

AGENDA
Council on Postsecondary Education
March 21, 2005
10 a.m. (ET)
Meeting Room A, CPE Offices, Frankfort, KY

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Next Meeting – May 22, 2005, 12:30 p.m., Lexington Marriott Griffin Gate

(in conjunction with May 22-23 IEG Spring Board Development Seminar and Annual Faculty Development Conference)

Adjournment

MINUTES
Council on Postsecondary Education
January 31, 2005

The Council on Postsecondary Education met January 31, 2005, at 10 a.m. at the Council offices in Frankfort. Interim Chair Ron Greenberg presided.

**NEW COUNCIL
MEMBERS**

Mr. Greenberg introduced the four new Council members.

Kevin W. Canafax of Covington is with Fidelity Investments and leads a regional management and public affairs team responsible for community, college, and government relations initiatives, business and workforce development, and employee and constituent communications for the firm's sites in the Greater Cincinnati/Northern Kentucky area. Prior to joining Fidelity, he served as vice president of communications with the Northern Kentucky Chamber of Commerce and manager of communications with the Northern Kentucky Convention and Visitors Bureau. Mr. Canafax holds a degree in broadcast management arts from Southern Ohio College and a master's in business administration from Xavier University.

Dan E. Flanagan, Campbellsville, is the bi-vocational pastor of Nolynn Baptist Church and operates a large farming business. He has served as deputy commissioner of the Kentucky Department of Agriculture and has held various positions at Campbellsville University for a number of years. He holds degrees from the University of Louisville Kent School of Social Work, the Southern Baptist Theological Seminary, and Campbellsville University.

Phyllis A. Maclin is currently the director of special services at Washington Street Missionary Baptist Church in Paducah. She has several years experience in public relations, training, creative and technical writing, marketing, and sales management. She is a public school volunteer dedicated to helping students improve self-confidence and reading comprehension. She is a former Paducah Independent School board member. Ms. Maclin holds a BA in communications from Western Kentucky University.

Alois M. Moore is a businesswoman and realtor in Hazard. She is co-owner of the Moore Restaurant Group. Ms. Moore is a former member of the Eastern Kentucky University board of regents and has been a high school teacher. She is a graduate of Eastern Kentucky University.

Mr. Greenberg explained that the members will not be sworn in at this meeting since their appointments have not been confirmed by the legislature. They can be counted in the quorum and may participate in the discussions but they cannot vote on any motions. If their appointments are confirmed, they will be sworn in at the March Council meeting.

**MoSU
PRESIDENT**

Mr. Greenberg also welcomed Dr. Wayne D. Andrews, the 13th president of Morehead State University. President Andrews has 27 years of higher education experience, serving 17 years at East Tennessee State University and 10 years as a faculty member at Illinois State University.

ROLL CALL

The following members were present: Walter Baker, Kevin Canafax, Dan Flanagan, Richard Freed, Ron Greenberg, Esther Jansing, Phyllis Maclin, Alois Moore, Charlie Owen, Tony Stoeppel, Joan Taylor, and John Turner. Peggy Bertelsman, Susan Guess, John Hall, and Gene Wilhoit did not attend.

COUNCIL BYLAWS

RECOMMENDATION: The staff recommends that the Council approve the revisions to the Council bylaws to change the terms of the chair and vice chair to a February/January schedule.

MOTION: Ms. Jansing moved that the recommendation be approved. Mr. Owen seconded the motion.

VOTE: The motion passed.

ELECTION OF
CHAIR AND
VICE CHAIR

Ms. Jansing presented a report from the nominating committee for officers to serve through January 2006. The committee nominated Mr. Greenberg as chair and Mr. Turner as vice chair.

MOTION: Mr. Stoeppel moved that the nominations be accepted. Ms. Taylor seconded the motion.

VOTE: The motion passed.

PRESIDENT
EVALUATION
COMMITTEE

Mr. Greenberg announced the appointment of a committee to conduct the annual evaluation of the Council president. Members are Mr. Baker (chair), Ms. Jansing, Mr. Owen, Ms. Taylor, and Mr. Turner. The committee will give a report at the March Council meeting.

APPROVAL
OF MINUTES

The minutes of the November 2004 Council meeting were approved as distributed.

GEAR UP KY AND
GO HIGHER KY
INITIATIVES

The Focus on Reform portion of the agenda highlighted the GEAR UP Kentucky (Gaining Early Awareness and Readiness for Undergraduate Programs) and Go Higher Kentucky initiatives.

GEAR UP is a program funded by federal dollars that encourages young people to stay in school, study hard, and take the right courses to prepare for college. More than 17,000 middle school students currently participate. The program is engaged in partnerships between and among schools, colleges, businesses, communities, and nonprofit organizations to support school leadership and improve instruction in the middle grades. Murray State University President King Alexander, Terry Waltman (area director for the West Region of GEAR UP Kentucky), and Jennifer Van Waes (director for the GEAR UP Partnership at the West Kentucky Educational Cooperative) provided information on a recently developed early intervention program (WE CAN) that provides support and scholarships to low-income students, an approach that GEAR UP hopes to replicate with postsecondary institutions across Kentucky.

GoHigherKy.org is an integrated, Web-based student services system which helps with academic and financial planning for college beginning in middle school, college selection, financial aid searches and applications, and online college applications. Dr. Joe McCormick, executive director of the Kentucky Higher Education Assistance Authority, introduced the newly launched Web portal. Terry Wilson, program coordinator for the Southeast Region of GEAR UP Kentucky, introduced two GEAR UP students (Whitney Mimes and Heidi Marsh, both sophomores at Cumberland High School in Whitley County) to demonstrate the site.

2004-05 STRATEGIC
PLANNING
PROCESS

An update on the 2004-05 strategic planning process was included in the agenda book. The draft public agenda has been distributed for public feedback. The Council will consider the final document at the March meeting.

COMPREHENSIVE
FUNDING
MODEL REVIEW

RECOMMENDATION: The staff recommends that the Council approve the preliminary benchmark selection model and the funding distribution methodology and that the funding distribution methodology be effective upon approval by the Council.

MOTION: Ms. Jansing moved that the recommendation be approved. Ms. Taylor seconded the motion.

Dr. Layzell said that during the next two months the Council staff will continue a process of testing the benchmark selection model to determine if any additional revisions are needed. If necessary, the staff will present revisions to the Council.

The funding distribution methodology was approved by the Council in November 2003 to address the distribution of funds when less than the Council's full budget recommendation is provided or when budget reductions are necessary. Several issues prompted a review of the methodology.

VOTE: The motion passed.

2004-06
BUDGET

RECOMMENDATION: The staff recommends that the Council urge the General Assembly to pass a budget providing sufficient funding to maintain postsecondary education's progress toward House Bill 1 goals and objectives.

MOTION: Mr. Freed moved that the recommendation be approved. The motion was seconded by Ms. Jansing.

Dr. Layzell said that this is a reaffirmation of the 2004-06 budget recommendation approved in November 2003. He said that it important for the Council to reaffirm its support of the recommended budget as the General Assembly begins the 2005 legislative session.

VOTE: The motion passed.

2003-04

Dr. Layzell said that in December 2004 the Council submitted its annual

ACCOUNTABILITY
REPORT

accountability report to the Office of the Governor and the Legislative Research Commission as directed by KRS 164.020(3). The purpose of the report is to inform policymakers and the public of systemwide and institutional progress toward achieving the goals of the *Postsecondary Education Improvement Act of 1997* and the public agenda. The report is available on the Council's Web site.

LEGISLATIVE
UPDATE

A list of bills that relate to postsecondary education was distributed. The Council staff will send updates to the Council members during the legislative session.

AFFORDABILITY
POLICY
STATEMENTS

RECOMMENDATION: The staff recommends that the Council approve the following policy statements developed by the Affordability Policy Group regarding tuition policy and statewide tuition reciprocity agreements.

Tuition policy statements:

- Institutions shall present a report to the Council on Postsecondary Education and the Affordability Policy Group at the May 2005 meeting regarding proposed FY 2005-06 tuition rates, to include the analysis of specific affordability considerations and strategies used by each institution in their decision-making process for 2005-06 tuition increases. Institutions shall also include an analysis of the amount of institutional need-based and other student financial aid increases in individual award limits, if applicable. The Council staff will work with the institutions on the format and the content of these reports.
- Institutions shall provide the data and assistance necessary for the Council and the national consultant to complete a detailed affordability study.

Reciprocity agreement policy statements:

- All agreements should maintain a reasonable balance between the benefits afforded to the Kentucky students and non-Kentucky students. Agreements will be considered balanced if there is reasonable similarity between exchanges of students and financial costs. Agreements that are deemed disproportionately unbalanced should be extended for only two years and the two-year agreements should contain provisions intended to correct the imbalance. If after two years the disproportionate imbalance remains despite the adjustment, the agreements should be phased out over the next two-year period. If an agreement is terminated, students that began their education under the agreement will continue to be considered reciprocity students. Agreements with a reasonable balance should be implemented for a four-year period. The Council staff will work with the institutions to develop means of determining when a disproportionate imbalance exists.
- Unless prohibited by statute, in future agreements, the tuition rate to be

charged by participating institutions should be the greater of either: 1) the hosting state's resident tuition or 2) the beneficiary state's average resident tuition for institutions in the same Carnegie Classification.

Mr. Greenberg asked for information on the retention of out-of-state students that attend Kentucky institutions. He said that it is important to identify the retention of intellectual capital within the state.

NKU President Jim Votruba asked that the Council look at the financial impact if reciprocity agreements are discontinued.

Dr. Layzell said that there is a particular issue with northern Kentucky because of an Ohio statute. Additional steps may need to be taken to achieve the desired balance.

MOTION: Ms. Taylor moved that the recommendation be approved. Ms. Jansing seconded the motion.

VOTE: The motion passed.

P-16 COUNCIL UPDATE

A report of P-16 Council activities was included in the agenda book. Dr. Freed, chair of the P-16 Council, called attention to the assessment of accomplishments of P-16 collaboration across the Commonwealth during the five years since its inception. At its March meeting, the P-16 Council will focus on whether to use the ACT as a state assessment test.

COMMISSIONER OF EDUCATION REPORT

A written report on activities of the Kentucky Board of Education was provided for information.

SEAMLESSNESS POLICY GROUP

Mr. Baker reported on the Seamlessness Policy Group. The group has received feedback on a survey sent to students enrolled in the Kentucky Community and Technical College System. Of the 5,000 students who responded, 65 percent are presently employed or seeking employment; 58 percent of the courses they are taking are in health, business, and education; and 50 percent have a goal to seek a bachelor of arts degree or higher. Mr. Baker said that the Council staff is working with the four institutions that are not yet participating in the Course Applicability System. A minority student success conference is scheduled for March 28-29. A dual enrollment study is ready to begin and should produce interesting insights.

FALL 2004 ENROLLMENT

Fall 2004 enrollments show smaller growth than previous years but continue the increases that began with reform in 1998. Dr. Layzell said that the postsecondary institutions remain on target to enroll 80,000 additional undergraduate students by 2015. Highlights include:

- A record high 231,612 students enrolled at public and independent postsecondary institutions in Kentucky. Public institutions alone enrolled 200,633 students.
- The University of Kentucky reported the largest fall semester first-time

freshman class to date.

- The percent increase from fall 2003 total enrollment was 1.1 percent; between 2000 and 2003, the increase was 5.5 percent.
- Enrollment of high school students in college-level courses remained virtually unchanged from fall 2003 at approximately 14,300 students.

Enrollment growth since 1998:

- Since 1998, total postsecondary education enrollment increased by 46,766 students or 25.3 percent.
- Undergraduate enrollment increased 41,679.
- While all public institutions have grown in enrollment, the KCTCS showed the largest increase with 30,343 more students, an increase of 58.8 percent since 1998.

CEO REPORT

A report on activities of the Committee on Equal Opportunities was provided for information.

2005 DEGREE PROGRAM ELIGIBILITY WORKFORCE/ ECONOMIC DEVELOPMENT POLICY GROUP

The annual report on institutional eligibility to add new degree programs in calendar year 2005 was included in the agenda book.

Ms. Jansing introduced Dr. Allyson Handley, senior advisor to the Governor and the Council President for economic initiatives. Dr. Handley will serve as the lead staff person for the Workforce/ Economic Development Policy Group. Ms. Jansing thanked Dr. Cheryl King for the outstanding staff work that she has provided the policy group since its organization. Ms. Jansing asked Dr. Handley to give the report from the policy group.

Dr. Handley said that the policy group talked about ten areas that need to be put into place to advance the efforts of postsecondary economic development.

Those areas are:

1. State economic incentives and removal of existing barriers
2. Higher education commercialization incentives
3. Workforce development specifically looking at existing and potential workers ranging from Ph.D. to technicians
4. Educational flexibility and responsiveness building on many of the efforts that have been put in place to date and the willingness of the institutions (both public and independent) to respond to the needs and what would stimulate economic development
5. Entrepreneurial development and orientation
6. Venture capital and the relative absence of venture capital in Kentucky
7. Partnerships and collaboration
8. Leveraging investments
9. Capitalize on existing niches and expertise
10. Create and sustain economic clusters

IMPROVING

RECOMMENDATION: The staff recommends that the Council award federal

EDUCATOR
QUALITY GRANT
PROGRAM

No Child Left Behind, Title II, Part A funds in the amount of \$1,128,000 for March 1, 2005-June 30, 2006, to support five projects:

- Making Algebra Accessible (Appalachian Rural Systemic Initiative, University of Kentucky Research Foundation) - \$275,000
- Expansion of Content Literacy in Middle and High School Classrooms (Collaborative Center for Literacy Development, University of Kentucky) - \$200,000
- Biodiversity in the Natural and Cultural World: Collaboration of Nine Universities (Murray State University) - \$240,000
- The AAA Project: Articulating Algebra for All (Northern Kentucky University) - \$275,000
- Improving Student World Language Performance: Using Assessment as the Guiding Force in Standards-Based Instruction (Western Kentucky University) - \$138,000

The Improving Educator Quality (formerly Eisenhower) State Grant Program awards grants to partnerships that deliver research-based professional development programs to K-12 teachers. Content-area specialists reviewed the ten grant proposals received and made recommendations to the Council staff to reward funds to these five projects.

MOTION: Mr. Turner moved that the recommendation be approved. Mr. Freed seconded the motion.

VOTE: The motion passed.

NEW PROGRAM

RECOMMENDATION: The staff recommends that the Council approve the Doctor of Philosophy in Nursing Science (CIP 51.1608) proposed by the University of Louisville.

MOTION: Mr. Owen moved that the program be approved. Mr. Turner seconded the motion.

VOTE: The motion passed.

PROGRAM
PRODUCTIVITY
REVIEW

RECOMMENDATION: The staff recommends that the Council accept the third program productivity review report, commend the universities for their continued work in reviewing their academic programs, and authorize the Council staff to work with the institutions to pursue additional changes to some programs and report back to the Council in May 2005.

Dr. Layzell said that, of the 272 programs identified for review, the universities will close 42 and make changes to 45 others to increase productivity. In the first, second, and third round of program productivity reviews, a total of 195 academic programs have been designated for closure and 273 significantly altered to increase productivity. This is evidence that institutions are reducing inefficiencies, reallocating resources internally to address reform goals, and

aligning program offerings with needs of the Commonwealth.

Mr. Owen asked the staff to provide an detailed analysis to the Council about the effect the results of the productivity reviews have had on each institution and the system. Staff should review the original intent of the reviews and report on the institutions' efficiencies, collaborations, financial savings, and utilization of the savings as a result of the closed or altered programs.

MOTION: Mr. Turner moved that the report be accepted. Mr. Owens seconded the motion.

VOTE: The motion passed.

TEACHER QUALITY
SUMMIT 2004

Information was included in the agenda book on the 2004 Teacher Quality Summit held in Bowling Green October 14-15, 2004.

PUBLIC HEALTH
STRATEGY FOR
EDUCATION AND
RESEARCH

A report from the Public Health Advisory Committee was provided for information. The committee continues its work to implement the Strategic Plan for Public Health Education and Research approved by the Council in July 2004.

2004-06 CAPITAL
REQUEST
TECHNICAL
MODIFICATIONS

RECOMMENDATION: The staff recommends that the Council approve the list of institutionally funded capital projects and amend its 2004-06 biennial budget recommendation, originally approved in November 2003.

The staff will forward the recommendation to the Office of the State Budget Director for consideration of inclusion in the Governor's 2004-06 capital budget request. The transmittal letter should clearly state what the Council is endorsing – the projects listed in the 2004-06 budget request on page 89 of the agenda book with a 10 percent inflationary increase plus additional projects listed on Attachment A of the agenda item (page 127-129 of the agenda book) funded by private funds, federal funds, agency bonds, restricted funds, or from the CPE agency bond pool.

MOTION: Mr. Owen moved that the recommendation be approved. Mr. Turner seconded the motion.

VOTE: The motion passed.

RESOLUTIONS

Resolutions were presented for former Council members Steve Barger, Lois Combs Weinberg, Charles Whitehead, and Ken Winters.

MOTION: Mr. Baker moved that the resolutions be adopted. Ms. Jansing seconded the motion.

VOTE: The motion passed.

NEXT MEETING

The Council's Executive Committee will meet March 2 and the Council will meet March 21-22.

FUNDING
ADEQUACY
COMMITTEE

Mr. Greenberg appointed a committee to develop an approach for long-term funding for postsecondary education. Members are Mr. Owen (chair), Mr. Turner, Mr. Canafax, Mr. Stoeppel, and Ms. Moore. Some non-voting external members may be added. Mr. Greenberg asked Dr. Layzell to work with the committee to frame a charge for its work.

ADJOURNMENT

The meeting adjourned at 12:20 p.m.

Thomas D. Layzell
President

Phyllis L. Bailey
Associate, Executive Relations

Focus on Reform: Civic Engagement and Service Learning in Kentucky

One of the most important goals of reform is to produce college graduates who are prepared to be productive citizens and use what they have learned in service to their communities. At the March 21 Council meeting, two initiatives will be presented that highlight postsecondary education's efforts to support civic engagement in Kentucky.

George Mehaffy (vice president of the American Association of State Colleges and Universities) and institutional representatives will describe the American Democracy Project. Kentucky's six comprehensive universities are participating in this national initiative that seeks to produce graduates who understand and are committed to using what they have learned in college to be more engaged citizens in a democracy. The project grows out of concern about the decreasing rates of American participation in civic life—in voting, in advocacy, and in local grassroots associations. Following Mr. Mehaffy's presentation, Douglas Robertson, formerly of Eastern Kentucky University and now with Northern Kentucky University, and Beverly McCormick of Morehead State University will discuss a few of the projects underway in Kentucky.

The Council also will be updated on efforts to establish a Kentucky Campus Compact. Linked to the national Campus Compact, Kentucky's Compact, headquartered at NKU, will provide a statewide network among public and independent postsecondary institutions and appropriate state agencies to increase opportunities for service-learning and civic engagement activities for students while in college.

2004-05 Strategic Planning

Action: The staff recommends that the Council endorse the new public agenda for Kentucky's postsecondary and adult education system covering the period 2005-2010 (Attachment A), request the institutions to develop campus action plans in accordance with the guidelines and timetable outlined in Attachment B, and direct the staff to bring back to the Council for final approval in July: 1) final edits to the public agenda; 2) campus action plans for each of the public institutions, the independent sector, and the Council; and 3) an accountability framework and key indicators for tracking systemwide and institutional progress toward the advancement of the new public agenda and House Bill 1 goals.

Public Agenda

The proposed public agenda is the result of a year-long process of information gathering, data analysis, and extensive conversations with stakeholders, partners, and members of the postsecondary community about the role of Kentucky's postsecondary education system in addressing the challenges and issues facing the Commonwealth in the coming years. A field review draft was posted on the Web in mid-January for broad review and comment. Postcards seeking comment were sent to approximately 3,000 people. Approximately 30 individuals submitted comments via e-mail and mail. In addition, the Council staff met with the following individuals and groups to solicit their advice and comment:

- Governor Ernie Fletcher
- Legislative leadership
- Institutional presidents and campus leadership
- Virginia Fox, Secretary, Education Cabinet
- Jim Holsinger, Secretary, Cabinet for Health and Family Services
- Jim Host, Secretary, Commerce Cabinet
- Brad Cowgill, State Budget Director
- Interim Joint Committee on Education
- Legislative Research Commission staff
- Ewell Balltrip, Center for Rural Development
- Prichard Committee
- Inter-Alumni Council
- Education Professional Standards Board
- AFL/CIO Executive Board
- Kris Kimel, Kentucky Science and Technology Corporation
- Coalition of Senate and Faculty Leadership
- Committee on Equal Opportunities
- Kentucky Board of Education
- Joe McCormick and KHEAA board members
- Kentucky Association of Adult and Continuing Education Executive Board
- Chief Academic Officers
- Chief Budget Officers
- Kentucky Press Association
- Sylvia Lovely, Kentucky League of Cities
- Associated Industries of Kentucky
- Gary Cox, Association of Independent Kentucky Colleges and Universities
- David Adkisson, CEO, Kentucky Chamber of Commerce
- Cabinet for Economic Development

The overall response to the draft was positive. All in all, individuals thought that the new five questions and the desired results proposed for each captured the main issues in need of attention by the postsecondary system over the next five years. Several editorial comments were offered

and many have been incorporated into the final draft. Three overarching concerns emerged from the discussions and feedback:

- The need for the document to use bolder language and to convey a “sense of urgency” about the challenges facing the Commonwealth.
- Stronger emphasis on addressing the preparedness of high school graduates for postsecondary education.
- More discussion about the value of postsecondary education to the individual and on “quality of life” in the Commonwealth.

The staff made significant revisions to the working draft in response to these concerns and will continue to keep them in mind as it works with professional publishers in the layout and graphic design for the final publication.

Campus Action Plan Guidelines

When the staff met with the leadership of the eight public universities, KCTCS, and the independent sector to solicit feedback and ideas on the draft public agenda, they also sought advice on the draft campus action plan guidelines, mission parameter development, and the process for revising the key indicators, all of which were outlined in the January 2005 agenda item. Attachment B contains a revised set of guidelines based on staff conversations with institutions and with the Council’s Executive Committee. A detailed timeline also is included.

These guidelines will be adapted for use by the independent sector and the Council for their respective action plans.

Key Indicators

A Key Indicators Advisory Group was formed to work with the Council staff as it develops an accountability program for tracking systemwide and institutional progress in advancing the public agenda and House Bill 1 goals. The current membership is included as Attachment B-4 in the CAP guidelines. The group held its first meeting February 15 to discuss its charge and plan of work. A second meeting on March 3 focused on Question 3 indicators. The group will meet March 15 to discuss Question 5 indicators. The staff will seek the advice of the Seamlessness and Workforce/Economic Development Policy Groups on key indicators at the March 21 meetings. The attached timeline (Attachment B-1) outlines the key indicator development process and schedule in detail.

Staff preparation by Sue Hodges Moore

Public Agenda for
Postsecondary Education in Kentucky

2005-2010

[working title]

Draft for Endorsement by
the Council on Postsecondary Education

March 21, 2005

(final approval by CPE expected July 2005)

For more information, go to
<http://cpe.ky.gov/publicagenda/>.

Introduction

Kentucky's public agenda for postsecondary education has become a nationally recognized model for reform. The agenda calls for a fundamental, profound shift in the way the postsecondary system approaches its work: while institutions once competed against each other for their own interests, the public agenda challenges them to work *together* for the *common good*. It also urges the adult education system to eradicate illiteracy, which, according to the *Adult Education Act of 2000*, is a "fundamental barrier to every major challenge facing Kentucky." The motto of reform is "One Mission: Better Lives." The long-term goal is to raise the standard of living and quality of life in the Commonwealth above the national average by the year 2020.

The Postsecondary Education Improvement Act of 1997 (House Bill 1) requires the Council on Postsecondary Education to review this public agenda every four years. The review began in early 2004 with an analysis of demographic, economic, and education data from 1997 to the present. Then, nine regional forums and a series of meetings with state policy, civic, and business leaders were held to find out what's working and where the system can improve.

This new public agenda reflects what we learned from our analyses and heard from concerned, engaged citizens all over the state. At the heart of this agenda are five questions—short, simple, yet powerful reminders of the public we serve. The questions have been revised to emphasize the importance of maintaining affordable, high-quality postsecondary opportunities leading to more certificates and degrees, better jobs, and more productive, meaningful lives.

These new five questions will guide the work of the entire adult and postsecondary education system from 2005-2010. The public universities, the Kentucky Community and Technical College System, the Association of Independent Kentucky Colleges and Universities, and the Council on Postsecondary Education (including Kentucky Adult Education and Kentucky Virtual University/Library) have developed action plans to move this agenda forward. The questions also serve as the framework for accountability measures that monitor our progress and encourage and reward behaviors that move us closer to our goals.

The New 5 Questions of Reform

1. Are more Kentuckians ready for postsecondary education?
2. Is Kentucky postsecondary education affordable for its citizens?
3. Do more Kentuckians have certificates and degrees?
4. Are college graduates prepared for life and work in Kentucky?
5. Are Kentucky's people, communities, and economy benefiting?

Choosing our Future

This is a critical moment in the history of Kentucky's postsecondary reform. The system is poised to profoundly improve the lives of Kentuckians and the prosperity of the Commonwealth. The significant investments made in postsecondary and adult education since 1997 have produced impressive results: total enrollment in postsecondary education has increased 25 percent, degrees and certificates awarded have increased 48 percent, and per capita income has increased to 84 percent of the U.S. average. But without firm resolve and adequate resources, our momentum will stall.

One of two futures awaits us in 2020.

If we succeed in moving this agenda forward, life in the Commonwealth will improve. . .

- Kentucky will be acclaimed for its integrated, coordinated, and adequately funded system of education—from preschool through college and beyond.
- All students will understand what they need to know to succeed at the next level of education, and schools will prepare them for a successful transition.
- All students will complete at least two years of postsecondary education and will be prepared for transfer to a university or the skilled trades.
- Education will not end with a postsecondary degree. Kentuckians will seek advanced knowledge and skills throughout their lives to increase their professional mobility and keep pace with the demands of a knowledge economy.
- Postsecondary education will become a key strategy for creating good jobs, improving public health, and promoting civic engagement.
- Kentucky's population will grow as people realize the economic and cultural opportunities available here. An abundance of good jobs will keep Kentuckians working and living in the state and attract talented newcomers.
- Economic development and prosperity will be more evenly distributed across all geographic regions of the Commonwealth while communities preserve their uniquely "Kentucky" character.
- Business, civic, and education leaders will work in concert to improve their communities. Civic participation, volunteerism, and charitable giving will increase. Crime rates and reliance on public assistance will decrease.
- Public health will improve as diseases linked to obesity and smoking decline.
- Kentuckians will develop a passion for lifelong learning that is handed down to the next generation.

THE 2020 IMPERATIVE

According to an analysis of U.S. Census projections, Kentucky will need nearly 800,000 working-age adults with a bachelor's degree or higher to match the projected national average in 2020; in 2000 we had only 402,000. Over the next 15 years, we need to nearly double the number of Kentuckians ages 25-64 with at least a four-year degree.

But if we fail . . .

- Too many people in Kentucky will think that college isn't for them or within reach. There will be too much leakage all along the education pipeline—high school students failing to graduate as well as college students failing to complete a degree.
- Kentucky will trail the nation on key indicators of educational progress—standardized test scores, high school graduation rates, and degree attainment.
- Close to half of our working-age adults will lack the literacy, mathematical, and reasoning skills necessary for jobs in a knowledge economy.
- College will be too expensive for a majority of capable, low-income or minority students, who will not exceed their parents' education level or quality of life.
- Most of the job growth in every region of the state will occur in low-wage, low-skill sectors of the economy, since Kentucky will not be able to compete with other states or nations for high-value jobs.
- The higher-wage jobs that do not require postsecondary credentials will relocate to undeveloped countries. The remaining dislocated workers will not have the education needed to compete for jobs with comparable salaries.
- Our best and brightest will leave Kentucky to pursue lucrative career opportunities elsewhere. High school seniors will attend out-of-state colleges and will not return to Kentucky to live and work. Emerging entrepreneurs will be lured to states with abundant intellectual and venture capital.
- Kentucky will fare worse than nearly every other state on most indicators of public health and will lead the nation in obesity, type II diabetes, lung cancer, and heart disease.
- Voting, volunteerism, and charitable giving will decline. Community development will stagnate.

Kentucky has a choice: we can keep moving forward to this better future or we can slip back to an unpromising past. Implementing this agenda won't be easy, but the rewards will far outweigh the costs. College-educated workers make more money, which increases a state's tax base and demand for goods and services. This in turn fuels the economy. According to a recent analysis by the Kentucky Long-Term Policy Research Center, **Kentucky could expect a cumulative increase of more than \$5.3 billion in revenue if we reach the national average in educational attainment by 2020.**

In 2002, Kentucky's progress toward postsecondary reform was characterized as:

...nothing short of remarkable. To a striking degree, the reforms have addressed most of the issues identified just five years earlier and established the foundation for step-by-step progress over the next decade and beyond. Perhaps the most profound change over the past five years has been a change in expectations and frame of mind—among students, parents, business and civic leaders, postsecondary leaders, and the Commonwealth's policy leaders. There is a new sense of hope, pride, and confidence...the Commonwealth is leading the nation in demonstrating how sustained attention to education reform can bring about fundamental, long-term improvement in a state's quality of life and economy.

Aims McGuinness
National Center for Higher
Education Management Systems

QUESTION 1: ARE MORE KENTUCKIANS READY FOR POSTSECONDARY EDUCATION?

Kentucky must do a better job preparing high school students and adults for postsecondary study. An overwhelming majority of high school students tell us they plan to continue their education after graduation but have not tackled the rigorous courses that prepare them for college-level work. Many adults recognize the need for advanced training but have not completed high school, or have been out of school for a while and need to refresh their skills. Postsecondary institutions must play a role in helping high schools prepare each and every one of their students for at least two years of postsecondary training, and Kentucky Adult Education must help more of their learners transition to college. For Kentucky to be competitive, all students—regardless of income level, age, gender, or skin color—need better access to high-quality instruction and guidance counseling that will lead them to postsecondary opportunities.

PROGRESS

- Adult education enrollment has increased 135 percent in four years.
- Kentucky had the highest increase in the nation in the percent of adults with a high school credential from 1990-2000.
- More high school students are taking college preparatory courses. Since 1998, the number of dual enrollment courses taken in high school nearly tripled, and the number of AP courses almost doubled.

HOW WE GET TO “YES”

- Postsecondary involvement in efforts to restructure the high school curriculum and assessments.
- Smoother transitions from high school, area technology centers, and GED programs to college through closer alignment of the secondary, adult, and postsecondary systems.
- More concerted efforts to close achievement gaps and increase college going among minority, low-income, first-generation, and adult students.
- More high school students taking Advance Placement and college-level courses.
- Strengthened guidance counseling to provide early college awareness and planning.
- More explicit information from the postsecondary community about what it takes to succeed in college and the skilled trades.
- More adults participating in adult education programs and earning GEDs.
- Better coordination among KCTCS and adult education programs to provide low- or no-cost college remediation services.
- Better preparation and training for P-12 and adult education instructors and leaders at all levels.
- Expanded efforts to recruit a diverse teaching force and to keep good teachers working and living in Kentucky.

CHALLENGES

- Too many high school graduates entering college are not adequately prepared; compared to top performing states, middle and high school students perform poorly on national assessments, including the National Assessment of Education Progress, Advanced Placement exams, and the ACT.
- Minority and low-income students are not taking challenging courses in high school, do not score well on standardized tests, and often are not encouraged to pursue college.
- Adult education enrollment represents only 12 percent of adults at the lowest literacy levels.
- From 1995-2000, 11,351 people with less than a high school diploma between the ages 22-29 moved to Kentucky while 5,087 left the state, resulting in a net gain of nearly 6,264 under-educated young adults.
- Only 62 percent of 7th – 12th graders are taught by teachers with a major in their field, compared to 81 percent in top-performing states.

PROGRESS

- Kentucky remains in the top third of states in providing affordable postsecondary education opportunities, according to *Measuring Up 2004*.
- Average tuition and fees at Kentucky institutions in 2003-04 were 25 percent below the national average.
- The cost of public postsecondary education as a percent of family income is unchanged from a decade ago.

QUESTION 2: IS KENTUCKY POSTSECONDARY EDUCATION AFFORDABLE FOR ITS CITIZENS?

To increase Kentucky's intellectual capital, college must remain financially accessible, especially for families who are least able to pay. Historically, the cost of going to college in Kentucky has compared favorably to other states. This is still true today. Tuition remains relatively low and the average financial aid award is high. However, rising tuition and fees are placing a financial strain on many families. If this trend continues, Kentucky may overload students with debt or price them out of college completely. We must strive to provide Kentuckians with the highest quality of education possible at an affordable price.

HOW WE GET TO “YES”

- Increased public investment in postsecondary education and financial aid for the greater economic and social good of Kentucky.
- Increased institutional productivity and efficiency to contain tuition and college costs.
- More integrated and aligned policies governing financial aid, tuition, and state appropriations aimed at reducing financial barriers for students and increasing institutional capacity to meet the educational needs of the state.
- More and better communication with prospective students and their families about financial aid opportunities and net college costs.
- Expanded grant programs and low-interest/forgivable student loans that address workforce demands and the needs of underserved populations, including GED graduates, part-time students, and transfer students.
- A re-examination of the Kentucky Educational Excellence Scholarship (KEES) program to ensure students are rewarded, not just for good grades, but also for taking rigorous courses.

CHALLENGES

- While college in Kentucky remains affordable compared to other states, it is losing ground. The state's ranking in overall affordability slipped from 8 to 14 from 2002 to 2004.
- The purchasing power of the federal Pell grant has declined considerably over the last two decades. In 1980-81, the Pell grant covered 35 percent of the average cost of attending a public, four-year institution; by 2003-04, it covered only 23 percent, according to the College Board.
- Kentucky undergraduates borrow more than the national average. In 2004, the average loan amount was \$3,018.
- Adequate financial aid is not available for part-time students, a barrier for adults in the workforce.

PROGRESS

- Since 1998, total enrollment in postsecondary education increased 25 percent.
- The number of GED graduates transitioning to college increased from 12 percent in 1998 to 20 percent in 2001.
- For the first time, a Kentucky 9th grader's chance for college exceeds the national average, up from 34 to 38 percent over the last decade.
- In the past decade, the college participation rate of minority young adults (ages 18-24) rose from 15 to 32 percent.
- At the state's public universities, the systemwide six-year graduation rate rose from 36.7 percent in 1998 to 45.3 percent in 2003.
- In 2003, 5.8 percent of all degrees conferred were awarded to resident African Americans, up from 4.4 percent in 1995.
- In 2004, 43 percent of first-time, full-time students completed a bachelor's degree within six years, up from 37 percent a decade ago.

QUESTION 3: DO MORE KENTUCKIANS HAVE CERTIFICATES AND DEGREES?

Kentucky must double the number of college-educated adults in Kentucky by 2020 to reach the national average. To do this, the postsecondary system must recruit and enroll more students, ensure more students persist to certificate and degree completion, and keep graduates living and working in the state. Reaching our goals will require an infusion of high school graduates and working-age adults into the postsecondary pipeline at both the undergraduate and graduate levels, including two- to four-year transfer students. If we succeed, everyone in the state, even those people who never set foot on a college campus, will benefit: more certificates and degrees mean more nurses, teachers, social workers, and public safety officers, not to mention cutting-edge medical research, technological innovations, and cleaner water and air. The state's future in large part depends upon Kentuckians' ability to advance seamlessly through the educational system and obtain credentials that will enrich their lives and life in the Commonwealth.

HOW WE GET TO "YES"

- Expanded outreach efforts at the state and grassroots level that focus on underserved regions and populations to increase the number of Kentuckians who value and pursue postsecondary education.
- Accelerated efforts to help more GED graduates transition to postsecondary education.
- Expanded capacity at public and independent institutions to serve more students more effectively through course redesign, alternative methods of program delivery, and better coordination of distance education.
- Concentrated efforts across the postsecondary system to strengthen the guidance and support provided to on-campus and distance education students.
- Expanded capability of our community and technical college system to deliver a general education component, incentives and encouragement for students to transfer from a two-year to a four-year institution, and reduced time to degree.
- Increased efforts to address workforce shortages in targeted regions and in degree areas (undergraduate and graduate) that support economic development.
- Incentives and rewards linked to increased degree production.

Kentucky's reality is that we will sink or swim not on how well we educate our youth, but on how well we educate our entire population, whether age 15, 35, 55, or 75. For the most part, our workforce of tomorrow is just our workforce of today grown older.

As the baby boomers mature, Kentucky will become an aging state. Many people may find if they retire too early that they will run out of income before they run out of life. Kentucky must develop policies for retraining and retooling people. We must invest in educating not just our youth but each and every one of us. We must educate and re-educate, train and retrain.

Ron Crouch
Director, Kentucky State Data Center
University of Louisville

CHALLENGES

- For every 100 9th graders, only 15 complete a degree.
- Minority and low-income students are much less likely to go to college than white, affluent students.
- The proportion of degree-seeking freshmen returning their second year is low and virtually unchanged over the last six years.
- The number of students transferring from two-year to four-year institutions was lower in 2003 than in 1998.
- Kentucky's graduation rate of 45.3 percent remains well below the national rate of 54.3 percent.
- In 2000, Kentucky ranked 47th in the nation in the percent of the adult population with a four-year degree or higher.

QUESTION 4: ARE COLLEGE GRADUATES PREPARED FOR LIFE AND WORK IN KENTUCKY?

When students leave our colleges and universities, they must carry with them characteristics, skills, and behaviors that equip them for life's challenges and the world of work, in Kentucky or anywhere in the world. At its best, postsecondary education instills a sense of civic duty and pride and an obligation to help others through volunteerism and charitable giving. A college-educated individual possesses valuable attributes: a capacity for lifelong learning, the ability to analyze and synthesize information, effective communication and problem-solving skills, and the ability to relate to diverse individuals. Students who are academically engaged and active on campus and in their communities tend to vote more often, lead healthier lives, and be more productive workers and citizens. As we expand our capacity to serve more students, we also must strive to improve the quality of learning at our institutions.

PROGRESS

- College graduates perform well on licensure and teacher certification exams.
- Two-year college students score at or above the national average on Work Keys assessments.
- Public universities have made progress on measures of undergraduate student experience, especially "enriching educational experience" and "interactions with faculty members," according to the 2003 National Survey of Student Engagement.

HOW WE GET TO "YES"

- Improved undergraduate student learning so that more graduates are prepared for careers and graduate and professional programs.
- Integration of civic literacy into the curriculum and the overall college experience so that students become engaged citizens and leaders.
- Development of student learning measurements that track the postsecondary system's contribution to the educational capital of the state and make comparisons against national benchmarks and other states.

CHALLENGES

- Four-year college undergraduates score below the national average on assessments of writing, critical thinking, and problem-solving skills, according to *Measuring Up 2004*.
- The proportion of college students who vote, volunteer, and give to charity declined from 2001 to 2003, according to the National Survey of Student Engagement.
- Not enough Kentuckians score well on examinations needed for admission to graduate school, according to *Measuring Up 2004*.

PROGRESS

- Federal research and development dollars per capita increased 92 percent from 1996 to 2002, the fifth-highest percentage increase in the nation for that time period. On this measure, Kentucky moved from 45th to 42nd in the nation.
- The Bucks for Brains program has dedicated \$700 million to support research and academic programs at the public universities; the number of endowed chairs is up from 55 in 1997 to 187 in 2004; professorships rose from 53 to 261.
- Since 2001, nearly 128,000 employees upgraded their skills through workforce education funded by Kentucky Adult Education and its Workforce Alliance initiative.
- Kentucky's per capita income increased from 79.3 percent in 1990 to 84 percent of the U.S. average in 2003.

QUESTION 5: ARE KENTUCKY'S PEOPLE, COMMUNITIES, AND ECONOMY BENEFITING?

Postsecondary education can and must play a central role in transforming Kentucky's economy and quality of life. Through expanded research and development, faculty and staff expertise, and the commercialization of research, colleges and universities spur economic growth and development. But just as importantly, our institutions produce individuals committed to the social and cultural welfare of their communities. The Commonwealth needs globally competitive companies that invest in individuals and communities in every region of the state. We also need communities that embrace art, literature, music, dance, and theater, because they reflect and enrich the spirit of Kentucky's people. Postsecondary institutions must do their part by being good "stewards of place," working with community leaders to advance economic, social, and environmental progress.

While the Commonwealth has taken significant steps to improve the competitiveness of Kentucky's economy, Kentucky's ratings on the Corporation for Enterprise Development (CFED) report card have not changed much in 15 years:

"We are making progress, but so is everybody else... This is like a race, and we're at the back of the pack, and everyone else ahead of us is picking up speed. We have to take extraordinary steps if we are going to enhance our competitive position."

Kris Kimel, President
Kentucky Science and Technology Corporation

HOW WE GET TO "YES"

- Greater emphasis on the role of postsecondary institutions as "stewards of place" that partner with business, civic, and K-12 communities to solve local, regional, and state problems.
- Stronger relationships with economic development partners to develop, attract, and keep jobs that will enable Kentucky to compete in the global economy and retain and recruit more college-educated workers.
- Expanded research capacity directed at the state's priority research and economic development areas.
- Greater efforts to attract more research dollars to Kentucky.
- The transfer of research and technology to applications that lead to economic growth, job creation, and improved quality of life.
- More adults earning workforce education certificates through expanded marketing to employers and employees. Better coordination of workforce training activities and resources across state cabinets and agencies.
- Larger numbers of college graduates remaining in Kentucky to work and contributing to the economic and social well being of the state.

CHALLENGES

- Kentucky currently ranks 42nd in the nation in the amount of federal research and development dollars generated.
- In 2003, Kentucky had a per capita personal income of \$26,352, which ranked 41st in the U.S. and was 84 percent of the national average.
- Kentucky earned a "D" in economic performance, a "D" in development capacity, an "F" in financial resources, and a "C" in business vitality, according to ratings assigned by the National Corporation for Enterprise Development in 2004.
- From 1995-2000, 17,584 baccalaureate recipients ages 22-29 left the state while 16,186 moved to Kentucky, resulting in a net loss of nearly 1,400 college educated, young adults.

Call to Action

Implementing this agenda will require a deliberate and renewed investment of time, energy, creativity, and resources. The need for adequate funding remains a major concern. Closing the gap between where we are and where we need to be will require a substantial, sustained financial commitment on the part of the Commonwealth.

Finding adequate resources for postsecondary and adult education in times of fiscal constraint is difficult. Revenue is needed from a variety of sources—tuition, philanthropic activities, and external grants and contracts—as well as reallocation of existing funds. A long-term strategy must be developed to generate and guide funding for research infrastructure, academic programs, workforce training, stewardship activities, financial aid, and adult learning to bring about economic prosperity and improved quality of life.

Kentucky's postsecondary and adult education system must do its part to move this agenda forward, but we cannot stimulate economic opportunity and remove barriers alone. The educational and economic aspirations of this state can be realized only through concerted and decisive action and sustainable resources.

We urge our partners, advocates, and other stakeholders all across the Commonwealth to join with us as we build on the early successes of reform and confront head on the challenges that remain.

Guiding Principles

As we implement this public agenda, the postsecondary system and its partners pledge to:

Work Together—We will strengthen existing partnerships and reach out to new partners to accelerate our progress. We will remember that the early success of reform is due in no small part to the quality of our working relationships with education, legislative, community, civic, and economic development partners—both statewide and locally.

Be Good Stewards—We shall, at once, dedicate existing resources and target future investments to our highest priorities. We will garner public support for the value of adult and postsecondary education and make the case for sustained, adequate resources for the system. We will give our investors and beneficiaries solid evidence about the performance of the system, benchmarked where possible against appropriate standards. We will find innovative approaches that make us more responsive, efficient, and flexible. We will use technology in ways that improve learning and support services, extend access, and increase our capacity to serve students and employers. These strategies and practices will be informed by data and research. We will eliminate unnecessary red tape that makes it difficult to respond quickly and creatively to those we serve.

Close the Gaps—We will strive to close gaps in performance among students from different racial, ethnic, geographic, and economic backgrounds that exist for every measure of educational progress—preparation, participation, persistence, and completion. Leveling the playing field will require the Commonwealth to address issues beyond the classroom, like quality prenatal care, early childhood development, and increased opportunities for individuals with disabilities. But if we succeed, everyone in the Commonwealth will benefit.

**2004-05 Strategic Planning Process
Campus Action Plan Guidelines and Template**

Introduction

This will be a “boilerplate” statement prepared by the Council staff explaining that the campus action plan responds to the public agenda, House Bill 1 goal, institutional mission, and regional priorities, and satisfies the requirement in HB 1 for a strategic implementation plan. The action plan covers the period 2005-2010 and will be reviewed each biennium, as statute requires.

House Bill 1 Goal

The institution’s mission-specific HB1 goal will be listed here, i.e., goal two (UK), three (UofL), four (comprehensives), or five (KCTCS).

Mission Parameters

Statute KRS 164.020 requires the Council to have a statewide strategic agenda and to review, revise, and approve the missions of the state’s universities and the KCTCS. Statute KRS 164.350 requires boards of regents and trustees to review their institutional missions to ensure consistency with the statewide strategic agenda.

The Council staff will work with the chief academic officers and the presidents throughout the spring to develop mission parameters for each of the public postsecondary institutions in Kentucky that:

- 1) Are consistent with House Bill 1 goals and other relevant statutes.
- 2) Recognize each institution’s distinctive role in the system.
- 3) Identify common elements of similar institutions.
- 4) Collectively address the needs of the Commonwealth as articulated in the public agenda for Kentucky’s postsecondary education system.

The Council has established five categories of mission parameters:

1. Program characteristics – Parameters within this category define the institution’s relative emphasis on instructional programs by level (i.e., certificate, diploma, undergraduate degree, graduate degree, and first-professional programs) and identify program areas of special emphasis (e.g., biological and health sciences, workforce development, distance learning and other alternative delivery programs, developmental education).
2. Student characteristics – Parameters within this category describe the general characteristics of the students to be served by the institution (e.g., level of academic preparation, age, socioeconomic status, residency, and working status).
3. Area of geographic responsibility – A description of the region within Kentucky for which the institution is responsible for assuring its educational, research, and service needs are met, either

through direct provision or brokering of programs and services.

4. Research – Parameters within this category identify the institution’s research role.
5. Stewardship responsibilities – Parameters in this category identify the institution’s responsibilities in meeting the educational, economic, and community development needs of the region served by the institution.

Attachment B-1 includes the timeline and process of mission parameter development. Attachment B-2 is a sample template. It is expected that the parameters for an individual institution will be no longer than one page in length. Once approved by the Council in July 2005, the parameters will be incorporated into each institution’s campus action plan for publication.

Priorities for Action

This section lists the institution’s highest priority initiatives and activities over the period 2005 to 2010 that respond to each of the five questions.

- Question 1: Are more Kentuckians ready for postsecondary education?*
- Question 2: Is Kentucky postsecondary education affordable for its citizens?*
- Question 3: Do more Kentuckians have certificates and degrees?*
- Question 4: Are college graduates prepared for life and work in Kentucky?*
- Question 5: Are Kentucky’s people, communities, and economy benefiting?*

In selecting its priorities for action, the institution first should review carefully the successes, challenges, and desired results outlined under each question in the public agenda. Next, the institution should consider the needs and challenges of those it serves, the summaries of the regional forums, the Council’s annual accountability report, current strengths and weaknesses as reflected in the institution’s own strategic plan, and other campus data. (To view the draft public agenda and regional forum summaries, go to <http://cpe.ky.gov/publicagenda/>.)

As it develops this section, the institution should keep in mind the guiding principles in the public agenda: work together, be good stewards, close the gaps, and be accountable.

Priorities for action should be substantial and achievable. Since institutional key indicator goals for the accountability system will provide the specific quantifiable metrics for measuring progress toward achievement of the public agenda and action plans, it is not necessary to include quantifiable goals in the Priorities for Action section of the campus action plan. Each campus action plan should have no more than 30 total Priorities for Action.

Attachment B-3 is a template organized around the five questions that should be used in developing the Priorities for Action.

Key Indicators of Progress

This section will list the indicators that the Council will use to monitor the institution’s contribution to the advancement of the public agenda and pertinent House Bill 1 goals.

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A number of indicators will be common across all institutions (e.g., enrollment, retention, credentials awarded). Some indicators will apply only to institutions within a particular sector (i.e., research, comprehensive, KCTCS). And each institution will have an opportunity to select from a menu of options one to three additional indicators specific to its mission and HB1 goal (e.g., TheCenter or NSF ranking for UK). Discussions also are underway to link performance on one or more institutional indicators to the benchmark funding model.

The Council staff will work with the institutions throughout the spring of 2005 to develop the institutional key indicators for 2005 through 2010 (see Attachment B-1 for the timeline). Attachment B-4 lists the members of the Key Indicators Advisory Group coordinating this effort. The individual responsible for coordinating the development of the institution's Priorities for Action is encouraged to work closely with the institution's representative on this advisory group.

Once approved by the Council at its July 2005 meeting, key indicators will be incorporated into each institution's campus action plan for publication.

Benchmark Institutions

This section will list the final set of benchmark institutions to be approved by the Council at its May 2005 meeting. These benchmarks will provide a basis for determining adequate base funding levels for Kentucky's public institutions as well as provide useful information for institutional key indicator goal-setting.

2004-05 Strategic Planning Process Campus Action Plan Development

<i>Dates</i>	<i>Activity</i>	<i>Comments</i>
January-March	Campus-based meetings	<ul style="list-style-type: none"> Discuss draft campus action plan guidelines (mission parameter guidelines and process for developing statewide and institutional key indicators)
January 31	CPE meeting	<ul style="list-style-type: none"> Discuss draft campus action plan guidelines (mission parameter guidelines)
February 15	Key Indicator Advisory Group meeting (KIAG)	<ul style="list-style-type: none"> Initial meeting of group to discuss charge and plan of work
February 28	Presidents meeting	<ul style="list-style-type: none"> Discuss draft campus action plan guidelines (mission parameter guidelines)
March 2	Executive Committee meeting	<ul style="list-style-type: none"> Discuss draft campus action plan guidelines (mission parameter guidelines)
March 3	KIAG meeting	<ul style="list-style-type: none"> Discuss Question 3 indicators
March 9	CPE meeting mailout	<ul style="list-style-type: none"> Include draft campus action plan guidelines (mission parameter guidelines) Include KIAG progress report
Week of March 14	KIAG meeting	<ul style="list-style-type: none"> Discuss Question 5 indicators
March 21	CPE meeting	<ul style="list-style-type: none"> Approve campus action plan guidelines Staff discuss key indicator development with Seamlessness and Workforce/Economic Development policy groups
March 21	Chief Academic Officers meeting	<ul style="list-style-type: none"> Discuss 1st working drafts of mission parameters for each institution
Week of March 28	KIAG meeting	<ul style="list-style-type: none"> Discuss Question 1 and 4 indicators
April 6	Presidents meeting	<ul style="list-style-type: none"> Discuss mission parameter issues Update on development of key indicators (statewide and institutional)
April 12	Executive Committee meeting	<ul style="list-style-type: none"> Update on campus action plan development (mission parameters and process for developing statewide and institutional key indicators)
Week of April 18	KIAG meeting	<ul style="list-style-type: none"> Discuss Question 2 indicators
April 25		<ul style="list-style-type: none"> 1st draft of campus action plans due from institutions to CPE staff (mission parameters and priorities for action)
Week of May 2	KIAG meeting	<ul style="list-style-type: none"> Final discussion of statewide and institutional key indicator framework
May 6		<ul style="list-style-type: none"> 2nd draft of campus action plans due from institutions to CPE staff (mission parameters and priorities for action)
May 11	CPE meeting mailout	<ul style="list-style-type: none"> Include status report on campus action plan process (mission parameters, priorities for action, and institutional key indicator framework)
May 16	Presidents meeting	<ul style="list-style-type: none"> Discuss draft campus action plans (mission parameters, priorities for action, and institutional key indicator framework)
May 22	CPE meeting	<ul style="list-style-type: none"> Status report on campus action plans (mission parameters, priorities for action, and institutional key indicator framework)
June 1	SCOPE meeting	<ul style="list-style-type: none"> Update on planning process
June 5	Executive Committee meeting	<ul style="list-style-type: none"> Report on campus action plans (mission parameters, priorities for action, and institutional key indicators)
June 13		<ul style="list-style-type: none"> 3rd draft of campus action plans due from institutions to CPE staff (mission parameters, priorities for action, and proposals on institutional key indicators)
June 13-27		<ul style="list-style-type: none"> CPE and institutional staffs negotiate final changes to draft campus action plans (mission parameters, priorities for action, and proposals on institutional key indicators)

<i>Dates</i>	<i>Activity</i>	<i>Comments</i>
June 27		<ul style="list-style-type: none"> Finalize campus action plans (mission parameters, priorities for action, recommendations on institutional key indicators)
July 6	CPE meeting mailout	<ul style="list-style-type: none"> Include final campus action plans (mission parameters, priorities for action, recommendations on institutional key indicators)
July 18	CPE meeting	<ul style="list-style-type: none"> Approve strategic planning package including campus action plans
September 18-19	Governor's Conference on Postsecondary Education Trusteeship	<ul style="list-style-type: none"> Distribute strategic plan package

Revised 3-9-05

ATTACHMENT B-2

Mission Parameters
[SAMPLE COMPREHENSIVE UNIVERSITY]

1. Program characteristics

- Program levels
 - Baccalaureate
 - Master's
 - Degrees beyond the master's supporting teachers, school leaders, and other certified school personnel
 - Very limited associate degrees as needed in the immediate community

- Program emphases
 - Liberal arts core, including civic literacy and service-learning
 - Emphasis on teacher education and professional development, business, and programs supporting regional economic and community development
 - National programs related to [Sample University's program(s) of distinction]

2. Student characteristics

- Moderate selectivity
- Dual enrollment high school students, recent high school graduates, and working-age adults
- Predominantly residents from [region of Kentucky], highly qualified non-resident students in [Sample University's program(s) of distinction], and in high-demand fields

3. Area of geographic responsibility

- Metropolitan area surrounded by rural counties
- List of counties in region for which the institution has responsibility for providing or brokering services

4. Research

- Applied, particularly in fields that address the needs of the region and areas related to [Sample University's program(s) of distinction]

5. Stewardship of place

- Economic Development
 - Assess regional workforce, research, and commercialization needs, and developing or brokering programs and resources that meet these needs
 - Strengthen early childhood, P-12, and adult education
 - Support entrepreneurs and business leaders
- Community Development
 - Enhance local government leadership, effectiveness, and regional planning
 - Support the nonprofit sector to improve quality of life and community engagement
 - Expand the arts and improve the environment

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Campus Action Plan, 2005-2010
[Name of Institution]

Question 1: Are more Kentuckians ready for postsecondary education?

Kentucky must do a better job preparing high school students and adults for postsecondary study. An overwhelming majority of high school students tell us they plan to continue their education after graduation but have not tackled the rigorous courses that prepare them for college-level work. Many adults recognize the need for advanced training but have not completed high school, or have been out of school for a while and need to refresh their skills. Postsecondary institutions must play a role in helping high schools prepare each and every one of their students for at least two years of postsecondary training, and Kentucky Adult Education must help more of their learners transition to college. For Kentucky to be competitive, all students – regardless of income level, age, gender, or skin color – need better access to high-quality instruction and guidance counseling that will lead them to postsecondary opportunities.

To support the preparation of high school graduates and working-age adults for postsecondary education and to strengthen the preparation and development of P-12 teachers, [NAME OF INSTITUTION] will:

- Priorities for Action
- Priorities for Action
- Priorities for Action, etc.

Question 2: Is Kentucky postsecondary education affordable for its citizens?

To increase Kentucky's intellectual capital, college must remain financially accessible, especially for families who are least able to pay. Historically, the cost of going to college in Kentucky has compared favorably to other states. This is still true today. Tuition remains relatively low and the average financial aid award is high. However, rising tuition and fees are placing a financial strain on many families. If this trend continues, Kentucky may overload students with debt or price them out of college completely. We must strive to provide Kentuckians with the highest quality of education possible at an affordable price.

To keep college affordable for financially needy students, [NAME OF INSTITUTION] will:

- Priorities for Action
- Priorities for Action
- Priorities for Action, etc.

Question 3: Do more Kentuckians have certificates and degrees?

Kentucky must double the number of college-educated adults in Kentucky by 2020 to reach the national average. To do this, the postsecondary system must recruit and enroll more students, ensure more students persist to certificate and degree completion, and keep graduates living and working in the state. Reaching our goals will require an infusion of high school graduates and working-age adults into the postsecondary pipeline at both the undergraduate and graduate levels, including two- to four-year transfer students. If we succeed, everyone in the state, even those people who never set foot on a college campus, will benefit: more certificates and degrees mean more nurses, teachers, social workers, and public safety officers, not to mention cutting-edge medical research, technological innovations, and cleaner water and air. The state's future in large part depends upon Kentuckians' ability to advance seamlessly through the educational system and obtain credentials that will enrich their lives and life in the Commonwealth.

To enroll more students, produce more graduates, keep graduates in Kentucky, attract highly educated adults to the state, and encourage workers to retool and retrain over their lifetimes, [NAME OF INSTITUTION] will:

- Priorities for Action
- Priorities for Action
- Priorities for Action, etc.

Deleted: /

Question 4: Are college graduates prepared for life and work in Kentucky?

When students leave our colleges and universities, they must carry with them characteristics, skills, and behaviors that equip them for life's challenges and the world of work, in Kentucky or anywhere in the world. At its best, postsecondary education instills a sense of civic duty and pride and an obligation to help others through volunteerism and charitable giving. A college-educated individual possesses valuable attributes: a capacity for lifelong learning, the ability to analyze and synthesize information, effective communication and problem-solving skills, and the ability to relate to diverse individuals. Students who are academically engaged and active on campus and in their communities tend to vote more often, lead healthier lives, and be more productive workers and citizens. As we expand our capacity to serve more students, we also must strive to improve the quality of learning at our institutions.

To improve the quality of student learning, [NAME OF UNIVERSITY] will:

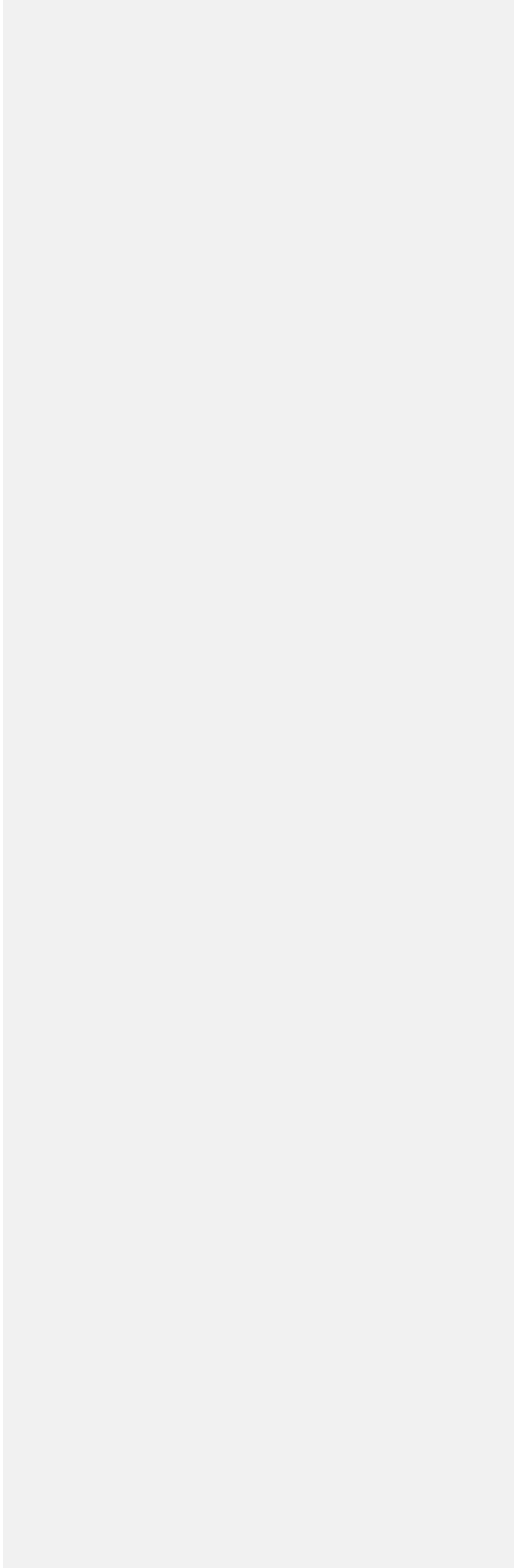
- Priorities for Action
- Priorities for Action
- Priorities for Action, etc.

Question 5: Are Kentucky's people, communities, and economy benefiting?

Postsecondary education can and must play a central role in transforming Kentucky's economy and quality of life. Through expanded research and development, faculty and staff expertise, and the commercialization of research, colleges and universities spur economic growth and development. But just as importantly, our institutions produce individuals committed to the social and cultural welfare of their communities. The Commonwealth needs globally competitive companies that invest in individuals and communities in every region of the state. We also need communities that embrace art, literature, music, dance, and theater, because they reflect and enrich the spirit of Kentucky's people. Postsecondary institutions must do their part by being good "stewards of place," working with community leaders to advance economic, social, and environmental progress.

To support economic and community development and address the specific needs and challenges of its service area, [NAME OF INSTITUTION] will:

- Priorities for Action
- Priorities for Action
- Priorities for Action, etc.



Key Indicator Advisory Group

Institutional Representatives:

James Chapman, Interim Vice President for Academic Affairs, EKU
Ken Walker, Vice President, KCTCS
Nathan Rall, Director of Institutional Research & Effectiveness, KSU
Beth Patrick, Vice President for Planning, Budgets, & Technology, MoSU
Fugen Muscio, Coordinator of Institutional Research, MuSU
Carole Beere, Associate Provost & Dean, NKU
Connie Ray, Vice President for Institutional Research, Planning, & Effectiveness, UK
Shirley Willihnganz, Provost, UofL
Dennis George, Academic Affairs & Provost Office, WKU
Gary S. Cox, President, Association of Independent Kentucky Colleges & Universities

CPE Representatives:

Sue Hodges Moore, Executive Vice President
Sandy Woodley, Vice President, Finance
Sherron Jackson, Assistant Vice President, EEO & Finance
Reecie Stagnolia, Deputy Commissioner, Kentucky Adult Education
Sherri Noxel, Director, Information & Research
Heidi Hiemstra, Senior Associate, Research & Policy Analysis
Jonathan Pruitt, Senior Associate, Finance

Other:

John Hicks, Governor's Office of Policy and Management
Jonathan Lowe, Education Policy Analysis, Legislative Research Commission

2004-06 Budget Update

The House and Senate passed the budget bill (HB 267) March 8. The bill has been sent to the Governor, who has ten days to veto any item(s). As of March 18, the Governor had not indicated whether he would veto any item(s) in the budget bill.

This budget provides \$1,011,108,900 in 2004-05 and \$1,106,065,300 in 2005-06 in state General Funds for postsecondary education – a 10.2 percent increase for the biennium. The 2005-06 funding level represents a \$102.7 million increase over 2003-04 appropriations. Attachment A is a comparison of the appropriations made in HB 267 as passed by the General Assembly to those recommended by the Council.

Here are some of the funding highlights for postsecondary education.

- Approximately an \$81 million increase to base operating funds of the public postsecondary institutions over the biennium (Attachment B). This represents an increase of approximately 9 percent for the institutions and accomplishes the following:
 - Restores all of the recurring reduction of 2004 (\$23.4 million).
 - Provides operation and maintenance funding for new facilities (\$11.1 million).
 - Provides an additional 1.8 percent or \$16.7 million across the board increase.
 - Provides a \$16.7 million increase in benchmark equity funding.
 - Provides \$5 million to the institutions for enrollment growth between fall 1998 and fall 2004.
 - Provides \$8.75 million to KCTCS, KSU, MuSU, UK, and UofL for targeted programs.
- Dedicated revenue from 1-cent surtax on cigarettes to be evenly divided between the University of Kentucky's Markey Cancer Center and the University of Louisville's Brown Cancer Center.
- \$500,000 nonrecurring appropriation in 2004-05 for oral history program at the University of Kentucky.
- The 2005-06 appropriation for the Adult Education and Literacy Trust Fund includes an increase of \$2.5 million to restore past budget reductions.
- \$18.5 million in 2005-06 for the Physical Facilities Trust Fund in debt service for capital projects described below. See Attachment C.

The Physical Facilities Trust Fund includes debt service for \$460.4 million of new construction, renovation, replacement, and infrastructure projects. Except for three projects, all projects

recommended by the Council were authorized and received state funding. The three projects recommended by the Council but not funded are the NKU Science Building Renovation, the KCTCS Prestonsburg/Mayo Renovate District Facilities, and the CPE Capital Renewal and Maintenance Pool. Eleven projects were added by the General Assembly to the list of projects recommended by the Council. See italicized projects, Attachment C.

The General Assembly authorized agency bond projects by line item instead of authorizing the agency bond pool requested by the Council. See Attachment D.

Staff preparation by Sandra Woodley, Jonathan Pruitt, and Sherron Jackson

Executive Summary
COMMONWEALTH OF KENTUCKY POSTSECONDARY EDUCATION
2004-06 HOUSE BUDGET RECOMMENDATION - STATE GENERAL FUND APPROPRIATIONS

	*Revised FY 2003-04	FY 2004-05			FY 2005-06		
		Council Recommendation	Conference Committee Report	Difference	Council Recommendation	Conference Committee Report	Difference
Postsecondary Education Institutions							
Postsecondary Education Institutions	\$ 958,654,400	\$ 1,043,240,600	\$ 962,344,600	\$ (80,896,000)	\$ 1,095,422,300	\$ 986,203,600	\$ (109,218,700)
Institutional Base Enhancement						\$ 45,000,000	\$ 45,000,000
Past Enrollment Growth						\$ 5,000,000	\$ 5,000,000
Total Postsecondary Institutions	\$ 958,654,400	\$ 1,043,240,600	\$ 962,344,600	\$ (80,896,000)	\$ 1,095,422,300	\$ 1,036,203,600	\$ (59,218,700)
Council on Postsecondary Education							
Total CPE Operations	\$ 10,471,300	\$ 11,782,000	\$ 10,597,700	\$ (1,184,300)	\$ 12,406,800	\$ 10,766,000	\$ (1,640,800)
Total Pass-Through	\$ 4,679,400	\$ 5,085,300	\$ 4,910,300	\$ (175,000)	\$ 5,906,800	\$ 6,500,300	\$ 593,500
Total Strtgc Invst. & Incent. Trst. Fnds. (recur. funds)	\$ 29,567,400	\$ 34,008,000	\$ 33,256,300	\$ (751,700)	\$ 93,493,000	\$ 52,595,400	\$ (40,897,600)
Total Postsecondary Ed. (Recurring GF)	\$ 1,003,372,500	\$ 1,094,115,900	\$ 1,011,108,900	\$ (83,007,000)	\$ 1,207,228,900	\$ 1,106,065,300	\$ (101,163,600)

* Revised FY 2004 General Fund appropriation figures are adjusted to reflect only recurring General Fund reductions.

Programs Funded Through Nonrecurring Funds

Strategic Investment and Incentive Funding Program

Research Challenge Trust Fund

Endowment Match Program	\$ 9,871,000 (1)	\$ -	\$ -	\$ -	\$ 50,000,000	\$ -	\$ (50,000,000)
Total Research Challenge Trust Fund	\$ 9,871,000	\$ -	\$ -	\$ -	\$ 50,000,000	\$ -	\$ (50,000,000)

Regional University Excellence Trust Fund

Endowment Match Program	\$ 1,975,000 (1)	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ (10,000,000)
Total Reg. University Excellence Trust Fund	\$ 1,975,000	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ (10,000,000)

Workforce Development Trust Fund

Endowment Match Program	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ (1,000,000)
Total Workforce Development Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ (1,000,000)

Programs Funded Through Other Fund Sources

Lung Cancer/Ovarian Cancer Research [Tobacco Settlement Funds]	\$ 5,455,000	\$ 5,681,200	\$ 5,431,300	\$ (249,900)	\$ 5,736,200	\$ 5,421,300	\$ (314,900)
** KHEAA-Need-Based Fin. Aid Prog. (CAP & KTG) [Lottery Proceeds]	\$ 65,720,600	\$ 66,600,000	\$ 68,418,400	\$ 1,818,400	\$ 79,915,000	\$ 83,233,400	\$ 3,318,400
Student Fin. Aid and Advan. Trst Fnd-KEES [Lottery Proceeds]	\$ 68,320,000	\$ 66,600,000	\$ 75,375,000	\$ 8,775,000	\$ 65,385,000	\$ 69,525,000	\$ 4,140,000
Off Camp. Teach. Ctr-Trovtr Clin. Found. [Coal Severance Tax]	\$ 1,000,000	\$ 1,050,000	\$ 1,050,000	\$ -	\$ 1,102,500	\$ 1,102,500	\$ -

(1) This is debt service to fund total project scope (\$100 million for Research Challenge and \$20 million for Regional University Excellence) - 2005-06 request is General Fund nonrecurring increase instead of debt service request for bonds.

** The Council considers student financial aid to be a high priority, especially KHEAA-need based aid, and even though KHEAA's funding request is not part of CPE's budget recommendation responsibilities, funding for need based aid is a priority for the Council.

**Conference HB 267
General Fund Institutional Base Operating Appropriation Increases in 2004-06 Biennium**

	FY 2004	FY 2005	FY 2006							
	Recurring Net Base**	Targeted Programs Increase	Past Enrollment Growth	Restore Recurring Cuts	M&O Increase	Proportional Increase	Benchmark Equity Increase	Targeted Programs Increase	Total Increase	% Increase over FY 04 Recurring Net Base
EKU	\$ 67,736,000		\$ 100,000	\$ 2,067,800	\$ 1,304,300	\$ 1,263,383	\$ 1,151,438	\$ -	\$ 5,886,921	8.7%
KCTCS*	182,314,900		1,000,000	4,740,300	1,346,800	3,408,098	4,544,120	3,000,000	18,039,318	9.9%
KSU	20,034,600	2,815,800	100,000	344,900	190,500	407,370	-	482,000	4,340,570	21.7%
MoSU	40,146,700		264,300	1,138,900	248,800	738,565	891,143	-	3,281,708	8.2%
MuSU	48,294,600		257,300	1,293,800	1,230,000	904,553	764,452	300,000	4,750,105	9.8%
NKU	40,094,000		899,600	1,965,400	997,900	758,572	1,886,473	-	6,507,945	16.2%
UK*	287,680,800	1,600,000	665,700	5,533,500	2,887,900	5,288,609	2,510,740	175,000	18,661,449	6.5%
UofL	143,427,500		713,100	3,090,600	1,508,300	2,640,940	2,679,668	375,000	11,007,608	7.7%
WKU	65,697,000		1,000,000	3,228,600	1,449,700	1,239,707	2,221,767	-	9,139,774	13.9%
Total	\$ 895,426,100	\$ 4,415,800	\$ 5,000,000	\$ 23,403,800	\$ 11,164,200	\$ 16,649,797	\$ 16,649,801	\$ 4,332,000	\$ 81,615,398	9.1%

*FY 2005 recurring net base figures for KCTCS and UK have been adjusted to reflect the transfer of LCC.

** FY 2004 These figures represent the base appropriations to the institutions less debt service and the U of L Hospital Contract.

% of Total
Increase

7.2%

22.1%

5.3%

4.0%

5.8%

8.0%

22.9%

13.5%

11.2%

100.0%

2004-06 Capital Projects
State General Fund - HB 267

March 18, 2005

	Council Recommendation			Conference Committee Report			Total Authorization
	Project Scope	Bonds or State Funds	Agency Bonds or Inst. Funds	General Funds State Bonds	Agency Bonds	Inst/Fed. Funds	
Research Space							
University of Kentucky							
Construct Biological/Pharmaceutical Complex <i>Animal Diagnostic Center - Newtown Pike (1)</i>	\$ 119,892,000	\$ 71,935,200	\$ 47,956,800	\$ 40,000,000 8,500,000			\$ 40,000,000 8,500,000
University of Louisville							
Health Science Campus Research Facilities Phase III	98,000,000	58,800,000	39,200,000	39,150,000		26,050,000	65,200,000
Total Research Space	\$ 217,892,000	\$ 130,735,200	\$ 87,156,800	\$ 87,650,000	\$ -	\$ 26,050,000	\$ 113,700,000
New Construction							
KCTCS							
Ashland TC Regional Postsecondary Ed. Center Phase I	28,690,000	28,690,000		18,030,000			18,030,000
Owensboro CC Advanced Technology Center Phase II	24,088,000	24,088,000		13,088,000		2,000,000	15,088,000
Madisonville CC Technology Building Phase I	12,500,000	12,500,000		14,000,000		2,000,000	16,000,000
Franklin/Simpson Technology Center	11,984,000	11,984,000		12,000,000		2,000,000	14,000,000
Henderson CC Tri-County Technical Center <i>Warren County Technology Center (1)</i>	13,066,000	13,066,000		13,066,000 7,500,000		2,000,000	15,066,000 7,500,000
Construct LCC Classroom/Class Lab Building <i>LCC Winchester Facility (1)(2)(RA)</i>	28,855,000	28,855,000		31,741,000 3,400,000		1,500,000	31,741,000 4,900,000
<i>Jefferson Community College (design Hartford) (1)</i>				600,000			600,000
<i>Gateway CTC Expand Edgewood Campus (1)</i>				15,477,000			15,477,000
Total KCTCS	\$ 119,183,000	\$ 119,183,000	\$ -	\$ 128,902,000	\$ -	\$ 9,500,000	\$ 138,402,000
Eastern Kentucky University							
Construct Business/Technology Center Phase II <i>Science Complex Planning & Design (1)</i>	32,850,000	32,850,000		32,850,000 5,000,000			32,850,000 5,000,000
Construct Manchester Postsecondary Ed. Center Phase I	10,000,000		10,000,000	9,000,000			9,000,000
Morehead State University							
Construct MSU-NASA Space Science Center <i>Clay Community Center-8 Additional Classrooms (1)</i>	12,200,000	12,200,000		12,200,000 1,500,000		5,000,000	17,200,000 1,500,000
<i>Design Health Science Classroom Building (1)</i>				1,500,000			1,500,000
Total new Construction	\$ 174,233,000	\$ 164,233,000	\$ 10,000,000	\$ 190,952,000	\$ -	\$ 14,500,000	\$ 205,452,000

**2004-06 Capital Projects
State General Fund - HB 267**

March 18, 2005

	Council Recommendation			Conference Committee Report			Total Authorization
	Project Scope	Bonds or State Funds	Agency Bonds or Inst. Funds	General Funds State Bonds	Agency Bonds	Inst/Fed. Funds	
KCTCS - Renovations and Repairs							
Somerset Renovate Aircraft Maintenance Lab (Aviation)	1,468,000	1,468,000		1,650,000			1,650,000
Comprehensive Universities - Renovation and Repairs							
Kentucky State University							
Renovate Hathaway Hall Classroom Building	11,200,000	11,200,000		7,400,000			7,400,000
Young Hall Renovation (Reauthorized Agency Bonds)	9,407,000	5,267,920	4,327,220	5,339,000	4,547,000	396,000	10,282,000
Murray State University							
Blackburn Science Replacement - Phase II	22,250,000	22,250,000		15,000,000			15,000,000
Breathitt Veterinary Clinic - Replace Incinerator (1) (4)				See Note #4			
Northern Kentucky University							
Regional Special Events Center (1)				54,000,000		6,000,000	60,000,000
Western Kentucky University							
Thompson Sc. Complex Repl./Renov. - Phase II	33,000,000	33,000,000		33,000,000			33,000,000
Math and Science Academy (Schneider) Renovation (3)				3,750,000	5,000,000	3,500,000	12,250,000
Total Renovations and Repairs	\$ 77,325,000	\$ 73,185,920	\$ 4,327,220	\$ 120,139,000	\$ 9,547,000	\$ 9,896,000	\$ 139,582,000
Systemwide Capital Projects							
CPE Biotechnology Program in Shrimp Production (1)				1,700,000			1,700,000
System Total	\$ 469,450,000	\$ 368,154,120	\$ 101,484,020	\$ 400,441,000	\$ 9,547,000	\$ 50,446,000	\$ 460,434,000

Notes:

1. This project was added to the Council's 2004-06 Capital Projects Recommendation.
2. This project is funded with \$3.4 million of bond funds authorized by the 1998 General Assembly and \$1.5 million of restricted funds.
3. This project is included in the CPE recommendation as a special request, but is authorized as \$3.75 million state bond and \$5.0 million agency bond and \$3.5 million restricted funds.
4. Funding for this project (\$300,000) is included in the operating budget of Murray State University.

Council on Postsecondary Education
March 21, 2005

Comprehensive Funding Model Review Update

As part of the Comprehensive Funding Model Review, the Council staff has run the statistical model for selection of the benchmarks based on criteria approved by the Council at the January meeting. The Council staff and the campuses are reviewing the output produced by the model. The Council will take final action on the selection of benchmark institutions in May.

Staff preparation by Sandra Woodley

Council on Postsecondary Education
March 21, 2005

Update on Transfer of Lexington Community College to the Kentucky Community and Technical College System

House Joint Resolution 214 passed in the 2004 session of the Kentucky General Assembly transferred Lexington Community College governance and oversight from the University of Kentucky to the Kentucky Community and Technical College System. House Bill 239 in the 2005 session of the General Assembly would codify the transfer of authority for LCC.

UK President Lee Todd and KCTCS President Mike McCall will provide an update to the Council on the LCC transfer at the March 21 meeting.

2005 Kentucky General Assembly

Preliminary Summary

March 16, 2005

This is a preliminary report on significant actions taken during the 2005 Legislative Session related to postsecondary education and the Council on Postsecondary Education. A final report will be distributed after the General Assembly adjourns later this month.

HB 267 - 2004-06 Budget (Delivered to Governor)

Initiatives listed in the budget that require Council action and/or involvement.

- **Kentucky Data Research Initiative** – The budget bill includes language that creates a partnership between K-12 and postsecondary education research institutions “to maximize research capabilities through computer resources.” No funding was included.

According to the budget bill, “The purposes of the data research initiative are to expand the availability of computing resources not available at the research institutions at a relatively low cost, to do education outreach to students and teachers in Kentucky's K-12 system, to expand the research institutions' presence throughout the state, and to maximize the use of computer assets that have already been purchased in K-12 systems but are often underused.” The initiative builds on a pilot project initiated by DataSeam, a not-for-profit technology company based in Louisville.

The language in the bill calls on the KDE Commissioner and CPE President by December 1, 2005, to “convene appropriate postsecondary education and elementary and secondary educators and administrators to determine how this initiative might be developed, funded, and utilized to enhance research capabilities in the sciences and health-related fields or other appropriate fields of research.”

- **Kentucky Science and Technology Corporation** – Language in the budget calls on the Kentucky Science and Technology Corporation to “submit an annual plan detailing the annual allocation of funds from the Science and Technology Funding Program, excluding funds for the Knowledge-Based Economy Academic Programs.” The Council and the Office of the Commissioner for the New Economy within the Cabinet for Economic Development are to review and approve the plan prior to the Council on Postsecondary Education executing a contract with KSTC. This language has been included in previous budget bills.
- **Meadowbrook Dairy Research and Education Center** – Language in the budget provides \$270,000 in fiscal year 2005-06 for project design of a joint dairy merger involving the University of Kentucky and Eastern Kentucky University. The resulting dairy research and education center will be located at the Meadowbrook Farm near the Eastern Kentucky University campus, will be owned by the university, and will be called the ECU/UK Dairy Research and Education Center. A Memorandum of Understanding must be developed to document the intent of each university to combine existing resources to relocate the University of Kentucky's dairy to this new facility.
- **Tuition Affordability** – Language in the budget bill calls on the Council on Postsecondary Education to “endeavor to minimize tuition increases to the extent possible and maintain Kentucky's

affordability in providing postsecondary education for Kentuckians.” This language has been included in previous budget bills.

- **Biotechnology Program in Shrimp Production** – Language in the budget bill provides operating and bond funds through the Council’s Research Challenge Trust Fund for the purpose of establishing a Biotechnology Program in Shrimp Production. The language calls on UK, WKU, and KSU to “develop a plan to develop and market the shrimp industry in Kentucky.”

Sygen International, a world leader in combining quantitative genetics and biotechnology to animal selection and breeding, is the primary advocate for the initiative. Sygen’s global R&D for molecular multi-species research (specifically marine shrimp research) is located in Franklin, Kentucky. The company is partnering with WKU, KSU, and UK to expand both pure and applied research related to genetics, agriculture, and aquaculture. Sygen plans to expand the cohort of research scientists, as well as explore potential additional commercialization opportunities within Kentucky. In addition the company has made a commitment to WKU to enhance existing faculty positions at that campus.

The language in the bill calls on the Council and the Department of Innovation and Commercialization for a Knowledge-Based Economy to review the plan, monitor its implementation, and report its findings quarterly to the Interim Joint Committee on Appropriations and Revenue and the Secretary of the Finance and Administration Cabinet.

- **Federal Research Laboratory** – The budget bill includes language that calls on a number of government agencies, including the Council on Postsecondary Education, to provide technical assistance and pool resources as necessary for the purpose of recruiting a federal research laboratory to the Commonwealth. This language has been included in previous budget bills.

Other Bills

SB 2 (Mongiardo) – An Act Relating to Health Information (Signed by Governor)

This legislation, or legislation similar to it, has been introduced the past two legislative sessions. The primary goal is to employ the resources available in information technology to improve or enhance health care delivery systems across the Commonwealth.

- Creates the Kentucky Health Care Infrastructure Authority to be jointly operated by the University of Kentucky and the University of Louisville. Responsibilities of the authority include conducting research on health information electronic applications, conducting pilot projects, and serving as a forum for the exchange of ideas and consensus building related to the advancement of the health information infrastructure and health care applications. It permits the authority to seek federal and private funding.
- Creates the Kentucky e-Health Network Board to oversee the development, implementation, and operation of a statewide electronic health network of voluntary participants. The network allows for secure exchange of needed information among authorized health care providers, third-party payers, and patients, with information being exchanged in real time when feasible. The board is attached to the Cabinet for Health Services for administrative purposes. The president of the Council, or a designee, is an ex-officio member of the board. The presidents of UK and UofL, or their designees, serve as co-chairs.

SB 19 (Kelly) – Read to Achieve Act of 2005 (Delivered to Governor)

This legislation also was introduced in the last session. It is a broad-based literacy bill designed to improve the reading skills of Kentucky’s elementary school students.

- Creates a Reading Diagnostic Fund (replaces the early reading incentive fund) administered by the Department of Education to provide two-year grants to schools to help teachers improve pedagogy skills and strengthen reading programs.
- Creates the Reading Diagnostic and Intervention Grant Steering Committee (replaces the Early Reading Incentive Grant Steering Committee), which acts as an advisory body to KDE on the distribution of the Reading Diagnostic Fund. The president of the Council, or designee, serves on this committee.
- Clarifies the responsibilities of the Collaborative Center for Literacy Development (currently housed at UK) and emphasizes the research mission of the center. As existing language notes, the Council, in consultation with KDE, is charged with developing “a process to solicit, review, and approve a proposal for locating the Collaborative Center for Literacy Development at a public institution of postsecondary education.” New language specifies that the Council, in consultation with the center, “shall establish goals and performance objectives related to the functions” in section 5 of the bill.

SB 46 (Kelly) – Education Cabinet Reorganization Bill (In Free Conference Committee)

Codifies Governor’s 2004 Executive Orders that: 1) move the Council on Postsecondary Education within the Education Cabinet and 2) establish the Department of Adult Education as an operating unit within the Council on Postsecondary Education. An amendment added in the House stipulates that the Council, KDE, and EPSB will be attached to the Cabinet for administrative purposes only.

SB 124 (Guthrie) – An Act Related to the UK Board of Trustees (Signed by Governor)

Permits one of the members of the University of Kentucky Board of Trustees to reside outside of Kentucky.

SB 134 (Stivers) – An Act Related to the Governor’s Scholars Program (Signed by Governor)

Moves the Governor’s Scholars Program out of the Education Cabinet and attaches it to the Governor’s office for administrative purposes. Increases program accountability. The president of the Council on Postsecondary Education is to serve as an ex-officio member of the Governor’s Scholars Board.

HB 77 (Graham) – Public Records Legislation (Signed by Governor)

- Requires the Attorney General to distribute open meeting and open records information to public university presidents, among others. Requires public university presidents to further distribute information to board members (within 60 days of receipt of information). Requires signatory proof that each board member has received information.
- The bill was amended in the Senate to include a provision that exempts donated “public or private records having historic, literary, artistic, or commemorative value accepted by the archivist of a public university, museum, or government depository” from the open records laws.

HB 93 (Moberly) – Improving Student Achievement (Delivered to Governor)

A version of this literacy bill was introduced last session. It was amended in the last days of the current session to build in the provisions of Senator Dan Kelly’s mathematics achievement bill (SB 64). HB 93 does the following:

- Creates the Committee for Mathematics Achievement for the purpose of developing a strategic plan to improve mathematics achievement at all levels. Among the charges of the committee is to design a professional development program that includes summer mathematics institutes at colleges and universities beginning no later than June 1, 2006. The committee is attached to KDE for administrative purposes. The president of the Council, or his designee, is a member of the committee. The committee also includes a math or math education faculty member from each of the public institutions, whose selection must be approved by the CPE president and the KDE commissioner, and two adult education providers chosen by the vice-president for Kentucky Adult Education.
- Creates the Mathematics Achievement Fund to provide “developmentally appropriate diagnostic assessment and intervention services to students.” The fund also supports the Center for Mathematics (see below). Any funding for this center will be appropriated to the Council on Postsecondary Education and distributed to the university administering the center.
- Creates the Center for Mathematics to make available professional development for teachers, act as a clearinghouse for PD information, collaborate with Kentucky’s public and private colleges and universities, and maintain a demonstration and training site for mathematics located at each of the public universities. The center will be housed at a public postsecondary institution, chosen by the Council on Postsecondary Education through an RFP process, no later than January 1, 2006.
- Expands the scope of the Teachers’ Professional Growth Fund to include grants to colleges and universities to develop statewide professional development institutes and other PD services. The bill stipulates that the first priority of funds from 2006-09 will be the training of reading and mathematics mentors through the summer institutes referenced earlier in the bill.

HB 239 (Belcher) – An Act Relating to KCTCS (Signed by Governor)

Transfers the governance and management responsibilities for Lexington Community College from UK to KCTCS.

HB 272 (Hoover) – Tax Package (Delivered to Governor)

Creates a tuition tax credit for Kentucky residents who attend an eligible Kentucky institution. The credit shall be 25 percent of the federal credit allowable under Section 25A of the Internal Revenue Code. It is not allowed for expenses for graduate level course study. Any unused credit may be carried forward five years.

HB 269 (Brinkman) – Autism Spectrum Disorders (Signed by Governor)

Creates the Kentucky Commission for Autism Spectrum Disorders to “develop a comprehensive state plan for creating an integrated system of training, treatments, and services for individuals of all ages with an ASD.” The president of the Council, or a designee, is a member of the commission.

HB 269 (Pullin) – KEES Administrative Changes (Delivered to Governor)

Moves all administrative responsibility of the Kentucky Education Excellence Scholarship program from the Council on Postsecondary Education to the Kentucky Higher Education Assistance Authority.

HCR 59-62 (Adkins) – CPE Confirmations (Signed by Governor)

Resolutions confirming Phyllis Maclin, Kevin Canafax, Dan Flanagan, and Alois Moore to the Council on Postsecondary Education.

Bills of interest that are not likely to pass

- SB 196 - Changes the structure of the board of regents of the Kentucky Community and Technical College System to mirror the boards of regents for the regional universities, except that terms shall be limited to one year for faculty and non-teaching personnel regents instead of three.
- HB 13 - Makes forgery of an academic degree a Class D felony.
- HB 20 - Allows students at out-of-state institutions (if they are in states contiguous to Kentucky or in SREB states) to receive KEES awards if they are in a degree program not offered in Kentucky.
- HB 33 - Allows high school students with at least an 18 ACT to use KEES funds (up to \$750) to pay tuition for dual credit courses. The amount will be deducted from freshman year funds.
- HB 45 - Allows universities to issue agency revenue bonds (auxiliary or hospital) if authorized by the General Assembly.
- HB 55 - Requires public postsecondary institutions to reimburse the eligible dependents of disabled or deceased veterans if request for reimbursement is made within eight years of date of last fee paid.
- HB 96 - Requires public postsecondary institutions (encourages private institutions) to include credit card and debt education sessions as part of orientation. Directs CPE to promulgate regulations to regulate credit card marketing on public campuses.
- HB 118 - Changes process and requirements for approval of contracts. Redefines "MOA" to include federal grant agreements and agreements over \$1 million. Deletes all exemptions. Redefines "public service contract" to include contracts over \$1 million for public employee health care and deletes all exemptions. The bill sponsor negotiated an agreement with postsecondary institutions and other state agencies, which was included in a committee substitute.
- HB 203 - Requires that the minimum qualifications for admission to a public postsecondary institution shall require a person to be a U.S. citizen, national, or permanent resident, or meet other specified requirements. These requirements also apply to student aid eligibility.
- HB 245 - Creates a capital renewal account and requires deposits based on the value of a building acquired or proposed for construction or renovation. The Council staff has agreed to facilitate conversations between the universities and Finance Cabinet staff after the session adjourns to develop a proposal that would be acceptable to all parties.

- HB 492 - Requires the Kentucky Higher Education Assistance Authority (KHEAA) to commit to provide a supplemental CATS award within the KEES program to eligible high school students receiving a "proficient" or "distinguished" score on a component of the CATS assessment.
- HB 502 - Requires the Council on Postsecondary Education to provide grants for adult education at the level funded for each adult served in the 1995-1996 year.
- HB 512 - Creates the Kentucky data research initiative, a partnership between elementary and secondary schools and postsecondary research institutions, to better utilize computer systems throughout the state.
- Several bills related to embryonic and adult stem cell research were introduced, but not heard.



Affordability Study

John Lee and Scott Swail

Kentucky Council on Postsecondary Education

March 21, 2005



Key Questions - Descriptive

- Is college affordable for Kentucky students?
- Do gaps in affordability exist for certain students?



Key Questions - Analytical

- Do these “affordability gaps” influence access and completion?
- What changes should be made to financial aid programs that could accomplish the system’s goals?
- How do the current funding strategies (benchmark funding, tuition rate setting, external funds, and student financial aid, for example) affect student access and success in Kentucky?
- What changes to other finance policies would enhance access for lower income or underserved populations?



Key Issues - Big Approaches

- What innovative approaches described in published sources provide insight to affordability issues in Kentucky?
- What solutions to these issues are being adopted by other entities that may be considered in Kentucky?
- Would other student financial aid programs encourage students to continue and complete college?



Integrate with Other State Efforts



Relation of Study to Other State Agendas

- Strategic Plan
- Comprehensive Funding Review: state share/student share - tuition deduction
- Tuition Policy
 - Resident vs. Nonresident students
 - Sector considerations



Our Approach

Policy Development Will be Guided by Three Criteria

- Participants should pay according to benefits received; participants are:
 - Student
 - Family
 - State
 - Federal government
- Equity
- Efficiency



Expert Panel

- Help develop a policy framework and provide suggestions on how the information can best be used in achieving project goals.
- The panel will include:
 - Dr. David Breneman
 - Dr. Thomas J. Kane
 - Dr. David Longanecker



General Approach

- Identify data sources, data elements, and measures that support an analysis of affordability and student success.
- Develop a data collection plan, collect data, and compile existing data.
- Administer two student surveys.
- Write final reports.



Four Data Sets

- Student aid applicants in Kentucky institutions.
- Information from samples of junior high school and high school students.
- Survey of college leavers.
- Contextual data describing postsecondary institutions and state attributes.



Operational Questions

- Do low-income middle school students and their parents have a realistic sense of the price of college attendance and the aid available to them?
- What role do financial barriers play in students' decision not to continue their education after high school?
- Does systematic variation exist in the net price paid by students with different ability to pay and by price of attendance?
- What role do finances play in students' decision to leave college?



Tasks



Peer State Comparisons

- Define peer states and develop indicators of access and persistence.
- Take a close look at state finance models in other states to see if they provide options for Kentucky.
- Interstate migration.



Design a Policy Framework for Kentucky

- Meeting of expert panel will provide a time to review options, goals, and measures that could be used by Kentucky to design and monitor their student finance policies.
- The topics will include student aid, tuition, federal government policy, and alternative approaches to financing higher education that assure access, fairness, and efficiency.



Interstate Migrations

- Review trends in student immigration and emigration to determine what implications changes in tuition policy would have on state revenue.



Other Sources

- Literature review
- International models



Final Report

- Will provide a framework for assuring that college is affordable for Kentucky residents.
- Provide a benchmark by which to judge progress.
- Identify program changes that will accomplish state goals.
- Define a flow-of-funds model for Kentucky.

Council on Postsecondary Education
March 21, 2005

Update on Changing Direction Project and Affordability Study

Changing Direction Project

In November 2001, the Western Interstate Commission on Higher Education (WICHE) began a multi-year project with funding from the Lumina Foundation for Education titled *CHANGING DIRECTION: Integrating Higher Education Financial Aid and Financing Policy*. The purpose of this project is to examine how to structure financial aid and financing policies and practices to maximize participation, access, and success for all students. WICHE's primary partners in the project are the Center for Policy Analysis at the American Council on Education (ACE), National Conference of State Legislatures (NCSL), and State Higher Education Executive Officers (SHEEO).

Kentucky applied and was chosen for participation in this project for the next two years. Paul Lingenfelter of SHEEO will provide additional details regarding this project to the Affordability Policy Group as well as the full Council on March 21.

Affordability Study

The Council staff awarded JBL Associates, Inc., the contract to conduct the detailed affordability study that will be a foundational component of the Council's participation in the WICHE project. The attachment details a summary of the affordability study based on the proposal by JBL. The two lead researchers on the JBL project are John Lee, Ed.D., President of JBL Associates, Inc., and Watson Scott Swail, Ed.D., President of the Educational Policy Institute. On March 21, Dr. Lee and Dr. Swail will address the Affordability Policy Group and the full Council concerning the details and overview of the study.

Staff preparation by Sandra Woodley

JBL Associates, Inc.

Kentucky Postsecondary Education Comprehensive Affordability Analysis

General Description of Project

JBL Associates, Inc., will perform a comprehensive study of the affordability of Kentucky's postsecondary education system. This project will be coordinated with the WICHE Changing Directions project.

Policy Questions:

Key questions which must be addressed in the study shall include, but are not necessarily limited to:

- To what extent is college affordable for Kentucky students? Are there gaps in relative affordability for certain students identifiable by institutional choice and by socio-economic, demographic, or regional variables? To what extent do these gaps alone impact access, continuing success, and completion?
- Are there changes to current student financial aid programs that could accomplish the system's goals of access, continuing success, and completion?
- How does the current array of Kentucky's funding strategies (benchmark funding, tuition rate setting, external funds, and student financial aid, for example) impact postsecondary education access and other success measures such as retention and completion?
- What changes to the state's postsecondary finance policies other than those specifically related to financial aid programs would enhance access for lower income or otherwise underserved populations of Kentucky students?
- Are there other student financial aid programs that could be made available to Kentucky students that could enhance effectiveness and efficiency, thus improving access for Kentucky's students, especially those with the least ability to pay, and encourage students to continue and ultimately to complete college?
- What innovative approaches or ideas are available from international, national, or regional studies, academic research articles, or books that may provide insight to affordability issues in Kentucky? Are there innovative solutions to these issues already being adopted or considered by other entities that may be considered in Kentucky?

1. Policy Framework:

- Policy development will be guided by three criteria: (1) participants should pay according to benefits accrued - participants are: student (analysis should address nonresident students separately), family, state, and federal government; (2) equity in funding; (3) efficiency in use of funds to achieve greatest good.
- In addition to JBL staff, an expert panel will help develop a policy framework and provide suggestions on how the information can best be used in achieving goals of the project. The panel will include:

Dr. David Breneman, Dean of the Curry School of Education at the University of Virginia and an economist and authority on the finance and economics of higher education. His three decades of experience include service as a professor, college president, think-tank scholar, and dean. He currently teaches courses in the Center for the Study of Higher Education. His recent writings focus on the vexing issues of state financing of public higher education.

Dr. Thomas J. Kane, Professor of Policy Studies and Economics at UCLA. He has studied a number of issues related to higher education: estimating the labor market payoff to a community college education, observing the impact of tuition and financial aid policy on college enrollment rates, and analyzing the

impact of affirmative action in college admissions. His book, The Price of Admission: Rethinking How Americans Pay for College, was published by the Brookings Institution in October 1999. Prior to coming to UCLA, Dr. Kane was an Associate Professor at the Kennedy School of Government at Harvard University. Dr. Kane also served as a Visiting Fellow at the Brookings Institution and at the Hoover Institution.

Dr. David Longanecker, the Executive Director of the Western Interstate Commission for Higher Education in Boulder, Colorado. Prior to joining WICHE, he served for six years as the Assistant Secretary for Postsecondary Education at the U.S. Department of Education, developing and implementing national policy and programs providing more than \$40 billion annually in student aid and \$1 billion to institutions. Prior to that he was the State Higher Education Executive Officer (SHEEO) in Colorado and Minnesota. He was also the principal analyst for higher education for the Congressional Budget Office. Dr. Longanecker has served on numerous boards and commissions and was President of the State Higher Education Executive Officers. He has written extensively on a range of higher education issues.

John B. Lee, Ed.D., (President of JBL Associates, Inc.) is the lead researcher on the project. Additionally, Scott Swail, Ed.D., (President of Educational Policy Institute) will provide research support in conjunction with JBL Associates, Inc.

2. Plan of Services:

Major phases of the work to be performed:

- Orientation meeting to review policy context and goals.
- Identify innovative approaches or promising ideas from international, national, or regional studies and research that may be applicable in Kentucky.
- Identify data sources, data elements, and quantitative and qualitative measures that support a comprehensive, continuing analysis of affordability and other measures of student success.
- Develop a data collection plan, collect data, compile existing data (will require collection of sample student record data from each institution - financial aid offices).
- Student surveys (high school and college drop out).
- Draft reports and recommendations consistent with proposal.

Deliverables

Interim Progress Report:

The interim progress report: May 2005 (Presented to the Council in July 2005).

Final Report:

The final report: August 2005 (Presented to the Council in September 2005).

Council on Postsecondary Education
March 21, 2005

Kentucky Adult Education Enrollment Goal

Kentucky Adult Education (KYAE) establishes annual statewide and county adult education enrollment goals. An approved 2005-06 enrollment goal is necessary to initiate grant renewals, which assure continuation of adult education services in all 120 counties on July 1, 2005.

Action: The staff recommends that the Council approve the 2005-06 Kentucky Adult Education enrollment goal of 125,000 students.

The Kentucky General Assembly appropriated a \$2.5 million increase in KYAE's 2005-06 operating funds. Of this increase, KYAE estimates that nearly \$608,000 will be necessary for county adult education programs to meet rising salary and benefits costs. The remainder will be used to expand access to adult education programs.

Based on this funding increase, KYAE recommends a 2005-06 statewide enrollment goal of 125,000 students, which includes core services (adult basic education, workforce education, English as a second language, and GED preparation), family literacy, Workforce Alliance, and corrections education.

In 2004, KYAE enrolled 120,051 students, exceeding the enrollment goal of 100,000. The current year enrollment goal is 115,000.

GED Eligibility Requirements Administrative Regulation

Action: The staff recommends that the Council approve the proposed amendment to the administrative regulation titled *785 KAR 1:130 GED Eligibility Requirements*, and file the administrative regulation with the Legislative Research Commission.

Amendments are needed to the GED Eligibility Regulation to permit testing of students in the GED Secondary Program, to support HB 178, and to recognize an agency name change as a result of the Governor's Executive Order EO2004-725.

After the July 2004 CPE meeting, the GED Secondary Program was approved. The amended regulation recognizes this program and allows students in the program to take the GED.

House Bill 178, passed during the 2004 session of the Kentucky General Assembly and signed by the Governor, stipulates that students who drop out of high school and earn a GED by October 1 of the following school year will not count in that school's dropout rate. The current GED eligibility regulation does not allow students to test until they have been withdrawn from high school one year or the applicant's last enrolled class has graduated. To align with HB 178, the regulation is amended to establish a 90-day waiting period for dropouts. This change conforms to KRS 159.010, which requires local districts to contact withdrawn students within three months to encourage re-enrollment, an alternative program, or participation in a GED preparation program.

The amended regulation changes the agency name from the Department for Adult Education and Literacy to Kentucky Adult Education in conformance with the Governor's reorganization.



GED TESTING APPLICATION
(PLEASE TYPE OR PRINT)

Kentucky Adult Education
1024 Capital Center, Suite 250
Frankfort, KY 40601
502/573-5114
Website: http://adulthood.state.ky.us/GED.htm

Note: Applicants with a documented disability may qualify for special testing accommodations. Please contact your local testing center or the adult education provider for information.

Name (Last, First, Middle Initial or Maiden Name)

Date of Birth (Month/Day/Year) Age at application Social Security Number

Address (Street/Number/Apartment)

City State* Zip Code

Home Phone Work Phone

*Only examinees with a Kentucky address will be issued a Kentucky diploma.

Name of last school attended NCES Code

Address of last school attended

City State Zip Code

HIGH SCHOOL WITHDRAWAL

If applicant is less than 19 years of age, documented proof of withdrawal from public or private school must be attached to this application.

Date of withdrawal from school:

Certify the following by initialing beside each statement:

- I certify I have not received a high school credential from any jurisdiction.
I certify I have not previously earned GED scores sufficient to qualify for a high school credential in any jurisdiction.
I certify I have read and understand the testing misconduct policy.
I certify I have not already taken the GED tests more than twice during this calendar year.
I authorize release of my test results to the certifying providers.
I certify all information on this application is accurate.

Signature of Applicant Date

This signed application must be taken to the test center for admission to testing and is good for 6 months from this date. Government issued photo identification with name, date of birth, address and signature must be taken to the test center for admission to testing.

You may need additional signatures on the back of this application if you meet one of the exemptions outlined in 785 KAR 1:130 described on the next page of this application.

COMPLETE ONLY IF FILING FOR EXEMPTION.

You will need an additional signature if you meet one of the following conditions outlined in 785 KAR 1:130:

- 1. If you are in a juvenile detention center or juvenile holding center, you must have the signature of the local school superintendent.
- 2. If you are a state agency child, you must have the signature of the child program administrator.
- 3. If you are in the Secondary GED Program, you must have the signature of the local school superintendent.

Name of Local School District or State Agency	City	County
Print Name	Date □□/□□/□□□□	Phone Number □□□/□□□-□□□□
Authorized Signature X		

TEST READINESS CERTIFICATION

Applicants are required to be certified as test-ready by a local adult education provider. This form must be completed by an approved Adult Education Professional.

This certifies the applicant has passed the Official GED Practice Test and is eligible to take the GED Test.

Signature of Adult Education Provider X	Program Name	
Print Name	Provider Code □□□□	Provider Phone Number □□□/□□□-□□□□
Number of hours spent preparing for GED Test _____	Provider E-mail	

Applicant Name (Last, First, Middle Initial or Maiden Name)

Date of Birth (Month/Day/Year) □□/□□/□□□□	Age at application	Social Security Number □□□-□□-□□□□
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Official Practice Test Scores

Date	Language Arts, Reading	Language Arts, Writing	Math	Science	Social Studies	Total Points	Average

1 COUNCIL ON POSTSECONDARY EDUCATION

2 [Amendment]

3 **785 KAR 1:130. GED eligibility requirements.**

4 RELATES TO: KRS 151B.023, 151B.125

5 STATUTORY AUTHORITY: KRS 151B.023, 151B.410, **EO 2004-725**

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.410(1) requires the

7 Department for Adult Education and Literacy to promulgate necessary administrative regulations
8 and administer a statewide adult education and literacy system through the state. KRS 151B.023
9 designates the Department for Adult Education and Literacy to carry out the statewide mission
10 on adult education. The department has the responsibility for all administrative functions of the
11 state in relation to the management, control, and operations of programs and services in adult
12 education and literacy. KRS 151B.125 recognizes the General Educational Development
13 [~~general educational development~~] (GED) Tests [~~test~~] for high school equivalency purposes in
14 Kentucky. EO 2004-725 abolished the Department for Adult Education and Literacy and
15 transferred its duties to the Council on Postsecondary Education. This administrative regulation
16 establishes the eligibility requirements for taking the GED Tests [~~test~~].

17 Section 1. Eligibility Requirements. The [~~Except as provided in Sections 2 and 3 of this~~
18 ~~administrative regulation, the~~] GED Tests [~~test~~] shall be administered to an applicant with a
19 Kentucky address who:

20 (1) Has reached his 19th birthday; [~~or;~~]

1 (2) Is at least sixteen (16) ~~{seventeen (17)}~~ years of age ~~[,]and[~~;

2 ~~(2) (a) The applicant~~ has officially withdrawn from public or private school for
3 ninety (90) days as certified by the local school district; or

4 (3) Is ~~[and (b) The applicant's last enrolled class has graduated; or~~

5 ~~(c) The applicant has been out of formal instruction for a period of one (1) year].~~

6 ~~Section 2. [Exigent Circumstance. An applicant at least sixteen (16) years of age who~~
7 ~~believes exigent circumstances exist and who does not meet the conditions of Section 1 of~~
8 ~~this administrative regulation may request an exemption from the local school superintendent~~
9 ~~or designee in the district where the applicant resides. An exemption granted on the basis of~~
10 ~~exigent circumstances or a denial shall be in writing. A copy of all exigent circumstance~~
11 ~~decisions shall be mailed or faxed within five (5) working days of the decision to the state~~
12 ~~GED administrator. An applicant may appeal a denial by the local school superintendent to~~
13 ~~the Commissioner of the Department for Adult Education and Literacy.~~

14 ~~Section 3. Exemptions. An applicant~~ at least sixteen (16) years of age with a Kentucky
15 address, and is~~[shall also be eligible to take the GED test if the applicant is]:~~

16 (a) [(1)] Committed or placed in a state correctional facility;

17 (b) [(2)] Enrolled in the Jobs Corps Program of Instruction;

18 (c) [(3)] Considered a state agency child, as defined by KRS 158.135(1)(a) and
19 receives approval for the GED Tests ~~[test]~~ from his interdisciplinary team; ~~[or]~~

20 (d) [(4)] Detained in a juvenile detention center or juvenile holding facility, and the
21 applicant:

22 1. [(a)] Is at least one (1) year behind academically from his graduating class;

23 2. [(b)] Has a minimum stay in detention of thirty (30) days; and

1 3. ~~{(e)}~~ Is approved for the GED Tests [~~test~~] by the local school superintendent;~~[-]or~~

2 (e) Enrolled in a Kentucky Department of Education approved Secondary GED

3 Program and is approved for the GED Tests by the local school superintendent.

4 Section 2 [4]. Test Readiness. An applicant shall be certified as test-ready by an entity
5 approved by Kentucky [~~a Department for~~] Adult Education [~~and Literacy designated entity~~].

6 (1) Before taking the official GED Tests [~~test~~], an applicant shall:

7 (a) Successfully complete the Official GED Practice Test with the same passing
8 scores required for the GED Tests [~~test~~] or present a Kentucky Educational Television GED
9 Connection Voucher; and [-]

10 (b) Complete the Kentucky Adult Education GED Test [~~Testing~~] Application [~~Form~~].

11 This form shall be available from a county [~~local~~] adult education provider, [~~local~~] school
12 district [~~superintendent~~], or Kentucky [~~the Department for~~] Adult Education [~~and Literacy~~].

13 (2) Military personnel shall:

14 (a) Not be required to complete the GED Test [~~Testing~~] Application [~~Form~~] prior to
15 taking the test; and

16 (b) Complete the Military GED Application (Form 300-M) before a high school
17 equivalency diploma shall be issued.

18 Section 3 [4]. Incorporation by Reference. (1) The following material is incorporated
19 by reference:

20 (a) Kentucky Adult Education GED Test Application, April 2005 [~~"GED Testing~~
21 ~~Application (DAEL-6)", revised_10/12/01 edition, Cabinet for Workforce Development,~~
22 ~~Department for Adult Education program~~ [~~and Literacy~~]; and

1 (b) "Application for High School Equivalency Diploma or Certificate (Military GED
2 Application) (Form 300-M)," revised 6/96 edition, GED Testing Service, Washington, D.C.

3 (2) This material may be inspected, copied, or obtained, subject to applicable
4 copyright law, at Kentucky Adult Education, Council on Postsecondary Education, 1024
5 Capital Center Dr., Suite 250, [the Department for Adult Education and Literacy, Capital
6 Plaza Tower, Third Floor, 500 Mero Street,] Frankfort, Kentucky 40601, Monday through
7 Friday, 8 a.m. to 4:30 p.m.

Thomas D. Layzell
President
Council on Postsecondary Education

Date

APPROVED AS TO FORM:

Dennis L. Taulbee
General Counsel
Council on Postsecondary Education

Date

PUBLIC HEARING: A public hearing on 785 KAR 1:130 GED Eligibility Requirements shall be held on May 26, 2005, at 10:00 a.m. at the Council on Postsecondary Education, Conference Room E. Individuals interested in being heard at this hearing shall notify this agency in writing by May 19, 2004, five working days prior to the hearing, of their intention to attend. If no notification to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until June 1, 2005. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON:

B.J. Helton, Senior Associate, GED Administrator
Council on Postsecondary Education
1024 Capital Center Drive, Suite 250
Frankfort, Kentucky 40601
Phone: 502-573-5114, ext. 102
Fax: 502-573-5436
Email: bj.helton@ky.gov

REGULATORY IMPACT ANALYSIS
AND TIERING STATEMENT

Administrative Regulation **785 KAR 1:130. GED Eligibility Requirements.**

Contact person: B. J. Helton, Senior Associate, GED Administrator
Kentucky Adult Education
Council on Postsecondary Education
1024 Capital Center Drive, Suite 250
Frankfort, KY 40601
502.573.5114, ext. 102
bj.helton@ky.gov

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: In support of HB 178 (2004 REGULAR SESS.), the amendment reduces the waiting time to take the GED Tests allowing dropouts to be eligible to test before October 1. The amendment allows students in the Kentucky Department of Education Secondary GED Program to take the GED Tests.
 - (b) The necessity of this administrative regulation: This regulation is mandated by KRS 151B.023 and KRS 151B.410.
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: The administrative regulation conforms explicitly to the authorizing statutes.
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The administrative regulation complies with the statutory change of status of dropout students and recognizes a new KDE program.

- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
 - (a) How the amendment will change this existing administrative regulation: It shortens the time requirement before a dropout student may take the GED. It allows students in the Option Program to test.
 - (b) The necessity of the amendment to this administrative regulation: Under the current administrative regulation, a student may not take the GED within a year of dropping out or until the last enrolled class has graduated. Under the current regulation there is no provision for enrolled secondary students to take the GED.
 - (c) How the amendment conforms to the content of the authorizing statutes: This amendment conforms explicitly to the requirements of House Bill 178, (2004 REGULAR SESS.)
 - (d) How the amendment will assist in the effective administration of the statutes: This amendment conforms the GED eligibility requirements to legislative changes made in the status of high school dropouts and recognizes the eligibility of students in a new Secondary GED Program.

- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Local providers of adult education in each county, local school districts, adult education students, and students in the Secondary GED Program.
- (4) Provide an assessment of how the above group or groups will be impacted by either the implementation of this administrative regulation, if new, or by the change if it is an amendment: Students who dropout will be eligible to take the GED at an earlier date; this may increase the number of high school dropouts who get their GED by removing an artificial time barrier that restricted access to the GED for one year. Secondary students enrolled in an alternative Secondary GED Program will be permitted to take the GED.
- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
 - (a) Initially: No cost.
 - (b) On a continuing basis: No cost.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Not applicable.
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary with the implementation of this new administrative regulation.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: Test fees are assessed, but these are covered in another administrative regulation. No fees or fee increases are involved in the administration of this administrative regulation.
- (9) TIERING: Is tiering applied? Tiering is not appropriate under these circumstances.

Residency Administrative Regulation

Kentucky requires nonresident students to pay a different tuition rate from resident students. On occasion, institutions also have more restrictive admissions criteria for nonresident students. In order to properly classify students as residents or nonresidents, the Council developed an administrative regulation, 13 KAR 2:045 Determination of residency status for admission and tuition assessment purposes.

Action: The staff recommends that the Council approve the attached administrative regulation, 13 KAR 2:045 *Determination of residency status for admission and tuition assessment purposes.*

This administrative regulation was last amended in 2002.

The statewide residency committee met and recommended that changes be made in the administrative regulation as a result of institutional experiences in administering the administrative regulation. Deletions are set out with brackets and strike-throughs. Additions are underlined.

In 2004, the General Assembly adopted statutory language that a person who graduates from a Kentucky high school and enrolls at a state-supported institution within two years shall be a Kentucky resident. The regulation needed to be amended to reflect this statutory provision.

In 2002, the Council approved a change in the administrative regulation making it easier for undocumented aliens who graduate from a Kentucky high school to qualify as a Kentucky resident. That language was awkwardly constructed and resulted in an unintended consequence that undocumented aliens could become Kentucky residents more easily than documented aliens. There is a proposed change to the administrative regulation to correct that deficiency.

House Bill 203, introduced in the House of Representatives this term, would not allow noncitizens to enroll in Kentucky institutions. The bill did not pass.

The Council staff will file the administrative regulation with the regulations compiler, and then will go through the formal review process including public comment on the administrative regulation. If there are changes as a result of the review process, these will be reported back to the Council.

1 COUNCIL ON POSTSECONDARY EDUCATION

2 (Amendment)

3 13 KAR 2:045. Determination of residency status for admission and tuition assessment purposes.

4 RELATES TO: KRS Chapter 13B, 164.020, 164.030, 164A.330(6)

5 STATUTORY AUTHORITY: KRS 164.020(8)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.020(8) requires the Council on
7 Postsecondary Education to determine tuition and approve the minimum qualifications for admission to
8 a state-supported postsecondary education institution and authorizes the Council to set different tuition
9 amounts for residents of Kentucky and for nonresidents. This administrative regulation establishes the
10 procedure and guidelines for determining the residency status of a student who is seeking admission to,
11 or who is enrolled at, a state-supported postsecondary education institution.

12 Section 1. Definitions. (1) "Academic term" means a division of the school year during which a
13 course of studies is offered, and includes a semester, quarter, or single consolidated summer term as
14 defined by the institution.

15 (2) "Clear and convincing evidence" means proof beyond a well founded doubt and that which
16 produces in the mind of the reviewer a firm belief or conviction.

17 (3) "Continuous enrollment" means enrollment in a state-supported postsecondary education
18 institution at the same degree level for consecutive terms, excluding summer term, since the beginning
19 of the period for which continuous enrollment is claimed unless a sequence of continuous enrollment is
20 broken due to extenuating circumstances beyond the student's control, including serious personal illness
21 or injury, or illness or death of a parent.

1 (4) [(3)] "Degree level" means enrollment in a course or program which could result in the
2 award of a:

3 (a) Certificate, diploma or other program award at an institution;

4 (b) Baccalaureate degree or lower including enrollment in a course by a nondegree-seeking
5 postbaccalaureate student;

6 (c) Graduate degree or graduate certification other than a first-professional degree in law, medi-
7 cine, dentistry, or "Pharm. D"; or

8 (d) Professional degree in law, medicine, dentistry, or "Pharm. D." [-]

9 (5) [(4)] "Demonstration of Kentucky domicile and residency" means the presentation of docu-
10 mented information and evidence sufficient to prove by a preponderance of the evidence that a person
11 is domiciled in Kentucky and is a resident of Kentucky.

12 (6) [(5)] "Dependent person" means a person who cannot demonstrate financial independence
13 from parents or persons other than a spouse and who does not meet the criteria established in Section 5
14 of this administrative regulation.

15 (7) [(6)] "Determination of residency status" means the decision of a postsecondary education
16 institution that may include a formal hearing that results in the classification of a person as a Kentucky
17 resident or as a nonresident for admission and tuition assessment purposes.

18 (8) [(7)] "Domicile" means a person's true, fixed, and permanent home and is the place where
19 the person intends to remain indefinitely, and to which the person expects to return if absent without
20 intending to establish a new domicile elsewhere.

21 (9) [(8)] "Full-time employment" means continuous employment for at least forty-eight (48)
22 weeks at an average of at least thirty (30) hours per week.

23 (10) [(9)] "Independent person" means a person who demonstrates financial independence from

1 parents or persons other than a spouse and who can meet the criteria established in Section 5 of this
2 administrative regulation.

3 (11) ~~[(40)]~~ "Institution" means an entity defined in KRS 164.001(11) if the type of institution is
4 not expressly stated and includes the Kentucky Virtual University, the Council on Postsecondary Edu-
5 cation, and the Kentucky Higher Education Assistance Authority.

6 (12) ~~[(41)]~~ "Kentucky resident" means a determination by an institution that a person is domi-
7 ciled in and is a resident of Kentucky as determined by this administrative regulation.

8 (13) ~~[(42)]~~ "Nonresident" means a person who is domiciled outside of Kentucky or who cur-
9 rently maintains legal residence outside Kentucky or who is not a Kentucky resident within the meaning
10 of this administrative regulation.

11 (14) ~~[(43)]~~ "Parent" means one (1) of the following:

12 (a) A person's father or mother; or

13 (b) A court-appointed legal guardian if:

14 1. The guardianship is recognized by an appropriate court within the United States;

15 2. There was a relinquishment of the rights of the parents; and

16 3. The guardianship was not established primarily to confer Kentucky residency on the person.

17 ~~[(14) "Preponderance of the evidence" means the greater weight of evidence, or evidence
18 which is more credible and convincing to the mind.]~~

19 (15) "Residence" means the place of abode of a person and the place where the person is physi-
20 cally present most of the time for a noneducational purpose in accordance with Section 3 of this admin-
21 istrative regulation.

22 (16) "Student financial aid" means all forms of payments to a student if one (1) condition of re-
23 ceiving the payment is the enrollment of the student at an institution.

1 (17) "Sustenance" means living expenses including room, board, maintenance, transportation,
2 and also includes [~~may include~~] educational expenses including tuition, fees, books, and supplies.

3 Section 2. Scope. (1) State-supported postsecondary education institutions were established and
4 are maintained by the Commonwealth of Kentucky primarily for the benefit of qualified residents of
5 Kentucky. The substantial commitment of public resources to postsecondary education is predicated on
6 the proposition that the state benefits significantly from the existence of an educated citizenry. As a
7 matter of policy, access to postsecondary education shall be provided so far as feasible at reasonable
8 cost to an individual who is domiciled in Kentucky and who is a resident of Kentucky. This administra-
9 tive regulation sets forth the criteria that are to be evaluated and the processes employed to determine
10 whether or not a student is, in fact, a resident of Kentucky for the purpose of determining entitlement to
11 the benefits of postsecondary education that are afforded to all bona fide Kentucky residents. An evalu-
12 ation of an individual student's information shall be directed at determining whether the person is dom-
13 iciled in and is a resident of Kentucky.

14 (2) The Council on Postsecondary Education may require a student who is neither domiciled in
15 nor a resident of Kentucky to meet higher admission standards and to pay a higher level of tuition than
16 resident students.

17 (3) This administrative regulation applies to all student residency determinations regardless of
18 circumstances, including residency determinations made by the state-supported institutions for prospec-
19 tive and currently-enrolled students; the Southern Regional Education Board contract spaces programs;
20 reciprocity agreements, where appropriate; the Kentucky Virtual University programs and services,
21 where appropriate; academic common market programs; the Kentucky Educational Excellence Scholar-
22 ship program; and other state student financial aid programs, as appropriate.

23 Section 3. Determination of Residency Status; General Rules. (1) A determination of residency

1 shall include:

2 (a) An initial determination of residency status by an institution during the admission process or
3 upon enrollment in an institution for a specific academic term or for admission into a specific academic
4 program;

5 (b) A reconsideration of a determination of residency status by an institution based upon a
6 changed circumstance; and

7 (c) A formal hearing conducted by an institution upon request of a student after other adminis-
8 trative procedures have been completed.

9 (2) An initial determination of residency status shall be based upon:

10 (a) The facts in existence when the credentials established by an institution for admission for a
11 specific academic term have been received and during the period of review by the institution;

12 (b) Information derived from admissions materials;

13 (c) Other materials required by an institution [~~and which are~~] consistent with this administrative
14 regulation; or

15 (d) Other information available to the institution from any source.

16 (3) An individual seeking a determination of Kentucky residency status shall demonstrate that
17 status by clear and convincing [~~a preponderance of the~~] evidence.

18 (4) A determination of residency status shall be based upon verifiable circumstances or actions.

19 (5) Evidence and information cited as the basis for Kentucky domicile and residency shall ac-
20 company the application for a determination of residency status.

21 (6) A student classified as a nonresident shall retain that status until [~~the student is~~] officially
22 reclassified by an institution.

23 (7) A student may apply for a review of a determination of residency status once for each aca-

1 demic term.

2 (8) If an institution has information that a student's residency status may be incorrect, the insti-
3 tution shall review and determine the student's correct residency status.

4 (9) If the Council on Postsecondary Education has information that an institution's determina-
5 tion of residency status for a student may be incorrect, it may require the institution to review the cir-
6 cumstances and report the results of that review.

7 (10) An institution shall impose a penalty or sanction against a student who gives incorrect or
8 misleading information to an institutional official, including payment of nonresident tuition for each
9 academic term for which resident tuition was assessed based on an improper determination of residency
10 status. The penalty may also include:

- 11 (a) Student discipline by the institution through a policy written and disseminated to students; or
- 12 (b) Criminal prosecution.

13 Section 4. Presumptions Regarding Residency Status. (1) In making a determination of residen-
14 cy status, it shall be presumed that a person is a nonresident if:

15 (a) A person is, or seeks to be, an undergraduate student and admissions records show the stu-
16 dent to be a graduate of an out-of-state high school within five (5) years prior to a request for a determi-
17 nation of residency status;

18 (b) A person's admissions records indicate the student's residence to be outside of Kentucky at
19 the time of application for admission;

20 (c) A person moves to Kentucky primarily for the purpose of enrollment in an institution;

21 (d) A person moves to Kentucky and within twelve (12) months enrolls at an institution more
22 than half time; or

23 (e) A person has a continuous absence of one (1) year from Kentucky.

1 (2) A student shall be given the opportunity to show, by clear and convincing evidence, that a
2 presumption arising from subsection (1) of this section is incorrect and that the student [~~shall be over-~~
3 ~~come by presentation of evidence that is sufficient to demonstrate that a person~~] is domiciled in and is
4 a resident of Kentucky.

5 (3) Provided, however, an institution shall comply with the provisions of KRS 164.020(8).

6 Section 5. Determination of Whether a Student is Dependent or Independent. (1) In a determi-
7 nation of residency status, an institution shall first determine whether a student is dependent or inde-
8 pendent. This provision is predicated on the assumption that a dependent person lacks the financial
9 ability to live independently of the person upon whom the student is dependent and therefore takes the
10 residency of a parent [~~and therefore lacks the ability to form the requisite intent to establish domicile~~].

11 (2) In determining the dependent or independent status of a person, the following information
12 shall be considered as well as other relevant information available at the time the determination is
13 made:

14 (a) [~~4.~~] Whether or not the person has been claimed as a dependent on the federal or state tax
15 returns of a parent or other person for the year preceding the date of application for a determination of
16 residency status; [~~or~~

17 ~~2. Whether the person is no longer claimed by a parent or other person as a dependent or as an~~
18 ~~exemption for federal and state tax purposes;] and~~

19 (b) Whether the person has financial earnings and resources independent of a person other than
20 an independent spouse necessary to provide for the person's own sustenance.

21 (3) The financial resources from student financial aid may be considered in a determination of
22 whether a student is independent, but also may be considered in determining whether a student is pre-
23 sent in Kentucky primarily for an educational purpose.

1 (4) An individual who enrolls at an institution immediately following graduation from high
2 school and remains enrolled shall be presumed to be a dependent person unless the contrary is evident
3 from the information submitted.

4 (5) [(4)] Domicile may be inferred from the student's permanent address, parent's mailing ad-
5 dress, or location of high school of graduation.

6 (6) [(5)] Marriage to an independent person domiciled in and who is a resident of Kentucky
7 shall be a factor considered by an institution in determining whether a student is dependent or inde-
8 pendent.

9 (7) [(6)] Financial assistance from or a loan made by a parent or family member other than an
10 independent spouse, if used for sustenance of the student:

11 (a) Shall not be considered in establishing a student as independent; and

12 (b) Shall be a factor in establishing that a student is dependent.

13 (8) A student shall be allowed to provide, and have considered, information concerning a de-
14 termination that a person is dependent or independent.

15 Section 6. Effect of a Determination of Dependent Status on a Determination of Residency Sta-
16 tus. (1) The effect of a determination that a person is dependent shall be:

17 (a) The domicile and residency of a dependent person shall be the same as either parent.

18 (b) The domicile and residency of the parent shall be determined in the same manner as the
19 domicile and residency of an independent person.

20 (c) [(b)] The domicile and residency of a dependent person whose parents are divorced, separat-
21 ed, or otherwise living apart shall be Kentucky if either parent is domiciled in and is a resident of Ken-
22 tucky regardless of which parent has legal custody or is entitled to claim that person as a dependent pur-
23 suant to federal or Kentucky income tax provisions.

1 (2)(a) If the parent or parents of a dependent person are Kentucky residents and are domiciled in
2 Kentucky but subsequently move from the state, the dependent person shall be considered a resident of
3 Kentucky while in continuous enrollment at the degree level in which currently enrolled.

4 (b) If continuous enrollment is broken or the current degree level is completed, the dependent
5 person's residency status shall be reassessed [~~when the circumstances detailed in subparagraph 1 of this~~
6 ~~paragraph are present~~].

7 Section 7. Member of Armed Forces of the United States, Spouse and Dependents; Effect on a
8 Determination of Residency Status. (1) A member, spouse, or dependent of a member whose domicile
9 and residency was Kentucky at the time of induction into the Armed Forces of the United States, and
10 who maintains Kentucky as home of record and permanent address, shall be entitled to Kentucky resi-
11 dency status:

12 (a) During the time of active service; or

13 (b) If the member, spouse, or dependent returns to this state within six (6) months of the date of
14 the member's discharge from active duty.

15 (2)(a) A member, spouse, or dependent of a member of the Armed Forces of the United
16 States stationed in Kentucky on active military orders shall be considered a Kentucky resident while
17 the member is on active duty in this state pursuant to those orders if the member is not:

18 1. Stationed in Kentucky for the purpose of enrollment at an institution; or

19 2. On temporary assignment of less than one (1) year.

20 (b) A member, spouse, or dependent of a member shall not lose Kentucky residency status if the
21 member is thereafter transferred on military orders while the member, spouse, or dependent requesting
22 the status is in continuous enrollment at the degree level in which currently enrolled.

23 (3) Membership in the National Guard or civilian employment at a military base [~~alone~~] shall

1 not qualify a person for Kentucky residency status under the provisions of subsections (1) and (2) of
2 this section.

3 (4) A person's residency status established pursuant to this section shall be reassessed if the
4 qualifying condition is terminated.

5 Section 8. Status of Nonresident Aliens; Visas and Immigration. (1)(a) A person holding a per-
6 manent residency visa or classified as a political refugee shall establish domicile and residency in the
7 same manner as another person.

8 (b) Time spent in Kentucky and progress made in fulfilling the conditions of domicile and resi-
9 dency prior to obtaining permanent residency status shall be considered in establishing Kentucky domi-
10 cile and residency.

11 (2) A person holding a nonimmigrant visa with designation A, E, G, H-1, H-4 if accompanying
12 a person with an H-1 visa, I, K, L, N, R shall establish domicile and residency the same as another per-
13 son.

14 (3)(a) An independent person holding a nonimmigrant visa with designation B, C, D, F, H-2, H-
15 3, H-4 if accompanying a person with an H-2 or H-3 visa, J, M, O, P, Q, S, TD, or TN shall not be clas-
16 sified as a Kentucky resident, because that person does not have the capacity to remain in Kentucky in-
17 definitely and therefore cannot form the requisite intent necessary to establish domicile within the
18 meaning of this administrative regulation.

19 (b) A dependent person holding a visa as described in paragraph (a) of this subsection, but who
20 is a dependent of a parent holding a visa as described in subsection (2) of this section, shall be consid-
21 ered as holding the visa of the parent.

22 (c) A dependent person holding a visa described in subsection (2) of this section or paragraph
23 (a) of this subsection, if a parent is a citizen of the United States and is ~~[a resident of and]~~ domiciled in

1 and a resident of Kentucky, shall be a resident of Kentucky for the purposes of this administrative regu-
2 lation.

3 ~~(4) A person shall be a Kentucky resident for the purpose of this administrative regulation if~~
4 ~~the person graduated from a Kentucky high school and:~~

5 ~~(a) Is an undocumented alien;~~

6 ~~(b) Holds a visa listed in subsections (2) or (3)(a) of this section;] or~~

7 ~~(c) Is a dependent of a person who holds a visa listed in subsections (2) or (3)(a) of this sec-~~
8 ~~tion.~~

9 ~~(5)]~~ (a) Except as provided in paragraph (b) of this subsection, a person who has petitioned
10 the federal government to reclassify visa status shall continue to be ineligible until the petition has
11 been decided by the federal government.

12 (b) A person who has petitioned the federal government to reclassify visa status based on a
13 marriage to a Kentucky resident and who can demonstrate that the petition has been filed and
14 acknowledged by the federal government may establish Kentucky domicile and residency at that
15 time.

16 (5)(a) An undocumented alien who graduates from a Kentucky high school and who resides
17 in Kentucky shall be presumed to be a Kentucky resident if that person enrolls in an institution in the
18 next academic term following graduation from high school.

19 (b) An institution shall make a determination based on the facts in evidence as to whether the
20 student is domiciled in and a resident of Kentucky.

21 Section 9. Beneficiaries of a Kentucky Educational Savings Plan Trust. A beneficiary of a Ken-
22 tucky Educational Savings Plan Trust shall be granted residency status if the beneficiary meets the re-
23 quirements of KRS 164A.330(6).

1 Section 10. Criteria Used in a Determination of Residency Status. (1) A determination of Ken-
2 tucky domicile and residency shall be based upon verifiable circumstances or actions. A single fact
3 shall not be paramount, and each situation shall be evaluated to identify those facts essential to the de-
4 termination of domicile and residency. A person shall not be determined to be a Kentucky resident by
5 the performance of an act incidental to fulfilling an educational purpose or by an act performed as a
6 matter of convenience. Mere physical presence in Kentucky, including living with a relative or friend,
7 shall not be sufficient evidence of domicile and residency. A person shall respond to all requests by an
8 institution for information and documents.

9 (2) The following facts, although not conclusive, shall have probative value in their entirety and
10 shall be individually weighted, appropriate to the facts and circumstances in each determination of resi-
11 dency:

12 (a) Acceptance of an offer of full-time employment or transfer to an employer in Kentucky or
13 contiguous area while maintaining residence and domicile in Kentucky;

14 (b) Continuous physical presence in Kentucky while in a nonstudent status for the twelve (12)
15 months immediately preceding the start of the academic term for which a classification of Kentucky
16 residency is sought;

17 (c)1. Filing of Kentucky resident income tax return for the calendar year preceding the date of
18 application for a change in residency status; or

19 2. Payment of Kentucky withholding taxes while employed during the calendar year for which a
20 change in classification is sought;

21 (d) Full-time employment of at least one (1) year while living in Kentucky;

22 (e) ~~[Attendance as a full-time, nonresident student at an out-of-state institution based on a de-~~
23 ~~termination by that school that the person is a resident of Kentucky;~~

1 ~~(f) Abandonment of a former domicile or residence and establishing domicile and residency in~~
2 ~~Kentucky with application to or attendance at an institution following and incidental to the change in~~
3 ~~domicile and residency;~~

4 ~~(g)~~ Obtaining licensing or certification for a professional and occupational purpose in Ken-
5 tucky;

6 (f) [(h)] Payment of real property taxes in Kentucky;

7 (g) [(i)] Ownership of real property in Kentucky, if the property was used by the student as a
8 residence preceding the date of application for a determination of residency status and is not incident to
9 enrollment in a Kentucky institution;

10 (h) [(j)] Long-term lease of at least twelve (12) consecutive months of noncollegiate housing;

11 (i) [(k)] Marriage of an independent student to a person who was domiciled in and a resident of
12 Kentucky prior to the marriage and who continues to be domiciled in and a resident of Kentucky;

13 (j) The extent to which a student maintains his or her residence [(l) Continued presence] in Ken-
14 tucky during academic breaks; and

15 (k) [(m)] The extent to which a student is dependent on student financial aid in order to provide
16 basic sustenance may be considered in determining that a student is primarily in Kentucky for the pur-
17 pose of receiving an education and thus lacks the requisite intent to be domiciled in Kentucky.

18 (3) Except as provided in subsection (4) of this section, the following facts, because of the ease
19 and convenience in completing them, shall have limited probative value in a determination that a per-
20 son is domiciled in and is a resident of Kentucky:

21 (a) Kentucky automobile registration;

22 (b) Kentucky driver's license; and

23 (c) Registration as a Kentucky voter.

1 (4) However, the absence of a fact contained in subsection (3) of this section shall have signifi-
2 cant probative value in determining that a student is not domiciled in or is not a resident of Kentucky.

3 ~~[(5) A person shall not be determined to be a Kentucky resident by the performance of an act
4 which is incidental to fulfilling an educational purpose or by an act performed as a matter of conven-
5 ience. Mere physical presence in Kentucky, including living with a relative or friend, shall not be suffi-
6 cient evidence of domicile and residency. A person shall respond to all information requested by an in-
7 stitution.]~~

8 Section 11. Effect of a Change in Circumstances on Residency Status. (1) If a person becomes
9 independent or if the residency status of a parent or parents of a dependent person changes, an institu-
10 tion shall reassess residency either upon a request by the student or a review initiated by the institution.

11 (2) Upon transfer to a Kentucky institution, a student's residency status shall be assessed by the
12 receiving institution.

13 (3) A reconsideration of a determination of residency status for a dependent person shall be sub-
14 ject to the provisions for continuous enrollment, if applicable.

15 Section 12. Student Responsibilities. (1) A student shall report under the proper residency clas-
16 sification which includes the following actions:

- 17 (a) Raising a question in a timely manner concerning residency classification;
- 18 (b) Making application for change of residency classification in a timely manner with the desig-
19 nated office or person at the institution; and
- 20 (c) Notifying the designated office or person at the institution immediately upon a change in
21 residency.

22 (2) If a student fails to notify an institutional official of a change in residency, an institutional
23 official may investigate and evaluate the student's residency status.

1 (3)(a) If a student fails to provide, by the date specified by the institution, information and doc-
2 uments required by an institution in a determination of residency status, the student shall be notified by
3 the institution that the review has been canceled and that a determination has been made.

4 (b) Notification shall be made by registered mail, return receipt requested.

5 (c) Notification shall be made within ten (10) calendar days after the deadline for receipt of ma-
6 terials has passed.

7 (4) A student shall not be entitled to appeal a determination of residency status if the determina-
8 tion made by an institution is because a student has failed to meet published deadlines for the submis-
9 sion of documents and information as set forth in subsection (3) of this section. A student may request a
10 review of a determination of residency status in a subsequent academic term.

11 (5) A determination by an institution that a person is a resident for purposes of tuition assess-
12 ment shall apply to the tuition assessment for the academic term in which an application for review was
13 made, but may not be applied retroactively.

14 Section 13. Institutional Responsibilities. Each institution shall:

15 (1) Provide for an administrative appeals process that includes a residency appeals officer to
16 consider student appeals of an initial residency determination and which shall include a provision of
17 fourteen (14) days for the student to appeal the residency appeals officer's determination;

18 (2) Establish a residency review committee to consider appeals of residency determinations
19 by the residency appeals officer. The residency review committee shall make a determination of stu-
20 dent residency status and notify the student in writing within forty-five (45) days after receipt of the
21 student appeal;

22 (3) Establish a formal hearing process as described in Section 14 of this administrative regu-
23 lation; and

1 (4) Establish written policies and procedures for administering the responsibilities established
2 in subsections (1), (2), and (3) of this section and that are:

3 (a) Approved by the institution's governing board;

4 (b) Made available to all students; and

5 (c) Filed with the Council.

6 Section 14. Formal Institutional Hearing. (1) A student who appeals a determination of resi-
7 dency by a residency review committee shall be granted a formal hearing by an institution if the re-
8 quest is made by a student in writing within fourteen (14) calendar days after notification of a deter-
9 mination by a residency review committee.

10 (2) If a request for a formal hearing is received, an institution shall appoint a hearing officer
11 to conduct a formal hearing. The hearing officer:

12 (a) Shall be a person not involved in determinations of residency at an institution except for
13 formal hearings; and

14 (b) Shall not be an employee in the same organizational unit as the residency appeals officer.

15 (3) An institution shall have written procedures for the conduct of a formal hearing that have
16 been adopted by the board of trustees or regents, as appropriate, and that provide for:

17 (a) A hearing officer to make a recommendation on a residency appeal;

18 (b) Guarantees of due process to a student that include:

19 1. The right of a student to be represented by legal counsel; and

20 2. The right of a student to present information and to present testimony and information in
21 support of a claim of Kentucky residency; and

22 (c) A recommendation to be issued by the hearing officer.

23 (4) An institution's formal hearing procedures shall be filed with the Council on Postsecond-

1 ary Education and shall be available to a student requesting a formal hearing.

2 Section 15. Cost of Formal Hearings. (1) An institution shall pay the cost for all residency
3 determinations including the cost of a formal hearing.

4 (2) A student shall pay for the cost of all legal representation in support of the student's claim
5 of residency.

Date

Thomas D. Layzell
President
Council on Postsecondary Education

APPROVED AS TO FORM:

Date

Dennis L. Taulbee
General Counsel
Council on Postsecondary Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on 13 KAR 2:045: Determination of residency status for admission and tuition purposes shall be held on May 24, 2005, at 10:00 a.m. at the Council on Postsecondary Education, Conference Room A. Individuals interested in being heard at this hearing shall notify this agency in writing by May 17, 2005, five days prior to the hearing, of their intent to attend. If no notification to attend the hearing is received by that date, the hearing may be cancelled.

This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made.

If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments will be accepted through May 30, 2005.

Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON:

Dennis L. Taulbee
Associate Vice President / General Counsel
Council on Postsecondary Education
Suite 250, 1024 Capital Center Drive
Frankfort, Kentucky 40601
Phone: 502-573-1555 ext. 142
Fax: 502-573-1535
Email: dennis.taulbee@ky.gov

REGULATORY IMPACT ANALYSIS
AND TIERING STATEMENT

Administrative Regulation 13 KAR 2:045. Determination of residency status for admission and tuition assessment purposes.

Contact person: Dennis L. Taulbee, General Counsel
Council on Postsecondary Education
1024 Capital Center Drive, Suite 250
Frankfort, KY 40601
502.573.1555 ext. 142
dennis.taulbee@ky.gov

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: Sets forth the rules and the processes whereby students may be classified by state supported institutions as resident or nonresident students for admissions or tuition assessment.
 - (b) The necessity of this administrative regulation: KRS 164.020(8) requires the Council to determine tuition rates for the state supported postsecondary education institutions. The Council has determined that there shall be a differential rate for resident and nonresident students. The administrative regulation establishes the process by which students are classified and assessed the proper tuition.
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: The administrative regulation conforms to the enabling statute, KRS 164.020(8) by providing direction to institutions so that students may be properly classified.
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation provides clear direction to both students and institutions as to how a determination of resident or nonresident status is to be made, the criteria that are to be examined, and the processes to be followed.

- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
 - (a) How the amendment will change this existing administrative regulation: The Council and the institutions periodically review the residency activity and recommend changes to the administrative regulation to provide guidance to the institutions and to students applying for a change in residency status. The suggested changes clarify the role that marriage to a Kentucky resident has on the status of a student, change the relative value of certain criteria that are used to determine residency, change the evidentiary burden from a preponderance of the evidence to a clear and convincing standard, and change the manner in which undocumented aliens may secure Kentucky residency.
 - (b) The necessity of the amendment to this administrative regulation: The institutions and the Council believe, based on the residency activity experienced since 2002, that these changes will clarify the rules and simplify the review process.
 - (c) How the amendment conforms to the content of the authorizing statutes: These changes conform to the authorizing statute.

- (d) How the amendment will assist in the effective administration of the statutes: By clarifying the application of the rules, the administration of residency determinations will be simplified.
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Students who seek a change in residency status, the eight public postsecondary education institutions, and the Kentucky Community and Technical College System.
 - (4) Provide an assessment of how the above group or groups will be impacted by either the implementation of this administrative regulation, if new, or by the change if it is an amendment: The proposed changes clarify the evidence that is required for a student to be successful in securing a change in residency status. The institutions should see that the process is simplified.
 - (5) Provide an estimate of how much it will cost to implement this administrative regulation:
 - (a) Initially: No cost.
 - (b) On a continuing basis: No cost.
 - (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Not applicable.
 - (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary.
 - (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: No—fees are not involved.
 - (9) TIERING: Is tiering applied? Tiering is not appropriate under these circumstances.

Council on Postsecondary Education
March 21, 2005

Key Indicators of Progress Toward Postsecondary Education Reform

Updated results for the Council's key indicators show that Kentucky continues to make progress toward reform goals but at a slower pace than in recent years. Newly available data allow results to be reported for six indicators under Questions 2 and 3.

Highlights include:

Question 2: Are more students enrolling?

- Undergraduate enrollment continued to increase at the statewide level, rising 1 percent to 202,605 students in fall 2004. Undergraduate enrollment increased at six of the public postsecondary institutions (Eastern Kentucky University, Kentucky State University, University of Kentucky, University of Louisville, Western Kentucky University, and the Kentucky Community and Technical College System) and at the independent institutions. Five of the six institutions exceeded their enrollment goals for 2004. Combined with the independent institution enrollment increase, the growth was large enough for the state to exceed the 2004 undergraduate enrollment goal. University of Kentucky undergraduate enrollment increased by 1.7 percent over last year, but the increase was not large enough to meet its 2004 goal. Morehead State University, Murray State University, and Northern Kentucky University undergraduate enrollments declined from the prior year and fell short of their 2004 goals.
- Graduate and first-professional enrollment in 2004 did not meet the state's goal. Three universities (Northern Kentucky University, University of Louisville, and Western Kentucky University) exceeded their goals for 2004. Murray State University increased graduate enrollment from the prior year but not enough to meet its 2004 goal. Enrollment at four universities (Eastern Kentucky University, Kentucky State University, Morehead State University, and the University of Kentucky) decreased, contributing to a state total that was 292 students short of the goal.
- The percentage of GED completers enrolling in postsecondary education within two years increased over last year. The proportion of 2001-2002 GED completers who enrolled in a Kentucky college or university within two years was 21.0 percent, an increase of one percentage point over the college-going rate of the previous GED cohort. The fiscal year 2002 cohort included a record high number of GED graduates (14,596) and by 2004 over 3,000 of these graduates had enrolled in Kentucky's postsecondary institutions.

Question 3: Are more students advancing through the system?

- Progress has been made in retaining more students -- a key measure for continuing the momentum of reform. According to the definition adopted by the Council in March 2002, first-time students are considered retained if they return to their native institution, enroll in any other Kentucky public or independent institution, or graduate by the following fall semester. Between 2003 and 2004, the retention rate for the entire system rose from 68.3 percent to 69.1 percent. Retention rates rose at four institutions, Eastern Kentucky University, Kentucky State University, Murray State University, University of Kentucky and KCTCS. Furthermore, Murray State University, the University of Kentucky, and KCTCS exceeded their 2004 retention rate goals.
- The number of community and technical college transfers increased in 2004. The total number of students transferring out of the two-year institutions met the state goal, but the number of students transferring into the four-year public institutions did not. The number of students transferring from the KCTCS (now including Lexington Community College) to any Kentucky public or independent four-year institution rose to 3,239, an increase of 9.8 percent over 2003, and exceeded their 2004 goal. The public universities enrolled 2,498 transfer students from the community and technical colleges in 2004, an increase of 5.4 percent over 2003. The number of transfers at four institutions (Kentucky State University, Murray State University, University of Louisville, and Western Kentucky University) rose sufficiently to exceed their 2004 goals. The state total fell short of meeting the goal by 34 students. Eastern Kentucky University, Morehead State University, and Northern Kentucky University showed increases but not large enough to meet their goals. The number of students transferring to the University of Kentucky declined by nearly 10 percent.
- Six-year graduation rates of bachelor's degree students dropped from 45.3 percent in 2003 to 44.3 percent in 2004. The three institutions that showed increases over the year, Murray State University, Northern Kentucky University, and Western Kentucky University, also met their 2004 goals. The remaining five universities reported declines in the baccalaureate graduation rate between 2003 and 2004.

National data for retention and graduation rates will be available in August. Over the next several months, the Council staff will work with the institutions to develop recommendations for the new key indicators and goals that will support the 2005-2010 Public Agenda.

Kentucky Council on Postsecondary Education
Key Indicators of Progress toward Postsecondary Reform
Question 2: Are more students enrolling?

2A Undergraduate Enrollment

Institution	Actual							One-Year Change	Goals	Met goal
	1998	1999	2000	2001	2002	2003	2004		2004	2004
Eastern Kentucky University	13,480	13,274	12,909	12,807	13,053	13,567	13,837	+	13,780	✓
Kentucky State University	2,205	2,277	2,129	2,165	2,107	2,138	2,183	+	2,180	✓
Morehead State University	6,743	6,645	6,755	7,268	7,712	7,929	7,762	-	7,825	
Murray State University	7,349	7,299	7,492	7,776	8,088	8,385	8,371	-	8,415	
Northern Kentucky University	10,643	10,672	10,859	11,288	12,164	12,223	12,070	-	12,400	
University of Kentucky	17,157	16,847	16,899	17,284	17,878	18,190	18,492	+	18,707	
University of Louisville	14,647	14,710	14,477	14,131	14,475	14,724	14,933	+	14,345	✓
Western Kentucky University	12,713	12,921	13,272	14,135	15,234	15,798	15,846	+	15,800	✓
Subtotal	84,937	84,645	84,792	86,854	90,711	92,954	93,494	+	93,452	✓
Lexington Community College	6,118	6,807	7,214	7,793	8,270	8,672			8,874	
KCTCS	45,529	46,035	52,201	63,120	67,812	72,023	81,990	+	72,482	✓
Total Public Institutions	136,584	137,487	144,207	157,767	166,793	173,649	175,484	+	174,808	✓
Independent Institutions	24,342	24,099	25,159	26,551	26,845	26,955	27,121	+	26,300	✓
System Total	160,926	161,586	169,366	184,318	193,638	200,604	202,605	+	201,107	✓

Kentucky Council on Postsecondary Education
 Key Indicators of Progress toward Postsecondary Reform
 Question 2: Are more students enrolling?

2B Graduate/Professional Enrollment

Institution	Actual							One-Year Change	Goals	Met goal
	1998	1999	2000	2001	2002	2003	2004		2004	2004
Eastern Kentucky University	1,922	1,914	1,748	1,890	2,195	2,384	2,346	-	2,395	
Kentucky State University	98	116	125	149	146	168	152	-	172	
Morehead State University	1,520	1,526	1,572	1,759	1,678	1,580	1,531	-	1,617	
Murray State University	1,554	1,615	1,649	1,872	1,832	1,715	1,757	+	1,805	
Northern Kentucky University	1,156	1,104	1,242	1,260	1,579	1,722	1,851	+	1,777	✓
University of Kentucky	6,552	6,219	6,217	6,764	7,155	7,289	7,252	-	7,502	
University of Louisville	5,562	5,424	5,627	5,573	5,958	6,101	6,103	+	6,101	✓
Western Kentucky University	2,169	2,202	2,244	2,444	2,584	2,593	2,667	+	2,581	✓
Total	20,533	20,120	20,424	21,711	23,127	23,552	23,659	+	23,951	

Note: Excludes Post-Docs and House Staff

Kentucky Council on Postsecondary Education
Key Indicators of Progress toward Postsecondary Reform
Question 2: Are more students enrolling?

2D College-Going Rates of GED Completers Within Two Years

Actual				
1998	1999	2000	2001	2002
12.0%	15.6%	17.6%	19.9%	21.0%

Note: No goal is reported for 2002 GED college-going rate.

The method to identify the GED graduates was updated in November 2004, lowering the rates from prior releases.

The corresponding 2002 rate goal was not adjusted; however, the increase in the rate between 2001 and 2002 is large enough that an adjusted goal would have been met.

Kentucky Council on Postsecondary Education
 Key Indicators of Progress toward Postsecondary Reform
 Question 3: Are more students advancing through the system ?

3A One-year retention rates of first-time freshmen

Institution	Actual							One-Year Change	Goals	Met goal
	1998	1999	2000	2001	2002	2003	2004		2004	2004
Eastern Kentucky University	72.1%	69.8%	72.9%	73.4%	72.7%	72.8%	73.7%	+	74.5%	
Kentucky State University	64.8%	76.5%	69.8%	76.2%	62.3%	67.7%	68.0%	+	70.0%	
Morehead State University	73.2%	69.3%	71.1%	75.0%	75.1%	73.3%	71.9%	-	75.0%	
Murray State University	77.6%	73.3%	77.7%	77.8%	77.0%	74.3%	77.8%	+	76.0%	✓
Northern Kentucky University	66.4%	66.0%	68.2%	69.0%	72.4%	67.5%	67.3%	-	70.2%	
University of Kentucky	86.7%	86.3%	88.0%	86.1%	88.2%	86.4%	87.6%	+	86.4%	✓
University of Louisville	78.0%	77.0%	78.7%	78.4%	80.8%	83.2%	81.3%	-	83.3%	
Western Kentucky University	74.1%	75.3%	76.8%	77.1%	78.5%	77.6%	75.1%	-	78.7%	
Lexington Community College	63.6%	62.5%	63.7%	65.6%	63.2%	60.9%			62.0%	
KCTCS	54.1%	53.8%	54.9%	52.4%	55.4%	55.2%	56.5%	+	56.0%	✓
System	67.7%	67.3%	69.1%	65.9%	68.3%	68.3%	69.1%	+		

Note: Includes students who enroll anywhere in the system the following fall semester

Source: CPE Comprehensive Data Base

Kentucky Council on Postsecondary Education
Key Indicators of Progress toward Postsecondary Reform
Question 3: Are more students advancing through the system?

3B Number of Community and Technical College Transfers

Transfers from KCTCS and LCC

Institution	Actual							One-Year Change	Goals	Met goal
	1998	1999	2000	2001	2002	2003	2004		2004	2004
	Eastern Kentucky University	470	468	461	408	392	472		489	+
Kentucky State University	17	12	9	19	17	21	29	+	23	✓
Morehead State University	267	260	269	265	272	221	260	+	275	
Murray State University	294	302	308	326	317	309	375	+	325	✓
Northern Kentucky University	47	45	58	48	50	52	54	+	55	
University of Kentucky	806	746	660	704	700	648	587	-	680	
University of Louisville	466	421	293	326	342	350	389	+	368	✓
Western Kentucky University	288	270	245	262	319	296	315	+	310	✓
Total	2,655	2,524	2,303	2,358	2,409	2,369	2,498	+	2,532	

Transfers to Any Four-Year Institution*

Institution	Actual							One-Year Change	Goals	Met goal
	1998	1999	2000	2001	2002	2003	2004		2004	2004
	LCC	552	553	534	587	658	709			
KCTCS	2,541	2,434	2,213	2,145	2,219	2,242	3,239	+	2,354	✓
Total	3,093	2,987	2,747	2,732	2,877	2,951	3,239	+	3,098	✓

* Any Kentucky public or independent four-year institution.

Kentucky Council on Postsecondary Education
 Key Indicators of Progress toward Postsecondary Reform
 Question 3: Are more students advancing through the system ?

3D Six-year graduation rates of bachelor's degree students

Institution	Actual							One-Year Change	Goals	Met goal
	1998	1999	2000	2001	2002	2003	2004		2004	2004
Eastern Kentucky University	26.8%	31.5%	30%	37.2%	33.1%	37.1%	33.8%	-	35.7%	
Kentucky State University	17.7%	31.3%	31.2%	33.5%	27.2%	39.0%	29.5%	-	32.0%	
Morehead State University	40.1%	44.0%	38.6%	45.6%	43.8%	44.2%	37.9%	-	44.0%	
Murray State University	38.5%	40.9%	46.3%	55.0%	55.4%	56.3%	57.3%	+	56.1%	✓
Northern Kentucky University	30.1%	32.3%	35.4%	40.5%	37.8%	33.3%	39.5%	+	37.8%	✓
University of Kentucky	50.8%	52.2%	55.3%	57.2%	57.6%	61.1%	59.6%	-	61.0%	
University of Louisville	29.9%	31.6%	30.8%	33.3%	32.9%	34.9%	33.3%	-	35.5%	
Western Kentucky University	39.1%	37.7%	41.5%	40.8%	40.9%	43.4%	44.5%	+	42.0%	✓
Total	36.7%	39.3%	39.8%	44.1%	43.5%	45.3%	44.3%	-		

Source: CPE Comprehensive Data Base

CEO Report

This agenda item reports on actions and activities related to The Kentucky Plan and Partnership Agreement as reported to the Committee on Equal Opportunities at its February 21, 2005, meeting. Included is information on implementation of the partnership with the Office for Civil Rights, the annual evaluation of statewide equal opportunity programs, and a status report on the CPE/KSU Comprehensive Assessment Oversight Committee.

CPE Committee on Equal Opportunities: At its February 21 meeting, the CEO:

- Suggested that the Council president consider inviting Keen Intuitions to make a presentation to the Council. Keen Intuitions is a Bowling Green, Kentucky, consulting firm that offers solutions for admissions, understanding of enrollment, financial aid, and financial development.
- Adopted the Northern Kentucky University campus visit report and asked NKU to report at the next CEO meeting the strategies adopted to implement the recommendations from the report.
- Requested that a letter be written to the president of the Kentucky Community and Technical College System requesting a meeting to discuss the success of the community and technical colleges toward implementing the objectives of the Kentucky Plan.
- Agreed to schedule a special meeting in March to discuss in greater detail the process for developing the new plan.
- Received a status report from Council staff on development of the postsecondary education public agenda. Committee members were asked to review the draft public agenda and send comments to the Council staff.
- Agreed to avoid conducting campus visits during spring and fall breaks to ensure that as many students and staff as possible may participate in the focus group discussions.
- Asked the Council staff to give members of the committee a history of Kentucky's desegregation and equal opportunity planning and its relationship to Title VI, the Civil Rights Act of 1964.

The Committee on Equal Opportunities will meet Monday and Tuesday, April 18-19, 2005, at the University of Louisville. This meeting will include the UofL campus visit.

Partnership Status: The Office for Civil Rights has indicated that a staff person may attend a workshop in Kentucky to discuss philosophical changes regarding the partnerships as influenced by recent court actions. The committee agreed that the technical assistance would be useful as Kentucky develops a new plan. The OCR staff plans to visit Kentucky following the conclusion of the 2005 session of the General Assembly or following adoption of a 2004-06 biennial budget.

The Kentucky Plan Program Eligibility for Calendar Year 2005: University presidents have been notified of the status of their institutions for 2005. The degree program eligibility report was distributed to CEO members and the CEO institutional representatives.

CPE/KSU Comprehensive Assessment Oversight Committee: The joint CPE/KSU Comprehensive Assessment Oversight Committee met February 14, 2005. KSU staff reported on the status of implementation of the recommendations identified in the Baker & Hostetler report. The committee made the following observations: 1) KSU and the CEO should formalize the special agreements regarding KSU students' access to professional programs at the University of Kentucky, the University of Louisville, and Northern Kentucky University; 2) the CEO should communicate with the Council regarding its concern that appointments to the KSU board of regents may not be meeting the goal of strengthening the board; 3) the committee is concerned that the campus forums initially intended to support the CPE public agenda may not be held; 4) the committee is concerned that implementation of many of the B&H report recommendations is dependent on the General Assembly and the Governor following through with funding the capital needs of KSU; and 5) there is a question about whether the KSU board will be required to approve a revised mission statement once the CPE completes the institutional mission parameter process. The committee established the following dates for its next three meetings: June 27, 2005, October 10, 2005, and March 27, 2006.

Staff preparation by Sherron Jackson and Rana Johnson

Distance Learning Advisory Committee Update

The Distance Learning Advisory Committee met February 2, 2005. Since its creation at the May 11, 2004, DLAC meeting, the Distance Learning Steering Team has met four times, established four working groups (Annual Report, Needs Assessment, Support Services, and Marketing), and begun work on the initial action items requested by DLAC. The Annual Distance Education Report is targeted for presentation to the DLAC at its June 1, 2005, meeting.

A new steering team workgroup was created to review current distance education costing and pricing practices. Members will explore the use of activity-based costing to understand and rationalize the cost and pricing models for Kentucky's distance education courses and programs.

The Kentucky Deaf Access Consortium demonstrated its Web-based interpretation and captioning services for the deaf and hard of hearing. This service promises greater access to postsecondary education courses and demonstrates the need for ubiquitous Web-conferencing across primary, secondary, and postsecondary education.

Michael Clark of Kentucky Educational Television reported that the Commonwealth Office of Technology was nearing completion of a contract for transition of the Kentucky Tele-Linking network to a new technology protocol and from the Kentucky Information Highway network to the Kentucky Postsecondary Education Network.

Sue Hodges Moore gave a status report on the CPE strategic planning process. She presented a draft of the Council's revised public agenda for postsecondary education and identified areas where distance education will play a key role in accomplishing the goals set out in the agenda. DLAC will use the public agenda to frame its policy work directing distance education efforts in Kentucky.

Master's of Science in Community Counseling Northern Kentucky University

Universities are required to submit to the Council for approval all new degree programs not within their primary areas for degree offerings or in specified disciplines. The Master's of Science in Community Counseling proposed by Northern Kentucky University will help meet a need for qualified mental health professionals in Kentucky.

Action: The staff recommends that the Council approve the Master's of Science in Community Counseling (CIP 51.1504) proposed by Northern Kentucky University.

Northern Kentucky University proposes a Master's of Science in Community Counseling. The program will enable students to meet state licensure requirements as a professional community counselor. Professional community counselors can practice with individuals, families, and small groups in community health centers, private practice, schools, business and industrial settings, and other agencies that provide health and social services.

In January 2002, the Commonwealth's 14 community health centers identified a shortage of qualified mental health and substance abuse professionals. In response, NKU began to develop a network of faculty and mental health professionals to better meet workforce needs in its metropolitan region. Surveys of the social service organizations in greater Cincinnati indicated a regional need for licensed counselors and support for a professional community counseling program at NKU.

The program meets the Council for Accreditation of Counseling and Related Educational Programs' requirements for academic and experiential coursework. Program graduates will be eligible to take the National Counselor Certification exam and apply to the Kentucky Board of Licensed Professional Counselors to become licensed counselor associates.

CACREP standards stipulate required faculty and program resources. Three additional faculty and two graduate assistants will be provided through internal reallocations. Once operating at capacity, the program is expected to generate enough tuition revenue to be self-sustaining.

Enrollment forecasts indicate 25 students (15 full-time and 10 part-time) in year one, increasing to a maximum of 60 students (40 full-time and 20 part-time) in year four. Full-time students will complete the program in two years. The program requires entering students to have a bachelor's degree in fields related to counseling, such as mental health/human services, social work,

psychology, or education. Program admission will be selective and highly competitive. Distance learning options will be added following the first year.

An advisory council has been developed and consists of counselors and mental health professionals from several agencies in the metropolitan area. This council will help identify community needs and provide clinical internship opportunities.

The NKU Board of Regents approved the program at its January 26, 2005, meeting. Similar programs exist at Eastern Kentucky University and Western Kentucky University.

Staff preparation by Bennett G. Boggs

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March 21, 2005

Master's of Arts in Education/School Counseling Northern Kentucky University

Universities are required to submit to the Council for approval all new degree programs not within their primary areas for degree offerings or in specified disciplines. The Master's of Arts in Education/School Counseling proposed by Northern Kentucky University will prepare professional school counselors to work in elementary and secondary schools.

Action: The staff recommends that the Council approve the Master's of Arts in Education/School Counseling (CIP 13.1101) proposed by Northern Kentucky University.

Northern Kentucky University proposes a Master's of Arts in Education for School Counseling designed to prepare elementary and secondary school counselors to use educational data to help all students prepare for postsecondary education.

The proposed program includes both academic and experiential components. It is designed to teach educators how to develop programs that remove barriers to student academic success. Counselors will learn to address student academic and personal issues through assessment testing and in cooperation with parents and human service professionals.

The program expects to enroll 15 students in the first year and operate at 20 per year by the fourth year. Anticipated time-to-degree is two years for full-time students and three years for part-time students. Courses will be offered in the evenings and on weekends to serve the needs of P-12 educators.

Resources required for the program include one new faculty member to be supported by internal reallocations. When operating at capacity, the program is expected to generate enough tuition revenue to be self-sustaining. The program curriculum is designed to share courses with other social service programs within the College of Education to increase efficiency and eliminate duplication. The program will incorporate courses delivered via the Kentucky Virtual University after the first year.

The program has the support of the Kentucky Department of Education, the Kentucky School Counselor Association, and the Kentucky Counseling Association.

The NKU Board of Regents approved the program at its January 26, 2005, meeting.

Staff preparation by Bennett G. Boggs

Council on Postsecondary Education
March 21, 2005

Endowment Match Program Interim Approval of Applied Research Requests

To facilitate timely responses to institutions making requests for the distribution of Endowment Match funds, the Council delegates authority to the Executive Committee to approve applied research programs submitted for funding through the Endowment Match Program and to report back to the full Council those research programs approved.

Action: The staff recommends that the Council delegate approval authority to the Executive Committee for applied research programs pursuant to new Endowment Match Program guidelines to accommodate timely distribution of funds.

On July 19, 2004, the Council approved several revisions to the 2002-04 Endowment Match Program Guidelines. One of those revisions stipulates that at least 50 percent of program funds at the comprehensive universities must be endowed for the purpose of supporting Programs of Distinction, academic disciplines contained within the five new economy clusters, or applied research programs approved by the Council.

Council approval is not required to fund the majority of Endowment Match Program requests. If a request meets Council guidelines for the program, the Council staff is authorized to transfer funds to the originating institution. In the case of an applied research program request, however, Council approval must precede the release of funds. Unfortunately, the timing of such requests does not always coincide neatly with the Council meeting schedule. For this reason, the staff requests that the Executive Committee of the Council be given authority to approve applied research program requests received between the Council meetings, with the understanding that the findings of the Committee with respect to such requests will be reported to the full Council at the next regularly scheduled meeting.

Staff preparation by Jim Applegate, Sandy Woodley, and Bill Payne

Data Access Policy

The Council receives a significant amount of personally confidential student information from public and private institutions. In order to safeguard that information and to comply with federal law on the protection of information, the Council staff proposes the establishment of a Data Access Policy.

Action: The staff recommends that the Council approve the attached Data Access Policy.

Personally identifiable student information is protected by federal law. The Family Educational Rights and Privacy Act sets forth rules for institutions and entities that have access to personally identifiable student information. Federal law generally prohibits disclosure of such information without the prior consent of the student unless the purpose of the disclosure is covered in one of the exceptions. There is a basic exception for research to improve instruction.

The data access policy outlines the rules that the Council staff will abide by in collecting and using personally identifiable information. The policy recognizes the Council's responsibility to conform fully to the provisions of the Family Educational Rights and Privacy Act.

The Council staff is engaged in discussions with the institutions about collecting final student grades on a regular basis. This collection effort would allow the staff to do several things, for example, 1) assess the efficacy of certain high school course-taking patterns on success in college, 2) analyze what courses or programs lead to success for transfer students, and 3) understand what course-taking practices lead to success in preparing teachers for the classroom.

In the course of working on the final grades collection effort, the institutions offered commentary to the staff. These comments informed the development of this Data Access Policy.

Council on Postsecondary Education Data Access Policy

Section 1: Purpose

This policy establishes the principles related to collection, maintenance, use, analysis, and dissemination of data and information gathered and maintained through the Kentucky Council on Postsecondary Education (CPE) comprehensive database system and by the Kentucky Virtual University, the Kentucky Virtual Library, and the Kentucky Adult Education system.

Section 2: Statutory Authority

KRS 164.020, KRS 164.095, and KRS 164.283

Section 3: Background

The CPE maintains and manages a unit record database containing public and private higher education institutional data used by the CPE for state and federal reporting, policy analysis, and decision-making. This database is referred to as the comprehensive database system. Additionally, the Kentucky Virtual University and the Kentucky Virtual Library collect information necessary to register and enroll students. The Kentucky Adult Education system maintains separate databases that support adult education programs throughout the Commonwealth.

The data and information collected through the comprehensive database system and for the Kentucky Virtual University, the Kentucky Virtual Library, and the Kentucky Adult Education system also can be integrated with other data sets, such as K-12 student information, student financial aid, public health, and employment information in support of improvements to instruction, to measure performance within the system, and in support of postsecondary education reform.

The CPE protects all data and information in accordance with the Family Educational Rights and Privacy Act (FERPA) and applicable state laws. Where information contains data on individual students, it is subject to both privacy and confidentiality procedures.

Section 4: Definitions

- A. “Confidentiality” means how personally identifiable information collected by an authorized agency is protected and when consent by the individual is required.
- B. “Council,” “Council on Postsecondary Education,” or “CPE” refers both to the agency established in KRS 164.011 and to the staff of the agency employed pursuant to KRS 164.013.
- C. “Directory information” means information contained in an education record which would not generally be considered harmful or an invasion of privacy if disclosed to the public. It includes, but is not limited to, the student’s name, address, date and place of

birth, field of study, dates of attendance, degrees and awards received. Individuals requesting directory information contained in college and university files held by the Council will be referred that institution.

- D. “Education records” means those records directly related to a student and maintained by an educational agency or institution.
- E. “Family Educational Rights and Privacy Act” or “FERPA” means the federal law codified at 20 U.S.C. 1232g and its implementing regulations found in 34 C.F.R. Part 99.
- F. “Legitimate educational interest,” for purposes of this policy, is an endeavor that furthers the understanding of educational practices, methods, and/or theory through formal, accepted research practice.
- G. “Personally identifiable information” means information contained in an education record such as a personal identifier, characteristic, or other information that would make a student’s identity easily traceable.
- H. “Privacy” means the right of an individual to have personal information adequately protected to avoid the potential for substantial harm, embarrassment, inconvenience, or unfairness.
- I. “Research” means a formal investigation designed to develop or contribute to general knowledge.
- J. “Third party” is a party other than the institution who provided the data to the CPE and the CPE to whom data is provided.

Section 5: Policy

A. General

1. This policy shall apply to all data and information created, collected, and maintained by or for the CPE, whether in electronic, paper, or other format.
2. Data collected and maintained by the CPE shall be managed in a manner that supports the improvement of education in Kentucky consistent with the goals of the *Postsecondary Education Improvement Act of 1997* and the *Adult Education Act of 2000*. The CPE shall promote access to and dissemination of information that improves the education-related decisions of parents, teachers, administrators, policymakers, and educational stakeholders as well as the general public.
3. Where access to personally identifiable information is restricted by federal or state law, the information shall be processed (e.g., aggregated, summarized, or characterized) to provide access while meeting the requirements for restriction.
4. This policy will adhere to restrictions on the releases of personally identifiable information identified in the FERPA, 20 U.S.C. 1232g, and KRS 164.283.

5. Data access provisions may change if mandated by federal statute, state law, or administrative rules. The CPE may, at its discretion, propose changes in the data access policy but the new rules shall not apply to data or information collected under the old policy unless proper notice has been given.
6. The release of directory information shall be in accordance with the institutional definition of directory information.

B. Security Requirements

1. Security includes measures to ensure that records are not lost, stolen, vandalized, illegally accessed, or otherwise rendered useless. Since the data are stored on computers, it is essential that there be a high level of protection that provides integrity and availability commensurate with the level of risk and magnitude of harm.
2. Data, copies of data, and all reports containing personally identifiable information shall be maintained in a secure environment to prevent unauthorized access. A secure environment includes any electronic media, personal computer, server, or network on which the data reside. Compliance with these security requirements by third parties may be monitored by unannounced, unscheduled inspections of the data user's work site by the CPE staff or designated representatives.
3. Private or confidential data on an individual shall not be created, collected, stored, used, maintained, or disseminated for any purpose other than for the stated purpose.
4. Disclosure in summary reports is designed to protect an individual's identity. In cases where a data set includes only a few individuals, the general practice is to report on no group smaller than six individuals.
5. Data will be disclosed to a third party only where the CPE is satisfied that the third party agrees to these conditions:
 - a. The party to whom the data are released does not disclose the information to any other party.
 - b. The data are protected in a manner that does not permit the personal identification of an individual.
 - c. The data are used solely for the purpose requested.
 - d. The data are destroyed when no longer needed for the purposes under which the disclosure was granted.
6. If the CPE provides personally identifiable information to a private person or third party in order to perform any CPE functions, the CPE shall require that the third party sign a confidentiality agreement that protects the data.

7. Private or confidential data will not be released to the public or to a third party except under the following circumstances consistent with federal regulation 34 C.F.R. Part 99:
 - a. To staff of the postsecondary education institutions who have released the data to the CPE.
 - b. To an authorized court of competent jurisdiction and then only to comply with a subpoena or court order, under federal regulation 34 C.F.R. Part 99.31(a)(9)(i) and (ii).
 - c. To honor a request from a judicial order or an authorized law enforcement unit where a subpoena has been issued as provided for in 34 C.F.R. Part 99.31(a)(9)(ii)(B). A law enforcement unit refers to all state and local prosecution authorities, all state and local law enforcement agencies, the Kentucky Corrections Cabinet, and probation officers who are part of the Judiciary.
 - d. To educational officials in connection with an audit or evaluation of a federal or state supported education program, under federal regulation 34 C.F.R. Part 99.35(a).
 - e. To appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals, under federal regulation 34 C.F.R. Part 99.36(a).
 - f. When a requestor demonstrates a clear legitimate educational interest as evidenced by the data request form, a review by the CPE of the data request form, and approval of the request by the CPE president.

C. Conditions for Access

1. Access to personally identifiable data is restricted by limiting who can view the data and for what purpose. There are four access levels, each of which is consistent with a specific educational purpose as defined in federal regulation 34 C.F.R. Part 99.
 - a. Level 1 allows authorized CPE staff to read and write to all records and fields in the database. This access level extends to a minimum number of authorized staff members who operate or manage the comprehensive database system or are responsible for maintaining the accuracy and security in the performance of their duties.
 - b. Level 2 allows researchers, education groups, and other parties who express legitimate educational interests to read all records and fields in the database to further the understanding of educational practices, methods, or theory that would be expected through acceptable research practice. Level 2 access will be granted only after approval of a data request form. The CPE will notify institutions when a level 2 data request has been approved for a third party.
 - c. Level 3 allows disclosure of individual records without personally identifiable information.

- d. Level 4 allows summaries of data only. The CPE generally will block aggregate results when fewer than six students might be disclosed. An exception to this general rule might be where a court or the U.S. Department of Education requires special reporting.
2. Researchers, education groups, and other parties who express legitimate education interests in using personally identifiable data shall submit a data request form that explains what data are requested and how the data are to be stored, used, maintained, disseminated, and ultimately destroyed.
3. In considering a request for access to data in the comprehensive database system, the CPE staff will assess:
 - a. Whether access is permitted by state or federal law.
 - b. Privacy concerns.
 - c. Security procedures available to and practiced by the requestor.
 - d. Availability of staff to monitor the data release.
 - e. The perceived benefits of the research.
 - f. Where applicable, whether an appropriate campus human subjects review board or committee has reviewed the proposal and has approved or endorsed the proposal.
4. A copy of any analyses or reports created with the CPE system data shall be provided to the CPE.
5. Release of data to a third party is subject to approval by and at the discretion of the president of the CPE unless federal or state law requires disclosure.
6. Completed requests will be reviewed and a response provided in an appropriate manner. In the event a request is rejected, specific reasons shall be given and, if appropriate, may include information concerning possible alternatives.
7. Requests shall be rejected if information on the application form is incomplete.
8. The CPE will maintain a record of all requests for confidential and private data and of all requests approved by the CPE including the date, nature, and purpose of the data, and to whom the data were made available.

D. Prohibitions

1. Commercial use of data obtained under such a request is prohibited.

2. All data remain the property of the CPE and the use of the CPE data is restricted solely to the purpose contained in the agreement.
3. Data may not be shared or distributed to individuals or groups who are not part of the original agreement; all copies of the data must be destroyed when the researcher completes the analysis or report.

E. Penalties

1. If it is determined that personally identifiable information was disclosed in violation of this policy, the party shall not have access to any CPE data for five years.
2. All violations will be reported to the appropriate federal and state enforcement agencies. The federal Privacy Act of 1974 states that disclosure of individually identifiable information in any manner to any person or agency not entitled to it shall be guilty of a misdemeanor and fined not more than \$5,000.

F. Requests by Individuals to Examine Their Personal Data

Upon request of individuals under Section 552a(f)(1) of the Privacy Act of 1974 or 34 C.F.R. Part 99.20 of FERPA to gain access to their records contained in the CPE comprehensive database system, the CPE will provide a copy of all or any portion in a comprehensible form and will consider requests, in consultation with the appropriate institution, to amend the record.

Certification: _____
Thomas D. Layzell

Original Approval: _____

Amended: _____

COMMONWEALTH OF KENTUCKY
COUNCIL ON POSTSECONDARY EDUCATION

DATA REQUEST FORM

Release of data is subject to approval. For consideration, please provide the following information. *For dissertations and campus-based research projects, please provide approved research prospectus and documentation of approval or exception from the appropriate committee to review human subjects research.*

Contact information

Name: _____
Title: _____
Organization: _____
Department: _____
Phone number: _____
E-mail address: _____

How will the data be used? What is the purpose of the request?

What data are needed?

Date needed _____

Identify preferred mode of output (ASCII, Excel, hardcopy)

**COMMONWEALTH OF KENTUCKY
COUNCIL ON POSTSECONDARY EDUCATION
NONDISCLOSURE AGREEMENT FOR THE USE OF INDIVIDUALLY
IDENTIFIABLE INFORMATION PROTECTED UNDER THE PRIVACY ACTS**

I, _____, hereby acknowledge that I fully understand the relevant laws, regulations, and policies concerning access, use, maintenance, and disclosure of confidential information and/or records which shall be made available to me. I further acknowledge that the relevant state and federal statutes and regulations have been made available to me. By signing this agreement, I acknowledge that all individually identifiable information must be eliminated at the conclusion of the research project in a manner agreeable to the CPE.

I will not:

- Use or reveal any individually identifiable information for any purpose other than statistical purposes specified in the Data Request Form.
- Make any disclosure or publication whereby a survey respondent could be identified or the data furnished by or related to any particular person can be identified.

Signature: _____

Date: _____

Address: _____

Approval Level _____

Authorizing Signature _____

Council on Postsecondary Education
March 21, 2005

2006-2012 Council Capital Improvement Plan

The Council is required by statute to submit a capital improvement plan to the Capital Planning Advisory Committee by April 15, 2005. The plan is a snapshot of the agency's vision of its capital needs over the six-year period 2006-2012. The Council's capital needs would primarily include equipment and information technology projects. The plan focuses on the needs of the Council to carry out its responsibilities as a state-level agency and therefore will not address the individual needs of postsecondary institutions. Issues related to postsecondary institutions will be addressed later in the process as the biennial budget recommendations are developed.

The Council staff has begun development of the plan and will keep the Council informed. The staff plans to bring a recommendation for consideration by the Executive Committee at its April 12 meeting.

Staff preparation by Sherron Jackson

Council on Postsecondary Education
March 21, 2005

President Evaluation Committee Report

Walter Baker, chair of the president evaluation committee, will give a report at the March 21 meeting on the annual evaluation of CPE President Tom Layzell.

Staff preparation by Phyllis Bailey