was approved. A part of this plan contains recommendations for 1997-2002 as outlined on pages F8 - F10 of the Agenda Book for the July 21 meeting of the CPE. The recommendation includes three categories: 1) Mission/Application of Senate Bill 398; 2) Program Initiatives; and 3) Facility Initiatives. The Enhancement Plan, as approved, acknowledges that "enhancement is viewed as a shared responsibility among the Commonwealth, CPE, and KSU". The proposed Administrative Regulation does not reflect the content of the KSU Enhancement Plan as approved.

It is not clear to me how an institution can enhance itself. Yet the proposed Administrative Regulation speaks to "a demonstration of evidence of marketing or showcasing programs which are developed and implemented," Section 2 (4) (b and c). It appears that the University is going to be assessed on how well it enhances itself. Please know that the University endorses accountability to include assessment and evaluation. However, it is very difficult to see how these assessment measures can be classified as enhancement. Webster defines enhancement as "to make great as in cost, value, attractiveness; to heighten or augment; to improve the quality or condition." Assessing

Telephone (502) 227-6260 FAX (502) 227-6490

Kentucky State University is an Equal Educational and Employment Opportunity/Affirmative Action Institution.