

AGENDA
Council on Postsecondary Education

September 18, 2000

2:00 p.m. (CT), University Plaza Hotel, 1021 Wilkinson Trace, Bowling Green, KY

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H.	Next Meeting – November 12-13, Morehead State University (Note: Student Retention Conference, November 13-14, Morehead State University)	
I.	Adjournment	

MINUTES
Council on Postsecondary Education
July 17, 2000

The Council on Postsecondary Education met July 17, 2000, at 10:30 a.m. at the Council on Postsecondary Education office. Chair Whitehead presided.

ROLL CALL

The following members were present: Norma Adams, Walter Baker, Steve Barger, Peggy Bertelsman, Merl Hackbart, Philip Huddleston, Hilda Legg, Shirley Menendez, Kevin Noland, Charlie Owen, Joan Taylor, Lois Weinberg, and Charles Whitehead. Ron Greenberg, Kevin Listerman, and Lee Todd did not attend.

*APPROVAL OF
MINUTES*

There was one change to the May 22 minutes. Mr. Barger, not Mr. Baker, offered the nominating committee recommendation. With this correction, the minutes were approved as distributed.

*PRESIDENT'S
REPORT*

In addition to the written report from the Council president included in the agenda book, Mr. Davies mentioned several staff activities. The recent conferences held in conjunction with other agencies were successful and a conference on retention is being planned for the fall. The Council staff continues to have excellent cooperation and a good working relationship with the Cabinet for Workforce Development and the Department for Adult Education and Literacy, and work is progressing on the joint responsibility for adult education. The Council is mandated by House Bill 178 to develop at a university a web-based voluntary mathematics diagnostic test for high school students to determine if additional study is needed. Mr. Davies said that the funding for this initiative is uncertain but a request for proposals has been sent to the institutions.

Mr. Davies reported that individuals visiting northeastern England and California were in Kentucky to compare the three areas' efforts to reform postsecondary education. The northeast section of England is a coal mining region in which the coal is gone, the unemployment rates are very high, and creating a new economic base is a pressing issue. California is dealing with immigration and a surge of new residents in its educational system. The team will write papers and present their results at a symposium in England in October. Its findings will be shared with Council members.

KYVU UPDATE

Mr. Davies announced that the Kentucky Commonwealth Virtual University will change its name to the Kentucky Virtual University effective August 14.

An information item was provided on summer KYVU enrollment. Most students are enrolled at other universities in the state but are taking their courses through the virtual university. Mr. Davies said that beginning this

fall the KYVU will seek students who are not enrolled at universities and will work to increase the number of whole degree programs it offers.

KY PLAN FOR EQUAL OPPORTUNITIES

RECOMMENDATION: That the Council approve its Committee on Equal Opportunities' recommendation that *The 1997-2002 Kentucky Plan for Equal Opportunities in Postsecondary Education* be amended to add student enrollment objectives for technical colleges and employment objectives for technical colleges.

MOTION: Mr. Barger moved that the recommendation be approved. Ms. Weinberg seconded the motion.

VOTE: The motion passed.

P-16 COUNCIL

RECOMMENDATION: That the Council and the Kentucky Board of Education expand the membership of the P-16 Council to include the Executive Director and the Chair of the Education Professional Standards Board (or the chair's designee).

This recommendation will be considered by the Board of Education at its August 1 meeting. Mr. Davies said that the EPSB was recently made an independent entity by Governor Patton through executive order and it is appropriate that the EPSB join with the Council and the KBE on the P-16 Council. He said that at some point the P-16 Council may wish to extend membership to both the Secretary of the Cabinet for Workforce Development (or the Secretary's designee) and representatives of selected citizen and business organizations.

MOTION: Mr. Huddleston moved that the recommendation be approved. Ms. Menendez seconded the motion.

VOTE: The motion passed.

Ms. Adams gave the report of the Academic Affairs Committee.

ENGINEERING EDUCATION STRATEGY

RECOMMENDATIONS:

- That the Council approve the "Strategy for Statewide Engineering Education in Kentucky."
- That the Council instruct staff to expedite reviews of all proposed programs that fall within this strategy.
- That the Council commend the presidents, chief academic officers, and members of institutional faculties and staffs for working together to develop this strategy quickly.

MOTION: Ms. Adams moved that the recommendations be approved. Ms. Bertelsman seconded the motion.

VOTE: The motion passed.

The strategy has been signed by all of the university presidents, the KCTCS president, and the chief executive officer of the Kentucky Virtual University.

ADULT EDUCATION

RECOMMENDATIONS:

- That the Council accept the proposed Adult Education Preliminary Action Plan as a framework for planning and allocating funds for fiscal year 2000-01.
- That, consistent with the Preliminary Action Plan, the Council authorize up to \$1 million in expenditures from the \$7 million fiscal year 2000-01 legislative appropriation to the Adult Education and Literacy Trust Fund to plan, develop, and implement a statewide public communications campaign.
- That the Council approve what remains in the 1999-2000 Adult Education and Literacy Initiative Fund and add up to \$450,000 from the Adult Education and Literacy Trust Fund as necessary to continue model demonstration projects and to help with start-up costs for the Family Literacy Institute during this fiscal year.

MOTION: Ms. Menendez moved that the recommendations be approved. Ms. Weinberg seconded the motion.

VOTE: The motion passed.

*ACADEMIC
PROGRAM
PRODUCTIVITY
REVIEW*

RECOMMENDATIONS:

- That the Council accept the initial set of responses from the universities to its review of academic programs and commend the universities for their decisions to suspend or close 106, to alter 114, and to designate 124 for special attention during the 2000-01 academic year.
- That the Council direct the staff to report in winter and spring 2000-01 additional programs designated for suspension, closing, or alteration.
- That the Council request that statewide groups be formed in foreign languages, teacher education, and visual and performing arts. These are discipline areas in which there appear to be widespread productivity concerns. These groups would consist of faculty and staff at the public and private universities and the Kentucky Community and Technical College System, as well as representatives of the Kentucky Virtual University. Discussions would center on statewide collaboration among academic programs, including the fullest possible integration of distance learning. An institution will be asked to take the lead in coordinating each group. The Council staff will assist as requested. In teacher education, the institutions would work closely with

representatives of the Education Professional Standards Board and the P-16 Council. Periodic reports should be submitted to the Council and recommendations should be presented by June 30, 2001.

MOTION: Ms. Adams moved that the recommendations be approved. Ms. Bertelsman seconded the motion.

VOTE: The motion passed.

*NEW PROGRAM
PROPOSALS*

RECOMMENDATION: That the Master of Science in Applied Computing proposed by Eastern Kentucky University be approved and registered in CIP 11.0701 (Computer Science).

MOTION: Ms. Adams moved that the recommendation be approved. Ms. Bertelsman seconded the motion.

VOTE: The motion passed.

RECOMMENDATION: That the Master of Public Health degree program proposed by Eastern Kentucky University be approved and registered in CIP 51.2201 (Public Health, General).

MOTION: Ms. Adams moved that the recommendation be approved. Ms. Bertelsman seconded the motion.

VOTE: The motion passed.

Mr. Baker presented the report of the Finance Committee.

*2000-02 TRUST
FUND GUIDELINES*

RECOMMENDATIONS:

- That the Council approve the 2000-02 Trust Fund Guidelines for the following programs: Endowment Match, Enrollment Growth and Retention, Action Agenda, Workforce Training, Equipment Replacement, and Capital Renewal and Maintenance.
- That the Council staff be authorized to develop reporting procedures related to these programs.

MOTION: Mr. Baker moved that the recommendations be approved. Ms. Legg seconded the motion.

VOTE: The motion passed.

*OPERATING
BUDGET REVIEW*

RECOMMENDATIONS:

- Recognizing that the Council on Postsecondary Education, through its Finance Committee, develops the systemwide biennial budget recommendation, the Council requests that the Strategic Committee on Postsecondary Education (SCOPE) create a subcommittee to review the operating budget guidelines used in developing the 2000-02 budget recommendation. This review should include the base funding approach using institutional benchmarks and the Strategic Incentive and Investment Trust Fund program. The results of this review will be considered by the Council as it develops its 2002-04 operating budget guidelines.
- Recognizing its responsibility for developing the postsecondary education budget request to the General Assembly and the Governor and anticipating the SCOPE subcommittee review, the Council directs the Council staff to begin an internal review of the 2000-02 budget process. The major emphasis of the internal review will focus on the benchmarking process with secondary emphasis on such processes as the space planning guidelines and the trust funds. The Council staff findings are to be reported to the Council and the SCOPE subcommittee. Formal comments from the university presidents and the KCTCS president should be sought.

MOTION: Mr. Baker moved that the recommendations be approved. Mr. Barger seconded the motion.

Mr. Baker said that the SCOPE subcommittee, if constituted, might consist of two members from the Council on Postsecondary Education, two members from the executive branch of state government, two from the House, and two from the Senate. This subcommittee could begin an internal review of the 2000-02 budget process and also could focus on the benchmarking process as well as space planning guidelines and trust funds.

Mr. Huddleston asked for the reason for the evaluation by SCOPE as opposed to evaluation by the Council.

Mr. Baker said that the Council will continue its evaluation and review. The purpose of asking SCOPE to create this subcommittee is to get all the principal players to look at this collectively so they can report back to SCOPE whatever they think is appropriate.

VOTE: The motion passed.

NEW ECONOMY

RECOMMENDATION: That the Council approve the New Economy Preliminary Action Plan as the framework for carrying out the Council's duties under House Bill 572, the Kentucky Innovation Act.

MOTION: Mr. Baker moved that the recommendation be approved. Ms. Menendez seconded the motion.

VOTE: The motion passed.

*TRUST FUNDS
INVESTMENT
INCOME*

RECOMMENDATION: That the Council direct the staff to obtain clarification from the State Budget Director and the Secretary for the Finance and Administration Cabinet on the following:

1. What restrictions exist on the appropriation of trust fund investment income?
2. Are there restrictions on what investment income may be expended on?

MOTION: Mr. Baker moved that the recommendation be approved. Mr. Hackbart seconded the motion.

Mr. Barger said that the Finance Committee discussed Mr. Greenberg's idea of using a portion of these funds to create well-paying jobs. Mr. Barger asked the staff to follow up on this idea as part of this action.

VOTE: The motion passed.

*WKU RENOVATION
OF HOUSING*

President Gary Ransdell briefed the Finance Committee about Western Kentucky University's establishment of the Student Life Foundation to fund and renovate student housing. In May 1999 the foundation was incorporated as a nonprofit, non-affiliated, tax-exempt Kentucky corporation. Since Kentucky law does not provide a process for implementing the concept of providing on-campus student housing through a nonprofit, non-stock Kentucky corporation such as the WKU Student Life Foundation, this has prompted extensive discussion among representatives of Western, state government agencies, and members of the General Assembly. The Council staff was asked to work with the Secretary of the Finance and Administration Cabinet to develop a procedure to review any similar proposals from other institutions.

*ANNUAL
EVALUATION
OF COUNCIL
PRESIDENT*

Ms. Weinberg reported that the evaluation committee has conducted the annual review of the Council president and has a favorable report. At Mr. Davies' request, there will be no salary increase at this time, but the committee recommended the continuation of all other benefits and compensation contained in the current contract.

MOTION: Ms. Legg moved that the recommendation of the evaluation committee be approved. Mr. Baker seconded the motion.

VOTE: The motion passed.

NEXT MEETING

The next meeting will be September 18 at the conclusion of the Governor's Conference on Postsecondary Education Trusteeship, to be held September 17-18 in Bowling Green.

ADJOURNMENT

The meeting adjourned at 11:00 a.m.

Gordon K. Davies
President

Phyllis L. Bailey
Secretary

The past two months have been extremely busy as we prepare for the fall and the beginning of a new academic year. The Council staff has been extremely active in helping to get the Kentucky Innovation Commission started. Members of the commission have been named and it held its first meeting September 7. The search for a commissioner is in its final stages.

Partly supported by funds you allocated at the July meeting as part of the adult education initiative, Kentucky began the Kentucky Institute for Family Literacy. The institute is an initiative of the Cabinet for Workforce Development, the Cabinet for Families and Children, the Kentucky Department of Education, and the Council on Postsecondary Education. Its fiscal agent is the National Center for Family Literacy. It will be a public-private partnership, with strong support from Verizon (formerly GTE) and the Tapestry Foundation. A director will be named shortly.

Kentucky's efforts to develop the knowledge-based component of its economy and to change and improve postsecondary education were featured at a National Governors' Association seminar for chiefs-of-staffs and senior policy advisors to the nation's governors. State Budget Director Jim Ramsey, Daniel Rabuzzi, and I made presentations that sparked lively discussion. Council member Merl Hackbart was a member of the seminar and helped us present the Kentucky story.

We have been working on performance indicators, both with institutional representatives and with experts around the country. The staff proposal will be presented at your meetings in February and March. In addition, several of us have been deeply involved in preparing for a review of operating and capital budget procedures, recommended by Chair Charles Whitehead to the Strategic Committee on Postsecondary Education when it met September 6.

We have been involved in planning four conferences. The first, of course, is the annual conference on trusteeship. The following week, we will hold a diversity conference in Louisville. Then, in early October, we are sponsoring a special workshop on teacher education hosted by Eastern Kentucky University. We have invited deans of arts and sciences and of education to join with several national presenters as we consider the thesis that preparing teachers is a responsibility of the entire university. The chief academic officers of Kentucky's public and private institutions will hold a joint meeting in conjunction with this workshop. Finally, we are planning a workshop on student retention to be held immediately following your November meeting at Morehead State University. As you know, improving student retention is a major goal of the Council and the colleges and universities.

We have committed to yet another conference, this one on ways to combat alcohol abuse. Planning is just beginning.

I am pleased to announce two new staff appointments. Melissa McGinley joins us from the Cabinet for Workforce Development. She will work in academic affairs and possibly in adult education. Ben Boggs joins us from the University of Virginia. He probably will have responsibilities in adult education, knowledge-based economy, and academic affairs. Both are bright and competent professionals. I know you will enjoy working with them.

OPERATING BUDGET REVIEW

**Agenda Item E-1
September 18, 2000**

The Council, at its July 17 meeting, adopted a recommendation calling for a review of the operating budget guidelines used in developing the Council's 2000-02 budget recommendation. The Council's action directed the Finance Committee to conduct the review. In addition, the Council has requested that the Strategic Committee on Postsecondary Education (SCOPE) establish a subcommittee to advise the Council during this review process. SCOPE will convene on Wednesday, September 6, to consider the Council's request.

The major issues that surfaced during the 2000 legislative session include:

1. Benchmark System
 - A. Development Process
 - B. Base/55th Percentile
2. Operating Incentives
 - A. Trust Funds
 - B. Special Initiatives
3. Capital
 - A. Space Planning Guidelines
 - B. Research Space

Attached is a brief review of each of these issues to help frame the discussion within the Council's Finance Committee and the SCOPE subcommittee.

Staff Preparation by Ron Carson, Dennis Taulbee,
Norma Northern (KYVU), Daniel Rabuzzi, Sherron
Jackson, and Billie Hardin

Issue 1: Benchmark System

A. Development Process

Criticism:

Institutions were not sufficiently involved in the benchmark development process.

Discussion:

The following chronology outlines the steps taken in developing and implementing the benchmark funding process.

- In late December 1998 and early January 1999, the CPE Finance staff developed a proposal outlining the benchmark funding process. This process was necessary because HB 1 did away with the funding formula that was used to develop biennial operating budget recommendations.
- At the January 21, 1999, meeting of institutional presidents with the Council president, the proposed benchmark funding process was presented. There was a discussion of the process at that session, and the presidents were asked to appoint institutional staff to serve on a work group to develop the process and to review the selection criteria.
- Also as a result of the presidents' meeting, a draft sample of the selection criteria and resulting list of benchmark institutions for a sample institution, the University of Louisville, was communicated on January 29, 1999.
- The first meeting of the benchmark process work group was held on February 10, 1999. Representatives from all institutions, except Morehead State University, were in attendance as were representatives from the Governor's Office for Policy and Management and the Legislative Research Commission.
- Changes made to the selection criteria as a result of that meeting were:
 - Two lists were prepared – one using percentages, one using absolute numbers.
 - Public service was added as a selection criterion.
 - Tenured faculty was added as a selection criterion.
- A follow-up meeting of the work group was held on February 24, 1999, to review the results of the changes made to the selection criteria.
- On March 1, 1999, the Council president made a presentation on the operating funding guidelines to the joint meeting of the Subcommittee on Postsecondary Education of the Interim

Committee on Education and the Budget Review Subcommittee on Education of the Interim Appropriations and Revenue Committee.

- At the March 3, 1999, presidents' meeting, the alterations recommended by the work group were discussed and the presidents requested that a student/faculty ratio criterion be added.
- On March 8, 1999, the work group members were sent revised benchmark institution lists reflecting the work group's and presidents' changes.
- On March 10, 1999, revised lists of 50 or fewer institutions were sent to the presidents along with a request for scheduling the next phase of the benchmark process. Accompanying correspondence indicated that discussion would ensue, and the institutions could propose to replace one or more of the top institutions from others further down on the list but their proposals had to be data driven.
- Benchmark funding guidelines were presented to the CPE Finance Committee as a discussion item at its March 15, 1999, meeting.
- Throughout the remainder of March and April, individual institutional meetings were held to reach agreement on final benchmark lists.
- The benchmark funding guidelines were approved by the Council at its April 12, 1999, meeting.
- On April 14, 1999, the Council president briefed SCOPE on the Council's proposed benchmark analysis approach to making an operating budget recommendation for the 2000-02 biennium.
- The benchmark institution lists for all Kentucky public institutions were taken to the May 17, 1999, Council meeting. The Council also directed its staff to proceed with the next steps in the funding guidelines process:
 - Complete the analysis of the public funds support per full-time equivalent student.
 - Establish the percentile funding objective to serve as the basis for the base funding request.
 - Determine and recommend the schedule for achieving the funding objective.
- The public funds per FTE student calculation was presented to the Council at its July 19, 1999, meeting and the Council established the 55th percentile as the benchmark funding objective. The agenda item included the next steps that would be taken to adjust the funding objective amounts from 1996-97 figures to the 1999-2000 base figures used in the 2000-02 biennial request.
- On August 2, 1999, the Council president briefed the Interim Joint Committee on Education on the funding guidelines process.

- On August 13, 1999, the Council president forwarded a communication to the presidents indicating that some institutional staff might be calculating the effects of the benchmarking process differently than Council staff. The elements included in his correspondence were:
 - The latest Integrated Postsecondary Education Data System data available were for 1996-97 and these numbers would have to be advanced to 1999-2000. The gap between an institution and the 55th percentile in 1996-97 should not be assumed to remain constant through succeeding years.
 - Council staff was including all the 1999-2000 appropriations for an institution regardless of where the funding appeared in the budget bill, including both debt service and incentive trust funds. However, endowment funds were excluded from any calculations.
 - Institutions were reminded that the funding per student in 1996-97 included both General Fund and tuition and fees revenue. Therefore, institutions could not simply multiply the gap amount by the FTE number to compute the implications of benchmarking. Tuition and fees must be deducted from a calculated 1999-2000 gap. Current year tuition and fee rates would be used for all institutions except Northern Kentucky University, which was disproportionately dependent upon tuition and fee revenue.
 - Council staff would include funding from the 2000-02 incentive trust funds as part of the way by which all institutions would have the opportunity to achieve funding at the 55th percentile of the benchmark groups.
 - The presidents were notified that the gaps might be smaller than their institutional staffs may have led them to expect and were informed that the Council had not yet decided over how many years it would recommend a plan to remove the gaps. Part of the money to close the gaps would be included in the incentive trust funds to which each institution would have access for amounts that are not guaranteed.
 - Institutional finance officers of the institutions received copies of this correspondence.

- At the September 1, 1999, meeting of SCOPE, the Council president provided an update on the new funding guidelines and gave a progress report on the Council's budget recommendation.

- At the October 6, 1999, meeting of the presidents, they received a benchmark funding summary showing the total 1999-2000 state appropriation number used in the benchmark funding calculation and the total dollar increase and corresponding percentage increase in state appropriation resulting from the application of the benchmark funding process for both fiscal years 2000-01 and 2001-02.

- On October 11, 1999, the Council Finance Committee held a budget hearing at which all institutions were given the opportunity to make twenty minute presentations to discuss their constituencies' interests in the Council's postsecondary education budget recommendation.

- On November 8, 1999, the Council approved the 2000-02 funding recommendations for postsecondary education. The institutional presidents were asked to make comments on the

recommendation prior to the Finance Committee's approval. No presidents commented on the benchmark funding recommendations.

- On November 29, 1999, the Council president briefed SCOPE on the Council-approved 2000-02 budget recommendation.

Issue 1: Benchmark System

B. Base / 55th Percentile

Criticisms:

- 1) Funding for certain types of university activities—for instance, debt service, health science centers, agriculture research, and public service programs—should have been excluded from the benchmark analysis.
- 2) A rational determination of 1999-2000 funding levels for benchmark institutions could not be made because current funding data for institutions in other states were not available.
- 3) There was too much variation in funding levels among benchmark groups for Kentucky institutions with similar profiles.
- 4) There was no rational basis for the selection of the 55th percentile funding target.
- 5) It was not clear “what counted” in the dollar amount that was used to compare Kentucky institutions to the 55th percentile.

Discussion:

- 1) The funding system used to build the 2000-02 budget recommendation benchmarks Kentucky’s institutions with similar institutions in other states using a set of 15 criteria to determine “likeness.” The benchmarks are “whole” institutions. For this reason, the benchmark system did not break out internal line-item allocations for debt service or any other specific campus activities. It preserves Kentucky’s historical commitment to lump-sum appropriations for its postsecondary institutions.
- 2) The most recent data available through the Integrated Postsecondary Education Data System (IPEDS) was 1996-97 data. To compensate for the unavailability of more current information, the Council adjusted the 1996-97 funding levels by the base percentage increases provided in Kentucky budgets over that period – 2 percent, 2.9 percent, and 2.8 percent, respectively. The use of a CPI-related factor was considered but was not used because it would have resulted in lower increases.
- 3) Variations do exist among the benchmark institution groups. Funding levels were, by design, not part of the selection criteria in identifying benchmark institutions. Because the purpose of the benchmark system was to help determine adequate levels of funding for Kentucky’s

institutions relative to similar ones in other states, using funding as a selection criterion would have defeated the purpose.

- 4) The 55th percentile was selected as the appropriate funding target because the Council wanted Kentucky's institutions to be funded at a level slightly higher than the mid-point among their respective benchmarks. In addition, the recommendation to fund at the 55th percentile over a three-year period generated what the Council believed to be a reasonable increase that the state could afford. The Council did not want the new benchmark funding system to be viewed as the previous funding formula was – so expensive that it became irrelevant to the process. Finally, the Council sought a balance between benchmarking funding and more targeted funding through the incentive trust funds created in HB 1.
- 5) What “counted” toward achieving the 55th percentile objective included the base appropriation, base adjustments (such as maintenance and operations for new facilities), and special initiatives funding. Trust Fund allocations and pass-through program funds to the institutions were also counted.

Issue 2: Operating Incentives

A. Trust Funds

Criticisms:

- 1) Too much funding was put into the trust funds relative to the base.
- 2) Funds become available only on the basis of institutional performance.

Discussion:

- 1) In fiscal year 2000-01, \$931.5 million was appropriated to the institutions and \$18 million (excluding student financial aid) was appropriated to trust funds. So, of the \$949.5 million appropriated for the institutions, more than 98 percent was appropriated to institutions' bases.

In fiscal year 2001-02, \$985.7 million was appropriated to the institutions and \$24 million (excluding debt service for facilities and student financial aid) was appropriated to trust funds. So, of the \$1,009.7 million appropriated for the institutions, more than 97 percent was appropriated to institutions' bases.

Trust funds are an important part of HB 1 and are targeted investments to implement the state's priorities for postsecondary education. Although relative to the total postsecondary education budget the trust funds do not amount to enormous sums, they do provide money for reform at the margin.

Guidelines for the trust funds for 2000-02 were approved by the Council July 17, 2000, and the presidents were involved in development of the guidelines.

- 2) The fiscal year 2000-01 Enrollment Growth and Retention Program funds are being allocated quarterly regardless of performance on institutional enrollment and retention goals.

Action Agenda Program and Workforce Training Program awards are based on single proposals from each comprehensive university and KCTCS, using broad parameters established by the Council but also requiring assessment and accountability reports to the Council.

The Capital Renewal and Maintenance Program and Equipment Replacement Program funds will be awarded in fall 2000.

Issue 2: Operating Incentives

B. Special Initiatives

Criticisms:

Some institutions did not know how institutional requests were assessed. Some institutions' requests were not funded.

Discussion:

- Institutions were allowed to request any item.
- Council staff reviewed each requested item and determined that some items could be funded from within an institution's base (or anticipated base increase), and others were eligible to be funded from the various 2000-02 trust funds programs.
- On October 11, 1999, the Council's Finance Committee held a budget hearing at which all institutions were given the opportunity to make twenty minute presentations to discuss their constituencies' interests in the Council's postsecondary education budget recommendation, including special initiatives.
- Council staff determined that a limited number of requested items needed additional funds and recommended those for special initiative funding (Agenda Item E-1 from the Council's November 8, 1999, meeting). There was never an indication of intent or commitment to fund one special initiative request from each institution.

Issue 3: Capital

A. Space Planning Guidelines

Criticisms:

- 1) The space planning guidelines did not adequately take into account the condition of existing space in determining the need for institutional space.
- 2) More flexibility is needed in implementing the 2000-02 Physical Facilities Trust Fund's Capital Renewal and Maintenance Program.

Discussion:

- 1) At its July 19, 1999, meeting, the Council adopted a set of space planning guidelines and use standards to assess space needs by type of institution and space category, e.g., classrooms, laboratories, and offices. The space planning guidelines and use standards are based on national standards and needs guidelines and address all categories of educational and general space, but exclude auxiliary enterprise facilities (housing and dining, hospital, and intercollegiate athletics).

Consistent data on condition of space was not available at the time the space planning guidelines were adopted. The Council staff subsequently developed, in the Kentucky Higher Education Comprehensive Data Base Reporting Guidelines for State Supported Institutions 2000-2001, clearer definitions for reporting the condition of space. These definitions will permit the condition of space to be included in the space planning guidelines.

- 2) For the 2000-02 biennium, the Council administers three capital project pools: 1) the Capital Renewal and Maintenance Program, 2) the Agency Bond Pool, and 3) an Equipment Replacement Program. The allocation of funds from two of these pools, the Capital Renewal and Maintenance Program and the Agency Bond Pool, is tied to lists of projects approved by the Council as part of its 2000-02 budget request. Institutions may change project priorities within the approved lists of projects but may not substitute projects that are not on the approved lists. Council staff continues to work with institutions to identify any real emergency projects that may have developed after the lists were compiled.

The state rewards good stewardship of existing physical resources by requiring institutions to participate as equal partners (dollar-for-dollar cash match) in the Capital Renewal and Maintenance Program. However, in the future, the Council may wish to recognize the need for additional institutional flexibility to match state funds using alternative funds sources, i.e., agency bonds or revenue bonds when an institution is responsible for paying the debt service.

Issue 3: Capital

B. Research Space

Criticisms:

- 1) The application of the space planning guidelines approved by the Council at its July 19, 1999, meeting may not reveal the full extent of the universities' need for new research space.
- 2) The universities should not have to fund any portion of the construction of new research space.

Discussion:

- 1) As noted in the July 19, 1999, agenda item, application of the space planning guidelines suggests that "some institutions need additional space in selected categories (e.g., more research laboratory space at the University of Kentucky) despite having excess space in total." Applying the guidelines led the Council to include the University of Kentucky's and the University of Louisville's requests for new research buildings in its recommendation for the 2000-02 postsecondary education budget.

One possible issue is that the guidelines equate research space with research laboratories only, excluding necessary support space (offices, meeting-rooms) dedicated to researchers' use in research buildings. Including the latter in an expanded definition might change the quantitative estimates of research space need. Council staff recommends that an estimate of research space needs be made using the expanded definition and that this estimate be compared with the one produced using the narrower definition.

The Council also should possibly examine how efficiently universities use the research space they have and how feasible retrofitting and refurbishing older research space might be. The quantity of space is only part of the discussion; quality is the other, particularly for the advanced research the University of Louisville and the University of Kentucky must do to reach their respective research goals mandated in House Bill 1.

- 2) The University of Kentucky and the University of Louisville will each pay 40 percent of the construction cost for the research buildings approved in the 2000 Regular Session. This is slightly less than the average of 43 percent reported for public universities in the *National Science Foundation's Overview: Scientific and Engineering Research Facilities at Colleges and Universities, 1998*. Recently, some of the University of Kentucky and University of Louisville benchmark institutions have funded or anticipate funding substantially more than 40 percent of their recent research facilities' construction costs. These institutions include Purdue University, the University of Minnesota, the University of Michigan, the University of Illinois, the University of Virginia, the University of Wisconsin, and the University of Cincinnati.

A. KYVU Statewide Market Survey – Key Findings

The Kentucky Virtual University commissioned the University of Kentucky Survey Research Center in February 2000 to conduct a random sample telephone survey of Kentucky adults. The purpose of the survey was to learn residents' opinions and interests in pursuing postsecondary education in the next three years. KYVU is using the results of the survey to launch a targeted statewide student recruitment campaign. In addition, KYVU sought to develop a baseline for further research and for continuous improvement.

Significant Findings

1. Kentucky's adults prefer online learning to classroom instruction.
 - Respondents who expressed any interest in furthering their education were asked if they would be more likely to take a course over the Internet in the next three years or at a local college. A majority (67.3 percent) chose the Internet.
 - Interest in professional development programs jumps from 47.8 percent without the Internet to 65.1 percent when programs are available over the Internet.
 - Interest in college-degree programs increases from 41 percent without the Internet to 57.3 percent with the Internet.
2. Self-improvement is the No. 1 reason to pursue education.
 - Self-improvement was by far the number one reason to seek additional education (52.3 percent), followed by better pay (29.5 percent), to get a different job (22.5 percent), to complete a degree (16.9 percent), for a promotion (14.1 percent), and because a job requires more education (10.6 percent). Percents do not add up to 100 percent because multiple responses were allowed.

Degree Preferences

	%
Two-Year Associate	26.6
Master's	23.0
Bachelor's	22.3
Professional Certificate	14.7
Not likely to pursue a degree or certificate	13.4

Education Programs in Demand

	%
Business/Accounting	29.9
Math/Computer	13.8
Vocational	12.1
Education	11.2
Social Sciences	8.1
Engineering	7.8
Life Sciences	6.7
Medicine	6.5

Multiple responses allowed. All other responses garnered less than 5 percent mention.

Internet Access

- 52.4 percent of Kentucky adults have Internet access. Of those residents, most report having access at home, followed by both home and office. Relatively few report having access only at the office.
- Of the adults who do not have access, 54.1 percent thought it was very or somewhat likely that they will have it in the next three years.

Awareness of KYVU

- Awareness of KYVU has grown to over 25 percent of Kentucky adults in less than one year.

Survey Methods

- The telephone survey consisted of a random sample of Kentucky adults. The total number of completions statewide was 1,259, which translates into an overall survey margin of error of plus or minus 2.77 percent at the 95 percent confidence level. The survey was conducted from February 10 through March 29, 2000.
- Most (93 percent) of respondents reported having a good or excellent understanding of the questions.

B. KYVU Assists Institutions with the SACS Substantive Change Procedure

On June 16, 1999, Mary Beth Susman, CEO of the KYVU, wrote to the Southern Association of Colleges and Schools (SACS) to officially notify it of the start up of the KYVU and the nine pilot projects to be brought online by fall of 1999 and to request permission to conduct a single statewide review for substantive change when it became necessary. Since SACS accreditation resides with the institutions providing the curriculum and not with the KYVU, Dr. Susman's letter served mainly as a notification on behalf of the institutions of the new presence of a statewide initiative. On

February 14, 2000, Dr. James T. Rogers, Executive Director for the SACS Commission on Colleges, notified the KYVU that the Executive Council of the Commission had approved the proposal that Kentucky be allowed to have a single statewide review for a substantive change for all of the KYVU's providers when necessary. By July, the KYVU provider institutions designated their KYVU contacts for SACS information. Dr. Tom E. Benberg, Associate Director of SACS-COC, visited the KYVU and asked that more information regarding Kentucky's unique approach to collaborative online programs be forwarded to SACS. He also informed the KYVU that, other than the usual decennial reviews, our provider institutions need only continue to notify SACS of online distance learning activities and that a statewide review was not necessary at this time. The KYVU will continue to facilitate this notification process whenever necessary, and perhaps at a later date Kentucky institutions may find it useful to have a statewide review.

KYVU as "Alarm Clock": Calendar of Events

- Institution notifies SACS of its plan to initiate or expand its distance learning program via KYVU.
- An institution reaches 25 percent of a program being offered online via KYVU.
- KYVU alerts institution's SACS liaison of need to begin gathering data for further notification regarding growth of online program; KYVU determines if more than one provider institution has reached a similar level and, if desired by the provider institutions, facilitates a joint notification of SACS.
- Information gathered from KYVU databases is incorporated into the provider institution's notification.
- If SACS determines that a review of a particular institution is necessary, the KYVU will act in a supporting role to provide any additional necessary information to the provider institution.
- If SACS indicates that more than one institution, or a collaborative program, needs to be reviewed, then the KYVU can coordinate the submission of a joint prospectus describing the multiple provider institutions' distance learning plans regarding the KYVU.

Institutional Participants with Anticipated Full Programs on KYVU

Eastern Kentucky University
Kentucky Community and Technical College System
Morehead State University
Murray State University
Sullivan University
University of Kentucky
University of Louisville
Western Kentucky University

The programs offered by the above institutions:

- Associate in Applied Science (Network and Information Systems Technology, NIST) – KCTCS
- Associate in Arts (Business Transfer Framework) – KCTCS
- Associate in Arts (using PBS’s “Going the Distance: The Next Frontier” via Kentucky Educational Television) – KCTCS
- Bachelor of Science in Business Administration (Hospitality Management) – Sullivan University
- Bachelor of Science in Human Resource Leadership – Sullivan University
- Education Specialist, M.Ed. Certificate (Special Education: Moderate and Severe Disabilities) – Morehead State University, Murray State University, University of Louisville, and Western Kentucky University
- Master of Science (Communication Disorders) – Eastern Kentucky University, Murray State University, University of Kentucky, University of Louisville, and Western Kentucky University
- Master of Science (Management of Information Technology) – Sullivan University
- Master of Business Administration – Sullivan University

A web page with this information will be added to the KYVU web site (under “About Us” and under “Administration”) along with a hotlinked list of all of Kentucky’s SACS-accredited institutions and a list of appointed liaisons.

Staff Preparation by Mary Beth Susman

RESPONDENT INFORMATION

Basic respondent demographics are as follows:**

<u>Gender</u>	<u>%</u>
Male	38.1
Female	61.9

<u>Age</u>	<u>%</u>
18 to 22	7.9
23 to 30	15.2
31 to 40	24.7
41 to 50	23.7
51 to 60	13.9
60 to 88	14.6

<u>Education Level</u>	<u>%</u>
Less than HS Diploma	12.8
HS Diploma/GED	32.6
Some Coll./CC or VT Deg.	28.8
Bachelors Degree	15.0
Graduate School or Degree	10.8

<u>Household Income</u>	<u>%</u>
Less than \$10,000	7.8
\$10,000-\$19,999	14.5
\$20,000-\$29,999	16.9
\$30,000-\$39,999	15.4
\$40,000-\$49,999	13.3
\$50,000-\$69,999	15.7
\$70,000-\$89,999	6.8
\$90,000 or more	9.6

** All reported statewide percentages are based on percentage of respondents who answered the question, weighted by region to be geographically representative of the statewide adult population.

2001 MEETING DATES

**Agenda Item E-3
September 18, 2000**

Information:

After consulting with Council members and reviewing the calendar with Council Chair Charles Whitehead, the 2001 Council meeting dates have been selected:

February 4-5 (tentative joint meeting with the Kentucky Board of Education)

March 18-19

May 20-21

July 29-30

September 23-24 (trusteeship conference)

November 4-5

Staff Preparation by Phyllis Bailey

**NEW PROGRAM PROPOSAL:
ASSOCIATE DEGREE IN LIBERAL STUDIES
NORTHERN KENTUCKY UNIVERSITY**

ACTION
Agenda Item F-1-a
September 18, 2000

Recommendation:

That the Associate Degree in Liberal Studies (ADLS) proposed by Northern Kentucky University be approved and registered in CIP 24.0101 (Liberal Arts and Sciences/Liberal Studies).

Rationale:

- The proposed program would provide a general purpose credential for entry-level jobs in northern Kentucky. It also would offer students without a specific career focus and those who do not plan to complete an advanced degree a realistic avenue to degree completion.
- The program includes opportunity for earning credit through distance learning and the acceptance of transfer credit from other institutions, requiring that only the last 20 credit hours be taken through Northern. Courses offered by various institutions via the Kentucky Virtual University would be accepted, including the last 20 credit hours, as long as the student is registered in the liberal studies program at NKU. KCTCS has been contacted to ensure maximum cooperation between the proposed program and community and technical college offerings.
- The curriculum is designed to improve student communication, critical thinking, and decision-making, and to prepare students to continue their education in disciplines.
- Employers and residents support the program.
- Northern will phase out the program when the planned community college opens in northern Kentucky.

Background:

Using the Kentucky Postsecondary Program Proposal System, Northern Kentucky University posted the proposed program on the Council's website. It was reviewed without objection by public universities, private colleges and universities in Kentucky, and the Kentucky Community and Technical College System. Associate programs proposed by four-year institutions are subject to full review and approval by the Council.

An executive summary of the program submitted by NKU is attached.

Staff Preparation by Barbara Cook

EXECUTIVE SUMMARY

PROPOSED ASSOCIATE DEGREE IN LIBERAL STUDIES

The proposed Associate Degree in Liberal Studies at Northern Kentucky University (NKU) is a minimum of sixty-four (64) semester-hour program which seeks to promote opportunity for learners to explore the liberal studies tradition, to enable learners to better understand and relate to the world around them from a liberal studies perspective, and to encourage learners to select additional courses in an area they may wish to pursue for further self-improvement and professional growth. The Associate Degree in Liberal Studies offers a selection of courses from the Fine Arts, Humanities, Natural Sciences, Behavioral and Social Sciences, and Mathematics and Computer Science. The last 20 hours of the program must be taken at NKU and students are required to meet general studies requirements.

Students are required to take a minimum of fifteen (15) semester hours from the following areas of study and a minimum of three (3) semester hours from two different disciplines within the chosen area of study: (1) Natural Science (Astronomy, Biological Sciences, Integrated Science, Chemistry, Physics, and Geology); (2) Fine Arts (Art, Music, and Theatre); (3) Humanities (Afro-American Studies, Foreign Language, History, English, Philosophy, Religious studies, and Women's Studies); Behavioral and Social Sciences (Anthropology, Geography, Psychology, Sociology, Speech, and Political Science); and Mathematics and Computer Science (Mathematics and Computer Science). No course taken to satisfy general studies can be used to satisfy this requirement.

Students are required to have a GPA of at least 2.00 on all work attempted at NKU and at least 2.00 on all college work attempted. The degree cannot be counted as a minor or area of concentration.

Opportunities for distance learning abound in the Associate Degree of Liberal Studies. A large percentage of the credit hours required for the degree are from the general studies program, many of which are offered through distance learning (even for the required last twenty (20) hours of the program). The program is also extremely flexible for students. Credit can be gained through telecourses, web-based courses, and at the off-campus centers of NKU.

Defined transfer equivalencies and the Kentucky Transfer Module assure that work completed at other Kentucky institutions will count toward the degree in Liberal Studies.

In general, NKU expects graduates will have acquired basic skills, learning, and other competencies: (1) to think clearly and logically, to find and critically examine information, to communicate orally and in writing, and to perform basic quantitative functions; (2) to acquire knowledge about their own bodies and minds, about how human society has developed and how it functions, about the physical world in which they live, about other forms of life, and about the cultural endeavors and legacies of civilization;

and (3) to understand and appreciate the principles, methodologies, value systems, and thought processes employed in human inquiries.

There is a growing demand for an Associate Degree in Liberal Studies program as evidenced by letters received from several greater Cincinnati businesses. Area employers have indicated that the proposed Associate Degree in Liberal Studies has the potential to not only enhance employee literacy, but job skills as well. Current professional thinking among employers is that general education and skill development are important aspects of business, social service, technical and other fields. Specifically, employers value a student's skills in communications, critical thinking, and decision-making. This degree would provide the type of general-purpose credential necessary for entry into many of the available jobs in the northern Kentucky/greater Cincinnati area.

Northern Kentucky University believes the degree has a high potential for retention of the less focused student as well as for the student who need the validation of a shortened academic experience.

Finally, the program upholds the primary mission of instruction within the context of a solid liberal arts degree and serves the educational needs of a large and diverse population. If approved, the Program would enroll its first students in the 2000-01 academic year.

**NEW PROGRAM PROPOSAL
PH.D. IN CIVIL ENGINEERING
UNIVERSITY OF LOUISVILLE**

**ACTION
Agenda Item F-1-b
September 18, 2000**

Recommendation:

That the Doctor of Philosophy in Civil Engineering proposed by the University of Louisville be approved and registered in CIP 14.0801 (Civil Engineering, General).

Rationale:

- The proposed program would respond to the desire among University of Louisville engineering master's students and area practitioners and employers for a local source of continued education and upgraded skills. Doctoral degree holders in civil engineering find employment with municipal governments, public utilities, private engineering and architectural firms, and postsecondary institutions.
- The proposed program would support the *Strategy for Statewide Engineering Education in Kentucky* by producing more engineers trained at advanced levels, providing greater opportunity for advanced education among graduates of joint engineering programs, and supporting the strategic plans of the University of Louisville and Kentucky's "New Economy" initiatives.
- The University of Kentucky supports the proposed program as a complement to UK's current doctoral program in civil engineering. UofL's doctoral program would focus on research areas identified in its *Challenge for Excellence*, such as logistics and distribution, infrastructure and facilities, and environmental engineering.
- The engineering faculties at UK and UofL agree that the proposed doctoral program would increase the number of collaborative research projects in civil engineering the two share.
- The proposed doctoral program is an important element in the University of Louisville's effort to be a nationally recognized metropolitan research university. The program reflects the priorities of increased external funding for research and greater ability to attract and retain national-class research faculty.

Staff Preparation by Jim Applegate, Daniel Rabuzzi, and Bill Swinford

**NEW PROGRAM PROPOSAL:
DOCTOR OF PUBLIC HEALTH
UNIVERSITY OF KENTUCKY**

**ACTION
Agenda Item F-1-c
September 18, 2000**

Recommendation:

- That the Council accept the *Memorandum of Understanding* from the University of Kentucky related to the cooperative implementation and advancement of the Kentucky School of Public Health with the University of Louisville.
- That the Doctor of Public Health proposed by the University of Kentucky be approved and registered in CIP 51.2201 (Public Health, General) with the understanding that continued approval depends on fulfillment of the obligations defined in the Memorandum of Agreement.

Rationale:

The Doctor of Public Health (DrPH) would prepare graduates for careers as senior level administrators, applied researchers, policy makers, and educators. Kentucky's population continues to be categorized "high risk" across most health measures. The proposed program would produce graduates who would provide leadership in protecting and improving the health of Kentuckians. This proposed program is consistent with the mission and goals of the University of Kentucky.

In November 1999, the University of Kentucky and the University of Louisville agreed to create the Kentucky School of Public Health. Under the agreement, the University of Louisville will focus on training health professionals for careers in research. The University of Kentucky will focus on professional degree programs emphasizing the practice of public health. The proposed program fits within this division of labor.

The agreement also assigns responsibility for the accreditation of the Kentucky School of Public Health to the University of Kentucky. The University of Louisville is responsible for accreditation of its own programs. The approval of the DrPH is critical to the accreditation of the Kentucky School of Public Health by the University of Kentucky.

Extended discussions with the Council on Education in Public Health (the national accrediting body for public health programs) made clear that accreditation of schools and programs requires accredited programs to be accountable to a single governing board. The University of Kentucky's public health programs will be accredited through the school, reporting to the UK Board of Trustees. The University of Louisville will seek separate accreditation for its public health programs, which would be closely affiliated with the Kentucky School, but would be ultimately responsible to the University of Louisville Board of Trustees.

Within this accreditation structure, UK has committed, through the attached *Memorandum of Understanding*, to work the University of Louisville in all aspects, including joint faculty appointments, publications, student instruction, and distance learning. Also, consistent with the agreement, a member of the University of Louisville faculty is expected to be appointed Associate Director of the Kentucky School of Public Health at the September meeting of the UK Board of Trustees. UK also has committed to continuing its ongoing collaboration with the University of Louisville in public service and research.

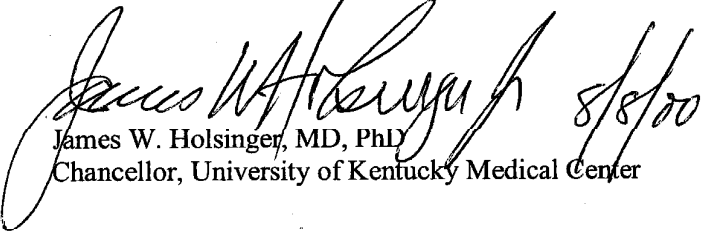
To ensure maximum cooperation and avoid unnecessary duplication, faculty and administrators from the University of Kentucky and the University of Louisville meet regularly with representatives of Eastern Kentucky University, Murray State University, and Western Kentucky University. For example, the five institutions have plans to share in the delivery of public health courses, notably through the Kentucky Virtual University. They are finalizing a "Proposal to Create a Statewide Distance Learning Public Health Consortium" and anticipate submitting the program to the Kentucky Virtual University for approval and support in fall 2000.

Staff Preparation by Jim Applegate and Bill Swinford

Memorandum of Understanding

In order to implement fully the conditions in the agreement between the University of Kentucky and the University of Louisville for cooperative Public Health Programs, the University of Kentucky's administration and faculty will carry out the following actions:

1. Dr. Paul McKinney will be recommended to the University of Kentucky Board of Trustees for appointment as Associate Director of the Kentucky School of Public Health at the September 2000 Board meeting.
2. Dr. James Holsinger will request the University of Louisville to nominate faculty for joint appointment to the Kentucky School of Public Health. We anticipate the first cohort to be appointed by or before the January University of Kentucky Board of Trustees meeting.
3. The University of Kentucky will support the University of Louisville's efforts to secure accreditation for its graduate program in public health through the Council on Education in Public Health.
4. All current and future material promoting the Kentucky School of Public Health will identify the University of Louisville's participation in the School and the public health programs at the University of Louisville. All drafts of promotional material and publications of the School will be submitted for review to the University of Louisville.
5. By Fall 2001, the University of Kentucky will have a mechanism in place for students to be jointly admitted to the Kentucky School of Public Health for the purpose of obtaining the core courses of the MPH degree regardless of where they will obtain a public health degree. Appropriate DrPH courses at the University of Kentucky will be available to all doctoral students at both institutions.
6. The University of Kentucky will encourage students in the Kentucky School of Public Health to take courses at the University of Louisville and the University of Kentucky as appropriate to their program of study.
7. By Fall of 2001, the University of Kentucky will have a mechanism in place to allow students to count up to 15 units of coursework (the MPH core) obtained through the web at KCVU or at the University of Louisville, Western Kentucky University, or Eastern Kentucky University.
8. The faculty and staff of the public health programs at the University of Kentucky will actively participate in joint service and research programs with the University of Louisville. Examples of existing collaborative efforts include the epidemiological investigations of the Paducah nuclear plant, the Kentucky Injury Prevention Research Center, and the Kentucky Public Health Leadership Institute.
9. As accreditation is sought for the Kentucky School of Public Health through the University of Kentucky, the University of Kentucky will actively seek full involvement of the faculty of the University of Louisville who hold academic and/or administrative appointments in the Kentucky School of Public Health.


James W. Holsinger, MD, PhD
Chancellor, University of Kentucky Medical Center

AUG 25 9 02 AM '00

POSTSECONDARY
EDUCATION

KENTUCKY EARLY MATHEMATICS TESTING PROGRAM

**Agenda Item F-2
September 18, 2000**

Improving mathematics skills for Kentuckians is a high priority for education, government, and business interests. House Bill 178 (2000 regular session) directed the Council, in consultation with the State Department of Education, to select a public university to develop and administer a web-based testing program. The program would be available voluntarily to all 10th and 11th grade students at public and private high schools in Kentucky. The purpose is to reduce the number of students who require remedial mathematics in college.

In June, the Council requested proposals from the institutions. One proposal was submitted, from Northern Kentucky University. This proposal was reviewed by a panel of experts in mathematics assessment, including Dr. William H. Schmidt of Michigan State University, Director of the U.S. Third International Mathematics and Science Study (TIMSS), and Dr. Robert Bernhardt, who directs a similar program for North Carolina. The Council staff is consulting with the authors of the NKU proposal to address the reviewers' suggestions, and with the Council of Chief Academic Officers about other ways to meet the mandate of HB178.

This process has paralleled other efforts to address concerns about mathematics preparation. The staff is developing a comprehensive approach to improve the mathematical skills of young and adult learners in Kentucky that will bring these approaches together with the Early Mathematics Testing Program.

- The Kentucky Virtual University and the Kentucky Community and Technical College System are exploring the purchase of a statewide license for a web-based program that would assess mathematical and other basic skills of first-year postsecondary students, define remediation needs, and provide remediation.
- The Council of Chief Academic Officers is convening a group to look at the availability of web-based products to provide remediation for both young and adult populations in math and other areas.
- The P-16 Council has convened teams of faculty and teachers, representatives of the Department of Education, and the postsecondary Council staff to align expectations and define college readiness in mathematics and literacy.

The staff will present its recommendations to the Council at the November meeting.

Staff Preparation by Dianne M. Bazell and Jim Applegate

**NOMINATIONS FOR THE
GOVERNANCE BOARD OF THE
LUNG CANCER RESEARCH PROJECT**

ACTION
Agenda Item F-3
September 18, 2000

Recommendation:

That the Council nominate Hilda Legg and Joan Taylor to serve as the Council on Postsecondary Education's representatives to the Governance Board of the Lung Cancer Research Project.

Rationale:

House Bill 583 of the 2000 Session of the General Assembly established the Lung Cancer Research Project to be implemented through the Governance Board. The statute requires that two members of the Council on Postsecondary Education serve on the board. The other members of the board are two members of the faculty of the School of Medicine at the University of Kentucky, two members of the faculty of the School of Medicine at the University of Louisville, and three at large members.

Staff Preparation by Bill Swinford

ADMINISTRATIVE REGULATION THE MINGER ACT

ACTION
Agenda Item F-4
September 18, 2000

Recommendation:

That the Council approve 13 KAR 2:100. The Campus Security Act. and 13 KAR 1:030. The Campus Security Act. The Council staff will report on any changes in the proposed administrative regulation after a public hearing and review.

Rationale:

- The Minger Act, adopted by the 2000 General Assembly and in effect since July, requires public and private postsecondary education institutions to report on crime, to make those reports available to the public within 24 hours, and to file an annual report to the Council on crime.
- The Council staff filed two emergency administrative regulations to comply with the time requirements of the law. The filing of these ordinary administrative regulations must accompany the filing of the emergency administrative regulations.

Background:

The Minger Act was adopted by the 2000 General Assembly in response to the death of a student, Michael Minger, in a fire at Murray State University. The act requires all postsecondary education institutions, public and private, to:

- Maintain a daily crime log.
- Report all fires and threats of fire to the state fire marshal.
- Make information from the daily crime log available to the public within 24 hours.
- File an annual report with the Council.

The Council staff has been working with the chiefs of police of the state-supported colleges and universities and with the Association of Independent Kentucky Colleges and Universities (AIKCU) to develop the emergency administrative regulations.

To comply with the statutory effective date of The Minger Act, the Council staff filed two emergency administrative regulations, one for the state-supported postsecondary education institutions and one for the independent colleges and universities licensed by the Council on Postsecondary Education.

The emergency administrative regulations are effective for 170 days. The action recommended is the filing of two ordinary administrative regulations to replace the emergency administrative regulations filed in August.

Staff Preparation by Dennis L. Taulbee

1 COUNCIL ON POSTSECONDARY EDUCATION

2 (Emergency)

3 **13 KAR 1:030. Campus Security.**

4 RELATES TO: KRS 164.945 to 164.947; KRS 227.200; KRS 227.230

5 STATUTORY AUTHORITY: KRS 164.020(28); 2000 (REGULAR SESS.) Ky. Acts Ch.
6 190, p. 478.

7 NECESSITY, FUNCTION, AND CONFORMITY: The Michael Minger Act, 2000
8 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, requires public postsecondary education institu-
9 tions and those private postsecondary education institutions licensed by the Council on Post-
10 secondary Education to report campus crimes to the students and the public and to report annu-
11 ally to the Council on Postsecondary Education. The Council has responsibility for developing
12 formats for reporting and for ensuring that annual reports are received from the institutions. The
13 state fire marshal is granted access to the property of an institution that is covered by this act for
14 the purpose of inspection, investigation, or any other action necessary to prevent fire loss or to
15 determine the origin of any fire. This administrative regulation addresses the responsibilities of
16 private postsecondary education institutions licensed by the Council on Postsecondary Educa-
17 tion.

18 Section 1. Definitions. (1) “Annual report” means the report submitted by an institution to the
19 Council that satisfies the requirements of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478,
20 Section 5.

1 (2)“Campus” is defined in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1.

2 (3) “Campus Crime Log” means the daily log maintained by an institution and developed by
3 the Council consistent with the provisions of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p.
4 478, Section 2.

5 (4) “Campus Security Authority” is defined in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p.
6 478, Section 5.

7 (5) “Council” means the Council on Postsecondary Education as established by KRS 164.011.

8 (6) “Crime is defined in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1(3).

9 (7) “Fire marshal” means the state fire marshal as described in KRS Chapter 227.

10 (8) “Institution” means a private postsecondary education institution as defined in 2000
11 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1(4).

12 Section 2. Property included under the term campus. (1) An institution shall, consistent
13 with the provisions of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1(1), estab-
14 lish a list of all property:

15 (a) owned;

16 (b) managed; or

17 (c) controlled by an institution.

18 (2) (a) All property on the list shall be classified by one of the categories listed in subsection
19 (1) of this Section.

20 (b) The list shall be updated as necessary but not less than annually.

21 (3) Property controlled by an institution as set forth in 2000 (REGULAR SESS.) Ky. Acts Ch.
22 190, p. 478, Section 1(1) includes real property owned by groups that are:

23 (a) officially recognized by an institution; and

1 (b) for which the institution exercises some administrative control.

2 (4) The list described in this Section shall be available to the Council on Postsecondary Edu-
3 cation, if requested.

4 Section 3. Release of information to the public. (1) In satisfying the provisions of 2000
5 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 2(1)(b).., an institution shall develop and
6 maintain a written policy that sets forth the general conditions under which that institution may
7 withhold information on an incident.

8 (2) The written policy shall be:

9 (a) subject to the limitations established in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p.
10 478, Section 2(1)(b)1. and 2.; and

11 (b) designed to ensure that information is available to the public as soon as possible.

12 (3)(a) An institution may archive campus crime log information after sixty (60) days have
13 elapsed.

14 (b) An institution that elects to archive campus crime log information as described in para-
15 graph (a) of this subsection, shall have two (2) business days to respond to information requests
16 for material that has been archived.

17 Section 4. Special Reports. An institution shall report, in writing, to the Council on how it
18 shall comply with the provisions of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section
19 2(2).

20 Section 5. Campus Crime Log. (1) An institution shall maintain a campus crime log as re-
21 quired by 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 2.

22 (2) Information contained in the campus crime log shall include all data elements contained in
23 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 2(1).

1 Section 6. Crime. The meaning of a crime listed in 2000 (REGULAR SESS.) Ky. Acts Ch.
2 190, p. 478, Section 1(3) shall be consistent with the Kentucky Revised Statutes and the defini-
3 tions used in the Uniform Crime Reporting System of the federal government.

4 Section 7. State Fire Marshal and threat of fire. (1) A threat of fire includes:

- 5 (a) all fire alarms except as provided in subsection (2) of this Section; and
- 6 (b) an expression of an intention by a person or group of persons to inflict something harmful
7 in the way of destructive burning or explosion.

8 (2) However, a threat of fire does not include an alarm triggered for the purpose of mainte-
9 nance testing.

10 (3)(a) A threat or actual alarm shall be reported immediately to the State Fire Marshal and the
11 local fire department except as provided in paragraph (b) of this subsection.

12 (b) However, an institution that has a university fire marshal and a written agreement with the
13 State Fire Marshal's Office may inform the university fire marshal.

14 (4) An agreement between a local fire department and an institution for responses to a fire
15 alarm shall be in writing.

16 Section 8. Annual Report. (1) The annual report filed by an institution as set forth in 2000
17 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 4 shall be titled *The Campus Security Act*
18 *Report for ((DATE))*.

19 (2) The heading for the annual report shall include:

- 20 (a) the name of the institution;
- 21 (b)1. the title of the report as set forth in subsection (1) of this Section; and
22 2. the calendar year for the report following the word for.

1 (3) The body of the report shall include these sections organized as set forth in this subsec-
2 tion:

3 (a) Section 1 shall be titled *Section 1: Campus Security Authority* and shall include:

4 1. a list of all personnel that meet the definition of Section 1(4) of this administrative regula-
5 tion;

6 2. a description of the extent and nature of the enforcement authority of campus security
7 authority personnel; and

8 3. the working relationship of campus security authority personnel with state and local police
9 agencies.

10 (b) Section 2 shall be titled *Section 2: Description of Information Programs* and shall include:

11 1. A description of programs that inform students and employees about:

12 a. campus safety and security;

13 b. how to report crimes; and

14 c. how to prevent crimes.

15 (c) Section 3 shall be titled *Campus Crime Statistics for((DATE))* and shall include:

16 1. the calendar year of the report after the word for; and

17 2. the tables as follow:

(((INSTITUTION NAME)))

**Federal Campus Security and Campus Crime Statistics Disclosure (Clery) Act
& Michael Minger Act**

Crime Category (1)	Campus Property (2)	Criminal Attempt (3)	Campus Residential Facility (4)	Non-Campus Property (5)	Public Property (6)
Arson					
Assault					
Burglary					
Criminal Damage					
Hate Crime (7)					
Bias – Race					
Bias – Gender					
Bias – Religion					
Bias – Sexual Orientation					
Bias – Ethnic					
Bias – Disability					
Manslaughter					
Menacing					
Motor Vehicle Theft					
Murder					
Reckless Homicide					
Robbery					
Sex Offenses – Forcible					
Sex Offenses – Non-forcible					
Stalking					
Terroristic Threatening					
Theft					
Wanton Endangerment					
Weapons Possession					

Notes for Preceding Chart

1. These are the crime categories as required by the Federal and State Statute. Those crime categories listed in bold print are specific to the Minger Act while both statutes require all others.
2. On-campus property includes all property owned by the institution and any reports taken by institution law enforcement officers on adjacent streets.
3. Any attempt to commit the crimes listed in column one.
4. Number of crimes that occurred in institution residence halls, student apartment housing, or Greek sponsored housing facilities, if appropriate. These numbers are included in the on-campus property totals.

5. Non-Campus Property. These are any of the officially recognized/owned/leased/controlled institution properties that are located off the main campus area.
6. Public property within the same reasonably contiguous geographic area of the institution (sidewalk, street, other thoroughfare or parking facility) and adjacent to a facility owned or controlled by the institution. These crime statistics are those reported to/by the (((INSERT LOCAL LAW ENFORCEMENT AUTHORITY HERE))), the law enforcement agency with primary jurisdiction of that area.
7. Hate Crimes – These are crimes that fall into one of the reportable categories as required by the Statute, or other crimes in which the victim was intentionally selected because of an actual or perceived prejudice.

Selected Arrest Statistics

Crime Category	(Year of Report)
Alcohol Related	
Drug Related	
Weapon Possession	

Reported Crimes – Prior Reporting Periods

Crime Category	(Third prior year)	(Second prior year)	(First prior year)
Arson			
Assault			
Burglary			
Criminal Damage			
Hate Crime (7)			
Bias – Race			
Bias – Gender			
Bias – Religion			
Bias – Sexual Orientation			
Bias – Ethnic			
Bias – Disability			
Manslaughter			
Menacing			
Motor Vehicle Theft			
Murder			
Reckless Homicide			
Robbery			
Sex Offenses – Forcible			
Sex Offenses – Non-forcible			
Stalking			

Terroristic Threatening			
Theft			
Wanton Endangerment			
Weapons Possession			

Selected Arrest Statistics - Prior Reporting Periods

Crime Category	(Third prior year)	(Second prior year)	(First prior year)
Alcohol Related			
Drug Related			
Weapon Possession			

Selected Referrals / Incidents Reported by Campus Security Authorities *

Crime Category	(Year of Report)
Alcohol Violations	
Arson	
Assault	
Burglary	
Criminal Attempt	
Criminal Damage	
Drug Violations	
Hate Crime (7)	
Bias – Race	
Bias – Gender	
Bias – Religion	
Bias – Sexual Orientation	
Bias – Ethnic	
Bias – Disability	
Manslaughter	
Menacing	
Motor Vehicle Theft	
Murder	
Reckless Homicide	
Robbery	
Sex Offenses – Forcible	
Sex Offenses – Non-forcible	
Stalking	
Terroristic Threatening	
Theft	

Wanton Endangerment	
Weapons Possession	

These crime statistics are provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 and the Kentucky Postsecondary Education Campus Security Act of 2000. If you have any questions, contact (((insert contact information))), at (((insert contact phone number))).

- 1 (4) The calendar year for the annual report shall be the calendar year previous to the year in
- 2 which the report is filed.

Charles Whitehead
Chair
Council on Postsecondary Education

Date

1 COUNCIL ON POSTSECONDARY EDUCATION

2 (Emergency)

3 **13 KAR 2:100. Campus Security.**

4 RELATES TO: KRS 164.945 to 164.947; KRS 227.200; KRS 227.230

5 STATUTORY AUTHORITY: KRS 164.020(28); 2000 (REGULAR SESS.) Ky. Acts Ch.
6 190, p. 478.

7 NECESSITY, FUNCTION, AND CONFORMITY: The Michael Minger Act, 2000
8 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, requires public postsecondary education institu-
9 tions and those private postsecondary education institutions licensed by the Council on Post-
10 secondary Education to report campus crimes to the students and the public and to report annu-
11 ally to the Council on Postsecondary Education. The Council has responsibility for developing
12 formats for reporting and for ensuring that annual reports are received from the institutions. The
13 state fire marshal is granted access to the property of an institution that is covered by this act for
14 the purpose of inspection, investigation, or any other action necessary to prevent fire loss or to
15 determine the origin of any fire. This administrative regulation addresses the responsibilities of
16 public postsecondary education institutions.

17 Section 1. Definitions. (1) “Annual report” means the report submitted by an institution to the
18 Council that satisfies the requirements of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478,
19 Section 5.

20 (2)“Campus” is defined in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1.

21 (3) “Campus Crime Log” means the daily log maintained by an institution and developed by

1 the Council consistent with the provisions of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p.
2 478, Section 2.

3 (4) "Campus Security Authority" is defined in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p.
4 478, Section 5.

5 (5) "Council" means the Council on Postsecondary Education as established by KRS 164.011.

6 (6) "Crime is defined in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1(3).

7 (7) "Fire marshal" means the state fire marshal as described in KRS Chapter 227.

8 (8) "Institution" means a public postsecondary education institution as defined in 2000
9 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1(4).

10 Section 2. Property included under the term campus. (1) An institution shall, consistent
11 with the provisions of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 1(1), estab-
12 lish a list of all property:

13 (a) owned;

14 (b) managed; or

15 (c) controlled by an institution.

16 (2) (a) All property on the list shall be classified by one of the categories listed in subsection
17 (1) of this Section.

18 (b) The list shall be updated as necessary but not less than annually.

19 (3) Property controlled by an institution as set forth in 2000 (REGULAR SESS.) Ky. Acts Ch.
20 190, p. 478, Section 1(1) includes real property owned by groups that are:

21 (a) officially recognized by an institution; and

22 (b) for which the institution exercises some administrative control.

1 (4) The list described in this Section shall be available to the Council on Postsecondary Edu-
2 cation if requested.

3 Section 3. Release of information to the public. (1) In satisfying the provisions of 2000
4 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 2(1)(b)1., an institution shall develop and
5 maintain a written policy that sets forth the general conditions under which that institution may
6 withhold information on an incident.

7 (2) The written policy shall be:

8 (a) subject to the limitations established in 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p.
9 478, Section 2(1)(b)1. and 2.; and

10 (b) designed to ensure that information is available to the public as soon as possible.

11 (3)(a) An institution may archive campus crime log information after sixty (60) days have
12 elapsed.

13 (b) An institution that elects to archive campus crime log information as described in para-
14 graph (a) of this subsection shall have two (2) business days to respond to information requests
15 for material that has been archived.

16 Section 4. Special Reports. An institution shall report, in writing, to the Council on how it
17 shall comply with the provisions of 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section
18 2(2).

19 Section 5. Campus Crime Log. (1) An institution shall maintain a campus crime log as re-
20 quired by 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 2.

21 (2) Information contained in the campus crime log shall include all data elements contained in
22 2000 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 2(1).

1 Section 6. Crime. The meaning of a crime listed in 2000 (REGULAR SESS.) Ky. Acts Ch.
2 190, p. 478, Section 1(3) shall be consistent with the Kentucky Revised Statutes and the defini-
3 tions used in the Uniform Crime Reporting System of the federal government.

4 Section 7. State Fire Marshal and threat of fire. (1) A threat of fire includes:

5 (a) all fire alarms except as provided in subsection (2) of this Section; and

6 (b) an expression of an intention by a person or group of persons to inflict something harmful
7 in the way of destructive burning or explosion.

8 (2) However, a threat of fire does not include an alarm triggered for the purpose of mainte-
9 nance testing.

10 (3)(a) A threat or actual alarm shall be reported immediately to the State Fire Marshal and the
11 local fire department except as provided in paragraph (b) of this subsection.

12 (b) However, an institution that has a university fire marshal and a written agreement with the
13 State Fire Marshal's Office may inform the university fire marshal.

14 (4) An agreement between a local fire department and an institution for responses to a fire
15 alarm shall be in writing.

16 Section 8. Annual Report. (1) The annual report filed by an institution as set forth in 2000
17 (REGULAR SESS.) Ky. Acts Ch. 190, p. 478, Section 4 shall be titled *The Campus Security Act*
18 *Report for ((DATE))*.

19 (2) The heading for the annual report shall include:

20 (a) the name of the institution;

21 (b)1. the title of the report as set forth in subsection (1) of this Section; and

22 2. the calendar year for the report following the word for.

1 (3) The body of the report shall include these sections organized as set forth in this subsec-
2 tion:

3 (a) Section 1 shall be titled *Section 1: Campus Security Authority* and shall include:

4 1. a list of all personnel that meet the definition of Section 1(4) of this administrative regula-
5 tion;

6 2. a description of the extent and nature of the enforcement authority of campus security
7 authority personnel; and

8 3. the working relationship of campus security authority personnel with state and local police
9 agencies.

10 (b) Section 2 shall be titled *Section 2: Description of Information Programs* and shall include:

11 1. A description of programs that inform students and employees about:

12 a. campus safety and security;

13 b. how to report crimes; and

14 c. how to prevent crimes.

15 (c) Section 3 shall be titled *Campus Crime Statistics for((DATE))* and shall include:

16 1. the calendar year of the report after the word for; and

17 2. the tables as follow:

(((INSTITUTION NAME)))

**Federal Campus Security and Campus Crime Statistics Disclosure (Clery) Act
& Michael Minger Act**

Crime Category (1)	Campus Property (2)	Criminal Attempt (3)	Campus Residential Facility (4)	Non-Campus Property (5)	Public Property (6)
Arson					
Assault					
Burglary					
Criminal Damage					
Hate Crime (7)					
Bias – Race					
Bias – Gender					
Bias – Religion					
Bias – Sexual Orientation					
Bias – Ethnic					
Bias – Disability					
Manslaughter					
Menacing					
Motor Vehicle Theft					
Murder					
Reckless Homicide					
Robbery					
Sex Offenses – Forcible					
Sex Offenses – Non-forcible					
Stalking					
Terroristic Threatening					
Theft					
Wanton Endangerment					
Weapons Possession					

Notes for Preceding Chart

1. These are the crime categories as required by the Federal and State Statute. Those crime categories listed in bold print are specific to the Minger Act while both statutes require all others.
2. On-campus property includes all property owned by the institution and any reports taken by institution law enforcement officers on adjacent streets.
3. Any attempt to commit the crimes listed in column one.

4. Number of crimes that occurred in institution residence halls, student apartment housing, or Greek sponsored housing facilities, if appropriate. These numbers are included in the on-campus property totals.
5. Non-Campus Property. These are any of the officially recognized/owned/leased/controlled institution properties that are located off the main campus area.
6. Public property within the same reasonably contiguous geographic area of the institution (sidewalk, street, other thoroughfare or parking facility) and adjacent to a facility owned or controlled by the institution. These crime statistics are those reported to/by the (((INSERT LOCAL LAW ENFORCEMENT AUTHORITY HERE))), the law enforcement agency with primary jurisdiction of that area.
7. Hate Crimes – These are crimes that fall into one of the reportable categories as required by the Statute, or other crimes in which the victim was intentionally selected because of an actual or perceived prejudice.

Selected Arrest Statistics

Crime Category	(Year of Report)
Alcohol Related	
Drug Related	
Weapon Possession	

Reported Crimes – Prior Reporting Periods

Crime Category	(Third prior year)	(Second prior year)	(First prior year)
Arson			
Assault			
Burglary			
Criminal Damage			
Hate Crime (7)			
Bias – Race			
Bias – Gender			
Bias – Religion			
Bias – Sexual Orientation			
Bias – Ethnic			
Bias – Disability			
Manslaughter			
Menacing			
Motor Vehicle Theft			
Murder			
Reckless Homicide			
Robbery			
Sex Offenses – Forcible			
Sex Offenses – Non-forcible			
Stalking			

Terroristic Threatening			
Theft			
Wanton Endangerment			
Weapons Possession			

Selected Arrest Statistics - Prior Reporting Periods

Crime Category	(Third prior year)	(Second prior year)	(First prior year)
Alcohol Related			
Drug Related			
Weapon Possession			

Selected Referrals / Incidents Reported by Campus Security Authorities *

Crime Category	(Year of Report)
Alcohol Violations	
Arson	
Assault	
Burglary	
Criminal Attempt	
Criminal Damage	
Drug Violations	
Hate Crime (7)	
Bias – Race	
Bias – Gender	
Bias – Religion	
Bias – Sexual Orientation	
Bias – Ethnic	
Bias – Disability	
Manslaughter	
Menacing	
Motor Vehicle Theft	
Murder	
Reckless Homicide	
Robbery	
Sex Offenses – Forcible	
Sex Offenses – Non-forcible	
Stalking	

Terroristic Threatening	
Theft	
Wanton Endangerment	
Weapons Possession	

These crime statistics are provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 and the Kentucky Postsecondary Education Campus Security Act of 2000. If you have any questions, contact (((insert contact information))), at (((insert contact phone number))).

- 1 (4) The calendar year for the annual report shall be the calendar year previous to the year in
- 2 which the report is filed.

Charles Whitehead
Chair
Council on Postsecondary Education

Date

GUIDELINES FOR POLICIES ON STUDENTS WITH DISABILITIES

ACTION
Agenda Item F-5
September 18, 2000

Recommendation:

That the Council approve the attached Guidelines for Students with Disabilities.

Rationale:

- House Bill 321, adopted by the 2000 General Assembly, requires that postsecondary education institutions with dorms adopt policies that provide students with disabilities a safe environment in which to live and study. The Council is required to develop guidelines for those institutional policies.
- House Bill 321 went into effect in July 2000. These guidelines will assist institutions as they refine their policies.

Background:

House Bill 321 was adopted in response to the death of Michael Minger, a student who was killed in a fire at Murray State University. The bill requires postsecondary education institutions to:

- Develop housing and security policies.
- Post those policies in residence halls.
- Make the policies available on computer networks, if possible.
- Develop an appeals process for students, parents, and advocates who believe the student has not been reasonably accommodated.
- Provide a list of disabled students to campus security authorities.

Institutions generally are in compliance with House Bill 321. The policy guidelines provide the framework for refinement of individual campus policies.

Approved:

COUNCIL ON POSTSECONDARY EDUCATION
Guidelines for Disabled Students in College or University Residential Facilities

I. Statement of Purpose

This document represents guidelines for the adoption of policies by public and private postsecondary education institutions with residence facilities in order to provide students with a disability a safe environment in which to live and study.

II. Statutory Authority

(2000 REGULAR SESS.) Ky. Acts, Ch. 191, p. 538

The statute refers to “disability” as defined in KRS 344.010.

III. Policy

Section A: Institutional Housing and Security Policy

1. An institution shall develop and maintain a housing and security policy that is:
 - a. Visibly posted in each residence facility.
 - b. Made available on campus computer networks to which students have access.
 - c. Included in all student housing information.
2. The policy shall include:
 - a. An appeals process available to students, parents or advocates that provides for an independent and impartial review of an institutional policy or housing assignment that does not accommodate the student disability or endangers the student’s safety.
 - b. A statement that, employees of the office making the policy or housing assignment shall not be involved in the appeals process.
3. The institutional policy shall be filed in writing with the Council annually, no later than August 1. Provided, however, the policy for the initial year, 2000, shall be filed no later than September 20.

Section B: List of Room Assignments for Students with Disabilities

1. An institution shall prepare, at the start of each semester, a list of students in residential facilities at that institution with disabilities.
2. The list shall include the name and residency assignment of each student.

3. The names of the students with disabilities shall be developed from:
 - a. Students who self-report disabilities.
 - b. Parents or advocates who report disabilities for students where such reporting is consistent with federal and state law.

4. The list shall be given to campus housing and security authorities for use in addressing the safety of these students during an emergency.

Certification: _____

Previous Actions:

Original Approval: _____

Amended:

**BOND POOL PROJECTS:
2000-02 CAPITAL RENEWAL AND MAINTENANCE
PROGRAM AND AGENCY BOND POOL**

ACTION
Agenda Item F-6
September 18, 2000

Recommendation:

- That the Council approve the allocation of the 2000-02 Capital Renewal and Maintenance Program for projects at the Kentucky Community and Technical College System and the universities (Attachment 1). Bond funds will be allotted as institutions certify to the Finance and Administration Cabinet that matching funds have been committed to eligible projects. Council action represents a recommendation to the Secretary of the Finance and Administration Cabinet for final action.
- That the Council approve the allocation of the 2000-02 Agency Bond Pool, to be used in part to complete fire safety projects in student housing (Attachment 2). Council action represents a recommendation to the Secretary of the Finance and Administration Cabinet for final action.

Rationale:

- House Bill 502 includes authorization for a \$30 million, 2000-02 Capital Renewal and Maintenance Program for education and general facilities. Institutions have identified projects to be completed using funds from this pool. Each institution is required to match state funds dollar for dollar. Debt service for these bonds is in the Physical Facilities Trust Fund appropriated to the Council.
- House Bill 502 includes authorization of a \$35 million agency bond pool to fund individual projects to be recommended by the Council. Each institution has identified a fund source for debt service for each project.

Background:

The 2000-02 Appropriations Bill (HB 502) enacted by the 2000 General Assembly created three capital projects pools for postsecondary education institutions. (Institutional proposals for the Equipment Replacement Program will be on the agenda of the November Council meeting.) The bill stipulates that each university and KCTCS must satisfy certain requirements before funds can be allocated.

2000-02 Capital Renewal and Maintenance Bond Program

The Capital Renewal and Maintenance Bond Pool was established by HB 502 to address the backlog of capital renewal, maintenance, and code compliance issues in education and general facilities. The pool contains \$30 million in bond proceeds. Institutions are required to match these dollar for dollar. The

pool is provided to reduce maintenance backlogs and begin to address longer-range education and general facilities renewal needs in these categories: life safety, Americans with Disabilities Act, fire safety, environmental health and safety, asbestos, PCB abatement, radon abatement, maintenance, underground storage tank removal, and capital renewal. Projects to be funded were identified by the institutions from a list of eligible projects approved by the Council in November 1999. The specific projects to be funded from the pool are included as Attachment 1.

Agency Bond Pool

This bond pool provides funding for individual projects to be recommended by the Council to the Secretary of the Finance and Administration Cabinet. Funds will be used to address renovation, life safety, fire safety, asbestos, PCB and radon abatement, maintenance, capital renewal, and new construction for auxiliary enterprise and revenue producing capital projects. The highest priority was given to projects that improve fire safety in student housing.

This staff recommendation includes student housing fire safety projects to be funded by \$7,702,000 in agency bonds. The recommendation includes a list of other agency bond projects totaling \$27,298,000. The specific projects to be funded from the pool are included as Attachment 2. The \$35 million agency bond pool authorized by the General Assembly was not sufficient to fund the \$39.7 million requested by institutions. Bond authority for new construction projects at Eastern Kentucky University, Morehead State University, and the University of Kentucky was reduced to keep the Council recommendation within the available bond authority. Agency bond authority not used by an institution may be made available for possible allocation later in the biennium.

**Physical Facilities Trust Fund
2000-02 Capital Renewal and Maintenance Pool
Institutional Funds and Match Requirements
Summary**

<u>Institution</u>	<u>Project Total</u>	<u>Pool Amount</u>	<u>Institution Match</u>	<u>Source of Match</u>
Research Universities				
University of Kentucky	\$ 17,858,000	\$ 8,929,000	\$ 8,929,000	Fund Balances
University of Louisville	9,106,000	4,553,000	4,553,000	Plant Fund
Comprehensive Universities				
Eastern Kentucky University	5,628,000	2,814,000	2,814,000	Fund Balances
Kentucky State University	1,518,000	759,000	759,000	Agency Funds
Morehead State University	3,250,000	1,625,000	1,625,000	Institutional Reserves
Murray State University	5,064,000	2,532,000	2,532,000	Institutional Funds
Northern Kentucky University	2,718,000	1,359,000	1,359,000	Fund Balances
Western Kentucky University	4,686,000	2,343,000	2,343,000	Institutional Funds
KCTCS				
KCTCS	10,172,000	5,086,000	5,086,000	Agency Fund Balance
System Total	\$ 60,000,000	\$ 30,000,000	\$ 30,000,000	

Institution and Project	Project Scope	Bid Date	Date Project Complete	Project Implementation					Source Of Match
				First Draw	Amount	Second Draw	Amount	Final Draw	
Kentucky Community and Technical College System									
West KY Tech Roof Replacement	999,000	07/01/01	12/01/01	11/01/00	199,800	07/01/01	799,200	n.a.	Agency Fund Balance
Program Renovation Pool									
Administration Building Renovation - Elizabethtown CC	395,000	06/01/01	03/01/02	11/01/00	79,000	06/01/01	316,000	n.a.	Agency Fund Balance
DT/SW Accessibility Renovations / Signage - Jefferson CC	175,000	03/01/01	12/01/01	11/01/00	35,000	03/01/01	140,000	n.a.	Agency Fund Balance
Gray Bldg. Concourse Replacement - Madisonville CC	395,000	04/01/01	11/01/01	11/01/00	79,000	04/01/01	316,000	n.a.	Agency Fund Balance
Telephone Switch - Owensboro CC	60,000	01/01/01	04/01/01	11/01/00	12,000	01/01/01	48,000	n.a.	Agency Fund Balance
DT LRC Building Renovation - Jefferson CC	250,000	02/01/02	08/01/02	07/01/01	50,000	02/01/02	200,000	n.a.	Agency Fund Balance
<i>Subtotal - Program Renovations</i>	<i>1,275,000</i>								
Bowling Green Tech Replace Roofs, Bldgs G&H	532,000	02/01/02	07/01/02	07/01/01	106,400	02/01/02	425,600	n.a.	Agency Fund Balance
Somerset Tech Fire Alarm & Sprinkler System	525,000	03/01/02	11/01/02	07/01/01	105,000	03/01/02	420,000	n.a.	Agency Fund Balance
Elizabethtown Tech HVAC Replacement Bldg 66 and 75	834,000	04/01/02	11/01/02	07/01/01	166,800	04/01/02	667,200	n.a.	Agency Fund Balance
<i>Subtotal - Other Projects</i>	<i>1,891,000</i>								
Total - KCTCS	10,172,000				2,114,400		8,057,600		

2000-02 Enacted Budget (HB 502)
Capital Renewal and Maintenance Pool
Projects Eligible For Funding

Institution and Project	Project Scope	Bid Date	Date Project Complete	Project Implementation					Source Of Match	
				First Draw	Amount	Second Draw	Amount	Final Draw		
Northern Kentucky University										
Classroom Technology Initiative*	\$ 550,000	10/01/00	06/01/02	01/01/01	225,000	08/01/01	175,000	06/01/02	Fund Balance	
Upgrade of University Center Elevators	220,000	12/01/00	09/01/01	04/01/01	110,000			09/01/01	Fund Balance	
Chilled Water System Redesign**	50,000	11/01/00	10/01/01	03/01/01	10,000	06/01/01	15,000	10/01/01	Fund Balance	
Minor Projects Pool										
Landrum Roof	210,000	01/01/01	06/01/01	04/01/01	50,000	05/01/01	100,000	06/01/01	Fund Balance	
Old Fine Arts Roof	300,000	08/01/01	11/01/01	09/01/01	75,000	10/01/01	125,000	11/01/01	Fund Balance	
Dampproof Health Center	285,000	12/01/01	08/01/01	03/01/01	40,000	06/01/01	125,000	08/01/01	Fund Balance	
Dampproof AS & T	150,000	11/01/01	06/01/02	03/01/02	40,000	04/01/02	60,000	06/01/02	Fund Balance	
Replace Controls UC, AC, Regents Hall	170,000	03/01/01	02/01/02	07/01/01	40,000	10/01/01	80,000	02/01/02	Fund Balance	
Swim Pool Controls/Filter	125,000	03/01/01	08/01/01					08/01/01	Fund Balance	
Roadway Lighting	195,000	02/01/01	09/01/01	04/01/01	30,000	06/01/01	115,000	09/01/01	Fund Balance	
<i>Subtotal - Minor Projects</i>	<i>1,435,000</i>									
Safety Lighting***	463,000	02/01/01	09/01/01	04/01/01	90,000	06/01/01	255,000	09/01/01	Fund Balance	
Total - NKU	\$ 2,718,000									

Notes:

- * Funding for the classroom technology initiative represents partial funding.
- ** The chilled water system redesign includes only the design work.
- *** The safety lighting project will complete the lighting of Kenton and Nunn Drives only.

**2000-02 Enacted Budget (HB 502)
Capital Renewal and Maintenance Pool
Projects Eligible For Funding**

Institution and Project	Project Scope	Bid Date	Date Project Complete	Project Implementation					Source Of Match	
				First Draw	Amount	Second Draw	Amount	Final Draw		
University of Kentucky										
Deferred Maintenance Pool										
			06/01/02	03/01/01	350,000	06/01/01	350,000	06/01/02		
Chem-Physics	Replace Roof Membrane	\$ 239,000	11/01/00	06/01/02					Fund Balances	
Miller Hall	Replace Elevator & Controller Equipment	10,000	11/01/00	06/01/02					Fund Balances	
Aquatic Center	Replace Controls for Movable Floor	10,000	11/01/00	06/01/02					Fund Balances	
Anderson Hall	Tower Replace Breaker Panels	75,000	11/01/00	06/01/02					Fund Balances	
Peterson Services Bldg	Repair Eyebrow - West Side	15,000	11/01/00	06/01/02					Fund Balances	
Mathews Bldg	Strip and Paint	95,000	11/01/00	06/01/02					Fund Balances	
Aquatic Center	Repair Roof Membrane W/EIP Capsheet	30,000	11/01/00	06/01/02					Fund Balances	
Business & Economics	Repair Roof MembraneW/EIP Capsheet	75,000	11/01/00	06/01/02					Fund Balances	
Alumni Gym	Replace Loading Dock - South Side	20,000	11/01/00	06/01/02	Generally projects will be bid on multiple dates				Fund Balances	
New Ag. Engineering	Curtin Wall Caulking/Glazing	10,000	11/01/00	06/01/02					Fund Balances	
New Civil Engineering	Repair Concrete Walk and Pavers	10,000	11/01/00	06/01/02					Fund Balances	
ASTECC	Repair Concrete Walks	8,000	11/01/00	06/01/02					Fund Balances	
Med. Plaza	Fire Alarm Panel/Device Replace	95,000	11/01/00	06/01/02					Fund Balances	
Pharmacy Building	Controls Upgrade	135,000	11/01/00	06/01/02					Fund Balances	
Med. Plaza	AHU Controls Upgrade	110,000	11/01/00	06/01/02					Fund Balances	
Med. Center Combs Bldg	Conf Room 102 - Vibration Problem	20,000	11/01/00	06/01/02					Fund Balances	
Combs Bldg	VSD Replacement	60,000	11/01/00	06/01/02					Fund Balances	
<i>Subtotal - DFM</i>		<i>1,017,000</i>			779,000		700,000	06/01/02		
Capital Renewal Pool										
Matthews Building	Replace Window Sashes/Sills	20,000	11/01/00	06/01/02	03/01/01	316,000	06/01/01	300,000	09/01/01	Fund Balances
Med. Center	HTG and CLG Repair and Replace - Phase I	15,000	11/01/00	06/01/02						Fund Balances
Med. Center	HTG and CLG Replace Transfer Pumps - Phase 4	15,000	11/01/00	06/01/02						Fund Balances
658 South Limestone Street	Replace Fire Alarm	15,000	11/01/00	06/01/02						Fund Balances
Insectary & 4 Greenhouses		30,000	11/01/00	06/01/02						Fund Balances
Med. Center	HTG and CLG Replace Generator	150,000	11/01/00	06/01/02						Fund Balances
Research #3	Replace Internal Ductwork Lining	60,000	11/01/00	06/01/02						Fund Balances
General Campus	- Replace Security Lighting	200,000	11/01/00	06/01/02						Fund Balances
White Hall Classroom	Replace Carpet Lecture Hall	11,000	11/01/00	06/01/02						Fund Balances
Research #3	Replace Ceiling Tile	71,000	11/01/00	06/01/02						Fund Balances
Law Building	Replace Ceilings	100,000	11/01/00	06/01/02						Fund Balances
Medical Science Building	Emergency Power Dist. Sys. Upgrade	153,000	11/01/00	06/01/02						Fund Balances
Medical Science Building	Window Caulk Replacement	65,000	11/01/00	06/01/02	Generally projects will be bid on multiple dates				Fund Balances	
Medical Center Warehouse	Fire Alarm Connection	15,000	11/01/00	06/01/02	the draw dates for these projects are similar.				Fund Balances	
Medical Center	Clock Signal Upgrade	89,000	11/01/00	06/01/02						Fund Balances
Medical Center North Wing/Dental	Court Yard Lighting	90,000	11/01/00	06/01/02						Fund Balances
Med. Center Sanders-Brown	Generator Monitoring Point Module	10,000	11/01/00	06/01/02						Fund Balances
Medical Science Building	Animal Exhaust Replacement	250,000	11/01/00	06/01/02						Fund Balances
Medical Science Building/Dental	Wing Acid Waste Riser Rpl.	300,000	11/01/00	06/01/02						Fund Balances

Institution and Project	Project Scope	Bid Date	Date Project Complete	Project Implementation					Source Of Match
				First Draw	Amount	Second Draw	Amount	Final Draw	
University of Kentucky									
KY Clinic, Pharmacy, Sanders-Brown Sprinkler Siamese Relocate	6,000	11/01/00	06/01/02						Fund Balances
Medical Science Building Walk-in Cooler Renovations	74,000	11/01/00	06/01/02						Fund Balances
Medical Science Building Roof Replacement	200,000	11/01/00	06/01/02						Fund Balances
Nursing, Sanders-Brown, Med. Plaza Elevator Fireman's Service	150,000	11/01/00	06/01/02						Fund Balances
Med. Center Campus Elevator Communications/Intercom Upgrade	90,000	11/01/00	06/01/02						Fund Balances
<i>Subtotal - Capital Renewal</i>	<i>2,179,000</i>								
Life Safety Pool E&G				01/01/01	745,000	09/01/01	700,000	06/01/02	Fund Balances
Spindletop Conference Center Life Safety	170,000	09/01/00	06/01/02						Fund Balances
Kastle Hall Exits	18,000	09/01/00	06/01/02						Fund Balances
Minerals Industries Building Exits	10,000	09/01/00	06/01/02						Fund Balances
Transportation Building Exits	9,000	09/01/00	06/01/02						Fund Balances
Chem-Physics Sprinklers	30,000	09/01/00	06/01/02						Fund Balances
Various Laboratories - Signage	130,000	09/01/00	06/01/02						Fund Balances
Various Lead Paint Phase I	167,000	09/01/00	06/01/02						Fund Balances
Med. Science HVAC	175,000	09/01/00	06/01/02						Fund Balances
Med. Center IAQ Phase III - Dentistry	50,000	09/01/00	06/01/02						Fund Balances
Med. Center Fireman Service, Nursing, Sanders-Brown, Clinic Wing C	150,000	09/01/00	06/01/02						Fund Balances
Med. Center Annex 5 Sprinkle	75,000	09/01/00	06/01/02						Fund Balances
Kastle Hall Sprinklers	231,000	09/01/00	06/01/02						Fund Balances
White Hall Classroom Sprinkle Basement	165,000	09/01/00	06/01/02						Fund Balances
Funkhouser Building Sprinkle Basement	165,000	09/01/00	06/01/02						Fund Balances
Student Center Voice Paging/Fire Alarm Control Panel	105,000	09/01/00	06/01/02						Fund Balances
Various Mechanical Guarding	100,000	09/01/00	06/01/02						Fund Balances
Reynolds #1 Electrical Upgrade	150,000	09/01/00	06/01/02						Fund Balances
Med. Center Mercury Abatement Phase II	45,000	09/01/00	06/01/02						Fund Balances
Singletary Center Handrails and Strip Lighting	30,000	09/01/00	06/01/02						Fund Balances
Med. Center Dental Clinic Exit Signs	8,000	09/01/00	06/01/02						Fund Balances
Singletary Center Smoke Vents	162,000	09/01/00	06/01/02						Fund Balances
<i>Subtotal - Life Safety E&G</i>	<i>2,145,000</i>								
Life Safety Lex Campus Asbestos Abatement - Ph I	500,000	11/01/00	06/01/02	02/01/01	200,000	03/01/01	150,000	06/01/02	Fund Balances
Handicapped Access Pool - E&G	350,000	11/01/00	06/01/02	03/01/01	120,000	06/01/01	120,000	06/01/02	Fund Balances
Steam and Condensate Pipe Improvement - Phase I	1,000,000	02/01/01	06/01/02	06/01/01	400,000	12/01/01	300,000	06/01/02	Fund Balances
Central Heat Plan #2 Improvements	250,000	11/01/01	06/01/02	04/01/02	125,000	06/01/02	125,000		Fund Balances
Nursing Building Elevator Controls Upgrade	500,000	01/01/02	10/01/02	05/01/02	250,000	10/01/02	250,000		Fund Balances
Steam Line Expansion - Medical Center	2,867,000	10/01/99	03/01/02	02/01/02	1,867,000	06/01/01	500,000	03/01/02	Fund Balances
Upgrade Chilled Water Systems - Medical Center	3,450,000	09/01/00	12/01/01	02/01/01	300,000	06/01/01	1,700,000	09/01/01	Fund Balances
Electrical Substation Upgrade	3,600,000	10/01/00	04/01/01	02/01/01	800,000	06/01/01	1,400,000	12/01/01	Fund Balances
Total - UK	\$ 17,858,000								

Generally projects will be bid on multiple dates
the draw dates for these projects are similar.

Institution and Project	Project Scope	Bid Date	Date Project Complete	Project Implementation					Source Of Match
				First Draw	Amount	Second Draw	Amount	Final Draw	
University of Louisville									
Chemistry Fume Hood Redesign Phase I	2,032,000	08/01/01	12/01/02	10/01/01	500,000	02/01/02	1,000,000	12/01/02	Plant Fund
Life Sciences Lab Ventilation Renovation									
ADA Project Pool - E&G									
Visual alarms - classrooms	631,000	06/01/01	06/01/02	06/01/01	300,000	12/01/01	200,000	06/01/02	Plant Fund
Elevator - 55 D Library	504,000	06/01/01	06/01/02	06/01/01	250,000	12/01/01	200,000	06/01/02	Plant Fund
<i>Subtotal - ADA Projects</i>	<i>1,135,000</i>								
Environmental Health and Safety Projects - E&G									
Mark areas of asbestos pipe installation	52,000	01/01/01	08/01/01	04/01/01	18,000	08/01/01	34,000	08/01/01	Plant Fund
Abatement and re-insulation - McCandless Hall	4,000	01/01/01	03/01/01	03/01/01	4,000			03/01/01	Plant Fund
Abatement and re-insulation - School of Law	6,500	01/01/01	03/01/01	03/01/01	6,500			03/01/01	Plant Fund
Abatement and re-insulation - Robbins Hall	5,000	01/01/01	03/01/01	03/01/01	5,000			03/01/01	Plant Fund
Abatement and re-insulation - Kornhauser Library	1,500	01/01/01	03/01/01	03/01/01	1,500			03/01/01	Plant Fund
Abatement and re-insulation - Meyers Hall	6,500	02/01/01	04/01/01	04/01/01	6,500			04/01/01	Plant Fund
Abatement and re-insulation - Service Complex	2,500	02/01/01	04/01/01	04/01/01	2,500			04/01/01	Plant Fund
Abatement and re-insulation - UPDC	4,000	02/01/01	04/01/01	04/01/01	4,000			04/01/01	Plant Fund
<i>Subtotal - EH&S Projects</i>	<i>82,000</i>								
CFC Project									
Phase III - E&G	1,953,000	08/01/01	06/01/02	08/01/01	600,000	01/01/02	800,000	06/01/02	Plant Fund
Replace data collection panel - Brigman Hall	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Ekstrom Library	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Playhouse	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Crawford Gym	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Dougherty Hall	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Chemistry	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Broderick Hall	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - Coll. Urban Econ Research	6,000	02/01/01	06/01/01	03/01/01	6,000			06/01/01	Plant Fund
Replace data collection panel - School of Education	6,000	02/01/01	07/01/01	03/01/01	6,000			07/01/01	Plant Fund
Replace data collection panel - Baptist Center	6,000	02/01/01	07/01/01	03/01/01	6,000			07/01/01	Plant Fund
Replace data collection panel - Davidson Hall	6,000	02/01/01	07/01/01	03/01/01	6,000			07/01/01	Plant Fund
Replace data collection panel - EH&S	6,000	02/01/01	07/01/01	03/01/01	6,000			07/01/01	Plant Fund
Environmental/Mechanical Upgrades - Grawemeyer Hall	100,000	04/01/01	10/01/01	06/01/01	50,000	08/01/01	25,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Patterson Hall	20,000	04/01/01	10/01/01	06/01/01	15,000	10/01/01	5,000		Plant Fund
Environmental/Mechanical Upgrades - Jouett Hall	76,000	04/01/01	10/01/01	06/01/01	40,000	08/01/01	18,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Ekstrom Lib	37,000	04/01/01	10/01/01	06/01/01	25,000	08/01/01	10,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Playhouse	7,000	04/01/01	10/01/01	06/01/01	5,000	10/01/01	2,000		Plant Fund
Environmental/Mechanical Upgrades - Lifesciences	37,000	04/01/01	10/01/01	06/01/01	15,000	08/01/01	15,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Schneider Hall	48,000	04/01/01	10/01/01	06/01/01	20,000	08/01/01	15,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Red Barn	29,000	04/01/01	10/01/01	06/01/01	12,000	08/01/01	12,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Urban Res Inst.	35,000	04/01/01	10/01/01	06/01/01	15,000	08/01/01	15,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - School of Ed	65,000	04/01/01	10/01/01	06/01/01	30,000	08/01/01	20,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Strickler Hall	105,000	04/01/01	10/01/01	06/01/01	50,000	08/01/01	50,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Davidson Hall	50,000	04/01/01	10/01/01	06/01/01	20,000	06/01/01	20,000	10/01/01	Plant Fund
Environmental/Mechanical Upgrades - Henry Vogt	37,000	04/01/01	10/01/01	06/01/01	25,000	10/01/01	12,000		Plant Fund
<i>Subtotal - CFC Projects</i>	<i>2,671,000</i>								
Total - UofL	\$ 9,106,000				2,954,000		3,461,000		

**2000-02 Enacted Budget (HB 502)
Capital Renewal and Maintenance Pool
Projects Eligible For Funding**

Institution and Project	Project Scope	Bid Date	Date Project Complete	Project Implementation			Source Of Match		
				First Draw	Amount	Second Draw		Amount	Final Draw
Western Kentucky University									
E&G Capital Renewal/Life Safety Pool									
Van Meter Step Repair	\$ 200,000	04/01/01	08/01/01	04/01/01	60,000	06/01/01	93,000	08/01/01	Institutional Funds
Various Classroom Renovations	750,000	04/01/01	08/01/01	04/01/01	225,000	06/01/01	351,000	08/01/01	Institutional Funds
<i>Subtotal - Capital Renewal Projects</i>	<i>950,000</i>								
WKU Primary Electrical Service (Stage III)*	3,450,000	04/01/01	01/01/02	07/01/01	1,035,000	10/01/01	1,618,000	01/01/02	Institutional Funds
Kentucky Building HVAC Replacement	286,000	08/01/01	04/01/02	08/01/01	85,000	11/01/01	134,000	04/01/02	Institutional Funds
Total - WKU	\$ 4,686,000								

* WKU intend to go to the maximum amount (15% over approved scope) because of the immediate need to renovate this system.

2000-02 Enacted Budget (HB 502)
Agency Bond Projects Pool
Projects Eligible for Funding

Institution and Project Title	Project Type	Total Project Scope	2000-2002 Agency Bond	Other Funds	Planned Date of Issuance	Project Date of Completion	Source of Debt Service
Eastern Kentucky University							
Student Housing Fire Safety	Fire/Life Safety	\$2,000,000	\$2,000,000		03/01/01	09/01/01	Housing Revenue
Dormitory Renovation, Combs Hall	MR	5,000,000	5,000,000		07/01/01	07/01/03	Housing Revenue
Greek Row	New Facility	4,000,000	3,000,000	1,000,000	07/01/01	07/01/04	Housing Revenue
EKU Subtotal		11,000,000	10,000,000	1,000,000			
Kentucky State University							
Young Hall Renovation	Fire/Life Safety/MR	3,672,000	3,672,000		Late 2001	08/01/02	Housing Revenue
KSU Subtotal		3,672,000	3,672,000				
Morehead State University							
Auxiliary Facilities Life Safety	Fire/Life Safety	2,030,000	2,030,000		04/01/02	09/01/02	H&D Revenue
Construct Family Housing Complexes	New Facility	4,000,000	3,000,000	1,000,000	01/01/01	09/01/01	H&D Revenue
MoSU Subtotal		6,030,000	5,030,000	1,000,000			
University of Kentucky							
Chiller Replacement - Cooling #3	MR-UT	2,500,000	2,500,000		11/01/00	06/01/01	E&G Revenues
Cooling Plant #1 Expansion	ME-UT	14,755,000	12,063,000	2,692,000	11/01/00	06/01/02	E&G Revenues
Communication Project	ME-UT	1,735,000	1,735,000		11/01/00	12/01/01	E&G Revenues
UK Subtotal		18,990,000	16,298,000	2,692,000			
System Total		\$39,692,000	\$35,000,000	\$4,692,000			

**INSTITUTIONAL CAPITAL PROJECT:
UNIVERSITY OF KENTUCKY –
IMPROVE ANIMAL RESEARCH FACILITIES**

ACTION
Agenda Item F-7
September 18, 2000

Recommendation:

That the Council approve the University of Kentucky's request for a \$1,300,000 capital project from agency funds and federal funds to improve the space for research animals at the Medical Center's Department of Laboratory Animal Research.

Background:

The Council has the statutory responsibility to review and approve postsecondary education capital construction projects costing \$400,000 or more, regardless of the source of funds. The University of Kentucky Board of Trustees has approved this project.

The renovation of these facilities will support the university's medical research programs. The project is in an area referred to as the central facility – which are the common interconnecting areas of three buildings: Combs Cancer Research, Dentistry, and Medical Science. The project consists of three elements: 1) the installation of animal watering systems in the central facility; 2) the installation of an environmental monitoring system in the central facility and the Pharmacy Building; and 3) the renovation of 500 square feet of the Medical Science Building to house laboratories and an exam room. The project is an interior renovation and does not change the use of the buildings or the buildings' appearance.

The University of Kentucky has certified that funds necessary for completion of the capital project are available from a combination of institutional (\$631,000) and federal (\$669,000) funds. State support for operation and maintenance is included in the university's base budget. The College of Medicine operates the facility.

Following Council Finance Committee action August 31 and Council consideration at its September 18 meeting, the staff will forward the Council's recommendation to the Secretary of the Finance and Administration Cabinet and to the Capital Projects and Bond Oversight Committee.

**POSTSECONDARY WORKFORCE
DEVELOPMENT TRUST FUND (KCTCS)**

ACTION
Agenda Item F-8
September 18, 2000

Recommendation:

That the Council approve the Kentucky Community and Technical College System proposal requesting \$12 million from the Workforce Training Program in the 2000-02 Postsecondary Workforce Development Trust Fund - \$6 million from each of 2000-01 and 2001-02. The KCTCS will use the entire \$12 million to support its Kentucky Workforce Investment Network System (KY WINS), the name now given to the worker training strategy begun with funding from the 1998-2000 Postsecondary Workforce Development Trust Fund allocation (see Agenda Item E-2 from the September 27, 1999, Council meeting).

Rationale:

- The requested funds will help the KCTCS consolidate its position as the hub for workforce development within Kentucky, a role set for it by House Bill 1 and the Council's *Action Agenda*.
- The KCTCS intends to use the majority of the \$12 million on training in knowledge-intensive fields such as electronics, automated manufacturing, and customer-relationship management, which is consistent with the Commonwealth's efforts to develop high-technology industries.
- The KCTCS will use the \$12 million to continue creating the rapid, flexible, "anytime, anyplace" educational, training, and workplace assessment services that employees and employers demand.
- Kentucky workers' improved skills will lead to higher wages. Workers in the programs funded through this request will learn transferable skills aligned with national standards. Credentials earned may be applied in some cases toward academic credit at the KCTCS.
- In the KCTCS, Kentucky employers will have a single, accessible point of contact for training services. They will also benefit from state-subsidized training for their workers and from improved workforce productivity.
- To become the single point of contact, the KCTCS is cooperating closely with other key Kentucky providers of worker training. For example, the KCTCS and the Workforce Development Cabinet signed a Memorandum of Agreement September 1, 2000, to coordinate their training efforts, and the KCTCS and the Cabinet for Economic Development are negotiating a similar agreement. The KCTCS will work with Lexington Community College, which may apply for Postsecondary Workforce Development Trust Fund money through the KCTCS.

Background:

The Kentucky Postsecondary Education Improvement Act of 1997 (House Bill 1) created the Postsecondary Workforce Development Trust Fund “to provide financial assistance to further cooperative efforts among community colleges and technical institutions and for the acquisition of equipment and technology necessary to provide quality education programs.” For the fiscal year 1997-1998, \$3 million was appropriated and disbursed, as directed by a May 18, 1998, Council action. The 1998 Budget Bill (House Bill 321) appropriated \$6 million annually in 1998-2000 to the Postsecondary Workforce Development Trust Fund; the Council approved the KCTCS proposal for use of that \$12 million at its September 27, 1999, meeting. The 2000 Budget Bill (House Bill 502) appropriated \$6 million annually in 2000-02 to the Postsecondary Workforce Development Trust Fund, which is the money requested in this proposal. At its July 17, 2000, meeting (see Agenda Item E-1), the Council established guidelines for use of the 2000-02 Workforce Training Program through the Postsecondary Workforce Development Trust Fund.

The KCTCS would use the \$12 million to fund KY WINS, its workforce training arm. KY WINS would consist of up to 16 certified consultants throughout the state and up to four at the KCTCS System Office, employed by the KCTCS or co-employed with local partners. The network would include the community and economic development professionals on the KCTCS campuses as well as external trainers hired as necessary and in accordance with the standard state-approved personal services contract procedure. KY WINS would work closely with the Workforce Development Cabinet and the Cabinet for Economic Development (particularly with the Bluegrass State Skills Corporation). Other partners may include the local economic development agencies and the Cabinet for Families and Children. Lexington Community College will be a full partner, working with Central Kentucky Technical College. The KCTCS can also bring other resources to KY WINS, including the ACT Centers, the CISCO Academies, and its relationships with Nortel, IBM and others.

KY WINS would respond quickly and flexibly to industry training needs, while providing Kentucky workers with high-value, transferable skills and recognized credentials. The aim is to help workers meet national competency standards in specific occupations, using criteria from the federal Department of Labor Secretary’s Commission on Achieving Necessary Skills (SCANS), which include critical thinking, problem solving, teamwork and communication skills, and numeracy. Other recognized credentials would include those meeting Kentucky Manufacturing Skills Standards and national professional qualifications such as CISCO or Microsoft certification. KY WINS provides training for managerial, supervisory, and interpersonal skills as well as for technical skills. KY WINS would seek to make credentials earned through its training projects count towards academic credit within the KCTCS.

KY WINS offers employers customized training in combination with off-the-shelf curricula as well as assistance in job applicant screening and aptitude testing and pre- and post-training assessment. To be eligible for KY WINS, employers must be either existing Kentucky companies who are expanding and creating new jobs, existing Kentucky companies who require employees to learn new skills to retain their jobs, start-up companies establishing themselves in Kentucky, or companies moving to Kentucky.

Referrals from the Workforce Development Cabinet and the Cabinet for Economic Development would receive priority attention. Eligible projects would be evaluated on the basis of how many new jobs are expected, the anticipated average wage, the budgeted cost of training per person, the skills and credentials to be gained by workers, and the overall economic impact on a local community and for the Commonwealth.

The KCTCS and its Board of Regents would assess KY WINS on actual performance within the categories listed above and would report this to the Council. The KCTCS is developing specific performance measures based on the five pilot projects KY WINS undertook this spring and on its statewide job profiling initiative, and will present these to the Council by November 1, 2000. Should an individual training project fail to perform satisfactorily, the KCTCS will correct the problem or close the project. The Council staff will review in summer 2001 the projects funded by KY WINS and will report to the Council in fall 2001.

KY WINS projects are nonrecurring; the KCTCS will not use the Postsecondary Workforce Development Trust Fund money to establish permanent program offerings. The KCTCS will be the fiscal agent for KY WINS, managing all funds and accounting for all Postsecondary Workforce Development Trust Fund money. KY WINS will reimburse trainers and other providers upon completion of each project. Reimbursable expenses include instructor compensation, training materials, the cost of assessment and job profiling, and travel and other directly related administrative costs (capped at 10 percent of total project cost). The KCTCS' intent is to use Postsecondary Workforce Development Trust Fund money to support the direct cost of KY WINS training. Participating companies must contribute at least 25 percent of the training cost.

Staff Preparation by Daniel A. Rabuzzi



The New Economy:

What It Means for Trustees & Regents



Presenters:

Merl Hackbart, Member

Council on Postsecondary Education

Daniel Rabuzzi, Associate Vice President

Council on Postsecondary Education



The New Economy and Kentucky's Postsecondary Education System



Emerging national trends and environment

Kentucky's challenges

Implications for institutional governance



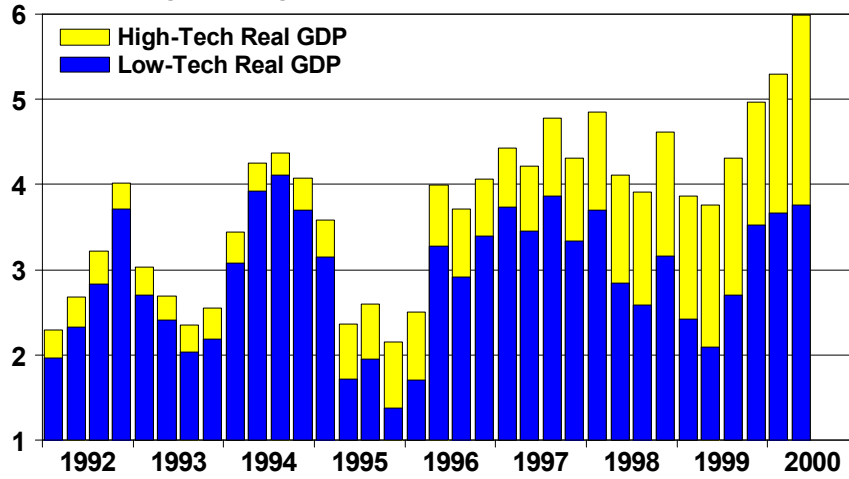
Emerging National Trends and Environment

EDUCATION PAYS

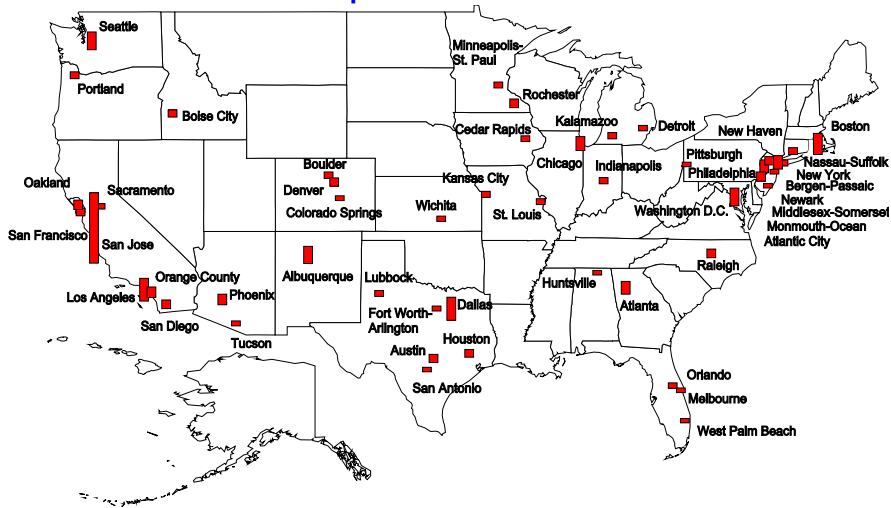
We now live in a new economy: a knowledge-based economy.

High-Tech vs. Low-Tech GDP GDP Growth

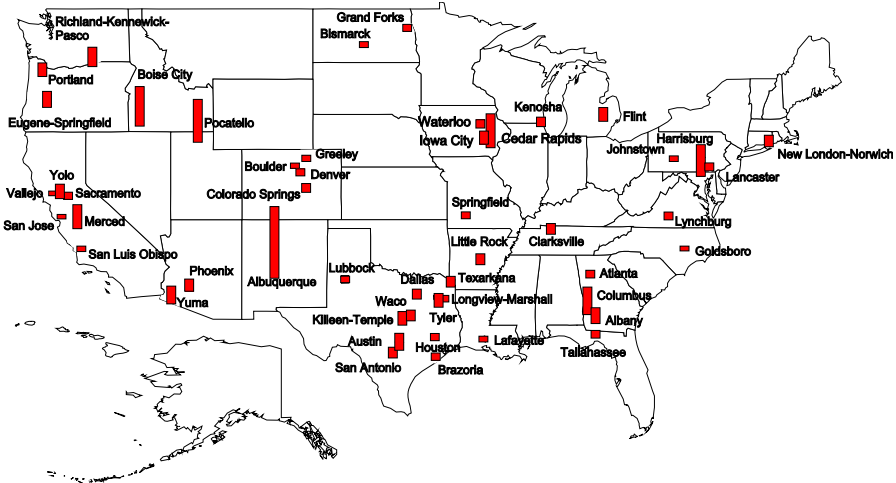
Percent Change, Year Ago



Milken Institute Tech Poles Composite Index

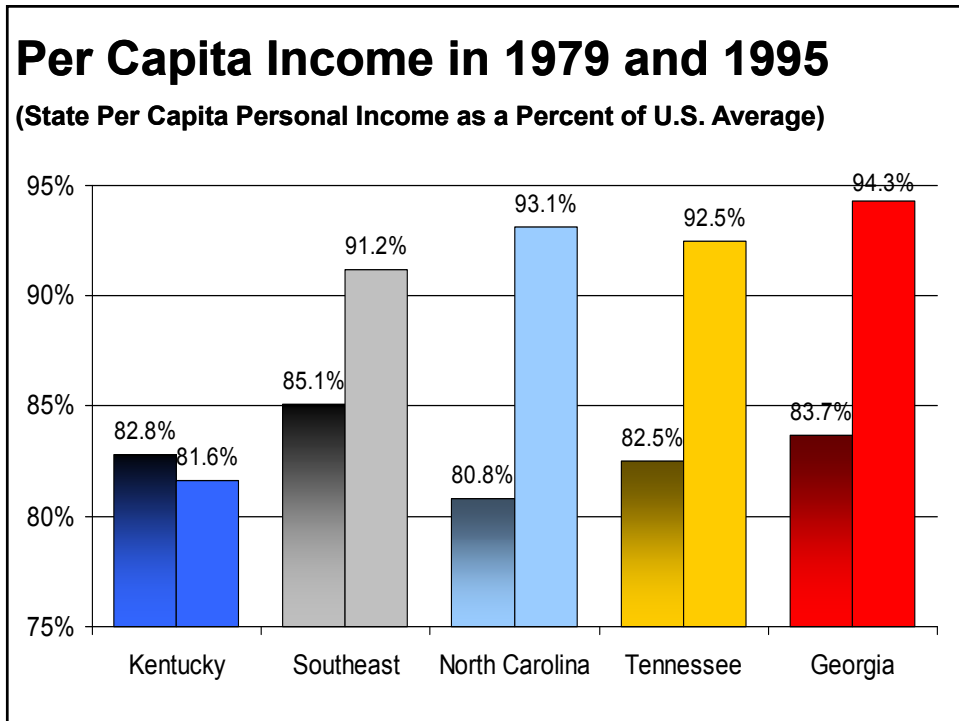
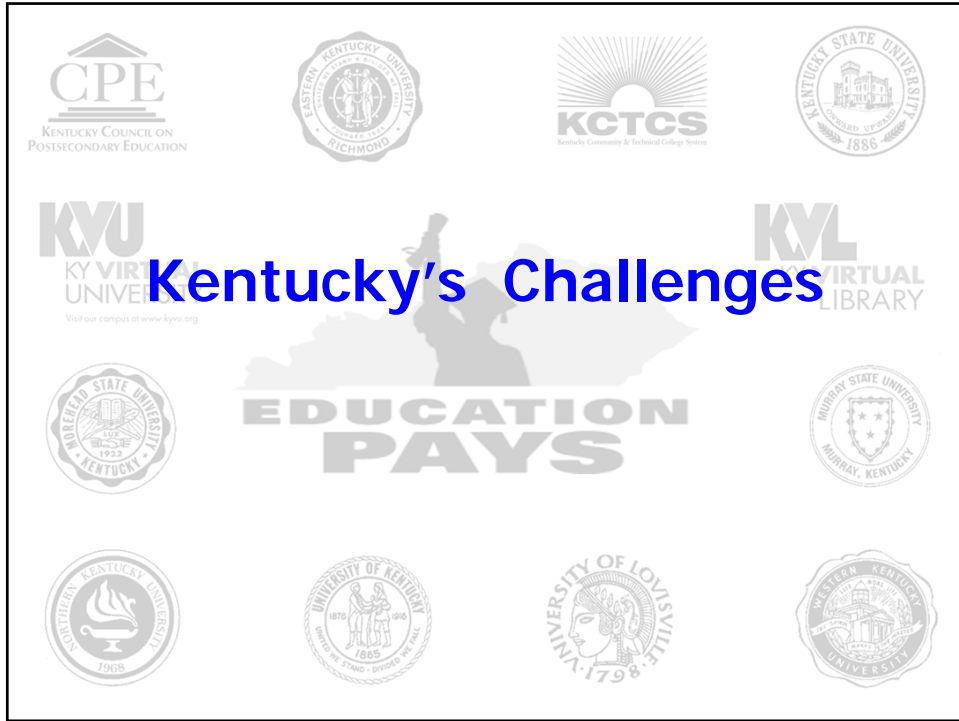


High-Tech Relative Growth Top 50 Indexed to 1990

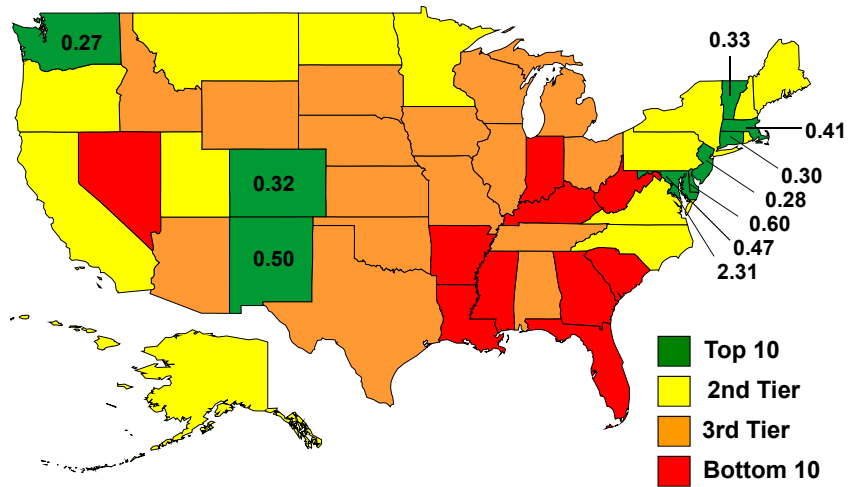


Keys to Success in the 21st Century

- 📄 Respond quickly
- 📄 Develop a global vision
- 📄 Create networks
- 📄 Focus on human capital
- 📄 Value intellectual property



Doctoral Scientists & Engineers Percent of Population, 1997



*“...to have a per capita income level equal to the national average..., Kentucky would need a far **different economy** and a much more **educated workforce.**”*

Source: Kentucky's Per Capita Income: Catching Up to the Rest of the Country, Mark C. Berger, 1997 Kentucky Annual Economic Report



The 21st Century Human Capital Strategy

“The four most important issues are...

Education, Education, Education, Education”

--Governor Paul E. Patton, State of the Commonwealth Address
January 2000



Challenges for Trustees and Regents



Understand the "New Economy"



Appreciate the implications



Create strategies for response



Continually innovate and change



Challenges for Trustees and Regents



Improved governance



Tie funding to goals



Adequacy / Equity



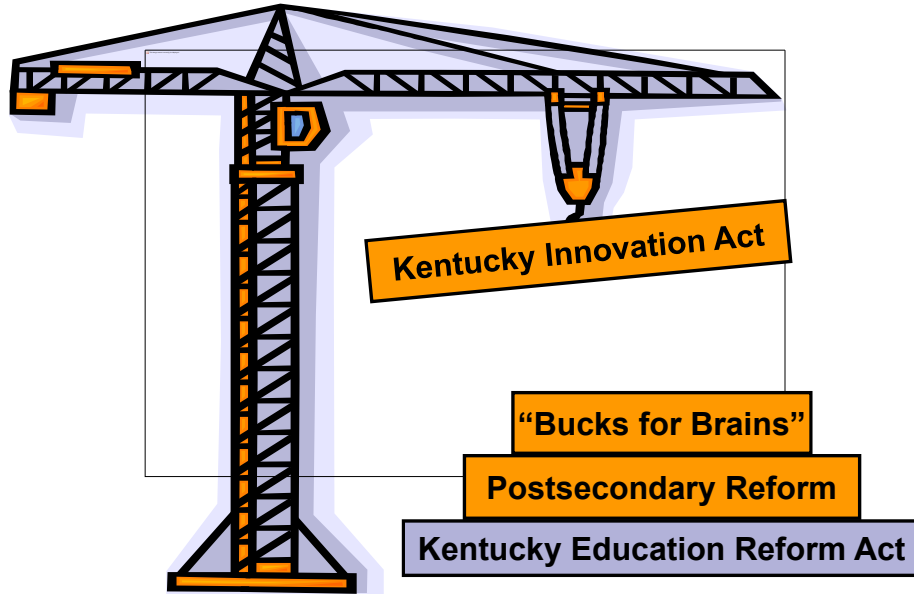
New model with incentives



Incentive trust funds



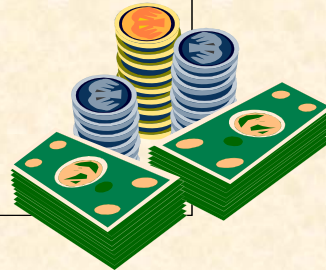
Kentucky Prepares to Meet the Challenge of the Knowledge-Based Economy



Endowment Match Program "Bucks for Brains"


Provides the intellectual infrastructure necessary to build on the Commonwealth's basic and applied research capacity.

- 1998 - \$110 million - State
\$110 million - Private
- 2000 - \$120 million - State
\$120 million - Private





Commissioner for the New Economy



- ◆ Housed in the Cabinet for Economic Development
- ◆ Appointed by Governor
- ◆ Approved by Economic Development Partnership Board
- ✓ Recruits high-tech firms
- ✓ Develops innovation- driven, high-tech industry clusters

The complex block features a title "Commissioner for the New Economy" in green text at the top. Below the title is a photograph of the white dome of the Kentucky State Capitol building. To the right of the dome is a list of five bullet points. The first three are black diamonds, and the last two are green checkmarks. The text is set against a light beige, textured background.

