

# KY COUNCIL ON POSTSECONDARY EDUCATION BUSINESS MEETING



January 29, 2021 – 1:00 PM

ZOOM teleconferencing for Committee members

Livestream video for public: [https://youtu.be/\\_n3Z-Kf5qvw](https://youtu.be/_n3Z-Kf5qvw)

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- I. **Call to Order and Roll Call** *\*Indicates action item*
  - II. **Approval of the Minutes\***
  - III. **Proposed Council Resolution\***
  - IV. **Report from KDE Commissioner Jason Glass**
  - V. **Comments from CPE President, Aaron Thompson**
    - A. 2021 Legislative Session Update
  - VI. **Academic & Strategic Initiatives Committee - Report**
  - VII. **Committee on Equal Opportunities – Report**
    - A. Committee Appointments
  - VII. **Finance Committee - Report and Action Item**
    - A. 2021-22 Tuition and Mandatory Fee Policy\*
  - VIII. **Executive Committee - Report and Action Items**
    - A. 13 KAR 1:020 - Private College Licensing\*
    - B. 13 KAR 4:010 - State Authorization Reciprocity Agreement\*
  - IX. **Nominating Committee – Report and Action Item**
    - A. Election of Chair and Vice Chair for 2021\*
  - X. **Campus “Good News” Reports**
  - XI. **Other Business**
  - XII. **Adjournment**

*Next Council meetings: April 15-16, 2021*

**DRAFT MINUTES**  
Council on Postsecondary Education

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Type: Business Meeting  
Date: November 13, 2020  
Time: 9:00 a.m. ET  
Location: Virtual Meeting – Council members by ZOOM teleconference. Public viewing at: <https://youtu.be/aZXDkTJOC20>

**WELCOMING & CALL TO ORDER**

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The Council on Postsecondary Education met Friday, November 13, 2020, at 9:00 a.m., ET. Pursuant to Executive Order 2020-243 and a memorandum issued by the Finance and Administration Cabinet dated March 16, 2020, and in an effort to prevent the spread of Novel Coronavirus (COVID-19), the CPE met utilizing a video teleconference. Members of the public were invited to view the meeting virtually on the CPE YouTube page: <https://youtu.be/aZXDkTJOC20>.

Chair Ben Brandstetter presided.

**ATTENDANCE**

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Members attended: Ron Beal, Colby Birkes, Ben Brandstetter, Eric Farris, Kim Halbauer, Lori Harper, Lucas Mentzer, Kristi Nelson, Richard Nelson, Vidya Ravichandran, Robert Staat, Kevin Weaver, Carol Wright, and Commissioner Jason Glass.

Members not in attendance: Ronald Beal and Donna Moore.

CPE President Aaron Thompson attended the meeting and served as Secretary of the board, per the CPE Bylaws. Heather Faesy, CPE's senior associate for Board Relations, served as recorder of the meeting minutes.

**OATH OF OFFICE**

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Franklin County Judge Executive, Huston Wells, administered the oath of office for new Council member Muhammad Babar.

## **APPROVAL OF THE MINUTES**

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The minutes of the September 14-15, 2020 meetings were approved as distributed.

## **COMMENTS FROM THE PRESIDENT**

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President Aaron Thompson provided a number of updates including a summary of the information he presented to the Budget Review Subcommittee on Education on November 10, 2020, the on-going work of the Faculty Advisory Group, CPE's statewide efforts to increase spring enrollment numbers, and the upcoming board training event scheduled for December 9, 2020.

## **COMMENTS FROM KDE COMMISSIONER JASON GLASS**

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Kentucky Department of Education's Commissioner, Jason Glass, provided an update on how some of Kentucky's schools have been adjusting to non-traditional instruction in the long term, how other schools have adjusted in-person learning to ensure every student's safety during the pandemic, and described the additional resources being provided to students and teachers during this time. He also discussed his excitement for the work his department is doing with the Council and other departments in support of a more streamlined P-20 system.

## **ACADEMIC AND STRATEGIC INITIATIVES COMMITTEE – REPORT AND RECOMMENDED ACTION ITEMS**

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Committee Chair Lori Harper presented the Academic and Strategic Initiatives Committee Report and Recommendations. The Committee met on October 20, 2020, in which the committee received an update on the development of revised college readiness indicators for academic years 2021-22 and 2022-23; a close look at CPE's new Student Success Network, a comprehensive strategy to increase engagement and connections among faculty, staff and students in support of improved learning outcomes and increased college completion; and a review of the newest data available on CPE's data portal surrounding Transfer.

Dr. Amanda Ellis, CPE's Associate Vice President of P-20 Policies and Programs, presented the work CPE has coordinated between P-12, postsecondary education and the Education and Workforce Development Cabinet with the goal to strengthen and diversify our teacher corps, improve college readiness, and increase the college-going rates. The Commonwealth Education Continuum will provide a forum for Kentucky's P-12 and postsecondary systems to work collaboratively to develop a high-quality, diverse educator workforce; provide student and family support for

successful educational transitions; improve equitable access to higher education; strengthen preparation for career success; and improve awareness of postsecondary opportunities through a unified, state-level communication and outreach campaign.

Dr. Ellis also presented the joint resolution that was reviewed and approved by the Academic and Strategic Initiatives Committee at their October 20 meeting, and stated it had received the backing of the Governor and Lt. Governor, and that the Kentucky Board of Education would also be approving it at its December board meeting.

Ms. Harper thanks Dr. Ellis for her work and turned the meeting back over to Chair Brandstetter.

MOTION: Mr. Weaver moved that the Council accept the committee's recommendation to approve the Commonwealth Continuum resolution. Dr. Staat seconded the motion.

The motion passed.

## **FINANCE COMMITTEE – REPORT AND RECOMMENDED ACTION ITEMS**

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Committee Chair Ben Brandstetter presented the Finance Committee Report. The Committee met August 18, 2020 and the committee received revenue and use report updates on special use fees, asset preservation fees and agency bond fees; discussed potential revisions that may be made to the Asset Preservation Fee Policy at a future meeting; and received an overview of the performance funding discussions from the September and October meetings of the Postsecondary Education Working Group.

Chair Brandstetter also presented the Committee's recommendations of approval:

- Interim Capital Project at the University of Louisville's J.B. Speed School of Engineering building
- Interim Capital Project at the University of Louisville Medical Tower 55A Vivarium

MOTION: Mr. Farris moved that the Council accept the Finance Committee's recommendations of approval. Ms. Wright seconded the motion.

The motion passed. Dr. Babar abstained from the vote.

Chair Brandstetter also presented the Committee's request for delegation authority to provide final review and approval of Murray State University's interim capital project at the Lovett auditorium. The university's board does not meet until December 4 and thus it would have been inappropriate for the Council to review it first, however due to the emergency situation of the work needed, the university wanted to begin work before the Council met again at the end of January.

MOTION: Mr. Weaver moved that the Council accept the Finance Committee's request for delegation of authority in reviewing the aforementioned interim capital project request at Murray State University. Mr. Nelson seconded the motion.

The motion passed.

## **EXECUTIVE COMMITTEE – REPORT**

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Chair Brandstetter presented the Executive Committee report. The Committee has continued to meet monthly and discussions have centered on the performance funding working group discussions and the continued work on the campuses especially in the areas of pandemic planning. Chair Brandstetter also discussed the procedure to be used in President Thompson's 2020 performance review.

Chair Brandstetter made the following Committee appointments:

- Eric Farris to the Finance Committee.
- Muhammad Babar and Kevin Weaver to the Academic and Strategic Initiatives Committee.
- Richard Nelson to the Nominating Committee.

## **COMMITTEE ON EQUAL OPPORTUNITIES – REPORT AND RESOLUTION**

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Committee Chair Robert Staat presented the Committee on Equal Opportunities report. The Committee meet on October 26 and they approved Eastern Kentucky University's improvement plan, thus providing an exception allowing them to be eligible to apply for new academic programs, and approved quality strategic diversity plan revisions at Ashland Community & Technical College, Big Sandy Community & Technical College, Eastern Kentucky University, Somerset Community College, and West Kentucky Community & Technical College. The actions do not require further action or approval by the full Council.

Dr. Staat also stated that several committee members have terms that are coming to an end. Ling-Yug “Miko” Pattie has asked not to be reappointed, however Dr. Staat presented a resolution thanking her for service and asked the Council to approve it.

MOTION: Ms. Harper moved that the Council approve the proposed resolution for Miko Pattie. Mr. Farris seconded the motion.

The motion passed.

## **60x30 UPDATE: 2019-20 DEGREES AND CREDENTIALS**

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Dr. David Mahan, CPE’s Associate Vice President of Data, Research and Advanced Analytics, briefed the Council on the quantity of 2019-20 degrees and certificates conferred by Kentucky public and private institutions and assessed progress towards the attainment goal and other specific targets established in the statewide strategic agenda. Highlights from his report included the following:

- Statewide, Kentucky campuses awarded 23,865 bachelor’s degrees, 10,005 associate degrees and 14,217 certificates or diplomas during the year. Much of the progress toward attainment goals was due to a sharp rise in certificates and diplomas, which rose 10% over the previous year and have soared by nearly 53% since 2014-15.
- Production of undergraduate credentials rose 3.3% compared to the prior year. That’s nearly twice the rate needed to meet CPE’s 60x30 goal, an ambitious effort to raise the percentage of working-age Kentuckians with a high-quality postsecondary degree or certificate to 60 percent by the year 2030.
- More than 49% of Kentucky adults now have a postsecondary credential, up from 42.5% in 2014.

## **WORK READY KENTUCKY SCHOLARSHIP CAMPAIGN**

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Ms. Melissa Young, CPE’s Executive Director of Special Projects presented the work CPE has lead with multiple partners to promote the Work Ready Kentucky Scholarship. In 2018, the Council received a \$400,000 Adult Promise Grant from Lumina Foundation to encourage more working-age adults to return to college. Just over \$100,000 of this grant supported a radio and social media marketing campaign and the spokesperson is Brian Scott (aka Buffalo Stille or B. Stille), the front man for Nappy Roots, a Grammy award-winning rap group from Bowling Green, Kentucky.

Partners in the effort include KCTCS, Kentucky Lottery, Kentucky Higher Education Assistance Authority (KHEAA), Education and Workforce Development Cabinet, The Graduate! Network, the Governor’s Office, Prichard Committee, Kentucky Chamber of Commerce, Kentucky Association of Manufacturers, AARP and educational providers of the Work Ready Kentucky Scholarship Program.

### **CAMPUS “GOOD NEWS” REPORTS**

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Reports from the institutions were provided in the agenda materials.

### **ADJOURNMENT**

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The Council adjourned at 10:55 a.m. ET.

**MINUTES REVIEWED AND APPROVED BY THE COUNCIL: \_\_\_\_\_**

DRAFT

**TITLE:** Proposed Council Resolution

**RECOMMENDATION:** The following resolution will be presented for approval.

**PRESENTER:** Benjamin E. Brandstetter, Council Chair

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### **SUPPORTING INFORMATION**

Periodically, the Council recognizes certain individuals for their support of and service to postsecondary education in Kentucky. At the meeting, a resolution for the following individual will be proposed for approval by the Council:

- Michael V. Carter, President, Campbellsville University



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A RESOLUTION HONORING AND COMMENDING

**MICHAEL V. CARTER**

for his service to Campbellsville University and postsecondary education in the Commonwealth of Kentucky.

WHEREAS, Dr. Michael V. Carter has served as the 10<sup>th</sup> president of Campbellsville University since 1999, and through his leadership and vision, strengthened the university's commitment to academic excellence and student success; and

WHEREAS, during his tenure, Campbellsville University achieved unparalleled growth, increasing from 1,600 to 13,500 students, and from 74 to 200 full-time faculty members; and

WHEREAS, Dr. Carter presided over the addition of barbering, cosmetology, and nursing schools and expanded the number of programs to over 90, including one doctoral, nineteen master's, six postgraduate, and seven pre-professional programs; and

WHEREAS, under Dr. Carter's leadership, Campbellsville University obtained the rank of a level 5 institution within its Southern Association of Colleges and Schools Commission on Colleges' designation, graduating its first class of Ph.D. students in December of 2020, which opened the door for additional doctoral programs in the future; and

WHEREAS, Dr. Carter presided over a 650 percent increase in the university's budget and a 400 percent increase in its endowment; and

WHEREAS, since 1999, Campbellsville University has had an economic impact of over \$137 million in Taylor County and nearly \$200 million across the university system, becoming an agent of social change through its commitment to diversity and the prosperity and well-being of its region;

NOW, THEREFORE, BE IT RESOLVED, that the Council on Postsecondary Education does hereby adopt this resolution, January 29, 2021, for President Michael Carter, congratulating him on his achievements, thanking him for his dedication and service, and wishing him good fortune in his retirement.

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Benjamin E. Brandstetter, Chair

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Aaron Thompson, Ph.D., President

**TITLE:** Report from CPE President, Aaron Thompson

**DESCRIPTION:** President Thompson will highlight specific initiatives during his report to the Council. This written report serves as his official report for January 29, 2021.

**PRESENTER:** Aaron Thompson, CPE President

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**Annual Campus Data Briefings** – On January 28 and 29, 2021, the Council had an opportunity to hear the annual accountability reports from our campus presidents and representatives. I'd like to thank everyone who participated in these presentations. I'm pleased that we have made progress toward our goals despite disruptions caused by COVID-19. In 2019-20, statewide graduation and retention rates, as well as degrees, were up at KCTCS and public universities. Kentucky's educational attainment rate rose to 49.1%, only 2.2 percentage points behind the national average, mainly due to increases in short-term credentials. Degrees conferred (public and AIKCU) increased 3.3% over last year. Short-term certificates awarded by KCTCS were up 8.4%. The state lost some ground in college-going and college readiness, which the newly formed Commonwealth Education Continuum Advisory Group will redress through their work. Be on the lookout for the full 2021 Progress Report, which will be released in early February.

**Strategic Planning** – The next Strategic Agenda planning process will officially kick off at a February 1 meeting of the Academic and Strategic Initiatives (ASI) Committee. The ASI Committee will oversee the process and contribute to the plan's development. A committee of campus institutional research and institutional effectiveness representatives will provide feedback on plan metrics, while additional information and ideas will be collected through focus group sessions, interviews with key stakeholders, and conversations with leading policy experts. Our data and analytics unit is busy compiling data use in a comprehensive SWOT analysis. All board members are invited to participate in February 1 meeting (2-4:00 p.m. ET) to learn more about the process.

**Campus Vaccination Plans** – Vaccination efforts are underway for college faculty and staff, who are classified as phase 1C, along with other essential workers. I am grateful to the Governor and state leaders for prioritizing higher education faculty and staff so

we can return to in-person classes sooner rather than later. Postsecondary personnel began registering for the shot on January 28, and sites will open the first week of February. UK and UofL Health are partnering with other providers to operate community vaccination sites.

**Commonwealth Education Continuum Group** – The group’s inaugural meeting was held on January 27 at 1pm ET. The Governor and Lt. Governor attended to outline some of their key P-20 objectives for the state. Recent declines in college-going and college readiness underscore the need to create more seamless pathways between K-12 and postsecondary education. Along with Commissioner Glass, I will be pushing the group to prioritize strategies for closing achievement gaps, including the creation of a more diverse teaching force; improving 2-year to 4-year transfer; increasing early college awareness, readiness and support for students and parents; and creating smoother transitions from college to career.

**Performance funding** - The Postsecondary Education Working Group finished its review of the performance funding model. Among the recommendations are that the model reward improved performance using new funding only instead of redistributing a portion of the base, as is currently done. The group also agreed to use the existing model to distribute that any new funding appropriated by the General Assembly, and a legislative bill is expected to be filed upon the return of the legislature in February.

**Legislative Session** – I’m happy to report that the Executive Budget requested an additional \$17 million in funding for postsecondary institutions, which represents a 2% increase in general fund investment. Additionally, there was added funding for asset preservation projects, pension relief, and a Better Kentucky Promise program to provide last-dollar scholarships to cover the cost of a first associate degree. Both the House and Senate passed versions of the budget that rejected most if not all of Governor’s recommendations. House and Senate leadership stated these were “process” bills to get to a free conference committee, where changes will be hashed out. Greg Rush, CPE’s legislative liaison, will provide more detail during the meeting.

**Speaking Events** – I continue to meet with national and statewide organizations to talk about higher education issues and trends. Just this month, I was interviewed by Kentucky Newsmakers’ Bill Bryant, KET’s Renee Shaw, and the Richmond Register’s Destiny Ott for a number of discussion topics including campus operations in spring 2021, campus vaccination plans, and legislative priorities for the session. Below is a list of the major speaking events I’ve taken part in since the last Council meeting:

- November 19, 2020 – KyLEAD2020 panel discussion on strategies for addressing the diverse needs of students, teachers and communities
- November 20, 2020 – Panelist with Moody’s Investment Services titled, The Past is Not the Future
- December 3, 2020 – Virtual Press Conference for Commonwealth Education Continuum with Governor Beshear, Lt. Governor Coleman, and Commissioner Jason Glass.
- January 12, 2021 - Press conference to promote the Work Ready Kentucky Scholarship, along with Dr. Paul Czarapata, KCTCS interim president; Mary Harville, CEO of the Kentucky Lottery Corporation, and B. Stille of Nappy Roots.
- January 14, 2021 – Northern Kentucky Chamber of Commerce Leadership meeting with Commissioner Glass and Lt. Governor Coleman.
- January 22, 2021 - Panel discussion hosted by AAC&U about the need to create more coherent educational experiences for students that blend vocational skills with liberal arts competencies.
- January 24, 2021 – Kentucky Newsmakers interview with Bill Bryant on the impact of COVID-19 on campus
- January 25, 2021 – KET interview with Renee Shaw on Building Kentucky’s Workforce
- January 26, 2021 – Panelist for the Kentucky Chamber on Racial Inequality



# 2021 Progress Report Highlights

## Making Progress

- Kentucky is on track to reach the 60x30 educational attainment goal. In 2019-20, the total number of undergraduate degrees and credentials (public and AIKCU) increased 3.3% over the prior year. An average annual increase of 1.7% is needed.
- Credentials awarded to minority students at KCTCS increased 7.1%, while bachelor's degrees conferred to minority students (at public and AIKCU institutions) increased 5.9%.
- KCTCS conferred 9,966 associate degrees in 2019-20, a 1.0% increase over 2018-19. Short-term certificates increased 8.4% to 27,347.
- Total master's, professional, and doctoral degrees increased 18.8% to 15,807. Graduate degrees at public universities increased 0.6%, and independent institutions increased graduate degree production by 42%.
- The six-year graduation rate for public four-year institutions rose to 56.4% (up from 55%), while the three-year rate at KCTCS rose to 36.3% (up from 33.9%).
- KCTCS's completion rate (41.9%) exceeds the national average by 1.5 percentage points. The completion rate of Kentucky's four-year public universities (64.3%) is approaching the national average (67.5%).
- First-year to second-year retention increased 2.5 percentage points to 80.7% at public universities, and 1.6 percentage points to 57.1% at KCTCS.
- The percentage of KCTCS associate degree graduates who transferred to a four-year institution increased from 36.3% in 2017-18 to 38.9% in 2018-19, the most current year available.
- Average net price decreased at Kentucky's public research universities, from \$18,411 in 2017-18 to \$18,219 in 2018-19, the most current year available. Net price at comprehensive universities decreased from \$12,110 in 2017-18 to \$11,415 in 2018-19.

## Holding Steady

- Total bachelor's degrees awarded (public and AIKCU) remained essentially unchanged, from 23,727 in 2018-19 to 23,865 in 2019-20.
- At the statewide level, enrollment among adults (25 and older) remained the same at 2.6% from fall 2018 to fall 2019. Enrolling and graduating a greater percentage of non-traditional adult students is essential if Kentucky hopes to meet its educational attainment goal.

## Challenges Ahead

- From 2018-19 to 2019-20, college readiness of college entrants declined 4.9 percentage points (from 84.5% to 79.6%) at 4-year publics and 15.3 percentage points (from 49.1% to 33.8%) at KCTCS. This marks the third consecutive decline.
- Kentucky's in-state college-going rate fell from 51.7% in 2018 to 50.5% in 2019, marking the fourth consecutive decline.
- State funding per full-time equivalent student was up slightly from the previous year, from \$5,977 in 2019-20 to \$6,133 in 2020-21. However, that increase was due to a drop in enrollment, not an increase in state appropriations.

**TITLE:** 2021 Legislative Update

**DESCRIPTION:** CPE staff will provide a recap of part one of the 2021 Legislative Session as it pertains to postsecondary education.

**PRESENTER:** Greg Rush, CPE's Senior Fellow and Legislative Liaison

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The General Assembly completed the first part of the 2021 Legislative Session on January 13<sup>th</sup>. They extended the first part of the session by four legislative days in order to pass several bills related to the powers of the Governor as well as the bills representing the 2021-22 budget.

#### 2021-22 Budget Bill

The Governor introduced his budget in the first week of the session. Included was:

- pension assistance for postsecondary education;
- 1% base increase and 1% in performance funding pool; and,
- additional funding for capital construction pool.

Both the House and Senate passed versions of the budget that rejected most if not all of Governor's recommendations. House and Senate leadership stated these were "process" bills to get to a free conference committee.

#### Bills related to Postsecondary Education

Several bills were filed that affect Postsecondary Education, but we hear that only a limited number of bills will advance this session. Some of the bills with significant potential impact are:

- HB8 – Changes the way KERS pension liabilities are distributed between employers. If enacted, particularly without funding, it has a significant financial implication for many of the comprehensive campuses and KCTCS;
- HB10 – Addresses limitations on liability related to COVID-19 for employers and businesses;
- SB106 – Requires that participation on athletic teams be determined by the biological sex of the student participating;

- HB145 – Revises student disciplinary procedures and sets minimum procedural requirements;
- SB115 and HB270 – Addresses early literacy education;
- SB117 – Allows postsecondary institutions to require vaccinations if they provide an opt out.
- HB101 – Prohibits postsecondary institutions from requiring vaccinations for those other than those involved in healthcare.

**TITLE:** Report from the Academic and Strategic Initiatives Committee

**DESCRIPTION:** The following is a summary of the Committee's meeting on January 12, 2021

**PRESENTER:** Lori Harper, Chair of Academic & Strategic Initiatives Committee

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The Academic and Strategic Initiatives Committee met on January 12, 2021. There were no action items proposed at the meeting for adoption, however many topics were presented and discussed.

- Next Statewide Strategic Agenda Development - CPE has engaged the ECU Facilitation Center to help support the process with CPE's ASI Committee overseeing the overall development of the agenda. The winter/early spring will be devoted to information gathering from key constituencies, including the CPE board, presidents, provosts, chief business officers, and other campus peer groups. Input also will be solicited from campus board leadership, other state partners and agencies, parents, students, employers, faculty and other higher education stakeholders. Staff also will review key state performance data, and trends/best practices from other states. Specific policy and metrics committees with campus and board membership may also be formed to address technical needs. The development process is anticipated to take 6-9 months, with the Council reviewing the final version for approval at its fall 2021 meeting.
- Commonwealth Education Continuum - CPE staff provided an update on the work occurred thus far on the Commonwealth Education Continuum, which was announced during a press conference on November 17, 2020 by Governor Beshear, Lt. Governor Coleman, President Thompson, and Commissioner Glass. The CPE and KBE approved the CEC resolution in December. Twenty-six members representing pre-school through the workforce were invited to serve, and the first meeting takes/took place on January 27, 2021 at 1:00 PM ET.
- Cultural Competency Certification Pilot Program - The Kentucky Public Postsecondary Education Policy for Diversity, Equity & Inclusion states that in order to live and thrive on a diverse campus and in an increasingly diverse world,

students, faculty, and staff must be culturally competent. Cultural competency provides individuals with the knowledge, skills, and attitudes to increase their effectiveness in relating across cultural differences and prepares them for life in increasingly diverse domestic and international environments. As part of their plans for diversity, equity, and inclusion, institutions must implement initiatives designed to increase the cultural competence of students, faculty, and staff. CPE staff have developed a certification campuses will soon begin to pilot that is based on the A4 Model of Cultural Competence of Awareness, Acknowledgement, Acceptance and Action.

- Data and Research Agenda Update - CPE staff presented an update on the work and upcoming reports being completed by CPE's Data, Research and Advanced Analytics for the spring of 2021, which includes the 2021 Progress Report, CPE/EMSI Kentucky education/teacher preparation sector analysis, and the second iteration of the Return on Investment Report. All three are expected to release in the first part of 2021.

The supporting materials and YouTube replay link can be found on the Council Meetings Records Archive webpage at: <http://cpe.ky.gov/aboutus/records/index.html>.

**KY COUNCIL ON POSTSECONDARY EDUCATION**

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**TITLE:** Report from the Committee on Equal Opportunities

**DESCRIPTION:** The following is a summary of the Committee's meeting on January 25, 2021.

**PRESENTER:** Dr. Robert Staat, Chair of the Committee on Equal Opportunities

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The Committee on Equal Opportunities met on January 25, 2021. Dr. Staat will provide a recap on the discussions from that meeting.

**Committee Membership**

The Committee on Equal Opportunities, established by Executive Order 97-1072 to advise the Council on strategies for achieving the equal opportunity and institutional performance objectives, has eleven (11) members. Five members have terms that expired on December 31, 2020: Shawn Reynolds of Murray, David Carpenter of Frankfort, Miko Pattie of Lexington, Robert Croft of Louisville, and John Johnson of Louisville.

- **Reappointments:** Members that are requested for reappointment terms of January 1, 2021 through December 31, 2023 are David Carpenter and Robert Croft.
- **New Appointments:** New members requested to be appointed for a term from January 1, 2021 through December 31, 2023 are:
  - Rochelle Brown, to replace the position previously held by Miko Pattie. Dr. Brown is a graduate of the University of Kentucky College of Medicine and current serves as the medical director of Medicare appeals for UnitedHealthcare Clinicals.
  - Terrance Sullivan, to replace the position previously held by John Johnson. Mr. Sullivan is a graduate from the Louis D. Brandeis School of Law at the University of Louisville and currently serves as the executive director of the Kentucky Commission on Human Rights.
- **Vacancy:** There is currently one vacancy remaining on the Committee.

If the appointments are approved by the Council Chair at the meeting, the below chart will reflect the current membership of the Committee.

<b>First Name</b>	<b>Last Name</b>	<b>Current Term Began</b>	<b>Current Term Expires</b>
Whitney	Allen	10/1/19	12/31/21
Deborah	Aparicio	10/1/19	12/31/21
Colby	Birkes	7/1/20	12/31/21*
Rochelle	Brown	1/1/21	12/31/23
David	Carpenter	1/1/21	12/31/23
Robert	Croft	1/1/21	12/31/23
Alfonso	De Torres Nunez	10/1/19	12/31/21
Kim	Halbauer	7/1/19	12/31/21*
Luv'Tesha	Robertson	7/1/19	12/31/21
Robert	Staat	1/1/17	12/31/21*
Terrance	Sullivan	1/1/21	12/31/23
VACANT			

*\* Expiration terms are dependent on Council membership terms*

**KY COUNCIL ON POSTSECONDARY EDUCATION**

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**TITLE:** Report from the Finance Committee

**DESCRIPTION:** The following is a summary of the Committee's meeting on December 15, 2020.

**PRESENTER:** Benjamin E. Brandstetter, Chair of Finance Committee

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The Finance Committee met on December 15, 2020 and cancelled its meeting scheduled for January 12, 2021. The following is a summary of the December meeting.

- The Committee reviewed and approved Murray State University's request for a \$2,000,000 interim capital project to make significant upgrades and repairs to the Lovett Auditorium HVAC system. This action served as final approval authority because the Council delegated that authority for this project to the Finance Committee at their November 13, 2020 meeting.
- The Committee reviewed and is recommending approval by the Council at its January 29, 2021 meeting of revisions to the Tuition and Mandatory Fee Policy that will guide the development of the ceiling recommendations for the 2021-22 academic year. See the accompanying action item for details.
- The Committee also discussed the 2021-22 postsecondary education budget priorities and the final decisions of the Performance Funding Workgroup.

The supporting materials and YouTube replay link can be found on the Council Meetings Records Archive webpage at: <http://cpe.ky.gov/aboutus/records/index.html>.

**TITLE:** Tuition and Mandatory Fee Policy and Tuition Setting Timeline

**RECOMMENDATION:** The Finance Committee recommends the Council approve the revised Tuition and Mandatory Fee Policy.

**PRESENTERS:** Benjamin E. Brandstetter, Chair of Executive Committee

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### **COMMITTEE REVIEW & APPROVAL**

The Finance Committee reviewed the proposed revisions to the Tuition and Mandatory Fee Policy and approved them at its December 15, 2020 meeting.

Once approved by the Council, the tuition policy will help guide the development of tuition and mandatory fee ceiling recommendations for academic year 2021-22 and will facilitate the submission and evaluation of campus tuition and fee rate proposals.

### **SUPPORTING INFORMATION**

For academic year 2021-22, the *Tuition and Mandatory Fee Policy* includes proposed changes to the Asset Preservation Fee Exception Policy, which were discussed at the October 20 meeting of the Finance Committee and are described in detail below.

Based on the attached *Preliminary 2021-22 Tuition Setting Timeline*, it is anticipated that the Council will take action on recommended tuition and mandatory fee ceilings at the April 16, 2021 meeting and approve campus proposed tuition and fee rates at the June 25, 2021 meeting. The preliminary timeline does not require Council approval.

#### **Background on the Asset Preservation Fee Exception Policy**

On February 2, 2018, the Council on Postsecondary Education approved an Asset Preservation Fee Exception Policy that allows institutions to request an exemption from a Council approved tuition and fee rate ceiling for an Asset Preservation Fee that meets certain policy provisions. According to the policy:

An asset preservation fee is a mandatory, flat-rate fee that has been approved by an institution's governing board, the revenue from which shall either be expended upon collection on asset preservation and renovation and fit-for-use capital projects, or used to pay debt service on agency bonds

issued to finance such projects, that support the instructional mission of the institution.

The policy requires that a proposed fee and project supported by the fee be approved by an institution's governing board and the fee's impact on total tuition and fee charges be reasonable in the year in which the fee is implemented. According to Council policy, a fee that qualifies for an exemption and is approved by the Council shall not be in effect for longer than 25 years.

Institutions that have adopted asset preservation fees must provide an annual report of the fee revenue generated and asset preservation projects funded using fee revenue.

### **Proposed Changes**

As part of the annual reporting process and in response to questions from campus officials, CPE staff reviewed the existing Asset Preservation Fee Exception Policy. As a result of that review, on October 8, 2020, staff contacted campus chief budget officers (CBOs) and requested feedback and suggestions to make the policy clearer and better suited to meet the needs of the institutions.

Campus officials provided feedback as requested and staff created a revised Asset Preservation Fee Exception Policy that reflects the proposed changes (see the red font and strikethrough in the attached policy). The proposed changes are listed below.

- Remove the requirement that the cost of a proposed asset preservation and renovation or fit-for-use project or a grouping of such projects must equal or exceed a \$1.0 million threshold.
- Add language to clarify that fee revenue may be accumulated over time until it meets a specific project's scope and that fee revenue may be used to pay debt service on instruments used to finance projects other than Agency Bonds.
- Provide guidance regarding the use of fee revenue on ongoing asset preservation, renovation, and fit-for-use projects not included in the initial approval of an institution's Asset Preservation Fee.

# Council on Postsecondary Education Tuition and Mandatory Fee Policy

*Academic Year 2021-22*

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The Council on Postsecondary Education is vested with authority under KRS 164.020 to determine tuition at public postsecondary education institutions in the Commonwealth of Kentucky. Kentucky's goals of increasing educational attainment, promoting research, assuring academic quality, and engaging in regional stewardship must be balanced with current needs, effective use of resources, and prevailing economic conditions. For the purposes of this policy, mandatory fees are included in the definition of tuition. During periods of relative austerity, the proper alignment of the state's limited financial resources requires increased attention to the goals of the *Kentucky Postsecondary Education Improvement Act of 1997* (HB 1) and the Strategic Agenda for Kentucky Postsecondary and Adult Education.

## **Fundamental Objectives**

### ▪ Funding Adequacy

HB 1 states that Kentucky shall have a seamless, integrated system of postsecondary education, strategically planned and adequately funded to enhance economic development and quality of life. In discharging its responsibility to determine tuition, the Council, in collaboration with the institutions, seeks to balance the affordability of postsecondary education for Kentucky's citizens with the institutional funding necessary to accomplish the goals of HB 1 and the Strategic Agenda.

### ▪ Shared Benefits and Responsibility

Postsecondary education attainment benefits the public at large in the form of a strong economy and an informed citizenry, and it benefits individuals through elevated quality of life, broadened career opportunities, and increased lifetime earnings. The Council and the institutions believe that funding postsecondary education is a shared responsibility of state and federal governments, students and families, and postsecondary education institutions.

### ▪ Affordability and Access

Since broad educational attainment is essential to a vibrant state economy and to intellectual, cultural, and political vitality, the Commonwealth of Kentucky seeks to ensure that postsecondary education is broadly accessible to its citizens. The Council and the institutions are committed to ensuring that college is affordable and accessible to all academically qualified Kentuckians with particular emphasis on adult learners, part-time students, minority students, and students from low- and moderate-income backgrounds.

The Council believes that no citizen of the Commonwealth who has the drive and ability to succeed should be denied access to postsecondary education in Kentucky because of

inability to pay. Access should be provided through a reasonable combination of savings, family contributions, work, and financial aid, including grants and loans.

In developing a tuition and mandatory fees recommendation, the Council and the institutions shall work collaboratively and pay careful attention to balancing the cost of attendance—including tuition and mandatory fees, room and board, books, and other direct and indirect costs—with students' ability to pay by taking into account (1) students' family and individual income; (2) federal, state, and institutional scholarships and grants; (3) students' and parents' reliance on loans; (4) access to all postsecondary education alternatives; and (5) the need to enroll and graduate more students.

- **Effective Use of Resources**

Kentucky's postsecondary education system is committed to using the financial resources invested in it as effectively and productively as possible to advance the goals of HB 1 and the Strategic Agenda, including undergraduate and graduate education, engagement and outreach, research, and economic development initiatives. The colleges and universities seek to ensure that every dollar available to them is invested in areas that maximize results and outcomes most beneficial to the Commonwealth and its regions. It is anticipated that enactment of Senate Bill 153, the *Postsecondary Education Performance Funding Bill*, during the 2017 legislative session will provide ongoing incentives for increased efficiency and productivity within Kentucky's public postsecondary system. The Council's Strategic Agenda and funding model metrics will be used to monitor progress toward attainment of both statewide and institutional HB 1 and Strategic Agenda goals.

- **Attracting and Importing Talent to Kentucky**

It is unlikely that Kentucky can reach its 2030 postsecondary education attainment goal by focusing on Kentucky residents alone. The Council and the institutions are committed to making Kentucky institutions financially attractive to nonresident students, while recognizing that nonresident undergraduate students should pay a significantly larger proportion of the cost of their education than do resident students. Tuition reciprocity agreements, which provide low-cost access to out-of-state institutions for Kentucky students that live near the borders of other states, also serve to attract students from surrounding states to Kentucky's colleges and universities.

A copy of the Council's nonresident student tuition and mandatory fee policy is contained in the paragraphs below. Going forward, Council staff will periodically review and evaluate the policy to determine its impact on attracting and retaining students that enhance diversity and the state's competitiveness.

## **Nonresident Student Tuition and Fees**

The Council and the institutions believe that nonresident students should pay a larger share of their educational costs than do resident students. As such, published tuition and fee levels adopted for nonresident students shall be higher than the prices for resident students enrolled in comparable programs of study.

In addition, every institution shall manage its tuition and fee rate structures, price discounting, and scholarship aid for out-of-state students, such that in any given year, the average net tuition and fee revenue generated per nonresident undergraduate student equals or exceeds 130% of the annual full-time tuition and fee charge assessed to resident undergraduate students (i.e., the published in-state sticker price). As part of the tuition and fee setting process, staff shall monitor and report annually to the Council regarding compliance with this requirement.

The Council acknowledges that in some instances increasing nonresident student enrollment benefits both the Commonwealth and the institution. For this reason, exceptions to the 130% threshold may be requested through a Memorandum of Understanding (MOU) process and will be evaluated on a case by case basis by the Council. The main objective of the MOU process is to clearly delineate goals and strategies embedded in enrollment management plans that advance the unique missions of requesting institutions.

### **Special Use Fee Exception Policy**

During the 2010-11 tuition setting process, campus officials requested that the Council consider excluding student-endorsed fees from its mandatory fee definition, thus omitting consideration of such fees when assessing institutional compliance with Council approved tuition and fee rate ceilings. Based on feedback received from institutional Chief Budget Officers (CBOs) at their December 2010 meeting, it was determined that there was general interest in treating student-endorsed fees differently from other mandatory fees.

In January and February 2011, Council staff collaborated with institutional presidents, CBOs, and their staffs in developing the following Special Use Fee Exception Policy:

- To the extent that students attending a Kentucky public college or university have deliberated, voted on, and requested that their institution's governing board implement a special use fee for the purposes of constructing and operating and maintaining a new facility, or renovating an existing facility, that supports student activities and services;
- And recognizing that absent any exemption, such student-endorsed fees, when implemented in the same year that the Council adopts tuition and fee rate ceilings, would reduce the amount of additional unrestricted tuition and fee revenue available for an institution to support its E&G operation;
- The Council may elect to award an exemption to its tuition and fee rate ceiling equivalent to all or a portion of the percentage increase resulting from imposition of the student-endorsed fee, provided said fee meets certain eligibility requirements.

#### Definitions

A student-endorsed fee is a mandatory flat-rate fee that has been broadly discussed, voted on, and requested by students and adopted by an institution's governing board, the revenue from which may be used to pay debt service and operations and maintenance expenses on new facilities, or capital renewal and replacement costs on existing facilities and equipment that support student activities and services, such as student unions, fitness centers, recreation complexes, health clinics, and/or tutoring centers.

Maintenance and Operations (M&O) expenses are costs incurred for the administration, supervision, operation, maintenance, preservation, and protection of a facility. Examples of M&O expenses include janitorial services, utilities, care of grounds, security, environmental safety, routine repair, maintenance, replacement of furniture and equipment, and property and facility planning and management.

### Eligibility Criteria

A student-endorsed fee will continue to be a mandatory fee within the context of the Council's current mandatory fee definition and may qualify for an exemption from Council approved tuition and fee rate ceilings. Campus officials and students requesting an exemption under this policy must be able to demonstrate that:

- All enrolled students have been afforded ample opportunity to be informed, voice their opinions, and participate in the decision to endorse a proposed fee. Specifically, it must be shown that fee details have been widely disseminated, broadly discussed, voted on while school is in session, and requested by students.
- For purposes of this policy, voted on means attaining:
  - a) a simple majority vote via campus-wide referendum, with a minimum of one-quarter of currently enrolled students casting ballots;
  - b) a three-quarters vote of elected student government representatives; or
  - c) a simple majority vote via campus-wide referendum, conducted in conjunction and coinciding with the general election of a student government president or student representative to a campus board of regents or board of trustees.
- The proposed fee and intended exemption request have been presented to, and adopted by, the requesting institution's governing board. It is anticipated that elected student government representatives will actively participate in board presentations.
- Revenue from such fees will be used to pay debt service and M&O expenses on new facilities, or capital renewal and replacement costs on existing facilities and equipment that support student activities and services, such as student unions, fitness centers, recreation complexes, health clinics, and/or tutoring centers. The Council expects these uses to be fully explained to students prior to any votes endorsing a fee.
- In any given year, the impact of a student-endorsed fee on the overall increase in tuition and mandatory fees for students and their families will be reasonable. It may be appropriate to phase in the exemption over multiple years to maintain affordability and access.
- Requests for student-endorsed exemptions are infrequent events. The Council does not expect requests for exemptions under this policy to occur with undue frequency from any single institution and reserves the right to deny requests that by their sheer number are deemed excessive.

- A plan is in place for the eventual reduction or elimination of the fee upon debt retirement, and details of that plan have been shared with students. The Council does not expect a fee that qualifies for an exemption under this policy to be assessed at full rate in perpetuity. Such fees should either terminate upon completion of the debt or, in the case of new facilities, may continue at a reduced rate to defray ongoing M&O costs. In either case, to qualify for an exemption, students should be fully aware of the extent of their obligation prior to any votes endorsing a fee.

### Exemption Process

Requests for an exemption under this policy will be evaluated on a case-by-case basis. To initiate the process:

- The requesting institution will notify Council staff of any pending discussions, open forums, referendums, or student government actions pertaining to a proposed special use fee and discuss fee details with Council staff as needed.
- After a fee has been endorsed by student referendum or through student government action and approved by the institution's governing board, campus officials and students will submit a written exemption request to the Council for its consideration.
- Council staff will review the request, assess whether or not the proposed fee qualifies for an exemption, and make a recommendation to the Council.

To facilitate the exemption request process, requesting institutions and students are required to provide the Council with the following information:

- Documents certifying that the specific project and proposed fee details have been widely disseminated, broadly discussed, voted on, and requested by students, as well as adopted by the institution's governing board.
- Documents specifying the fee amount, revenue estimates, uses of revenue, impact on tuition and fees during the year imposed (i.e., percentage points above the ceiling), and number of years the fee will be in place.
- Documents identifying the project's scope, time frame for completion, debt payment schedule, and plan for the eventual reduction or elimination of the fee upon debt retirement.

### **Asset Preservation Fee Exception Policy**

During the 2017-18 tuition setting process, campus officials asked if the Council would consider allowing institutions to assess a new student fee, dedicated to supporting expenditures for asset preservation and renovation projects, that would be treated as being outside the tuition and fee caps set annually by the Council. Staff responded that it was too late in the process to allow for a full vetting of a proposed change to the Council's Tuition and Mandatory Fee Policy prior to the Council adopting tuition ceilings at the March 31, 2017 meeting. In addition, staff wanted to explore the possibility of adopting a system-wide

asset preservation fee that would benefit and address asset preservation needs at every public postsecondary institution.

In August 2017, staff determined that there was general interest among campus officials to pursue a change in tuition policy that would allow each institution the option to implement a student fee for asset preservation, if its administrators and governing board chose to do so, that would be exempted from Council approved tuition and fee ceilings. In September and October, Council staff worked with campus presidents, chief budget officers, and Budget Development Work Group members to develop the Asset Preservation Fee Exception Policy described below.

- Given that in 2007, Council and postsecondary institution staffs contracted with Vanderweil Facilities Advisors, Inc. (VFA) and Paulien and Associates to conduct a comprehensive assessment of Kentucky's public postsecondary education facilities to determine both system and individual campus needs for new and expanded space, asset preservation and renovation, and fit-for-use capital projects;
- Given that in 2013, VFA adjusted the data from its 2007 study to account for continuing aging of postsecondary facilities and rising construction costs, and projected that the cumulative need for asset preservation and fit-for-use expenditure would grow to \$7.3 billion within the 2017 to 2021 timeframe;
- Given that over the past five biennia, 2008-10 through 2016-18, the Commonwealth of Kentucky has appropriated a total of \$262.0 million for its public colleges and universities to address asset preservation and renovation and fit-for-use projects, representing about 3.6% of the total cumulative need identified by VFA;
- Given that in late summer 2017, the Council and postsecondary institutions concluded that one reasonable course of action to begin to address the overwhelming asset preservation and renovation and fit-for-use needs was through sizable and sustained investment in existing postsecondary facilities, which could be accomplished through a cost sharing arrangement involving the state, postsecondary institutions, and students and families;
- Given that the best way to ensure the ongoing commitment and participation of students and families in a cost-sharing partnership to address asset preservation and renovation needs is through the implementation of an optional dedicated student fee;
- Given that such an asset preservation fee, when implemented in the same year that the Council adopts a tuition and fee rate ceiling, would reduce the amount of additional unrestricted tuition and fee revenue available for an institution to support its E&G operation;
- The Council may elect to award an exemption to its tuition and fee rate ceiling of up to \$10.<sup>00</sup> per credit hour at the public universities, capped at 15 credit hours per semester for undergraduate students, for a dedicated student fee that supports asset

preservation and renovation projects related to the instructional mission of the institution;

- The Council may elect to award an exemption to its tuition and fee rate ceiling of up to \$5.00 per credit hour at KCTCS institutions, capped at 15 credit hours per semester, for a dedicated student fee that supports asset preservation and renovation projects related to the instructional mission of the institution.

### Definition

An asset preservation fee is a mandatory, flat-rate fee that has been approved by an institution's governing board, the revenue from which shall either be expended upon collection on asset preservation and renovation and fit-for-use capital projects, or used to pay debt service on agency bonds issued to finance such projects, that support the instructional mission of the institution. Thus, by definition, fee revenue and bond proceeds derived from such fees shall be restricted funds for the purposes of financing asset preservation and renovation projects. As a mandatory fee, an asset preservation fee may be assessed to students regardless of degree level or program or full-time or part-time status.

### Eligibility Criteria

An asset preservation fee may qualify for an exemption from Council approved tuition and fee rate ceilings, provided the following criteria are met:

- The proposed asset preservation project(s) and related fee shall be approved by the requesting institution's governing board.
- ~~The cost of a given asset preservation and renovation or fit-for-use project shall equal or exceed \$1.0 million; however, several smaller asset preservation projects may be bundled to meet the threshold requirement.~~
- Revenue from the fee may either be expended upon collection on asset preservation and renovation or fit-for-use projects, **accumulated to meet a specific project's scope,** or used to pay debt service on agency bonds **or other instruments used** issued to finance such projects.
- Both the direct expenditure of fee revenue and the expenditure of agency bond funds generated by the fee may be used to meet matching requirements on state bond funds issued for asset preservation projects. In previous biennia, state leaders have required a dollar-for-dollar institutional match on state-funded asset preservation pools.
- In any given academic year, the impact of implementing an asset preservation fee, when combined with a tuition and fee increase supporting campus operations, will be reasonable for Kentucky students and families. For the purposes of this policy exemption, the Council shall determine whether a proposed asset preservation fee, in combination with a tuition and fee increase allowed under a Council-approved

tuition ceiling, is reasonable. This assessment will be made within the context of state economic and budgetary conditions, institutional resource needs, and affordability concerns at the time.

- Depending on the outcome of the aforementioned assessment, it may be appropriate to phase in a requested fee over multiple years to maintain affordability and access.
- The Council does not expect a fee that qualifies for an exemption under this policy to remain in effect in perpetuity. To be eligible for an exemption, the requesting institution must have a plan in place for the eventual elimination of a proposed asset preservation fee within 25 years of its initial implementation date.

### **Exemption Process**

The Council will evaluate requests for a fee exemption under this policy on a case-by-case basis. To initiate the process:

- An institution's governing board must approve the proposed asset preservation project(s) and related student fee.
- Campus officials must submit to the Council a copy of that board approval, along with a written request to exempt the asset preservation fee from Council tuition and fee ceilings.
- Council staff will review the request, assess whether or not the proposed project(s) and related fee qualify for an exemption, and make a recommendation to the Council.

To facilitate the exemption-request review process, a requesting institution shall provide the Council with the following information:

- Documents certifying that the specific asset preservation project(s) financed and proposed fee details have been approved by the institution's governing board.
- Documents specifying the fee amount, anticipated implementation date, revenue projections, uses of revenue, number of years the fee will be in place, and impact on tuition and fees in the year imposed (i.e., percentage points above the ceiling).
- Documents identifying the project's scope, its timeframe for completion, debt payment schedule, and plan for the eventual elimination of the fee upon debt retirement.

### **Periodic Reporting**

- Upon request by the Council, the postsecondary institutions will provide documentation certifying the date an asset preservation fee was implemented, annual amounts of fee revenue generated to date, uses of fee revenue, the amount of fee revenue or agency bond funds used to meet state matching

requirements on asset preservation project appropriations, and the number of years the fee will remain in place.

### **Ongoing Usage**

- Once an Asset Preservation Fee is approved by the Council, revenue generated from the fee may be used for ongoing asset preservation, renovation and fit-for-use projects with institutional board approval.
- Asset preservation, renovation and fit-for-use project(s) financed with asset preservation fee revenue shall comply with all statutory requirements pertaining to the approval of capital projects (KRS 45.750, KRS 45.763, KRS 164.020 (11) (a), KRS 164A.575).

## Council on Postsecondary Education Preliminary 2021-22 Tuition Setting Timeline

- Nov – Dec Council staff works with campus chief budget officers (CBOs) to develop any proposed changes to the preliminary Tuition Setting Timeline and current Tuition and Mandatory Fee Policy and to identify key issues that might impact the 2021-22 tuition setting cycle.
- Dec 2, 2020 Presidents’ Meeting – Council staff updates the presidents regarding any potential changes to the preliminary Tuition Setting Timeline and current Tuition and Mandatory Fee Policy. Key issues for 2021-22 are discussed.
-  Dec 15, 2020 Finance Committee Meeting – Council staff shares the preliminary Tuition Setting Timeline and current Tuition and Mandatory Fee Policy with Finance Committee members for review and discussion. Key issues for 2021-22 are discussed.
- Dec – Jan Council staff continues to work with campus CBOs to finalize proposed Tuition Setting Timeline and Tuition and Mandatory Fee Policy documents and begins collecting and updating policy relevant data in the areas of funding adequacy, shared benefits and responsibility, affordability and access, attracting and importing talent, and productivity. Postsecondary institutions begin collecting data related to fixed cost increases, tuition and fee revenue estimates, potential impact of tuition increases, anticipated uses of additional tuition and fee revenue, and budgeted student financial aid expenditures.
- Jan 6, 2021 Presidents’ Meeting – Council staff shares proposed Tuition Setting Timeline and Tuition and Mandatory Fee Policy documents with postsecondary institution presidents for review and discussion. Key issues that might impact the 2021-22 tuition setting cycle are discussed.
- Jan – Feb Council and institutional staffs continue respective data collection efforts.
-  Jan 12, 2021 Finance Committee Meeting – Revised Tuition Setting Timeline, proposed Tuition and Mandatory Fee Policy, and updated policy relevant data are presented for review, discussion, and endorsement.
- Jan 29, 2021 **CPE Meeting** – Finance Committee presents final Tuition Setting Timeline for Council information and proposed Tuition and Mandatory Fee Policy for Council action and provides update on 2021-22 tuition setting process.
- Feb 3, 2021 Presidents’ Meeting – Council staff shares updated policy relevant data for review and discussion. Components of the Governor’s proposed budget and implications for the upcoming tuition cycle are discussed.

- Feb – Mar Council and institutional staffs exchange information from respective data collection efforts and begin finalizing for distribution to Council members.
- Mar 3, 2021 Presidents' Meeting – Council staff shares updated policy relevant data and initiates discussion of tuition and mandatory fee ceilings.
- ➔ Mar 23, 2021 Finance Committee Meeting – Staff presents finalized policy relevant data and updates committee members regarding discussions to date.
- Apr 7, 2021 Presidents' Meeting – Council staff shares draft tuition and fee ceilings with campus presidents for review and discussion.
- (Date TBD) Conference call with campus presidents and chief budget officers to discuss components of the enacted 2021-22 budget and implications for the 2021-22 tuition and fee recommendation.
- ➔ (Date TBD) Finance Committee Meeting – Staff presents proposed tuition and mandatory fee ceilings for review, discussion, and endorsement.
- Apr 16, 2021 CPE Meeting – Finance Committee presents proposed tuition and fee ceilings for Council action.
- May – Jun Postsecondary institutions submit proposed tuition and mandatory fee rates to Council staff. The Council president updates Council members regarding rate proposals.
- ➔ May 4, 2021 Finance Committee Meeting – Review campus proposals
- ➔ June 8, 2021 Finance Committee Meeting – Review campus proposals
- Jun 25, 2021 CPE Meeting – The Council takes action on each institution's proposed tuition and mandatory fee rates.

**KY COUNCIL ON POSTSECONDARY EDUCATION**

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**TITLE:** Report from the Executive Committee

**DESCRIPTION:** The following is a summary of the Committee's meetings in December 2020 and January 2021.

**PRESENTER:** Benjamin E. Brandstetter, Chair of Executive Committee

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The Executive Committee met on December 3, 2020. The focus of the meeting centered on the annual evaluation of CPE President, Aaron Thompson. For the 2020 annual evaluation, the Committee opted forgo the extensive review involving legislators, presidents, and policymakers that is usually undertaken. Instead, the 2020 evaluation was conducted by the Executive Committee only with an end-of-year evaluation submitted from President Thompson to help guide the discussion. Executive Committee members were sent an evaluation form to complete prior to the meeting, and they moved directly into Executive Session, per KRS 61.810(1)(f), to discuss the results.

The Committee also met on January 7, 2021. The committee reviewed and approved regulation amendments for 13 KAR 1:020 and 13 KAR 4:010, both of which are proposed for approval by the Council. The following was also presented and discussed at the meeting:

- Results of FY20 Annual Audit - The lead auditor from Blue & Co., PSC, Allen Norvell, presented the results of the annual audit for fiscal year 2019-20. For fiscal year 20, the auditors issued an unmodified opinion, stating that the Council's financial statements present fairly, in all material respects, the financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Council as of June 30, 2020, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. In addition, the expenditures of federal awards and supplementary information are fairly stated in all material respects in relation to the basic financial statements as a whole. The firm also noted that it did not identify any deficiencies in internal control that they consider to be material weaknesses.

- Federal Stimulus Bill - On December 21, 2020, Congress passed the Consolidated Appropriations Act, 2021, which was signed into law on December 27. While the amount of relief funding going to higher education was lower than some in the postsecondary community had hoped and advocated for, it will provide essential help in responding to the financial challenges facing higher education and students due to the pandemic. The Southern Regional Education Board (SREB) released a detailed analysis of the funding distribution by sector and state, which has been included for your review. Importantly, the new law includes significant policy reforms including a requirement to simplify the application process for federal student aid (FAFSA form), forgives more than \$1 billion in federal loans to HBCUs, and expands the Pell Grant program to people who are incarcerated.
- KY Student Information Portal - Staff provided an update on the development of the student information portal website, including the scope and funding requirements. Development of the site is in response to board member requests for state-level tools to facilitate pathways between K-12 and postsecondary education. Members were particularly interested in the development of a multifunctional online portal to help Kentucky students navigate the often complicated transition between secondary and postsecondary education, as well as to support non-traditional students seeking to finish programs, reskill, or shift careers. It will also support high school counselors, college admissions officers, and academic advisors as they assist students in navigating from one level of education to another.
- Out-of-State Students - The Committee held an open discussion on ways to focus efforts on recruiting and retaining students from out-of-state without diverting resources from residential students.

The agendas and materials can be found on the Council Meetings Records Archive webpage at: <http://cpe.ky.gov/aboutus/records/index.html>.

**TITLE:** Proposed Regulation Amendments - 13 KAR 1:020 Private College Licensure and 13 KAR 4:010 State Authorization Reciprocity Agreement

**RECOMMENDATION:** The Executive Committee recommends the Council approve the proposed amendments to 13 KAR 1:020 and 13 KAR 4:010.

**PRESENTER:** Benjamin E. Brandstetter, Chair of Executive Committee

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### **COMMITTEE REVIEW & APPROVAL**

The Executive Committee reviewed the proposed regulation amendments for 13 KAR 1:020 and 13 KAR 4:010 and approved them at its January 7, 2021 meeting.

### **RECOMMENDATION DETAILS**

The process of revising an administrative regulation, established by the Legislative Research Commission, will be initiated with Council approval of these revised regulations. The proposed revised administrative regulations will go through a public hearing and review by the Administrative Regulation Review Subcommittee and the Interim Joint Committee on Education.

Approval of this action would authorize staff to file the proposed administrative regulation, and authorize Vice President and General Counsel, pursuant to KRS 13A.290(4) and KRS 13A.320(1)(b), to make such changes on behalf of the Council as necessary to comply with KRS Chapter 13A and obtain adoption by the Administrative Regulation Review Subcommittee and the Interim Joint Committee on Education.

### **SUPPORTING INFORMATION**

The Council on Postsecondary Education is charged with protecting institutions and citizens of the Commonwealth against those private colleges which resort to fraudulent practices, unfair competition, or substandard educational programs per KRS 164.947. KRS 164.947(3) vests the authority to license with the president of the Council. This licensure authority covers all private, for-profit and non-profit colleges offering a

bachelor’s degree or above and out-of-state public colleges offering courses for college credit in Kentucky. 13 KAR 1:020 sets forth the standards for private college licensure.

KRS 164.540(3) authorizes the Council, on behalf of the Commonwealth, to enter into the State Authorization Reciprocity Agreement (SARA), which establishes uniform national standards for interstate offerings of postsecondary distance education at the Associate’s level and above. SARA authorizes postsecondary educational institutions meeting those standards located in member states or territories to provide distance education to residents of other member states without being individually licensed in member states. 13 KAR 4:010 is Kentucky’s administrative regulation adopted by the Council that establishes the standards and procedures for Kentucky institutions to participate in SARA.

**PROPOSED AMENDMENT LANGUAGE**

13 KAR 1:020 – Private college licensure

This amendment would increase initial licensure fees for new in-state colleges from \$1,000 to \$10,000 and new out-of-state colleges from \$5,000 to \$15,000. The amendment also increases annual licensure fees by 50% of the current rate starting in 2022, 75% in 2023, and 100%, or double the current rate, beginning in 2024 and then forward, as follows:

For a college with a license from CPE for five (5) years or more, the fee would be:

<u>Enrollment</u>	<u>Current</u>	<u>April 1, 2022</u>	<u>April 1, 2023</u>	<u>April 1, 2024+</u>
1,000 or less	\$500.00	\$750.00	\$875.00	\$1,000.00
1,001-2,000	\$1,000.00	\$1,500.00	\$1,750.00	\$2,000.00
2,001-3,000	\$2,000.00	\$3,000.00	\$3,500.00	\$4,000.00
3,001-4,000	\$3,000.00	\$4,500.00	\$5,250.00	\$6,000.00
4,001-5,000	\$4,000.00	\$6,000.00	\$7,000.00	\$8,000.00
5,001-6,000	\$5,000.00	\$7,500.00	\$8,750.00	\$10,000.00
6,001-7,000	\$6,000.00	\$9,000.00	\$10,500.00	\$12,000.00
7,001-8,000	\$7,000.00	\$10,500.00	\$12,250.00	\$14,000.00
8,001-9,000	\$8,000.00	\$12,000.00	\$14,000.00	\$16,000.00
9,001-10,000	\$9,000.00	\$13,500.00	\$15,750.00	\$18,000.00
10,001 or more	\$10,000.00	\$15,000.00	\$17,500.00	\$20,000.00

For a college that has had a license from CPE for less than five (5) years, the fee would be:

<u>Enrollment</u>	<u>Current</u>	<u>April 1, 2022</u>	<u>April 1, 2023</u>	<u>April 1, 2024+</u>
100 or less	\$1,000.00	\$1,500.00	\$1,750.00	\$2,000.00
101-500	\$2,000.00	\$3,000.00	\$3,500.00	\$4,000.00
501-1,000	\$3,000.00	\$4,500.00	\$5,250.00	\$6,000.00
1,001-2,000	\$4,500.00	\$6,750.00	\$7,875.00	\$9,000.00
2,001-3,000	\$6,000.00	\$9,000.00	\$10,500.00	\$12,000.00
3,001-4,000	\$8,000.00	\$12,000.00	\$14,000.00	\$16,000.00
4,001-5,000	\$10,000.00	\$15,000.00	\$17,500.00	\$20,000.00
5,001 or more	\$12,000.00	\$18,000.00	\$21,000.00	\$24,000.00

Other technical changes related to certificate and diploma programs reporting are also being made in the necessary application forms.

13 KAR 4:010 – State authorization reciprocity agreement

This amendment would increase fees for SARA participation by half the current rate for each total FTE student range tier, as follows:

Initial and Annual Fees to CPE

- Under 2,500 (FTE students) – From \$3,000 to \$4,500
- 2,500-9,999 – From \$5,000 to \$7,500
- 10,000 or more – From 7,000 to \$10,500

**NECESSITY OF PROPOSED REVISIONS TO REGULATIONS**

With regard to proposed private college licensure fee modifications, fees have remained constant for over 10 years ago and since then, the cost of administration has increased due to the greater federal focus on state authorization as a requirement for access to federal Title IV student financial aid. Also during that time, substantive changes have been made to the regulation that have increased consumer protection and quality assurance, such as the adoption of heightened faculty standards and other requirements that better protect student records and unearned tuition. These modifications require more oversight and interaction with licensees. In addition, the cost of staff has increased in the last 10 years with the rising employer contribution rates in the Kentucky Employees Retirement System. And finally, in accordance with the 2020-

2021 Executive Branch Budget, all reserve licensure funds were directed to be used for general Council operations.

While still not covering the entire cost of operations, these fee increases will assist in providing annual support for three (3) total full time positions dedicated to private college licensure.

For SARA, the capacity required to keep pace with institutional approvals and the constant modification of the participation requirements by NC-SARA has increased since the state's initial participation in 2016. In addition, KERS contribution rates have increased since that time, requiring additional annual receipts to cover a large portion of related staff expenses.

1 COUNCIL ON POSTSECONDARY EDUCATION

2 (Amendment)

3 13 KAR 1:020. Private college licensing.

4 RELATES TO: KRS 13B.005-13B.170, 164.020(23), 164.945, 164.946, 164.947,  
5 164.992, 165A.320, 20 U.S.C. 1001 et. seq. STATUTORY AUTHORITY: KRS 164.020(38),  
6 164.947(1), (2)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.947(1) requires the  
8 Council on Postsecondary Education to promulgate an administrative regulation to estab-  
9 lish the procedures for the licensing of colleges as defined in KRS 164.945. KRS 164.947  
10 provides that religious instruction or training shall not be restricted. This administrative  
11 regulation establishes the private college licensing requirements and the requirements for  
12 religious in-state colleges to apply for an exemption to those licensing requirements.

13 Section 1. Definitions. (1) "Accredited" means the approval of an accrediting agen-  
14 cy.

15 (2) "Accrediting agency" means a national or regional agency which evaluates col-  
16 leges and is recognized by the United States Department of Education, the Council on  
17 Higher Education Accreditation, or the Council on Postsecondary Education.

18 (3) "Agent" means any person employed by a college to act as a solicitor, broker, or  
19 independent contractor to procure students for the college by solicitation in any form made  
20 at any place other than the main campus of the college.

21 (4) "College" is defined by KRS 164.945(1).

1 (5) "Degree" is defined by KRS 164.945(2).

2 (6) "Diploma" is defined by KRS 164.946(3).

3 (7) "In-state college" means a college that is chartered by, organized within, and has  
4 its principal location in Kentucky.

5 (8) "Net tuition and fees" means the total of tuition and mandatory fee revenue less  
6 institutional scholarships and fellowships.

7 (9) "Operating or soliciting" means having a physical presence within Kentucky and  
8 includes:

9 (a) An instructional or administrative site within Kentucky whether owned, leased,  
10 rented, or provided without charge;

11 (b) Instruction, whether theory or clinical, originating from or delivered within Ken-  
12 tucky utilizing teachers, trainers, counselors, advisors, sponsors, or mentors;

13 (c) An agent, recruiter, in-state liaison personnel, institution, or business located in  
14 Kentucky that advises, promotes, or solicits for enrollment, credit, or award of an educa-  
15 tional or occupational credential;

16 (d) An articulation agreement with a Kentucky licensed college or state-supported  
17 institution; or

18 (e) Advertising, promotional material, or public solicitation in any form that targets  
19 Kentucky residents through distribution or advertising in the state.

20 (10) "Out-of-state college" means a college that is chartered, organized, or has its  
21 principal location outside of Kentucky.

22 (11) "President" means the president of the Council on Postsecondary Education.

23 (12) "Unearned tuition" means the excess of cumulative collections of tuition and

1 other instructional charges over the cumulative amount of earned tuition and other institu-  
2 tional charges prior to the first date of refund in accordance with the college's refund poli-  
3 cy.

4 (13) "Unrestricted cash" means any cash or cash equivalents held by a college  
5 which are available to cover payments to students for any unearned tuition.

6 Section 2. General Requirements. (1)(a) Except as provided in paragraph (b) of this  
7 subsection or subsection (7) of this section, an in-state or out-of-state college that is oper-  
8 ating or soliciting in Kentucky shall be licensed.

9 (b) If a college is operating or soliciting in Kentucky solely for on-ground instruction  
10 at a location outside of Kentucky in which students leave Kentucky to attend, licensure  
11 shall not be required.

12 (2)(a) An out-of-state college shall be licensed separately for each instructional site  
13 in Kentucky.

14 (b) Except as provided in paragraph (c) of this subsection, an out-of-state college  
15 that is operating or soliciting using on-line instruction to Kentucky residents shall be con-  
16 sidered to have an online campus which shall be licensed separately as an instructional  
17 site.

18 (c) Licensure shall not be required for an out-of-state college if the college:

19 1. Is only operating and soliciting under Section 1(9)(b) of this administrative regula-  
20 tion solely due to a faculty member residing in Kentucky and providing online instruction to  
21 Kentucky students; and

22 2. Has less than one (1) percent of its faculty members residing in Kentucky.

23 (3) A college awarding a certificate, diploma, associate degree, baccalaureate de-

1 gree, master's degree, doctoral degree, or other degree, whether the degree is earned or  
2 honorary, shall be licensed. If a college's program is also required to be licensed or ap-  
3 proved by another state agency as well as the Council on Postsecondary Education, the  
4 president shall attempt to coordinate the licensing function with that agency.

5 (4) A college shall offer only those programs, courses, and degrees, including hon-  
6 orary degrees, specifically authorized in the license.

7 (5) If a college ceases offering a licensed program, course, or degree, the college  
8 shall notify the president in writing and request that the program, course, or degree be re-  
9 moved from the college's license.

10 (6) Providing false or misleading information shall be grounds for denial of a li-  
11 cense, or suspension or revocation of an existing license.

12 (7) A religious in-state college may operate or solicit in Kentucky if the college sub-  
13 mits to the council an Application for Religious In-State College Letter of Exemption per  
14 KRS 164.947(2). The institution shall submit an application each year by the anniversary  
15 of its initial submission date. As part of the application, the institution shall verify compli-  
16 ance with the requirements established in this subsection.

17 (a) The institution shall be nonprofit, owned, maintained, and controlled by a church  
18 or religious organization which is exempt from property taxation under the laws of Ken-  
19 tucky.

20 (b) The name of the institution shall include a religious modifier or the name of a re-  
21 ligious patriarch, saint, person, or symbol of the church.

22 (c) The institution shall offer only educational programs that prepare students for re-  
23 ligious vocations as ministers or laypersons in the categories of ministry, counseling, the-

1 ology, religious education, administration, religious music, religious fine arts, media com-  
2 munications, or social work.

3 (d) The titles of degrees issued by the institution shall be distinguished from secular  
4 degree titles by including a religious modifier that:

5 1. Immediately precedes, or is included within, any degree title, including an Asso-  
6 ciate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts,  
7 Master of Science, Advanced Practice Doctorate, Doctor of Philosophy, or Doctor of Edu-  
8 cation degree; and

9 2. Is placed on the title line of the degree, on the transcript, and wherever the title of  
10 the degree appears in official school documents or publications.

11 (e) The duration of all degree programs offered by the institution shall be consistent  
12 with Section 8(8)(b) of this administrative regulation.

13 (f) The institution shall comply with the truth in advertising requirements established  
14 in Section 8(11) of this administrative regulation.

15 (g)1. The institution shall disclose to each prospective student:

16 a. A statement of the purpose of the institution, its educational programs, and cur-  
17 ricula;

18 b. A description of its physical facilities;

19 c. Its status regarding licensure;

20 d. Its fee schedule and policies regarding retaining student fees if a student with-  
21 draws;

22 e. Its refund policy on tuition and other instructional charges; and

23 f. A statement regarding the transferability of credits to and from other institutions.

1           2. The institution shall make the disclosures required by subparagraph 1. of this  
2 paragraph in writing at least one (1) week prior to enrollment or collection of any tuition  
3 from the prospective student. The required disclosures may be made in the institution's  
4 current catalog.

5           (h) The institution shall not seek to be eligible for state or federal financial aid. Sec-  
6 tion

7           3. Licensure Application Procedures. (1) An application for a license shall be sub-  
8 mitted on the form entitled:

9           (a) Application for Licensure as an In-State, Non-Public Institution to Operate in the  
10 Commonwealth of Kentucky Pursuant to 13 KAR 1:020, if the applicant is an in-state col-  
11 lege; or

12           (b) Application for Licensure as an Out-of-State Institution to Operate in the Com-  
13 monwealth of Kentucky Pursuant to 13 KAR 1:020, if the applicant is an out-of-state col-  
14 lege.

15           (2) An application shall be accompanied by a copy of the following:

16           (a) College charter;

17           (b) College catalog;

18           (c) College constitution and bylaws;

19           (d) Student enrollment application;

20           (e) Student contract or agreement;

21           (f)1. Documentation of accreditation, licensure, or approval by appropriate state,  
22 federal, and accrediting agencies; and

23           2. Disclosure of any prior loss or denial of:

- 1 a. Accreditation with the dates and reason for the loss or denial; or
- 2 b. Licensure or approval by an agency in this state or another state with the dates
- 3 and reason for the loss or denial;
- 4 (g) Disclosure of any former names of the college with the dates each former name
- 5 was used.

6 Section 4. Site Visits. (1) Within ninety (90) working days of the receipt of a full and  
7 complete application for a license, a supplementary application, or Application for Annual  
8 Maintenance of License or for Renewal of License Pursuant to 13 KAR 1:020, the presi-  
9 dent may conduct, or may have conducted, a site visit. Personnel conducting the site visit  
10 shall possess the expertise appropriate to the type of college to be visited. The purpose of  
11 a site visit shall be to make an assessment of a college using the standards for licensure  
12 as set forth in Section 8 of this administrative regulation.

13 (2) The president may conduct, or may have conducted, an announced or unan-  
14 nounced site visit of a licensed college during reasonable business hours to inspect the  
15 files, facilities, and equipment as well as conduct interviews to determine the college's  
16 compliance with this administrative regulation and KRS 164.945, 164.946, and 164.947.

17 (3) Failure to provide full access to the college's files, facilities, and equipment or  
18 prevention of interviews shall be grounds for denial of a license, or suspension or revoca-  
19 tion of an existing license.

20 (4) Cost of site visits. (a) Costs connected with a site visit and subsequent visits as  
21 may be necessary, such as travel, meals, lodging, and consultant honoraria, shall be paid  
22 by the college.

23 (b) The estimated cost of the site visit shall be paid by the college prior to the site

1 visit.

2 (c) The final settlement regarding actual expenses incurred shall be paid by the col-  
3 lege no later than thirty (30) days after receipt of the invoice.

4 (d) Failure to pay these costs shall be grounds for denial of a license, or suspension  
5 or revocation of an existing license.

6 Section 5. Action on Licensure Application. (1) Within ninety (90) working days of  
7 the completion of the site visit, or within sixty (60) working days of the submission of a  
8 complete licensure application if a site visit is not conducted, the president shall do one (1)  
9 of the following:

10 (a) Issue a license for a period of no less than one (1) year, nor more than two (2)  
11 years;

12 (b) Deny the application for a license;

13 (c) Notify the applicant college of deficiencies which shall be corrected before a li-  
14 cense is issued; or

15 (d) Issue a conditional license in accordance with subsection (3) of this section if the  
16 college has:

17 1. Not met all of the standards for licensure when the application is filed; and

18 2. Provided a written business plan to the president demonstrating it will meet the  
19 standards for licensure within a period not to exceed two (2) years.

20 (2) If an institution fails to respond in writing to an official notification of deficiency  
21 within sixty (60) working days, it shall submit a new application and fee, as required by  
22 Section 15 of this administrative regulation, to apply for licensure.

23 (3) A conditional license shall not exceed a period of two (2) years and shall include

1 the conditions the college shall meet in order for the college to progress toward and even-  
2 tually meet the standards for licensure, including when the college shall report progress to  
3 the president and when the college shall be required to have satisfied all the conditions.

4 (a) The college's failure to satisfy the conditions within the specified timeframe shall:

5 1. Result in automatic revocation of the conditional license; or

6 2. Result in an extension of the conditional license based on a determination by the  
7 president that the college is making progress in satisfying the conditions in response to the  
8 college's written request for an extension with supporting justification.

9 (b) If the college satisfies all the conditions with the timeframe specified, the presi-  
10 dent shall issue a license in accordance with subsection (1)(a) of this section.

11 Section 6. Supplementary Application Procedures. (1)(a) A Supplementary Applica-  
12 tion for Change of Name of Institution Pursuant to 13 KAR 1:020 shall be submitted to the  
13 council at least ninety (90) days prior to the effective date of a change in the name of a col-  
14 lege.

15 (b) A Supplementary Application for Change of Location of Principal Location of a  
16 College or Location of a Licensed Instructional Site in Kentucky Pursuant to 13 KAR 1:020  
17 shall be submitted to the council at least ninety (90) days prior to the effective date of a  
18 change in the principal location of a college or the location of a licensed instructional site  
19 in Kentucky.

20 (c) A Supplementary Application for Change of Ownership or Governance Pursuant  
21 to 13 KAR 1:020 shall be submitted to the council at least ninety (90) days prior to the ef-  
22 fective date of a change in ownership or governance of a college.

23 (d) An out-of-state college shall submit a Supplementary Application to Operate as

1 an Out-of-State Institution in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020 at  
2 least ninety (90) days prior to implementation of a change to offer an additional certificate,  
3 diploma, or degree program, major, or other concentration or specialty at an instructional  
4 site.

5 (e) A Supplementary Application to Operate as an In-State Nonpublic Institution in  
6 the Commonwealth of Kentucky Pursuant to 13 KAR 1:020 shall be submitted by an in-  
7 state college at least ninety (90) days prior to the effective date of:

8 1. A change to offer an additional certificate, diploma, or degree program, major, or  
9 other concentration or specialty at the main campus; or

10 2. The establishment of an instructional site away from the main campus of an in-  
11 state college for the purpose of offering courses for college credit which comprise at least  
12 fifty (50) percent of the course requirements for a degree program.

13 (f) A college shall submit a Supplementary Application for Administrative Site, Re-  
14 cruitment Office, or Advising Center Pursuant to 13 KAR 1:020 at least ninety (90) days  
15 prior to the establishment of an administrative site, recruitment office, or advising center in  
16 Kentucky, or the change of location of a licensed administrative site, recruitment office, or  
17 advising center in Kentucky, if the site, office, or center is not part of a licensed instruc-  
18 tional site or proposed instructional site for which the college is seeking licensure.

19 (g) A college shall submit a Supplementary Application for Notification of Change in  
20 Accreditation or Licensure Status Pursuant to 13 KAR 1:020 within thirty (30) days follow-  
21 ing action by an accrediting agency or another state licensing agency which results in:

22 1. A college being placed in a probationary status;

23 2. A college losing accreditation or licensure; or

1           3. A college being denied accreditation or licensure.

2           (2) A site visit may be conducted as part of the supplementary application process  
3 in accordance with Section 4 of this administrative regulation.

4           (3) Failure to submit a complete and accurate supplementary application, if re-  
5 quired, shall be sufficient cause for denial of a license, or suspension or revocation of an  
6 existing license. The president shall notify the college by registered mail, return receipt, of  
7 the denial, suspension, or revocation of the college's license.

8           Section 7. Action on Supplementary Applications. (1) Within sixty (60) working days  
9 of the submission of a complete supplementary application if a site visit is not conducted,  
10 or within ninety (90) working days of the completion of a site visit, the president shall do  
11 one (1) of the following:

12           (a) Approve the supplementary application and amend the current license without  
13 changing the renewal date;

14           (b) Deny the supplementary application without amendment to the college's license;

15           (c) Suspend or revoke the college's license;

16           (d) Notify the applicant college of deficiencies which shall be corrected before the  
17 supplementary application is approved and the license is amended; or

18           (e) Issue a conditional license in accordance with subsection (3) of this section if the  
19 college has:

20           1. Not met all of the standards for licensure when the application is filed; and

21           2. Provided a written business plan to the president demonstrating it will meet the  
22 standards for licensure within a period not to exceed two (2) years.

23           (2) If an institution fails to respond in writing to an official notification of deficiency

1 within sixty (60) working days, it shall submit a new application to apply for licensure.

2 (3) A conditional license shall not exceed a period of two (2) years and shall include  
3 the conditions the college shall meet in order for the college to progress toward and even-  
4 tually meet the standards for licensure, including when the college shall report progress to  
5 the president and when the college shall be required to have satisfied all the conditions.

6 (a) The college's failure to satisfy the conditions within the specified timeframe shall:

7 1. Result in automatic revocation of the conditional license; or

8 2. Result in an extension of the conditional license based on a determination by the  
9 president that the college is making progress in satisfying the conditions in response to the  
10 college's written request for an extension with supporting justification.

11 (b) If the college satisfies all the conditions with the timeframe specified, the presi-  
12 dent shall amend the current license in accordance with subsection (1)(a) of this section.

13 Section 8. Standards for Licensure. A college shall meet the requirements and  
14 standards established in this section in order to be licensed. (1) Financial requirements.  
15 The college shall adhere to generally accepted accounting practices and present evidence  
16 of financial stability, including the following:

17 (a) Financial statements including:

18 1. A statement of financial position of unrestricted net assets and liabilities, includ-  
19 ing foundation and trust agreements;

20 2. An audit report prepared by an independent certified public accountant for each  
21 corporation of the college; and

22 3. If available, audit reports for the past three (3) years;

23 (b) The name of a bank or other financial institution used by the college as a refer-

1   ence;

2           (c) A statement from the Kentucky Higher Education Assistance Authority related to  
3 programs administered by that agency and from the U.S. Department of Education related  
4 to programs administered by that department that the college is in good standing; and

5           (d) An annual operating budget for the college.

6           (2) Agents. A college shall be responsible for the actions of its agents if acting on  
7 behalf of the college.

8           (3) Guarantee of refund of unearned tuition. A college shall guarantee the refund of  
9 any unearned tuition held by the college as established in this subsection.

10          (a) Except as provided in paragraph (d) of this subsection, an in-state college shall:

11           1. Secure and maintain a surety bond equal to or in excess of the largest amount of  
12 unearned tuition held by the college at any time during the most recently completed fiscal  
13 year, executed by a surety company qualified and authorized to do business in Kentucky,  
14 and made payable to the Council on Postsecondary Education;

15           2. Maintain an unrestricted cash reserve equal to or in excess of the largest amount  
16 of unearned tuition held by the college at any time during the most recently completed fis-  
17 cal year; or

18           3. Provide a letter of credit equal to or in excess of the largest amount of unearned  
19 tuition held by the college at any time during the most recently completed fiscal year.

20          (b) An out-of-state college shall secure and maintain a surety bond:

21           1. That is:

22           a. Equal to or in excess of the largest amount of unearned tuition held by the col-  
23 lege at any time during the most recently completed fiscal year; and

1           b. At least \$10,000; 2. Executed by a surety company qualified and authorized to do  
2 business in Kentucky; and

3           3. Made payable to the Council on Postsecondary Education.

4           (c) A college applying for a license for the first time shall estimate the amount of un-  
5 earned tuition based on projected enrollment and tuition and other instructional charges.

6           (d) An in-state college licensed continuously by the council for:

7           1. Five (5) to ten (10) years shall maintain coverage by surety bond, letter of credit,  
8 or unrestricted cash reserve for ten (10) percent of its annual total net tuition and fees col-  
9 lected by the college in its most recently completed fiscal year; or

10          2. Ten (10) years or more shall maintain coverage by surety bond, letter of credit, or  
11 unrestricted cash reserve for five (5) percent of its annual total net tuition and fees collect-  
12 ed by the college in its most recently completed fiscal year.

13          (e) A college shall provide a letter from an independent certified public accountant  
14 confirming that the college is in compliance with this subsection.

15          (4) Notice required.

16          (a) If a surety bond is terminated, a college shall notify the president and the license  
17 shall automatically expire with the bond unless a replacement bond is provided without a  
18 lapse in bonding.

19          (b) An in-state college using an unrestricted cash reserve or letter of credit to satisfy  
20 the provisions of subsection (3) of this section shall notify the president if the unrestricted  
21 cash reserve or letter of credit falls below the required amount, and the college shall obtain  
22 a surety bond for the required amount.

23          (c) A college shall notify the president within ten (10) days of the college receiving

1 written notice from the U.S. Department of Education of placement on heightened cash  
2 monitoring status or calculation of college's financial responsibility composite score at be-  
3 low 1.0. If an in-state college is using unrestricted cash reserve to satisfy subsection (3) of  
4 this section, it shall within thirty (30) days of either event:

5 1. Obtain a surety bond or letter of credit in the required amount until the college is  
6 satisfactorily removed from heightened cash monitoring status by the U.S. Department of  
7 Education or the college's financial responsibility composite score is 1.0 or higher; or 2.  
8 Transfer the unrestricted cash reserve to the Council in the required amount to be held on  
9 behalf of the college, which the Council shall return once the college is satisfactorily re-  
10 moved from heightened cash monitoring status by the U.S. Department of Education, the  
11 college's financial responsibility composite score is 1.0 or higher, or once all unearned tui-  
12 tion claims have been paid.

13 (d) Upon notice to the college, the Council may call in a letter of credit upon any val-  
14 id claim of unearned tuition in the amount of the claim, or for the full amount of the letter if  
15 necessary to protect access to those funds. If the full amount of the letter is called, the  
16 Council shall return any funds remaining after claims have been paid, either to the bank or  
17 the college, as appropriate, after one (1) year from the date of closure of the college.

18 (e) A college shall notify the president within ten (10) days of the college receiving  
19 notice from an accrediting agency or any state or federal agency that the college is the  
20 subject of any investigative action or disciplinary matter with the accrediting agency or  
21 state or federal agency.

22 (5) Personnel requirements.

23 (a) The college shall furnish information regarding the administrative officers, the di-

1 rectors, the owners, and the faculty, as required by the application form.

2 (b) The chief administrator shall hold at least an earned baccalaureate degree from  
3 an accredited or licensed college and shall have sufficient experience to qualify for the po-  
4 sition.

5 (c) Faculty members.

6 1. For a course or program licensed by the council prior to January 1, 2014:

7 a. Effective until December 31, 2015, faculty members shall possess academic,  
8 scholarly, and teaching qualifications similar to those required for faculty in accredited col-  
9 leges that offer degrees at comparable levels.

10 b. Effective beginning on January 1, 2016, faculty members shall meet the require-  
11 ments established in paragraph (d) of this subsection.

12 2. For a course or program not licensed by the council prior to January 1, 2014, fac-  
13 ulty members shall meet the requirements established in paragraph (d) of this subsection  
14 when the course or program is licensed.

15 (d) Faculty member qualifications.

16 1. Each degree possessed by a faculty member shall be from an institution accred-  
17 ited by an accrediting agency recognized by the U.S. Department of Education or the  
18 Council for Higher Education Accreditation.

19 2. To teach a certificate or diploma course, a faculty member shall have:

20 a. A bachelor's degree; or

21 b. A high school diploma or GED along with one (1) or more of the following:

22 (i) Completed a training or degree program in the applicable occupational area;

23 (ii) Demonstrated outstanding professional experience;

1 (iii) Demonstrated outstanding professional contributions to the discipline being  
2 taught; or

3 (iv) Professional licensure or certification in the field.

4 3. To teach an associate degree course not designed for transfer to a baccalaureate  
5 degree, a faculty member shall hold:

6 a. A bachelor's degree in the discipline being taught; or

7 b. An associate's degree in the discipline being taught along with one (1) or more of  
8 the following: (i) Demonstrated outstanding professional experience; (ii) Demonstrated  
9 outstanding professional contributions to the discipline being taught; or (iii) Professional  
10 licensure or certification in the field.

11 4. To teach a general education course, a faculty member shall hold:

12 a. A master's degree in the discipline being taught; or

13 b. A master's degree with a minimum of eighteen (18) graduate semester hours in  
14 the discipline being taught.

15 5. To teach a baccalaureate course or an associate course designed for transfer to  
16 a baccalaureate degree, a faculty member shall hold:

17 a. A master's degree in the discipline being taught;

18 b. A master's degree with a minimum of eighteen (18) graduate semester hours in  
19 the discipline being taught; or

20 c. A baccalaureate degree in the discipline being taught along with one (1) or more  
21 of the following:

22 (i) Demonstrated outstanding professional experience;

23 (ii) Demonstrated outstanding professional contributions to the discipline being

1 taught; or

2 (iii) Professional licensure or certification in the field.

3 6. To teach a graduate course, a faculty member shall hold:

4 a. An earned doctorate or terminal degree in the discipline being taught or in a re-  
5 lated discipline; or

6 b. A master's degree in the discipline being taught along with one (1) or more of the  
7 following:

8 (i) Demonstrated outstanding professional experience;

9 (ii) Demonstrated outstanding professional contributions to the discipline being

10 taught; or

11 (iii) Professional licensure or certification in the field.

12 (e) There shall be a sufficient number of full-time faculty to ensure continuity and  
13 stability of the educational program.

14 (f) Teaching loads of faculty members shall be consistent with recognized educa-  
15 tional practices, and shall be appropriate to the field, the variety of courses assigned, class  
16 size, and other related factors.

17 (6) Facilities and equipment.

18 (a) An instructional program shall be conducted in a facility in accordance with the  
19 requirements specified on the application form.

20 (b) Enrollment shall not exceed the design characteristics of the facilities.

21 (c) A college shall have facilities and equipment that are:

22 1. Maintained and operated in compliance with the safety and health requirements  
23 set forth in local, city, and county ordinances, and federal and state law; and

1           2. Adequate and appropriate for instruction in classrooms and laboratories con-  
2     sistent with accrediting and licensing requirements.

3           (7) Library resources. The library shall to support the programs offered by the col-  
4     lege in accordance with this subsection.

5           (a) A college, through ownership or formal agreements, shall provide and support  
6     student and faculty access to adequate library collections, and to other learning and infor-  
7     mation resources where courses and programs are offered. Library resources shall be ap-  
8     propriate to the degree level offered by the college, and shall be sufficient to support all  
9     educational, research, and public service programs.

10          (b) A college that does not provide its own library facilities, but instead relies on an-  
11     other institution, shall demonstrate that it has permission to utilize the resources of the  
12     other institution, by providing a copy of the written agreement to the president with the li-  
13     cense application, and prior to the offering of any courses.

14          (c) A college that is dependent on another college or library for library resources  
15     shall make the extent of the dependence and the details of the agreements clear both to  
16     the president and to students and faculty.

17          (d) Library expenditures, expressed as a percentage of the total educational and  
18     general budget, shall be consistent with the percentage of library expenditures commonly  
19     observed in accredited colleges of similar types.

20          (e) Library staff shall be qualified as required for accredited colleges of similar  
21     types.

22          (f) Sufficient seating and work space for a reasonable proportion of the faculty and  
23     students to be accommodated at one (1) time shall be provided as observed in accredited

1 colleges of similar types.

2 (g) The library shall provide a safe and secure physical and virtual environment  
3 conducive to study and research.

4 (8) Curriculum. Earned degrees awarded by a college shall be bona fide academic  
5 degrees and the courses offered in degree programs shall be of collegiate quality as de-  
6 termined by the president using the criteria established in this section.

7 (a)1. Except as provided in subparagraph 2. of this paragraph, a course offered in a  
8 degree program shall be consistent with a course that is generally transferable for credit  
9 among accredited colleges where the program is at a corresponding degree level, or for  
10 credit toward the baccalaureate degree if a program is at the associate degree level. 2. A  
11 course may be offered that is not transferable based on the uniqueness of a program.

12 (b) A college shall require a minimum of:

13 1. Sixty (60) student credit hours for an associate degree;

14 2. 120 student credit hours for a baccalaureate degree; or

15 3. Thirty (30) student credit hours for a post-baccalaureate, graduate, or first pro-  
16 fessional degree.

17 (c) A minimum of twenty-five (25) percent of the student credit hours required for a  
18 degree shall be earned through instruction offered by:

19 1. The college awarding the degree; or

20 2. A college that is: a. A party to a joint, cooperative, or consortia agreement; and b.

21 Either:

22 (i) Licensed by the Council on Postsecondary Education; or

23 (ii) A Kentucky state-supported postsecondary education institution.

1 (d) A majority of the student credit hours required for a graduate degree may be met  
2 through a joint, cooperative, or consortia agreement in which the instruction is offered by a  
3 college that is:

4 1. A party to the agreement; and

5 2. Either:

6 a. Licensed by the Council on Postsecondary Education; or

7 b. A Kentucky state-supported postsecondary education institution.

8 (e) A college shall have a systematic program of curriculum revision in order to  
9 maintain the general standards of accredited colleges with similar programs.

10 (f) A college shall have a program of evaluation that includes a periodic assessment  
11 of the changes in student achievement.

12 (9) General education.

13 (a) A minimum of fifteen (15) student credit hours for associate degree programs  
14 and thirty (30) student credit hours for baccalaureate degree programs shall be earned in  
15 general education, including science, mathematics, social and behavioral sciences, and  
16 humanities. A college which offers an interdisciplinary general education program, a block-  
17 type program, or other unique general education program shall be considered to be in  
18 compliance with the general education requirement if the president determines that the  
19 program content and distribution are related to the degree and institutional purposes.

20 (b) A new college, or any existing college which initiates a new associate degree or  
21 baccalaureate degree program or major, or other concentration or specialty, after March 5,  
22 2010, shall comply fully from the outset with the general education requirements.

23 (10) Program supervision and instructional support. Regardless of location, type of

1 program, method of instruction, or other characteristics, an instructional program for which  
2 degree credit is awarded shall include:

3 (a) Adequate supervision by the college; and

4 (b) Instructional support necessary to maintain the program.

5 (11) Truth in advertising. A college shall meet the requirements established in this  
6 subsection regarding advertising.

7 (a) Advertisements, announcements, or promotional material of any kind which are  
8 distributed in Kentucky shall not contain any statements that are untrue, deceptive, or mis-  
9 leading with respect to the college, its personnel, its services, or the content, accreditation  
10 status, or transferability of its courses or degree programs.

11 (b) Advertisements, announcements, or other materials produced by or on behalf of  
12 the college shall not indicate that the college is "supervised", "recommended", "endorsed",  
13 or "accredited" by the Commonwealth of Kentucky, by the Council on Postsecondary Edu-  
14 cation, or by any other state agency. A statement using the name of the Council on Post-  
15 secondary Education, if any, shall be in exactly the following form, based on which state-  
16 ment is applicable to the college:

17 1. "(Name of College) is licensed by the Kentucky Council on Postsecondary Educa-  
18 tion."; or

19 2. "(Name of College) has a religious exemption from the Kentucky Council on Post-  
20 secondary Education to operate or solicit in Kentucky."

21 (12) Recruitment and enrollment procedures. A college shall furnish the following to  
22 each student prior to enrollment:

23 (a) The college's policies on grades, attendance, and conduct;

- 1 (b) A description of the instructional program;
- 2 (c) A detailed schedule of all charges, rentals, and deposits;
- 3 (d) The schedule of refunds of all charges, rentals, and deposits; and
- 4 (e) The student enrollment application, contract, or agreement.

5 (13) Student affairs.

6 (a) Students admitted to the college shall have completed a state-approved sec-  
7 ondary school program or its equivalent unless dually enrolled in high school.

8 (b) The college shall provide academic counseling by faculty or staff to each student  
9 when admitted and throughout the program.

10 (c) The college shall make assistance and counseling available to each student who  
11 completes a technical or vocational program for the purpose of assisting the student with  
12 an appropriate job placement or with transfer.

13 (d) The college shall maintain sufficient records for each student to provide an un-  
14 derstanding of his or her background, to record progress through the instructional pro-  
15 gram, and for reference purposes. By January 1, 2022, the college shall maintain all stu-  
16 dent records in an electronic format that is searchable and readily transferable consistent  
17 with industry standards. For a college not licensed by the Council prior to January 1, 2020,  
18 the college shall meet this requirement when the college is licensed.

19 (e) Administrative officers of the college shall be knowledgeable of the federal and  
20 state laws and administrative regulations concerning the disclosure of student information  
21 and shall comply with those laws and administrative regulations.

22 (f) A college shall make provision for the maintenance of student records if the col-  
23 lege ceases operations in accordance with KRS 164.020(23). The location of student rec-

1 ords shall be approved in advance by the president.

2 (14) College policies. (a) The college shall maintain records in an orderly manner  
3 and make them available for inspection by the president or his or her designated repre-  
4 sentative.

5 (b) A catalog shall be published and distributed at least every two (2) years and  
6 shall include general information, administrative policies, and academic policies of the col-  
7 lege including:

8 1. General information:

9 a. Official name and address of the college, name of the chief administrative offic-  
10 ers, members of the governing body, and names of principal owners;

11 b. The college's calendar for the period covered by the catalog including beginning  
12 and ending dates of each term or semester, registration and examination dates, legal holi-  
13 days, and other important dates;

14 c. Names of faculty, including relevant education and experience; and

15 d. Full disclosure of the philosophy and purpose of the college;

16 2. Administrative policies:

17 a. Admissions policies and procedures, applicable to the various programs, includ-  
18 ing policies regarding granting of credit for previous education;

19 b. Policies and procedures regarding student conduct and behavior and the process  
20 for dealing with cases which culminate in probation or dismissal;

21 c. Schedules for all tuition and instructional charges, and refund schedules for the  
22 tuition and instructional charges;

23 d. Statement of financial aid available to students; and

1 e. Procedures for obtaining transcripts in a timely fashion and at reasonable cost;  
2 and

3 3. Academic policies, including:

4 a. Policy on class attendance;

5 b. Description of grading system;

6 c. Description of the degree, diploma, certificate, or other programs, including the  
7 course requirements and the time normally required to complete each degree, diploma,  
8 certificate, or other program; and

9 d. Full description of the nature and objectives of all degrees offered.

10 (c) Refund policy on tuition and other instructional charges. The refund policy shall  
11 meet the minimum requirements established in this paragraph.

12 1. If tuition and other instructional charges are collected in advance of enrollment  
13 and the student fails to enroll, the college shall retain not more than \$100, or not more than  
14 ten (10) percent of the tuition and other instructional charges for a term or semester,  
15 whichever is less.

16 2.a. Except as provided in clause b. of this subparagraph, tuition and other instruc-  
17 tional charges shall be charged by the enrollment period, and the student shall not be obli-  
18 gated for tuition or other instructional charges relating to an enrollment period that had not  
19 begun when the student withdrew.

20 b. The president may approve program tuition for a specific program at a college if a  
21 student may only enroll at the beginning of the program sequence and shall remain in  
22 phase. If program tuition is approved, the college shall refund tuition and other instruction-  
23 al charges in accordance with its published refund policy that considers both the course-

1 work completed prior to withdrawal and the coursework that remains.

2 3. If a student withdraws from the college, or if a student fails to attend classes for a  
3 period of thirty (30) days during which classes are in session, the college shall officially  
4 withdraw the student from the college and shall refund an amount reasonably related to the  
5 period for which the student is not enrolled and shall refund 100 percent of all other tuition  
6 and other fees collected by the college for subsequent enrollment or registration periods  
7 unless the student is enrolled in a program for which program tuition is charged as speci-  
8 fied in subparagraph 2. of this paragraph.

9 a. After completion of fifty (50) percent of the enrollment period, the college shall not  
10 be required to make refunds of tuition or other fees for that period.

11 b. In all other cases, including illness or accident, the college shall make a refund  
12 settlement.

13 c. Refunds shall be made within thirty (30) days after notification of withdrawal has  
14 been received by the college.

15 4. If a college is accredited by an accrediting agency which has a specific refund  
16 policy which is more favorable to the student, that policy shall be followed.

17 5. An out-of-state college shall refund in accordance with this section unless its pol-  
18 icy is more favorable to the student, in which case the latter shall be followed.

19 Section 9. Failure to Apply for a License. (1) If a college which is subject to this ad-  
20 ministrative regulation fails to apply for a license, the president shall notify the college by  
21 registered mail of the requirement to obtain a license.

22 (2) If a license application is not then received within sixty (60) days of notification  
23 by the president, the president shall require the chief administrative officer to appear for a

1 hearing as provided in Section 14 of this administrative regulation.

2 (3) If the chief administrative officer does not appear for the hearing, the president  
3 shall refer the case to the appropriate county attorney for enforcement.

4 Section 10. Annual Maintenance of a College's License and Renewal of a College's  
5 License. (1) A college shall submit an Application for Annual Maintenance of License or for  
6 Renewal of License Pursuant to 13 KAR 1:020 to the president by April 1 of each year.

7 (a) In an odd numbered year, the application shall contain the following information:

8 1. Financial Information:

9 a. A statement from the Kentucky Higher Education Assistance Authority related to  
10 programs administered by that agency and from the United States Department of Educa-  
11 tion related to programs administered by that department that the college is in good stand-  
12 ing;

13 b. A letter prepared by an independent certified public accountant confirming that  
14 the college is in compliance with Section 8(3) of this administrative regulation;

15 c. Financial statement including assets and liabilities and an audit report prepared  
16 by an independent certified public accountant within the last year.

17 2. Institutional information: a. Name and address of college;

18 b. Chief executive officer's name, title, address, phone number, fax number, and  
19 email address;

20 c. Institutional liaison's name, title, address, phone number, fax number, and email  
21 address;

22 d. A current list of the college's agents;

23 e. Copies of articles of incorporation, charter, constitution, and by-laws if there have

1 been any changes to the documents within the last two (2) years; and

2 f. A copy of each articulation agreement the college has with a Kentucky licensed  
3 college or state-supported institution entered into or changed within the last two (2) years;

4 3. Accreditation status:

5 a. If the college is accredited by an accrediting agency, verification of the college's  
6 accreditation status and documentation of any notice of disciplinary action, warning, or  
7 probation from any state, federal, or accrediting agency within the past two (2) years; or

8 b. If an in-state college is not accredited by an accrediting agency, a statement indi-  
9 cating its intention to receive accreditation and its timeline for attainment.

10 4. Tuition for the current enrollment period per credit hour, specifying semester  
11 hour, quarter hour, or other basis, and per full-time student;

12 5. A copy of the college's current catalog;

13 6. For an in-state college, a list of all licensed instructional sites away from the main  
14 campus of the in-state college for the purpose of offering courses for college credit which  
15 comprise at least fifty (50) percent of the course requirements for a degree program, in-  
16 cluding the name and title of the primary contact of the off-campus site, address, phone  
17 number, and program or programs by CIP code offered at the site, or course or courses if  
18 not offering an entire degree program at the site;

19 7. Program information:

20 a. Changes, if any, in program requirements for each program within the last two (2)  
21 years including admission requirements, courses required, and the number of credit hours  
22 required for the program or major;

23 b. Results of the most recent program evaluation;

- 1 c. Methods used to assess student achievement;
- 2 d. Results of the most recent assessment of student achievement; and
- 3 e. A list of programs withdrawn within the last two (2) years in which there are no
- 4 longer students enrolled including program title, degree level, CIP code, and address
- 5 where the program is no longer being offered;

6 8. Faculty information: Faculty credentials for each program faculty member em-  
7 ployed within the last two (2) years;

8 9. Facilities information: Verification of compliance with all applicable local, state,  
9 and federal safety and fire codes; and

10 10. Library information regarding the library collection and budget, and lease, con-  
11 tract, or letter of agreement authorizing use of another library collection, if any.

12 (b) In an even numbered year, the application shall only contain the information re-  
13 quired by paragraphs (a)1.b. and d., and (a)2.a., b., and c., of this subsection. An institu-  
14 tion shall provide any other information listed in paragraph (a) of this subsection upon re-  
15 quest of the council.

16 (2) The president may conduct, or may have conducted, a site visit as part of the  
17 annual maintenance of a license or renewal of a license process in accordance with Sec-  
18 tion 4 of this administrative regulation.

19 (3) Within ninety (90) working days of the submission of a complete and accurate  
20 Application for Annual Maintenance of License or for Renewal of License Pursuant to 13  
21 KAR 1:020 if a site visit is not conducted, or within ninety (90) working days of the comple-  
22 tion of a site visit, the president shall:

23 (a) Notify the college of any deficiencies which shall be corrected before the col-

1 lege's license is maintained or renewed;

2 (b) Deny maintenance or renewal of the college's license;

3 (c) Maintain the college's license without changing the college's license renewal  
4 date;

5 (d) Renew the college's license to June 30 of the next year; or

6 (e) Issue a conditional license in accordance with subsection (4) of this section if the  
7 college has:

8 1. Not met all of the standards for licensure when the application is filed; and

9 2. Provided a written business plan to the president demonstrating it will meet the  
10 standards for licensure within a period not to exceed one (1) year.

11 (4) A conditional license shall not exceed a period of one (1) year and shall include  
12 the conditions the college shall meet in order for the college to progress toward and even-  
13 tually meet the standards for licensure, including when the college shall report progress to  
14 the president and when the college shall be required to have satisfied all the conditions.

15 (a) The college's failure to satisfy the conditions within the specified timeframe shall:

16 1. Result in automatic revocation of the conditional license; or

17 2. Result in an extension of the conditional license based on a determination by the  
18 president that the college is making progress in satisfying the conditions in response to the  
19 college's written request for an extension with supporting justification.

20 (b) If the college satisfies all the conditions with the timeframe specified, the presi-  
21 dent shall renew the license in accordance with subsection (3)(d) of this section.

22 (5) A college's failure to submit a complete and accurate Application for Annual  
23 Maintenance of License or for Renewal of License Pursuant to 13 KAR 1:020 shall be

1 grounds for denial of a license, or suspension or revocation of an existing license, and the  
2 president shall notify the college by registered mail, return receipt, of the denial, suspen-  
3 sion, or revocation of the college's license.

4 Section 11. Required Data Submission. (1) A licensed college shall submit student  
5 attendance and performance data in an electronic format. The required data fields, the  
6 format and method of submission, and the dates for submission shall be in accordance  
7 with the Licensure Compliance Reporting Manual.

8 (2) The president may conduct, or may have conducted, a site visit as part of the  
9 data submission process in accordance with Section 4 of this administrative regulation.

10 (3) A college's failure to submit complete, timely, and accurate data shall be suffi-  
11 cient grounds for denial of a license, or suspension or revocation of an existing license,  
12 and the president shall notify the college by registered mail, return receipt, of the denial,  
13 suspension, or revocation of the college's license.

14 Section 12. License Expiration. (1) A license shall automatically expire if the college  
15 ceases operating or soliciting.

16 (2) A college that ceases operating or soliciting shall comply with Section 8(13)(f) of  
17 this administrative regulation and KRS 164.020(23).

18 Section 13. Consumer Complaint Procedure. A person with a complaint or griev-  
19 ance involving misrepresentation against a college licensed under this administrative regu-  
20 lation shall make a reasonable effort to resolve the complaint or grievance directly with the  
21 college. If a mutually satisfactory solution cannot be reached, the procedures established  
22 in this section shall be followed. (1) A person shall submit a written complaint to the presi-  
23 dent which contains evidence relevant to the complaint and documentation that a reasona-

1 ble effort was made to resolve the complaint directly with the college.

2 (2) The president shall require an institution to file a written response setting forth  
3 the relevant facts concerning the consumer complaint, including a statement on the current  
4 status of the complaint, and any resolution of the complaint.

5 (3) The president shall review the facts as presented and may intervene to bring the  
6 matter to a satisfactory conclusion through facilitation, but the facilitation shall not include  
7 legal action on behalf of any party.

8 Section 14. Hearings and Appeals. (1) The president shall, for cause, require the  
9 chief administrative officer, or other officers, of a college to appear for a hearing within thir-  
10 ty (30) working days of notice in order to determine the facts if the president has deter-  
11 mined that:

12 (a) There is sufficient cause for a suspension, a revocation of a license, or place-  
13 ment of a college's license in a probationary status, based upon the college's failure to  
14 comply with this administrative regulation; or

15 (b) A college which is subject to this administrative regulation fails to apply for a li-  
16 cense.

17 (2) The officer, or other officers, of the college may be accompanied at the hearing  
18 by counsel of their own choosing and at their expense.

19 (3) Within thirty (30) working days after a hearing is held or if the college fails to ap-  
20 pear for the hearing, the president shall reach a determination and shall issue findings, in  
21 writing, to the council and to the chief executive officer of the college.

22 (4) If it is determined that the public interest requires that sanctions be imposed, the  
23 president shall:

1 (a) Impose one (1) of the following sanctions:

2 1. Place the college's license in a probationary status for a designated period not to  
3 exceed one (1) year while deficiencies are being corrected;

4 2. Suspend the college's license for a period not to exceed one (1) year; or

5 3. Revoke the college's license; or

6 (b) Refer the case to other officials for appropriate legal action.

7 (5) A college which is sanctioned, whether the sanction is probation, suspension of  
8 license, or revocation of license, shall comply with the terms of the sanction.

9 (6) A college may appeal the actions of the president regarding the denial of issu-  
10 ance of a license or license renewal or the imposition of sanctions according to the proce-  
11 dures established in this subsection.

12 (a) A college shall notify the president of the intent to appeal an action within four-  
13 teen (14) days of the receipt of the letter notifying the college of the action taken.

14 (b) The president shall request that the Office of Administrative Hearings appoint a  
15 hearing officer who shall conduct an administrative hearing consistent with the provisions  
16 of KRS 13B.005- 13B.170.

17 (c) The appeal shall be presented in writing no later than sixty (60) days following  
18 the receipt of notification of intent to appeal. The appeal shall be considered on the written  
19 record alone.

20 (d) The appeals officer shall review findings of fact, consider testimony, draw con-  
21 clusions, and formulate a recommendation consistent with the facts and this administrative  
22 regulation.

23 (e) Upon completion, the report of the appeals officer shall be forwarded to the col-

1 lege and to the president of the Council on Postsecondary Education.

2 (f) Within thirty (30) working days of receiving the report of the appeals officer, the  
3 president shall take one (1) of the following actions:

4 1. Issue a license;

5 2. Renew the license;

6 3. Impose one (1) of the sanctions authorized in this section; or 4. Refer the case to  
7 other officials for appropriate action.

8 License Fees. (1) The president shall assess a fee in accordance with the Kentucky  
9 Licensure Fee Schedule.

10 (2) Failure to pay a fee shall be sufficient grounds for denial of a license, or suspen-  
11 sion or revocation of an existing license.

12 Section 16. Incorporation by Reference. (1) The following material is incorporated  
13 by reference:

14 (a) "Application for Licensure as an In-State, Non-Public Institution to Operate in the  
15 Commonwealth of Kentucky Pursuant to 13 KAR 1:020", February 2021 [~~June 2013~~];

16 (b) "Application for Licensure as an Out-of-State Institution to Operate in the Com-  
17 monwealth of Kentucky Pursuant to 13 KAR 1:020", February 2021 [~~June 2013~~];

18 (c) "Supplementary Application for Change of Name of Institution Pursuant to 13  
19 KAR 1:020", February 2021 [~~June 2013~~];

20 (d) "Supplementary Application for Change of Location of Principal Location of a  
21 College or Location of a Licensed Instructional Site in Kentucky Pursuant to 13 KAR  
22 1:020", February 2021 [~~June 2013~~];

23 (e) "Supplementary Application for Change of Ownership or Governance Pursuant

1 to 13 KAR 1:020", February 2021 [~~June 2013~~];

2 (f) "Supplementary Application to Operate as an Out-of-State Institution in the  
3 Commonwealth of Kentucky Pursuant to 13 KAR 1:020", February 2021 [~~June 2013~~];

4 (g) "Supplementary Application to Operate as an In-State Nonpublic Institution in  
5 the Commonwealth of Kentucky Pursuant to 13 KAR 1:020", February 2021 [~~July 2019~~];

6 (h) "Supplementary Application for Administrative Site, Recruitment Office, or Advis-  
7 ing Center Pursuant to 13 KAR 1:020", February 2021 [~~June 2013~~];

8 (i) "Supplementary Application for Notification of Change in Accreditation or Licen-  
9 sure Status Pursuant to 13 KAR 1:020", February 2021 [~~June 2013~~];

10 (j) "Application for Annual Maintenance of License or for Renewal of License Pursu-  
11 ant to 13 KAR 1:020", [~~June 2013~~];

12 (k) "Licensure Compliance Reporting Manual", September 8, 2009;

13 (l) "Kentucky Licensure Fee Schedule", February 2021 [~~June 2013~~]; and

14 (m) "Application for Religious In-State College Letter of Exemption per KRS  
15 164.947(2)", February 2021 [September 2012].

16 (2) This material may be inspected, copied, or obtained, subject to applicable copy-  
17 right law, at the Kentucky Council on Postsecondary Education, 100 Airport Road, 2<sup>nd</sup>  
18 Floor, [1024 Capital Center Drive, Suite 320,] Frankfort, Kentucky 40601, Monday through  
19 Friday, 8 a.m. to 4:30 p.m.

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Ben Brandstetter, Chair  
Council on Postsecondary Education

APPROVED AS TO FORM:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Travis Powell, VP & General Counsel  
Council on Postsecondary Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on April 22, 2021 at 10:00 a.m. at the Council on Postsecondary Education, 100 Airport Road, 2<sup>nd</sup> Floor, Frankfort, Kentucky, 40601 in Conference Room A. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays 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 shall be accepted until April 30, 2021.

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:**

Sarah Levy  
Executive Director of Postsecondary Licensing  
Council on Postsecondary Education  
100 Airport Road, 2<sup>nd</sup> Floor  
Frankfort, Kentucky 40601  
Phone: 502.892.3034  
Fax: 502.573.1535  
Email: sarah.levy@ky.gov

REGULATORY IMPACT ANALYSIS  
AND TIERING STATEMENT

Administrative Regulation 13 KAR 1:020. *Private College Licensing*

Contact person: Sarah Levy  
Executive Director of Postsecondary Licensing  
Council on Postsecondary Education  
100 Airport Road, 2<sup>nd</sup> Floor  
Frankfort, KY 40601  
502.892.3034  
sarah.levy@ky.gov  
FAX: 502.573.1535

- (1) Provide a brief summary of:
  - (a) What this administrative regulation does: This administrative regulation sets the standards and rules related to the licensing of private postsecondary education institutions, both for profit and nonprofit, offering a bachelor's degree and above.
  - (b) The necessity of this administrative regulation: KRS 164.945 through 164.947 requires the Council on Postsecondary Education to license these institutions as a protection for Kentucky citizens and to protect bona fide institutions from those who engage in fraudulent practices, unfair competition, or substandard educational programs.
  - (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 164.947 states that the Council on Postsecondary Education, by regulation, shall adopt standards and procedures for the licensing of colleges.
  - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The administrative regulation sets out the standards institutions must meet in order to be licensed to operate in Kentucky. It also defines the process for new license applications, for amendments to licenses, and for license renewals.
- (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: This

amendment increases initial licensure fees for new in-state colleges from \$1,000 to \$10,000 and new out-of-state colleges from \$5,000 to \$15,000. The amendment also increases annual licensure fees by 50% of the current rate starting in 2022, 75% in 2023, and 100%, or double the current rate, beginning in 2024 and then forward. Other technical changes related to certificate and diploma programs reporting are also being made in the necessary application form.

- (b) The necessity of the amendment to this administrative regulation: Fees have remained constant for over 10 years ago and since then, the cost of administration has increased due to the greater federal focus on state authorization as a requirement for access to federal Title IV student financial aid. Also during that time, substantive changes have been made to the regulation that have increased consumer protection and quality assurance, such as the adoption of heightened faculty standards and other requirements that better protect student records and unearned tuition. These modifications require more oversight and interaction with licensees. In addition, the cost of staff has increased in the last 10 years with the rising employer contribution rates in the Kentucky Employees Retirement System. And finally, in accordance with the 2020-2021 Executive Branch Budget, all reserve licensure funds were directed to be used for general Council operations.

Annual fee revenue has never covered the cost of administering the private college licensure program. And even after these changes, the total cost of administration will not be covered by fee revenue when considering all supports provided to the licensure program by Council staff. However, these fee increases will assist in providing annual support for 3 total full time positions dedicated to private college licensure.

Data reporting technical changes are being made to conform to federal IPEDS reporting requirements.

- (c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms with the requirements of KRS 164.947 by helping to ensure the Council can adequately staff the oversight of licensed institutions in

Kentucky for the benefit of Kentucky students and the state at large.

- (d) How the amendment will assist in the effective administration of the statutes:  
The amendment helps to ensure that the Council can adequately staff the oversight of licensed institutions in Kentucky for the benefit of Kentucky students and the state at large.
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The Council currently licenses 86 institutions with multiple licensed instructional sites and we have received inquiries from potential applicants in 2021.
- (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, including:
  - (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Each college will be required to pay the new fee in order to being or continue licensure in Kentucky.
  - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): Base initial licensure fees for new in-state colleges will be \$10,000 and new out-of-state colleges must pay \$15,000. Annual licensure fees will be increased in the following manner:

- For a college with a license from CPE for five (5) years or more, the fee shall be as follows:

<u>Enrollment</u>	<u>April 1, 2022</u>	<u>April 1, 2023</u>	<u>April 1, 2024+</u>
1,000 or less	\$750.00	\$875.00	\$1,000.00
1,001-2,000	\$1,500.00	\$1,750.00	\$2,000.00
2,001-3,000	\$3,000.00	\$3,500.00	\$4,000.00
3,001-4,000	\$4,500.00	\$5,250.00	\$6,000.00
4,001-5,000	\$6,000.00	\$7,000.00	\$8,000.00
5,001-6,000	\$7,500.00	\$8,750.00	\$10,000.00
6,001-7,000	\$9,000.00	\$10,500.00	\$12,000.00
7,001-8,000	\$10,500.00	\$12,250.00	\$14,000.00
8,001-9,000	\$12,000.00	\$14,000.00	\$16,000.00
9,001-10,000	\$13,500.00	\$15,750.00	\$18,000.00
10,001 or more	\$15,000.00	\$17,500.00	\$20,000.00

- For a college that has had a license from CPE for less than five (5) years, the fee shall be:

<u>Enrollment</u>	<u>April 1, 2022</u>	<u>April 1, 2023</u>	<u>April 1, 2024+</u>
100 or less	\$1,500.00	\$1,750.00	\$2,000.00
101-500	\$3,000.00	\$3,500.00	\$4,000.00
501-1,000	\$4,500.00	\$5,250.00	\$6,000.00
1,001-2,000	\$6,750.00	\$7,875.00	\$9,000.00
2,001-3,000	\$9,000.00	\$10,500.00	\$12,000.00
3,001-4,000	\$12,000.00	\$14,000.00	\$16,000.00
4,001-5,000	\$15,000.00	\$17,500.00	\$20,000.00
5,001 or more	\$18,000.00	\$21,000.00	\$24,000.00

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Assuming the requirements for licensure are met, compliance will result in new or continued licensure.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: We estimate that there will be no additional cost in implementing the proposed changes to the regulation.

(b) On a continuing basis: We estimate that there will be no additional costs on a

continuing basis to implement the proposed changes to the regulation.

- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: License fees and General Fund appropriations.
- (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. The changes are in increase in fees, but the changes in this amendment will not result in the need for increased funding.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: Yes. This regulation assesses fees and those fees are proposed to be increased as a result of this amendment.
- (9) TIERING: Is tiering applied? Yes, the annual fee structure is tiered based on the number of total enrolled students and how long an institution has been licensed by the Council. Initial fees are tiered by in-state versus out-of-state institutions.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 13 KAR 10:020. Private College Licensing.

Contact Person: Sarah Levy

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? CPE is responsible for implementation, but this regulation only applies to private colleges and universities.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 164.947 and 164.020(37)

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? With the proposed increase, we estimate revenue from licensee renewals at \$135,000 in the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? In the second year of the new graduated fee schedule, we estimate revenues from renewals to be \$156,625. In the third year and in subsequent years, we estimate \$179,000 in revenues.

(c) How much will it cost to administer this program for the first year? Approximately \$425,000 budgeted for 3 FTE staff dedicated to licensure and state authorization for postsecondary education functions. This amount does not include the cost of oversight and leadership at the vice presidential and presidential levels, data and IT administration and development costs, and traditional agency administrative costs (procurement, HR, etc.).

(d) How much will it cost to administer this program for subsequent years? Same as 3.(c).

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):  
Other Explanation: N/A

## **Summary of Changes to Material Incorporated by Reference**

1. The “Application for Licensure as an In-State, Non-Public Institution to Operate in the Commonwealth of Kentucky pursuant to 13 KAR 1:020”, February 2021, is revised to update the Council’s physical address and outline new IPEDS data reporting categories related to certificates and diplomas.
2. The “Application for Licensure as an Out-of-State Institution to Operate in the Commonwealth of Kentucky pursuant to 13 KAR 1:020”, February 2021, is revised to update the Council’s physical address and outline new IPEDS data reporting categories related to certificates and diplomas.
3. The “Supplementary Application for Change of Name of Institution pursuant to 13 KAR 1:020”, February 2021, is revised to update the Council’s physical address.
4. The “Supplementary Application for Change of Location of Principal Location of a College or Location of a Licensed Instructional Site in Kentucky pursuant to 13 KAR 1:020”, February 2021, is revised to update the Council’s physical address.
5. The “Supplementary Application for Change of Ownership or Governance pursuant to 13 KAR 1:020”, February 2021, is revised to update the Council’s physical address.
6. The “Supplementary Application to Operate as an Out-of-State Institution in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020”, February 2021, is revised to update the Council’s physical address and outline new IPEDS data reporting categories related to certificates and diplomas.
7. The “Supplementary Application to Operate as an In-State Institution in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020”, February 2021, is revised

to update the Council's physical address and outline new IPEDS data reporting categories related to certificates and diplomas.

8. The "Supplementary Application for Administrative Site, Recruitment Office, or Advising Center pursuant to 13 KAR 1:020", February 2021, is revised to update the Council's physical address.

9. The "Supplementary Application for Notification of Change in Accreditation or Licensure Status pursuant to 13 KAR 1:020", February 2021, is revised to update the Council's physical address.

10. The "Application for Annual Maintenance of License or for Renewal of License Pursuant to 13 KAR 1:020", February 2021, is revised to update the Council's physical address.

11. The "Kentucky Licensure Fee Schedule", February 2021, is revised to increase initial licensure fees for new in-state colleges from \$1,000 to \$10,000 and new out-of-state colleges from \$5,000 to \$15,000. The amendment also increases annual licensure fees by half the current rate (ex. a college licensed for 5 years or more with 1000 students or less will have its annual fee increased from \$500 to \$750).

# Commonwealth of Kentucky Council on Postsecondary Education

## APPLICATION FOR LICENSURE AS AN IN-STATE, NON-PUBLIC INSTITUTION TO OPERATE IN THE COMMONWEALTH OF KENTUCKY PURSUANT TO 13 KAR 1:020 Edition [~~June 2013~~]

Applicant institutions shall submit the information below in electronic format to:

**Council on Postsecondary Education**  
**Attention: Executive Director of Postsecondary Licensing**  
**100 Airport Road, 2nd Floor [~~1024 Capital Center Drive, Suite 320~~]**  
**Frankfort, KY 40601**

---

### Section I: Institutional Information

1. Name and address of institution. Include URL (Web page) address.
2. Chief executive officer: Name, title, address, telephone number, and e-mail address
3. Institutional liaison with Council on Postsecondary Education: Name, title, address, telephone number, fax number, and e-mail address
4. Vitae for directors, owners, trustees, and central administrators (i.e., president, chief academic officer, chief financial officer) -- (*Forms A(1) and A(2) attached*)
5. Accreditation/licensure status

If accredited/licensed by another agency, provide verification.

If not accredited/licensed by another agency, indicate if, when, and from whom such accreditation/licensure will be sought.

6. Mission statement (i.e., purpose of institution)

### Section II: Financial Information

1. Bank or financial institution reference.
2. Institution's estimated expenditures and revenue (*Forms B and C attached*).
3. Guaranty of tuition refunds  
A statement from an independent certified public accountant that a surety bond (*form attached*), a letter of credit, or the unrestricted endowment is equal to or in excess of the projected unearned tuition. Note: Projected unearned tuition is based on expected enrollment and tuition.

**Section III: Academic Program Information** (*Complete for each program, or each course if not offering an entire program*)

1. Degree awarded
2. Admission requirements
3. Total hours for completion of major/minor and degree, and time limitation for completion of program
4. Program curriculum delineating general, required, and elective courses for the degree, and a syllabus for each **required** course.
5. Sub-specialties offered within the program, if any.
6. Delivery mode:
  - a. 100% face-to-face (F2F);
  - b. 100% DL (online); and/ or
  - c. F2F and DL hybrid
7. If applicable, please identify appropriate Certificate Code:  
CA - Undergraduate Certificate < 9 semester credit hours  
CB - Undergraduate Certificate 9 to 29 semester credit hours  
~~[C - Undergraduate Certificate, 1 Year]~~  
E - Undergraduate Certificate 1 - 2 Years  
G - Undergraduate Certificate 2 - 4 Years  
T - Post-Baccalaureate Certificate  
V - Post-Master's Certificate
8. If applicable, please identify appropriate Diploma Code:  
IA - Diploma < 9 semester credit hours  
IB - Diploma 9 to 29 semester credit hours  
~~[I - Diploma, 1 year]~~  
J - Diploma 1 - 2 Years  
K - Diploma 2 - 4 Years
9. Impact or and/or affiliation with related programs, institutions, and agencies in the service area.
10. Description of student clientele, including projected number of majors and program graduates for the first 5 years.
11. Program enrollment (Form D attached)
12. Method(s) by which program and students will be evaluated

**Section IV: Faculty Information**

1. Vitae (*Form E attached*) or traditional CV format containing at least the info required on Form E
2. Faculty spreadsheet (*Form F attached*)

**Section V: Tuition and Fee Information**

1. Student tuition and fee schedule, including application fees, full-time and part-time tuition, and student activity or other required fees
2. Student tuition and fee refund policy

**Section VI: Facilities and Equipment Information**

1. Facility survey (*Form G attached*)
2. Verification of compliance with all applicable local, state, or federal safety and fire codes
3. Instructional equipment to be acquired and utilized during program's first five years

**Section VII: Library Information**

1. Collection (*Form H attached*)

2. Budget (*Form I attached*)

3. Lease, contract, or letter of agreement authorizing use of other library collection, if any

**Section VIII: Supporting Documents to Accompany Application**

1. College charter (Articles of Incorporation)

2. College constitution and by-laws

3. College catalogue

4. Student recruitment, enrollment, contract, and/or agreement forms

5. Accreditation/licensure reports from other agencies

Attachments: Forms A-I

COMMONWEALTH OF KENTUCKY  
COUNCIL ON POSTSECONDARY EDUCATION  
FRANKFORT, KENTUCKY

**KNOW ALL MEN BY THESE PRESENTS:** That we, \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_, as principal and \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ as surety, are held and firmly bound unto the Council on Postsecondary Education,

Commonwealth of Kentucky, 100 Airport Road, 2nd Floor, [1024 Capitol Center Drive, Suite 320] Frankfort, KY 40601, in the penal sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) lawful money of the United States, for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents under the terms and conditions as required by KRS 164 and 13 KAR 1:020.

**WHEREAS**, the above bonded principal has made application for a License as a higher education institution for the term beginning July 1, 20\_\_\_\_ and ending June 30, 20\_\_\_\_ pursuant to the provisions of KRS 164.

**NOW THEREFORE**, the conditions of the herein described obligation are as follows:

- A. Pursuant to KRS 164 and 13 KAR 1:020, the principal shall indemnify any student, enrollee, or student's parent(s) or guardian(s) suffering a loss or damage as a result of:
  - 1. Any fraud or misrepresentation used in procuring his enrollment; or
  - 2. Any fraud or misrepresentation as represented by the application for Licensure; or
  - 3. A student being unable to complete the course or courses because said Institution (the hereinabove named principal) ceased operation.
- B. Such indemnification by the principal shall in no case exceed the advanced tuition paid, or to be paid, by said student or students or any such parent or guardian; and regardless of the number of years that said Institution's bond is enforced, the aggregate liability of the surety bond shall in no event exceed the above stated penal sum of the bond.
- C. Surety on said bond may be released therefrom after said surety shall have made written notice thereof directed to the Council at 100 Airport Road, 2nd Floor, Frankfort, KY 40601, at least thirty (30) days prior to said release, but shall remain liable for any verified complaints made by students within said thirty (30) day period or prior thereto.
- D. The herein described bond may be continuous, and may be so continued from year to year upon the issuance of a Continuation Certificate by the surety, and delivery to the Council; provided however, regardless of the number of years this bond remains in force, the aggregate liability of the surety for any and all claims shall in no event exceed the penal sum of the bond as shown above.
- E. This bond's obligations shall be construed under the purview of the laws of the Commonwealth of Kentucky and the rules and regulations of the Council on Postsecondary Education, said Statutes, Rules and Regulations being incorporated by reference as if fully stated herein.

**IN WITNESS THEREOF**, the Principal and Surety have signed and sealed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

By \_\_\_\_\_  
Title

By \_\_\_\_\_  
Attorney-in-Fact Title



**FORM A (2)**  
**ADMINISTRATOR'S VITAE**

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

<b>Academic Preparation</b>	<b>Institution</b>	<b>Degree</b>	<b>Major</b>	<b>Dates</b>
<b>Current Responsibilities</b>				
<b>Past Administrative Experience</b>				
<b>Past Administrative Experience</b>	<b>Institution/Organization</b>	<b>Position</b>		<b>Dates</b>
<b>College Teaching Experience</b>	<b>Institution</b>	<b>Academic Rank</b>	<b>Teaching Fields</b>	<b>Dates</b>
<b>Other</b>	<b>Institution/Organization</b>	<b>Position</b>		<b>Dates</b>

**FORM B**  
**ESTIMATED EXPENDITURES**

	(20____) 1 <sup>st</sup> year	(20____) 2 <sup>nd</sup> year	(20____) 3 <sup>rd</sup> year	(20____) 4 <sup>th</sup> year	(20____) 5 <sup>th</sup> year
<b>EDUCATIONAL AND GENERAL (E&amp;G)</b>					
Instruction					
Research					
Public Service					
Libraries					
Academic Support					
Student Services					
Institutional Support					
Operation and Maintenance of Plant					
Scholarships & Fellowships					
<b>SUBTOTAL E&amp;G</b>					
Mandatory Transfers					
Nonmandatory Transfers					
<b>TOTAL EDUCATIONAL AND GENERAL</b>					
<b>AUXILIARY ENTERPRISES</b>					
Auxiliary Enterprise Operations					
Mandatory Transfers					
Nonmandatory Transfers					
<b>TOTAL AUXILIARY ENTERPRISES</b>					
<b>TOTAL EXPENDITURES</b>					
<b>BY OBJECT</b>					
<b>Personnel Costs</b>					

**FORM B - ESTIMATED EXPENDITURES (continued)**

<b>Operating Expenses</b>					
<b>Grants, Loans, or Benefits</b>					
<b>Debt Service</b>					
<b>Capital Outlay</b>					
<b>TOTAL EXPENDITURES BY OBJECT</b>					

**FORM C  
ESTIMATED REVENUE**

REVENUES	(20____) 1 <sup>st</sup> year_____	(20____) 2 <sup>nd</sup> year_____	(20____) 3 <sup>rd</sup> year	(20____) 4 <sup>th</sup> year	(20____) 5 <sup>th</sup> year
<b>EDUCATIONAL AND GENERAL (E&amp;G)</b>					
<b>Tuition and Fees</b>					
Degree Credit – Fall					
Degree Credit – Spring					
Degree Credit – Summer					
SUBTOTAL TUITION					
Noncredit					
Mandatory Student Fees					
Other Fees					
SUBTOTAL TUITION AND FEES					
Governmental Appropriations (Federal)					
Governmental Appropriations (State)					
Governmental Appropriations-Local					
Governmental Grants and Contracts-Federal					
Pell Grants					
Supplemental Educational Opportunity Grants					
College Workstudy					
Other Grants and Contracts					
SUBTOTAL GOVERNMENTAL GRANTS AND CONTRACTS–FEDERAL					
Governmental Grants and Contracts – State					

**FORM C - ESTIMATED REVENUE (continued)**

<b>Governmental Grants and Contracts – Local</b>					
<b>Private Gifts, Grants and Contracts</b>					
<b>Investment Income</b>					
<b>Endowment Income</b>					
<b>Sales and Services of Educational Activities</b>					
<b>Other</b>					
<b>TOTAL EDUCATIONAL AND GENERAL</b>					
<b>SALES AND SERVICES OF AUXILIARY ENTERPRISES</b>					
<b>Residence Halls</b>					
<b>Food Service</b>					
<b>College Unions/Stores</b>					
<b>Other</b>					
<b>Intercollegiate Activities</b>					
<b>Mandatory Student Fees</b>					
<b>TOTAL AUXILIARY ENTERPRISES</b>					
<b>TOTAL CURRENT FUNDS REVENUE</b>					

**FORM D**

**PROGRAM INFORMATION\***

NAME OF PROGRAM \_\_\_\_\_

CIP CODE (Six-Digit) \_\_\_\_\_

Course #	Course Title	Level	Type**	Credit Hrs.		Projected Headcount Enrollment					
				Sem.	Qtr.	Year 1	Year 2	Year 3	Year 4	Year 5	

\*Complete this form for each degree, diploma, or certificate program offered, or for each course if not offering an entire program.

\*\*To include general education, required, and elective courses.

**FORM E**  
**FACULTY VITAE**

**NAME:** \_\_\_\_\_

**Date appointed to Undergraduate Faculty:** \_\_\_\_\_ **Graduate Faculty:** \_\_\_\_\_ **Rank:** \_\_\_\_\_

**Current Teaching Assignment:** \_\_\_\_\_

**Academic Preparation (for each college or university attended provide the following information):**

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**College Teaching Experience (for each institution for which you have taught, provide the following information):**

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

Use additional pages to provide the information requested below.

**Other Employment Related to Your Teaching Field (Include dates, position titles, position descriptions)**

**Publications, presentations, etc.**



**FORM G  
FACILITIES**

**FACILITY STREET ADDRESS:** \_\_\_\_\_

**Facilities presently available that are used for this institution (if other buildings are involved, please use additional sheets.)**

	<b>Building 1</b>	<b>Building 2</b>	<b>Total</b>
<b>1) Owned by</b>			
<b>2) Present Use</b>			
<b>3) Intended Use</b>			
<b>4) Year Constructed</b>			
<b>5) Year Rehabilitated</b>			
<b>6) Type of Construction</b>			
<b>7) Number of Floors</b>			
<b>8) Number of Rooms</b>			
<b>9) Original Cost of Building</b>			
<b>10) Estimated Value of Building</b>			
<b>11) Gross Area (Sq. Ft.)</b>			
<b>12) Classroom Space (Sq. Ft.) (Net)</b>			
<b>13) Laboratory Space (Sq. Ft.) (Net)</b>			
<b>14) Library Space (Sq. Ft.) (Net)</b>			
<b>15) Administrative &amp; Office Space (Sq. Ft.) (Net)</b>			
<b>16) Does the building/space comply with requirements of ADA?</b>			

FORM H

LIBRARY COLLECTION

Please indicate for the most recent 5-year period, the inventory and annual growth of the library collection.

LIBRARY COLLECTION	(20____) 1 <sup>st</sup> year	(20____) 2 <sup>nd</sup> year	(20____) 3 <sup>rd</sup> year	(20____) 4 <sup>th</sup> year	(20____) 5 <sup>th</sup> year
Number of volumes					
Number added during year					
<b>Annual Total</b>					
Number of reels of microfilm					
Number added during year					
<b>Annual Total</b>					
Number of slides					
Number added during year					
<b>Annual Total</b>					
Number of recordings					
Number added during year					
<b>Annual Total</b>					
Number of maps					
Number added during year					
<b>Annual Total</b>					
Number of periodicals					
Number added during year					
<b>Annual Total</b>					
Number of other nonperiodical titles					
Number added during year					
<b>Annual Total</b>					



**FORM I**  
**LIBRARY BUDGET**

**Prepare a 5-year budget for library expenditures.**

<b>LIBRARY BUDGET (5-YEAR)</b>	(20____) 1 <sup>st</sup> year	(20____) 2 <sup>nd</sup> year	(20____) 3 <sup>rd</sup> year	(20____) 4 <sup>th</sup> year	(20____) 5 <sup>th</sup> year
<b>Library staff salaries &amp; wages (before deductions)</b>					
<b>New acquisitions</b>					
<b>Library Operations</b>					
<b>TOTAL</b>					

# Commonwealth of Kentucky Council on Postsecondary Education

APPLICATION FOR LICENSURE  
AS AN OUT-OF-STATE INSTITUTION  
TO OPERATE IN THE COMMONWEALTH OF KENTUCKY  
PURSUANT TO 13 KAR 1:020  
Edition [June 2013]

Applicant institutions shall submit the information below in electronic format to:

Council on Postsecondary Education  
Attention: Executive Director of Postsecondary Licensing  
100 Airport Road, 2nd Floor [~~1024 Capital Center Drive, Suite 320~~]  
Frankfort, KY 40601

---

## Section I: Institutional Information

1. Name and address of institution. Includes URL (Web page) address.
2. Chief executive officer: Name, title, address, phone number, and e-mail address.
3. Institutional liaison with Council on Postsecondary Education: Name, title, address, phone number, fax number, and e-mail address.
4. Vitae for directors, owners, trustees, and central administrators (i.e., president, chief academic officer, chief financial officer) -- (*Forms A(1) and A(2) attached*)
5. Accreditation/licensure status  

If accredited/licensed by another agency, provide verification.  
If not accredited/licensed by another agency, indicate if, when, and from whom such accreditation/licensure will be sought.
6. Mission statement (i.e., purpose of institution)
7. Name and address of facility in Kentucky
8. Principal Administrator in Kentucky: Name, title, address, phone number, email address, and vitae

## Section II: Financial Information

1. Bank or financial institution reference
2. Institution's estimated expenditures and revenue (*Forms B and C attached*)
3. Guaranty of tuition refunds

A statement from an independent certified public accountant that a surety bond (*form attached*) is equal to or in excess of the projected unearned tuition. Note: Projected unearned tuition is based on expected enrollment and tuition.

**Section III: Academic Program Information** (*Complete for each program, or each course if not offering an entire program*)

1. Degree awarded
2. Admission requirements
3. Total hours for completion of major/minor and degree, and time limitation for completion of program
4. Program curriculum delineating general education, required, and elective courses for the degree, and a syllabus for each **required** course
5. Sub-specialties offered within the program, if any
6. If applicable, please identify appropriate Certificate Code:

CA - Undergraduate Certificate < 9 semester credit hours  
CB - Undergraduate Certificate 9 to 29 semester credit hours  
~~[C - Undergraduate Certificate < 1 Year]~~  
E - Undergraduate Certificate 1 - 2 Years  
G - Undergraduate Certificate 2 - 4 Years  
T - Post-Baccalaureate Certificate  
V - Post-Master's Certificate

7. If applicable, please identify appropriate Diploma Code:

IA - Diploma < 9 semester credit hours  
IB - Diploma 9 to 29 semester credit hours  
~~[I - Diploma < 1 Year]~~  
J - Diploma 1 - 2 Years  
K - Diploma 2 - 4 Years

8. Impact on and/or affiliation with related programs, institutions, agencies in the service area
9. Description of student clientele, including projected number of majors and program graduates for first five years
10. Program enrollment (*Form D attached*)
11. Method(s) by which program and students will be evaluated

**Section IV: Faculty Information**

1. Vitae (*Form E attached*)
2. Faculty spreadsheet (*Form F attached*)

**Section V: Tuition and Fee Information**

1. Student tuition and fee schedule, including application fees, full-time and part-time tuition, and student activity or other required fees
2. Student tuition and fee refund policy

**Section VI: Facilities and Equipment Information**

1. Facility survey (*Form G attached*)
2. Verification of compliance with all applicable local, state, or federal safety and fire codes
3. Instructional equipment to be acquired and utilized during program's first five years

**Section VII: Library Information**

1. Collection (*Form H attached*)
2. Budget (*Form I attached*)
3. Lease, contract, or letter of agreement authorizing use of other library collection, if any

**Section VIII: Supporting Documents to Accompany Application**

1. College charter (Articles of Incorporation)
2. College constitution and by-laws
3. College catalogue
4. Student recruitment, enrollment, contract, and/or agreement forms
5. Accreditation/licensure reports from other agencies
6. Copy of "Application for Certificate of Authority" to transact business in Kentucky (original to be mailed directly to Kentucky Secretary of State pursuant to instructions on the form)

Attachments: Forms A-I

Commonwealth of Kentucky  
**COUNCIL ON POSTSECONDARY EDUCATION**  
Frankfort, Kentucky

**KNOW ALL MEN BY THESE PRESENTS:** That we, \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_, as principal and \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_ as surety, are held and firmly bound unto the Council on Postsecondary Education,  
Commonwealth of Kentucky, 100 Airport Road, 2nd Floor [~~1024 Capital Center Drive, Suite 320~~], Frankfort, KY 40601, in the penal  
sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) lawful money of the United States, for the payment of which, well  
and truly to be made, we hereby bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally,  
firmly by these presents under the terms and conditions as required by KRS 164 and 13 KAR 1:020.

**WHEREAS,** the above bonded principal has made application for a License as a higher education institution for the term  
beginning July 1, 20 \_\_\_\_\_ and ending June 30, 20 \_\_\_\_\_ pursuant to the provisions of KRS 164.

**NOW THEREFORE,** the conditions of the herein described obligation are as follows:

- A. Pursuant to KRS 164 and 13 KAR 1:020, the principal shall indemnify any student, enrollee, or student's parent(s) or guardian(s) suffering a loss or damage as a result of:
  - 1. Any fraud or misrepresentation used in procuring his enrollment; or
  - 2. Any fraud or misrepresentation as represented by the application for Licensure; or
  - 3. A student being unable to complete the course or courses because said Institution (the hereinabove named principal) ceased operation.
- B. Such indemnification by the principal shall in no case exceed the advanced tuition paid, or to be paid, by said student or students or any such parent or guardian; and regardless of the number of years that said Institution's bond is enforced, the aggregate liability of the surety bond shall in no event exceed the above stated penal sum of the bond.
- C. Surety on said bond may be released therefrom after said surety shall have made written notice thereof directed to the Council at 100 Airport Road, 2nd Floor, Frankfort, KY 40601, at least thirty (30) days prior to said release, but shall remain liable for any verified complaints made by students within said thirty (30) day period or prior thereto.
- D. The herein described bond may be continuous, and may be so continued from year to year upon the issuance of a Continuation Certificate by the surety, and delivery to the Council; provided however, regardless of the number of years this bond remains in force, the aggregate liability of the surety for any and all claims shall in no event exceed the penal sum of the bond as shown above.
- E. This bond's obligations shall be construed under the purview of the laws of the Commonwealth of Kentucky and the rules and regulations of the Council on Postsecondary Education, said Statutes, Rules and Regulations being incorporated by reference as if fully stated herein.

**IN WITNESS THEREOF,** the Principal and Surety have signed and sealed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Principal  
By \_\_\_\_\_  
Title

\_\_\_\_\_  
Surety  
By \_\_\_\_\_  
Attorney-in-Fact Title

FORM A (1)

MEMBERS OF THE GOVERNING BOARD, DIRECTORS,  
OWNERS, CENTRAL ADMINISTRATORS, and TRUSTEES OF THE INSTITUTION

---

Name	Address	Employer	Occupation	Date Appointed to Board

**FORM A (2)**  
**ADMINISTRATOR'S VITAE**

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

<b>Academic Preparation</b>	<b>Institution</b>	<b>Degree</b>	<b>Major</b>	<b>Dates</b>
<b>Current Responsibilities</b>				
<b>Past Administrative Experience</b>	<b>Institution/Organization</b>	<b>Position</b>		<b>Dates</b>
<b>College Teaching Experience</b>	<b>Institution</b>	<b>Academic Rank</b>	<b>Teaching Fields</b>	<b>Dates</b>
<b>Other</b>	<b>Institution/Organization</b>	<b>Position</b>		<b>Dates</b>

**FORM B**  
**ESTIMATED EXPENDITURES**

	(20____) 1 <sup>st</sup> year	(20____) 2 <sup>nd</sup> year	(20____) 3 <sup>rd</sup> year	(20____) 4 <sup>th</sup> year	(20____) 5 <sup>th</sup> year
<b>EDUCATIONAL AND GENERAL (E&amp;G)</b>					
Instruction					
Research					
Public Service					
Libraries					
Academic Support					
Student Services					
Institutional Support					
Operation and Maintenance of Plant					
Scholarships & Fellowships					
<b>SUBTOTAL E&amp;G</b>					
Mandatory Transfers					
Nonmandatory Transfers					
<b>TOTAL EDUCATIONAL AND GENERAL</b>					
<b>AUXILIARY ENTERPRISES</b>					
Auxiliary Enterprise Operations					
Mandatory Transfers					
Nonmandatory Transfers					
<b>TOTAL AUXILIARY ENTERPRISES</b>					
<b>TOTAL EXPENDITURES</b>					
<b>BY OBJECT</b>					
<b>Personnel Costs</b>					
<b>Operating Expenses</b>					
<b>Grants, Loans, or Benefits</b>					

**FORM B - ESTIMATED EXPENDITURES (continued)**

<b>Debt Service</b>					
<b>Capital Outlay</b>					
<b>TOTAL EXPENDITURES BY OBJECT</b>					

**FORM C  
ESTIMATED REVENUE**

REVENUES	(20____) 1 <sup>st</sup> year _____	(20____) 2 <sup>nd</sup> year _____	(20____) 3 <sup>rd</sup> year _____	(20____) 4 <sup>th</sup> year _____	(20____) 5 <sup>th</sup> year _____
<b>EDUCATIONAL AND GENERAL (E&amp;G)</b>					
<b>Tuition and Fees</b>					
Degree Credit – Fall					
Degree Credit – Spring					
Degree Credit – Summer					
SUBTOTAL TUITION					
<b>Noncredit</b>					
Mandatory Student Fees					
Other Fees					
SUBTOTAL TUITION AND FEES					
<b>Governmental Appropriations (Federal)</b>					
Governmental Appropriations (State)					
Governmental Appropriations-Local					
<b>Governmental Grants and Contracts-Federal</b>					
Pell Grants					
Supplemental Educational Opportunity Grants					
College Workstudy					
Other Grants and Contracts					
SUBTOTAL GOVERNMENTAL GRANTS AND CONTRACTS–FEDERAL					
<b>Governmental Grants and Contracts – State</b>					
<b>Governmental Grants and Contracts – Local</b>					
<b>Private Gifts, Grants and Contracts</b>					
<b>Investment Income</b>					

<b>Endowment Income</b>					
<b>FORM C - ESTIMATED REVENUE (continued)</b>					
<b>Sales and Services of Educational Activities</b>					
<b>Other</b>					
<b>TOTAL EDUCATIONAL AND GENERAL</b>					
<b>SALES AND SERVICES OF AUXILIARY ENTERPRISES</b>					
<b>Residence Halls</b>					
<b>Food Service</b>					
<b>College Unions/Stores</b>					
<b>Other</b>					
<b>Intercollegiate Activities</b>					
<b>Mandatory Student Fees</b>					
<b>TOTAL AUXILIARY ENTERPRISES</b>					
<b>TOTAL CURRENT FUNDS REVENUE</b>					

**FORM D**  
**PROGRAM INFORMATION\***

NAME OF PROGRAM \_\_\_\_\_

CIP CODE (SIX-DIGIT) \_\_\_\_\_

Course #	Course Title	Level	Type**	Credit Hrs.		Projected Headcount Enrollment					
				Sem.	Qtr.	Year 1	Year 2	Year 3	Year 4	Year 5	

\*Complete this form for each degree, diploma, or certificate program offered, or for each course if not offering an entire program.

\*\*To include general education, required, and elective courses.

**FORM E**  
**FACULTY VITAE**

**NAME:** \_\_\_\_\_

**Date appointed to Undergraduate Faculty:** \_\_\_\_\_ **Graduate Faculty:** \_\_\_\_\_ **Rank:** \_\_\_\_\_

**Current Teaching Assignment:** \_\_\_\_\_

**Academic Preparation (for each college or university attended provide the following information):**

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**College Teaching Experience (for each institution for which you have taught, provide the following information):**

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

Use additional pages to provide the information requested below.

**Other Employment Related to Your Teaching Field (Include dates, position titles, position descriptions)**

**Publications, presentations, etc.**



**FORM G**  
**FACILITIES**

**FACILITY STREET ADDRESS:** \_\_\_\_\_  
**Facilities presently available that are used for this institution (if other buildings are involved, please use additional sheets.)**

	<b>Building 1</b>	<b>Building 2</b>	<b>Total</b>
1) <b>Owned by</b>			
2) <b>Present Use</b>			
3) <b>Intended Use</b>			
4) <b>Year Constructed</b>			
5) <b>Year Rehabilitated</b>			
6) <b>Type of Construction</b>			
7) <b>Number of Floors</b>			
8) <b>Number of Rooms</b>			
9) <b>Original Cost of Building</b>			
10) <b>Estimated Value of Building</b>			
11) <b>Gross Area (Sq. Ft.)</b>			
12) <b>Classroom Space (Sq. Ft.) (Net)</b>			
13) <b>Laboratory Space (Sq. Ft.) (Net)</b>			
14) <b>Library Space (Sq. Ft.) (Net)</b>			
15) <b>Administrative &amp; Office Space (Sq. Ft.) (Net)</b>			
16) <b>Does the building/space comply with requirements of ADA?</b>			

**FORM H**

**LIBRARY COLLECTION**

Please indicate for the most recent 5-year period, the inventory and annual growth of the library collection.

<b>LIBRARY COLLECTION</b>	<b>(20____) 1<sup>st</sup> year</b>	<b>(20____) 2<sup>nd</sup> year</b>	<b>(20____) 3<sup>rd</sup> year</b>	<b>(20____) 4<sup>th</sup> year</b>	<b>(20____) 5<sup>th</sup> year</b>
Number of volumes					
Number added during year					
<b>Annual Total</b>					
Number of reels of microfilm					
Number added during year					
<b>Annual Total</b>					
Number of slides					
Number added during year					
<b>Annual Total</b>					
Number of recordings					
Number added during year					
<b>Annual Total</b>					
Number of maps					
Number added during year					
<b>Annual Total</b>					
Number of periodicals					
Number added during year					
<b>Annual Total</b>					
Number of other nonperiodical titles					
Number added during year					
<b>Annual Total</b>					

**FORM I**

**LIBRARY BUDGET**

Prepare a 5-year budget for library expenditures.

<b>LIBRARY BUDGET (5-YEAR)</b>	<b>(20____)</b> <b>1<sup>st</sup> year</b>	<b>(20____)</b> <b>2<sup>nd</sup> year</b>	<b>(20____)</b> <b>3<sup>rd</sup> year</b>	<b>(20____)</b> <b>4<sup>th</sup> year</b>	<b>(20____)</b> <b>5<sup>th</sup> year</b>
<b>Library staff salaries &amp; wages (before deductions)</b>					
<b>New acquisitions</b>					
<b>Library Operations</b>					
<b>TOTAL</b>					

Commonwealth of Kentucky  
**Council on Postsecondary Education**

**SUPPLEMENTARY APPLICATION  
FOR CHANGE OF NAME OF INSTITUTION**

**PURSUANT TO 13 KAR 1:020**

**Edition DATE [June 2013]**

**If an institution proposes a name change, then the institution shall submit the information below in electronic format to:**

**Council on Postsecondary Education  
Attention: Executive Director of Postsecondary Licensing  
100 Airport Road, 2nd Floor [1024 Capital Center Drive, Suite 320]  
Frankfort, KY 40601**

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1. Name (current and proposed) and address of institution.
2. Chief executive officer: Name, title, address, phone number, fax number, and email address.
3. Institutional liaison with Council on Postsecondary Education: Name, title, address, phone number, fax number, and email address.
4. The effective date of the name change.
5. Certification that the corporation, ownership, and governance shall remain the same, and that the institution under the new name shall acquire and assume all of the institution's assets, liabilities, outstanding debts, and refunds due under the previous name, and that the institution under the new name shall honor all student contracts that were signed or approved by the institution's authorities before the effective date of the change of name.
6. Certification that the institution remains the same as to all other aspects of licensure and operation including administrators, faculty, student body, courses, facilities, equipment, and library collection.
7. Updated documents reflecting new name:
  - a. accreditation verification,
  - b. surety bond covering unearned tuition, and independent CPA statement confirming amount of coverage,
  - c. college charter (Articles of Incorporation),
  - d. college constitution and by-laws,
  - e. college catalogue,
  - f. student recruitment, enrollment, contract and/ or agreement forms, and
  - g. copy of any print or online advertisement indicating that the institution is licensed by the Council on Postsecondary Education.
8. Copy of any notice institution is providing to students and public.

**Commonwealth of Kentucky**  
**Council on Postsecondary Education**

**SUPPLEMENTARY APPLICATION FOR  
CHANGE OF OWNERSHIP OR GOVERNANCE**

**PURSUANT TO 13 KAR 1:020**

Edition **DATE** [~~June 2013~~]

To request that an institution's license be continued under new ownership or governance, the institution shall submit the information below in electronic format to:

**Council on Postsecondary Education**  
**Attention: Executive Director of Postsecondary Licensing**  
**100 Airport Road, 2nd Floor [~~1024 Capital Center Drive, Suite 320~~]**  
**Frankfort, KY 40601**

A college's failure to provide the information below may be cause for the president to withdraw the college's license, and to require the college to apply for licensure as a new institution by submitting an "Application for Licensure as an In-State, Non-Public Institution to Operate in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020" if an in-state college, or "Application for Licensure as an Out-of-State Institution to Operate in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020" if an out-of-state college.

- 
1. Name and address of institution.
  2. Chief executive officer: Name, title, address, phone number, fax number, and email address.
  3. Institutional liaison with Council on Postsecondary Education: Name, title, address, phone number, fax number, and email address.
  4. The effective date of the change of ownership or governance.
  5. Address of licensed location in Kentucky affected by the change of ownership or governance.
  6. The prior owner(s) of the school (corporate name, address, and officers, etc.)
  7. The new owner(s) of the school (corporate name, address, and officers, etc.). Complete Forms A(1) and A(2) attached.
  8. Certification that the institution remains the same as to all other aspects of licensure and operation including facilities, administrators, faculty, student body, and courses.
  9. Certification that the new owner(s):
    - a. Has acquired all of the institution's assets, which are directly related to the institution's educational activities;
    - b. Assumes liability on the date the institution was sold for all of the outstanding debts incurred as a direct result of the institution's educational activities under previous ownership;
    - c. Shall make all refunds which on the date the institution was sold were due; and
    - d. Agrees to honor all student contracts that were signed or approved by the institution's authorities before the effective date of the change of ownership.



**FORM A (2)**  
**ADMINISTRATOR'S VITAE**

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

<b>Academic Preparation</b>	<b>Institution</b>	<b>Degree</b>	<b>Major</b>	<b>Dates</b>
<b>Current Responsibilities</b>				
<b>Past Administrative Experience</b>	<b>Institution/Organization</b>	<b>Position</b>		<b>Dates</b>
<b>College Teaching Experience</b>	<b>Institution</b>	<b>Academic Rank</b>	<b>Teaching Fields</b>	<b>Dates</b>
<b>Other</b>	<b>Institution/Organization</b>	<b>Position</b>		<b>Dates</b>

# Commonwealth of Kentucky Council on Postsecondary Education

## SUPPLEMENTARY APPLICATION TO OPERATE AS AN OUT-OF-STATE INSTITUTION IN THE COMMONWEALTH OF KENTUCKY PURSUANT TO 13 KAR 1:020

Edition **DATE** [June 2013]

This supplementary application shall be submitted when an already licensed out-of-state institution proposes to offer:

1. an additional certificate, diploma, degree program, major, or other concentration or specialty; or
2. an additional course, as opposed to an entire program.

If an out-of-state institution proposes to offer a program at a new *site*, then the "Application for Licensure as an Out-of-State Institution to Operate in Kentucky pursuant to 13 KAR 1:020" is required.

Supplementary applications shall be submitted at least 90 days prior to implementation and in electronic format to:

**Council on Postsecondary Education**  
**Attention: Executive Director of Postsecondary Licensing**  
**100 Airport Road, 2nd Floor [1024 Capital Center Drive, Suite 320]**  
**Frankfort, KY 40601**

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### SECTION I: INSTITUTIONAL INFORMATION

1. Name and Address of Institution
2. Chief Executive Officer: Name/Title/Address/Telephone/E-mail Address
3. Institutional Liaison with the Council on Postsecondary Education: Name/Title/Address/Telephone/E-mail Address

### SECTION II: ACADEMIC PROGRAM INFORMATION

1. Name and CIP code of program and degree awarded (or course if not offering an entire program). State if the new program is at a new degree level or is a significant departure from previously licensed programs for the college.
2. Kentucky site where program is to be offered
3. Anticipated beginning date of proposed program
4. Date of approval from the main campus to offer the program in Kentucky
5. Verification of accrediting/other licensing agency approval if required to implement the new program
6. Curriculum outline and course descriptions, if not in catalog
7. Sub-specialties offered within the program, if any
8. If applicable, please identify Certificate Code:

CA - Undergraduate Certificate < 9 semester credit hours

CB - Undergraduate Certificate 9 to 29 semester credit hours

[C - Undergraduate Certificate < 1 Year]

E - Undergraduate Certificate 1 - 2 Years

G - Undergraduate Certificate 2 - 4 Years

T - Post-Baccalaureate Certificate  
V - Post-Master's Certificate

9. If applicable, please identify, Diploma Code:

IA - Diploma < 9 semester credit hours

IB - Diploma 9 to 29 semester credit hours

~~[I - Diploma < 1 Year]~~

J - Diploma 1 - 2 Years

K - Diploma 2 - 4 Years

10. Rationale for offering the proposed program

11. Anticipated enrollment in each of the first three years of program implementation

12. New program faculty vitae and faculty spreadsheet (*Form E attached* or traditional CV format containing at least the info required on Form E and *Form F*)

13. Additional facilities or equipment required to implement the program

14. Proposed additions to the library collections to support the program

Attachments: Forms E and F

**FORM E**  
**FACULTY VITAE**

**NAME:** \_\_\_\_\_

**Date appointed to Undergraduate Faculty:** \_\_\_\_\_ **Graduate Faculty:** \_\_\_\_\_ **Rank:** \_\_\_\_\_

**Current Teaching Assignment:** \_\_\_\_\_

**Academic Preparation (for each college or university attended provide the following information):**

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**College Teaching Experience (for each institution for which you have taught, provide the following information):**

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

Use additional pages to provide the information requested below.

**Other Employment Related to Your Teaching Field (Include dates, position titles, position descriptions)**

**Publications, presentations, etc.**



# Commonwealth of Kentucky Council on Postsecondary Education

## SUPPLEMENTARY APPLICATION TO OPERATE AS AN IN-STATE NONPUBLIC INSTITUTION IN THE COMMONWEALTH OF KENTUCKY PURSUANT TO 13 KAR 1:020 Edition **DATE** [July 2019]

This supplementary application shall be submitted when an already licensed in-state institution proposes:

- To offer an additional certificate, diploma, or degree program or major or other concentration or specialty at the main campus; or
- To establish an instructional site away from the main campus for the purpose of offering courses for college credit which comprise at least fifty (50) percent of the course requirements for a degree program.

Supplementary applications shall be submitted for each proposal at least 90 days prior to implementation and in electronic format to:

Council on Postsecondary Education  
Attention: Executive Director of Postsecondary Licensing  
100 Airport Road, 2<sup>nd</sup> Floor [~~1024 Capital Center Drive, Suite 320~~]  
Frankfort, KY 40601-8204

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### SECTION I: INSTITUTIONAL INFORMATION

1. Name and Address of Institution
2. Chief Executive Officer: Name/Title/Address/Telephone/E-mail Address
3. Institutional Liaison with the Council on Postsecondary Education: Name/ Title/ Address/ Telephone/ E-mail Address

### SECTION II: PROGRAM TO BE OFFERED ON THE MAIN CAMPUS

1. Name and CIP code of program and degree awarded (or specific course(s) if not offering entire program). State if the new program is at a new degree level or is a significant departure from previously licensed programs for the college.
2. Anticipated beginning date of proposed program
3. If accrediting/other licensing agency approval is required to implement the new program, provide verification of notification
4. Curriculum outline and course descriptions, if not in catalog
5. Sub-specialties offered within the program, if any
6. Delivery Mode:
  - a. 100% face-to-face (F2F);
  - b. 100% DL (online); and/ or
  - c. F2F and DL hybrid
7. If applicable, please identify appropriate Certificate Code:

CA - Undergraduate Certificate < 9 semester credit hours  
CB - Undergraduate Certificate 9 to 29 semester credit hours  
~~[C - Undergraduate Certificate < 1 Year]~~  
E - Undergraduate Certificate 1 - 2 Years  
G - Undergraduate Certificate 2 - 4 Years  
T - Post-Baccalaureate Certificate  
V - Post-Master's Certificate

8. If applicable, please identify appropriate Diploma Code:

IA - Diploma < 9 semester credit hours  
IB - Diploma 9 to 29 semester credit hours  
~~[I - Diploma < 1 Year]~~  
J - Diploma 1 - 2 Years  
K - Diploma 2 - 4 Years

9. Rationale for offering the proposed program

10. New program faculty vitae and faculty spreadsheet (*Form E attached* or traditional CV format containing at least the info required on Form E and Form F)

11. Additional facilities or equipment required to implement the program

12. Proposed additions to the library collection to support the program

### **SECTION III: PROGRAM TO BE OFFERED AT OFF-CAMPUS LOCATION**

**(Complete items 1-8 in Section II plus the following)**

1. Date of approval by the main campus to offer the program, or course(s) if not offering entire program, at an off-campus location
2. Site where program is to be offered, including address and principal contact person (name, title, phone number, and e-mail address)
3. If accrediting/other licensing agency approval is required to implement the new program, provide verification of notification
4. Certification of the location and maintenance of any school records for the off-campus location
5. Verification that the facility complies with all local, state, or federal safety and fire codes
6. Availability of library services to support the program at the off-campus location

Attachments: Forms E and F

**FORM E**  
**FACULTY VITAE**

**NAME:** \_\_\_\_\_

**Date appointed to Undergraduate Faculty:** \_\_\_\_\_ **Graduate Faculty:** \_\_\_\_\_ **Rank:** \_\_\_\_\_

**Current Teaching Assignment:** \_\_\_\_\_

**Academic Preparation (for each college or university attended provide the following information):**

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**College Teaching Experience (for each institution for which you have taught, provide the following information):**

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

Use additional pages to provide the information requested below.

**Other Employment Related to Your Teaching Field (Include dates, position titles, position descriptions)**

**Publications, presentations, etc.**



Commonwealth of Kentucky  
**Council on Postsecondary Education**

**SUPPLEMENTARY APPLICATION**

**FOR**

**ADMINISTRATIVE SITE, RECRUITMENT OFFICE, OR ADVISING CENTER**

**PURSUANT TO 13 KAR 1:020**

Edition **DATE** [June 2013]

**If an already licensed institution proposes to establish an administrative site, recruitment office, or advising center in Kentucky, or to change the location of an already licensed administrative site, recruitment office, or advising center in Kentucky, where the site is not part of a licensed instructional site or proposed instructional site for which the institution is seeking licensure, then the institution shall submit the information in electronic format below to:**

**Council on Postsecondary Education  
Attention: Executive Director of Postsecondary Licensing  
100 Airport Road, 2nd Floor [1024 Capital Center Drive, Suite 320]  
Frankfort, KY 40601**

- 
1. Name and address of institution.
  2. Chief executive officer: Name, title, address, phone number, fax number, and email address.
  3. Institutional liaison with Council on Postsecondary Education: Name, title, address, phone number, fax number, and email address.
  4. Activities to be performed at the location (administrative, recruitment, or advising)
  5. Principal contact person and any other agents to be employed at the location: Name, title, address, phone number, fax number, and email address.
  6. Proposed new location or change of address (from \_\_\_\_ to \_\_\_\_).
  7. The effective date of the new location or change of location.
  8. Certification that the institution remains the same as to all other aspects of licensure and operation.
  9. Contact person responsible for the maintenance of any school records at this location: Name, title, address, phone number, fax number, and email address.
  10. A copy of any lease or contract regarding the new location or relocation.
  11. Verification of compliance with all applicable local, state, or federal safety and fire codes
  12. Completion of Form G (attached).
  13. Accreditation verification of the new site or relocation, if any.

14. Copy of any notice institution is providing to students and public regarding the new site or relocation.

# FORM G

## FACILITIES

**FACILITY STREET ADDRESS:** \_\_\_\_\_

Facilities presently available that are used for this institution (if other buildings are involved, please use additional sheets.)

	Building 1	Building 2	Total
1) Owned by			
2) Present Use			
3) Intended Use			
4) Year Constructed			
5) Year Rehabilitated			
6) Type of Construction			
7) Number of Floors			
8) Number of Rooms			
9) Original Cost of Building			
10) Estimated Value of Building			
11) Gross Area (Sq. Ft.)			
12) Classroom Space (Sq. Ft.) (Net)			
13) Laboratory Space (Sq. Ft.) (Net)			
14) Library Space (Sq. Ft.) (Net)			
15) Administrative & Office Space (Sq. Ft.) (Net)			
16) <i>Does the building/space comply with requirements of ADA?</i>			

Commonwealth of Kentucky  
**Council on Postsecondary Education**

**SUPPLEMENTARY APPLICATION  
FOR  
NOTIFICATION OF CHANGE IN ACCREDITATION OR  
LICENSURE STATUS  
PURSUANT TO 13 KAR 1:020  
Edition **DATE** [June 2013]**

An institution shall submit a supplementary license application within thirty (30) days following action by an accrediting agency or other state licensing agency that results in:

1. a college being placed in a probationary status;
2. a college losing accreditation or licensure; or
3. a college being denied accreditation or licensure.

The institution shall submit the information below in electronic format to:

**Council on Postsecondary Education  
Attention: Executive Director of Postsecondary Licensing  
100 Airport Road, 2nd Floor [1024 Capital Center Drive, Suite 320]  
Frankfort, KY 40601**

- 
1. Name and address of institution.
  2. Chief executive officer: Name, title, address, phone number, fax number, and email address.
  3. Institutional liaison with Council on Postsecondary Education: Name, title, address, phone number, fax number, and email address.
  4. The effective date of the accrediting agency's action(s).
  5. A copy of documentation from the accrediting agency regarding the accrediting agency's action(s), and any documentation submitted by the institution to the accrediting agency related to the action.
  6. Documentation from the institution regarding its response to the accrediting agency's action(s), and the institution's plan going forward.
  7. Copy of any notice the institution is providing to students and public.

**Commonwealth of Kentucky  
Council on Postsecondary Education**

**APPLICATION FOR ANNUAL  
MAINTENANCE OF LICENSE OR  
RENEWAL OF LICENSE  
PURSUANT TO 13 KAR 1:020  
Edition **DATE** [June 2013]**

**A licensed in-state or out-of-state college shall submit the information below to:**

**Council on Postsecondary Education  
100 Airport Road, 2nd Floor [~~1024 Capital Center Drive, Suite 320~~]  
Frankfort, KY 40601**

**An out-of-state institution shall submit an application for each licensed instructional site in Kentucky, as each instructional site is licensed separately.**

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**SECTION I: INSTITUTIONAL INFORMATION**

1. Name and address of Institution.
2. Chief Executive Officer: Name, title, address, phone number, fax number, and email address.
3. Institutional Liaison with Council on Postsecondary Education: Name, title, address, phone number, fax number, and email address.
4. A current list of the college's agents.
5. Submit copies of the following documents if they have changed in the last year: articles of incorporation, charter, constitution and by-laws.
6. Accreditation Status  
If accredited, provide verification of the current status including the Kentucky site.  
If not accredited, indicate if, when, and from whom such accreditation will be sought.
7. Tuition for current enrollment period per credit hour, specifying semester hour, quarter hour, or other basis, and per full-time student.
8. A copy of the college's current catalog.
9. A copy of any articulation agreement the college has with a Kentucky licensed college or state-supported institution entered into or changed in the last year.
10. Copies of any print or online advertisement the institution intends to use indicating that the institution is licensed by the Kentucky Council on Postsecondary Education.

11. For an in-state college, a list of all licensed instructional sites away from the main campus including the name and title of the primary contact of the off-campus site, address, phone number, and program or programs by CIP code offered at the site, or course or courses if not offering an entire degree program at the site.

## **SECTION II: FINANCIAL INFORMATION**

1. A statement from the Kentucky Higher Education Assistance Authority related to programs administered by that agency and from the United States Department of Education related to programs administered by that department that the college is in good standing.
2. A letter prepared by an independent certified public accountant confirming that the college is in compliance with 13 KAR 1:020 Section 8(3).
3. Financial statement including assets and liabilities and the audit report of an independent certified public accountant.

## **SECTION III: PROGRAM INFORMATION**

1. Changes, if any, in program requirements for each program in the last year to include at least the following: admission requirements, courses required for the major, the number of credit hours required for the major, the total number of credit hours required for the degree.
2. Results of the most recent program evaluation.
3. Method(s) used to assess student achievement.
4. Results of the most recent assessment of student achievement.
5. A list of programs withdrawn in that last year in which there are no longer students enrolled including program title, degree level, CIP code, and address where the program is no longer being offered.

## **SECTION IV: FACULTY INFORMATION**

1. Vitae (Form E attached) or traditional CV format containing at least the info required on Form E.
2. Faculty spreadsheet [Course assignments] (Form F attached).

## **SECTION V: FACILITIES INFORMATION**

1. Verification of compliance with all applicable local, state or federal safety and fire codes.

## **SECTION VI: LIBRARY INFORMATION**

1. Complete Form H - Library Collection (attached)
2. Complete Form I - Library Budget (attached)
3. Lease, contract, or letter of agreement authorizing use of other library collection, if any.

Attachments: 4 (Forms E, F, H, I)

**FORM E**  
**FACULTY VITAE**

**NAME:**

\_\_\_\_\_

**Date appointed to Undergraduate Faculty:** \_\_\_\_\_ **Graduate Faculty:** \_\_\_\_\_ **Rank:** \_\_\_\_\_

**Current Teaching Assignment:** \_\_\_\_\_

**Academic Preparation (for each college or university attended provide the following information):**

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Location (City & State)** \_\_\_\_\_

**Degree:** \_\_\_\_\_ **Major** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**College Teaching Experience (for each institution for which you have taught, provide the following information):**

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

**Institution:** \_\_\_\_\_ **Academic Rank** \_\_\_\_\_ **Teaching Fields** \_\_\_\_\_ **Dates:** \_\_\_\_\_

Use additional pages to provide the information requested below.

**Other Employment Related to Your Teaching Field (Include dates, position titles, position descriptions)**

**Publications, presentations, etc.**



**FORM H**

**LIBRARY COLLECTION**

Please indicate for the most recent 5-year period, the inventory and annual growth of the library collection.

<b>LIBRARY COLLECTION</b>	<b>(20____) 1<sup>st</sup> year</b>	<b>(20____) 2<sup>nd</sup> year</b>	<b>(20____) 3<sup>rd</sup> year</b>	<b>(20____) 4<sup>th</sup> year</b>	<b>(20____) 5<sup>th</sup> year</b>
Number of volumes					
Number added during year					
<b>Annual Total</b>					
Number of reels of microfilm					
Number added during year					
<b>Annual Total</b>					
Number of slides					
Number added during year					
<b>Annual Total</b>					
Number of recordings					
Number added during year					
<b>Annual Total</b>					
Number of maps					
Number added during year					
<b>Annual Total</b>					
Number of periodicals					
Number added during year					
<b>Annual Total</b>					
Number of other nonperiodcial titles					
Number added during year					
<b>Annual Total</b>					

**FORM I**

**LIBRARY BUDGET**

Prepare a 5-year budget for library expenditures.

<b>LIBRARY BUDGET (5-YEAR)</b>	<b>(20____) 1<sup>st</sup> year</b>	<b>(20____) 2<sup>nd</sup> year</b>	<b>(20____) 3<sup>rd</sup> year</b>	<b>(20____) 4<sup>th</sup> year</b>	<b>(20____) 5<sup>th</sup> year</b>
Library staff salaries & wages (before deductions)					
New acquisitions					
Library Operations					
<b>TOTAL</b>					

# Commonwealth of Kentucky Council on Postsecondary Education

## KENTUCKY LICENSURE FEE SCHEDULE

Edition February 2021 [~~June 2013~~]

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In addition to any costs connected with a site visit per 13 KAR 1:020 or 13 KAR 1:050, colleges shall pay the following fees for licensure:

### **I. FOR COLLEGES NOT CURRENTLY LICENSED BY THE COUNCIL ON POSTSECONDARY EDUCATION:**

When a new college seeking licensure by the Council on Postsecondary Education submits an “Application for Licensure as an In-State, Non-Public Institution to Operate in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020” if an in-state college, or an “Application for Licensure as an Out-of-State Institution to Operate in the Commonwealth of Kentucky Pursuant to 13 KAR 1:020” if an out-of-state college, then the college shall pay at the time of submission of the application the following fees:

#### **New College Application Fee**

- New in-state college \$10,000.00 [~~\$1,000.00~~]
- New out-of-state college (each site licensed separately) \$15,000.00 [~~\$5,000.00~~]

#### **PLUS**

#### **Offering Fee**

#### **(per program, or per course if not offering entire program)**

- Course if not offering entire program \$200.00
- Certificate, Diploma, or Associate’s program \$200.00
- Bachelor’s program \$500.00
- Master’s or Specialist program \$1,500.00
- Doctoral program \$2,000.00

**II. FOR COLLEGES ALREADY LICENSED BY THE COUNCIL ON POSTSECONDARY EDUCATION:**

**Annual Fee for Maintenance of License or Renewal of License (annual)**

Beginning April 1, 2014, all licensed college shall pay this fee at the time of submission of an “Application for Annual Maintenance of License or for Renewal of License Pursuant to 13 KAR 1:020.”

An out-of-state college shall be charged this fee for each licensed instructional site in Kentucky, and enrollment shall be calculated per site, as each instructional site is licensed separately. Licensed online offerings for an out-of-state college shall be considered an online campus and an instructional site for purposes of this fee.

Enrollment shall be calculated using fall enrollment data from the prior academic year. For example, a fee due April 1, 2014 will be based upon enrollment data from the fall of 2012.

Where a newly licensed college is unable to submit actual fall enrollment data, the annual fee shall be calculated using the college’s projected enrollment per the initial license application. Thereafter, enrollment shall be calculated using fall enrollment data from the prior academic year.

~~[If an out-of-state college has more than one licensed instructional site, then the year of licensure of the first site where that site continues to be licensed shall be used for calculating the number of years of licensure for all the sites for purposes of the annual fee.]~~

- For a college with a license from CPE for five (5) years or more, the fee shall be:

<u>Enrollment</u>	<u>April 1, 2022</u>	<u>April 1, 2023</u>	<u>April 1, 2024+</u>
<u>1,000 or less</u>	<u>\$750.00</u>	<u>\$875.00</u>	<u>\$1,000.00</u>
<u>1,001-2,000</u>	<u>\$1,500.00</u>	<u>\$1,750.00</u>	<u>\$2,000.00</u>
<u>2,001-3,000</u>	<u>\$3,000.00</u>	<u>\$3,500.00</u>	<u>\$4,000.00</u>
<u>3,001-4,000</u>	<u>\$4,500.00</u>	<u>\$5,250.00</u>	<u>\$6,000.00</u>
<u>4,001-5,000</u>	<u>\$6,000.00</u>	<u>\$7,000.00</u>	<u>\$8,000.00</u>
<u>5,001-6,000</u>	<u>\$7,500.00</u>	<u>\$8,750.00</u>	<u>\$10,000.00</u>
<u>6,001-7,000</u>	<u>\$9,000.00</u>	<u>\$10,500.00</u>	<u>\$12,000.00</u>
<u>7,001-8,000</u>	<u>\$10,500.00</u>	<u>\$12,250.00</u>	<u>\$14,000.00</u>
<u>8,001-9,000</u>	<u>\$12,000.00</u>	<u>\$14,000.00</u>	<u>\$16,000.00</u>
<u>9,001-10,000</u>	<u>\$13,500.00</u>	<u>\$15,750.00</u>	<u>\$18,000.00</u>
<u>10,001 or more</u>	<u>\$15,000.00</u>	<u>\$17,500.00</u>	<u>\$20,000.00</u>

[Enrollment

1,000 or less	\$ 500.00
1,001-2,000	\$1,000.00
2,001-3,000	\$ 2,000.00
3,001-4,000	\$ 3,000.00
4,001-5,000	\$ 4,000.00
5,001-6,000	\$ 5,000.00
6,001-7,000	\$ 6,000.00
7,001-8,000	\$ 7,000.00
8,001-9,000	\$ 8,000.00
9,001-10,000	\$ 9,000.00
10,001 and above	\$10,000.00]

- For a college that has had a license from CPE for less than five (5) years, the fee shall be:

<u>Enrollment</u>	<u>April 1, 2022</u>	<u>April 1, 2023</u>	<u>April 1, 2024+</u>
<u>100 or less</u>	<u>\$1,500.00</u>	<u>\$1,750.00</u>	<u>\$2,000.00</u>
<u>101-500</u>	<u>\$3,000.00</u>	<u>\$3,500.00</u>	<u>\$4,000.00</u>
<u>501-1,000</u>	<u>\$4,500.00</u>	<u>\$5,250.00</u>	<u>\$6,000.00</u>
<u>1,001-2,000</u>	<u>\$6,750.00</u>	<u>\$7,875.00</u>	<u>\$9,000.00</u>
<u>2,001-3,000</u>	<u>\$9,000.00</u>	<u>\$10,500.00</u>	<u>\$12,000.00</u>
<u>3,001-4,000</u>	<u>\$12,000.00</u>	<u>\$14,000.00</u>	<u>\$16,000.00</u>
<u>4,001-5,000</u>	<u>\$15,000.00</u>	<u>\$17,500.00</u>	<u>\$20,000.00</u>
<u>5,001 or more</u>	<u>\$18,000.00</u>	<u>\$21,000.00</u>	<u>\$24,000.00</u>

[Enrollment

100 or less	\$1,000.00
101-500	\$2,000.00
501-1,000	\$3,000.00
1,001-2,000	\$4,500.00
2,001-3,000	\$6,000.00
3,001-4,000	\$8,000.00
4,001-5,000	\$10,000.00
5,001 and above	\$12,000.00]

Note that in each fee schedule the April 1, 2024 fee will become the standard annual fee in subsequent years.

### **III. LATE FEES**

A college submitting an application more than five (5) working days after the due date shall be assessed a late fee of 10% of the required fee for each five (5) working days the application is past due.

If a college submits an application by the due date but the application is incomplete, then CPE will notify the college and establish a specific date by which the college shall submit the remainder of the application. If the remainder of the application is not submitted by the established date, then CPE may assess a late fee of 10% of the required fee.

The president may waive or reduce a late fee in the case of mitigating circumstances as determined by the president.

### **IV. ALL FEES SHALL BE:**

- Due at the time of application
- Paid before any review of the college's application will begin
- Nonrefundable
- In the form of a check or money order
- Made payable to the "Kentucky Council on Postsecondary Education"
- [~~Applied to the cost of administering KRS 164.945 to 164.947, KRS 164.922, KRS 164.785, 13 KAR 1:020, and 13 KAR 1:050~~]

CPE reserves the right to amend 13 KAR 1:020 in accordance with KRS Chapter 13A to adjust fees based on the consumer prices index or other appropriate indicator.

1 COUNCIL ON POSTSECONDARY EDUCATION

2 (Amendment)

3 13 KAR 4:010. State Authorization Reciprocity Agreement.

4 RELATES TO: KRS 164.020(23), 164.945, 164.946, 164.947, 164.992, 165A.320-  
5 165A.450

6 STATUTORY AUTHORITY: KRS 164.540(3)(c)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.540(3) authorizes the  
8 Council on Postsecondary Education to promulgate an administrative regulation to enter  
9 into the State Authorization Reciprocity Agreement, which establishes uniform national  
10 standards for interstate offerings of postsecondary distance education and authorizes  
11 postsecondary educational institutions meeting those standards located in member states  
12 or territories to provide distance education to residents of other member states. KRS  
13 164.540(3) also authorizes the council to serve as the lead or portal agency on behalf of  
14 the Commonwealth's public and private postsecondary institutions seeking to offer dis-  
15 tance education in member states. This administrative regulation establishes the mecha-  
16 nism by which Kentucky institutions may join the State Authorization Reciprocity Agree-  
17 ment and sets forth the process by which non-resident students can file complaints against  
18 Kentucky member institutions.

19 Section 1. Definitions. (1) "Commission" means the Kentucky Commission on Pro-  
20 prietary Education.

21 (2) "Council" means the Kentucky Council on Postsecondary Education.

1 (3) "Degree" means an award conferred at the associate level or higher by an insti-  
2 tution as official recognition for the successful completion of a program of studies.

3 (4) "Institution" means a Kentucky degree-granting postsecondary entity.

4 (5) "NC-SARA" means the National Council for State Authorization Reciprocity  
5 Agreements.

6 (6) "President" means the President of the Kentucky Council on Postsecondary Ed-  
7 ucation.

8 (7) "State Authorization Reciprocity Agreement," or "SARA," means the agreement  
9 among member states, districts, and U.S. territories that establishes comparable national  
10 standards for interstate offering of degrees through distance education and authorizes in-  
11 stitutions meeting those standards located in member states or territories to provide dis-  
12 tance education to residents of other member states.

13 Section 2. Initial Application Procedures. (1) In order to participate in SARA, an in-  
14 stitution shall submit the following items to the president for review and action:

15 (a) The current NC-SARA Application and Approval Form for Institutional Participa-  
16 tion in SARA, in electronic format; and

17 (b) The fees due to the Council, in accordance with Section 6 of this administrative  
18 regulation.

19 (2) The application referenced in subsection (1)(a) of this section may be found  
20 online at [www.nc-sara.org](http://www.nc-sara.org).

21 Section 3. Renewal Application Procedures. (1) In order to continue participating in  
22 SARA, an institution shall submit the following items to the president for review and action  
23 at least sixty (60) days before the anniversary date of the institution's initial approval:

1 (a) The current NC-SARA Application for Institutional Renewal to Participate in  
2 SARA, in electronic format; and

3 (b) The fees due to the council, in accordance with Section 6 of this administrative  
4 regulation.

5 (2) The application referenced in subsection (1)(a) of this section may be found  
6 online at [www.nc-sara.org](http://www.nc-sara.org).

7 Section 4. Standards for Approval. In order to participate in SARA, an institution  
8 shall comply with the following: (1) Maintain authorization to operate in Kentucky through  
9 one (1) of the following:

10 (a) Creation by Kentucky Revised Statutes;

11 (b) Licensure by the council; or

12 (c) Licensure by the commission; and

13 (2) Meet the current minimum requirements to participate in SARA.

14 Section 5. Consumer Complaints. (1) After first exhausting the institution's internal  
15 procedure for complaint resolution, a non-resident student may file a complaint against the  
16 institution for failure to comply with any SARA standard within two (2) years of the incident  
17 about which the complaint is made.

18 (2) In order to be considered, a complaint shall be submitted by the student in writ-  
19 ing and include the following information:

20 (a) Name, address, email address, and phone number of student;

21 (b) Name of institution;

22 (c) Location of institution;

23 (d) Dates of attendance;

1 (e) An explanation of the steps taken to exhaust the institution's grievance process;

2 (f) A full description of the issue and any relevant documentation supporting the  
3 complaint; and

4 (g) The desired resolution of the complaint.

5 (3) Complaints regarding student grades or student conduct violations shall not be  
6 considered.

7 (4) The president shall forward the complaint by email to the institution and require  
8 a written response no later than thirty (30) days from the date of transmittal.

9 (5) After review of information and materials provided by the student and the institu-  
10 tion, the president may request additional information from either party.

11 (6) After review of all relevant information and materials, the president shall facilitate  
12 a resolution of the complaint. The relief provided the student, if any, shall be commensu-  
13 rate with the circumstances.

14 (7) Resolution of a complaint by the president shall be final, except in instances  
15 where the subject matter of the complaint may violate any other applicable laws.

16 (8) The president shall provide to the executive director of the commission, for ref-  
17 erence purposes, a copy of:

18 (a) Any complaint initiated against an institution licensed by the commission;

19 (b) The resolution; and

20 (c) Any related materials.

21 Section 6. Fees. The council shall charge an initial and annual renewal fee to insti-  
22 tutions based on all enrolled full-time equivalent students, which shall be due at time of  
23 application. Applications shall not be reviewed without receipt of fee payment. Failure to

1 pay a fee on or before the date of application shall be sufficient grounds for denial of an  
2 application. Fees shall be in addition to any fees charged by NC-SARA and shall be in ac-  
3 cordance with the following schedule:

4 (1) Under 2,500 full-time equivalent students – \$4,500 [~~\$3,000~~];

5 (2) 2,500 full-time equivalent students – 9,999 – \$7,500 [~~\$5,000~~]; or

6 (3) 10,000 or more full-time equivalent students – \$10,500 [~~\$7,000~~].

7 Section 7. Appeals. (1) An institution denied approval for an initial or renewal appli-  
8 cation may request an appeal of that decision in accordance with the terms of this subsec-  
9 tion.

10 (a) The institution shall notify the president of the intent to appeal the decision with-  
11 in seven (7) days of the receipt of the notice of denial.

12 (b) The president shall request that the Office of Administrative Hearings appoint a  
13 hearing officer who shall conduct an administrative hearing consistent with the provisions  
14 of KRS 13B.005- 13B.170.

15 (c) The appeal shall be presented in writing no later than thirty (30) days following  
16 the receipt of notification of intent to appeal.

17 (d) The appeals officer shall review findings of fact, consider testimony, draw con-  
18 clusions, and formulate a recommendation consistent with the facts and this administrative  
19 regulation.

20 (e) Upon completion, the report of the appeals officer shall be forwarded to the insti-  
21 tution and to the president.

22 (f) Within thirty (30) working days of receiving the report of the appeals officer, the  
23 president shall either uphold the decision or approve the application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ben Brandstetter, Chair  
Council on Postsecondary Education

APPROVED AS TO FORM:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Travis Powell, Vice President and  
General Counsel  
Council on Postsecondary Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on April 22, 2021 at 10:00 a.m. EST at the Council on Postsecondary Education, 100 Airport Road, Second Floor, Frankfort, Kentucky, 40601 in Conference Room A. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays 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 shall be accepted until April 30, 2021.

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:**

Sarah Levy  
Executive Director of Postsecondary Licensing  
Council on Postsecondary Education  
100 Airport Road  
2<sup>nd</sup> Floor  
Frankfort, Kentucky 40601  
Phone: 502.892-3034  
Email: sarah.levy@ky.gov

REGULATORY IMPACT ANALYSIS  
AND TIERING STATEMENT

Administrative Regulation 13 KAR 4:010. *State Authorization Reciprocity Agreement*

Contact person: Sarah Levy  
Executive Director of Postsecondary Licensing  
Council on Postsecondary Education  
100 Airport Road, 2<sup>nd</sup> Floor  
Frankfort, KY 40601  
502.892.3034  
sarah.levy@ky.gov

- (1) Provide a brief summary of:
  - (a) What this administrative regulation does: This administrative regulation establishes the procedures for participation by Kentucky postsecondary institutions in the State Authorization Reciprocity Agreement (SARA), which establishes uniform national standards for interstate offerings of postsecondary distance education and authorizes postsecondary educational institutions meeting those standards located in member states or territories to provide distance education to residents of other member states.
  - (b) The necessity of this administrative regulation: KRS 164.540(3) provides the Council with the authority to enter into SARA on behalf of the Commonwealth and promulgate regulations to establish procedures for Kentucky postsecondary institutions to participate.
  - (c) How this administrative regulation conforms to the content of the authorizing statutes: The administrative regulation sets out the procedures for Kentucky postsecondary institutions to participate in SARA as required by KRS 164.540(3)(c).
  - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The procedures set forth in this regulation are in conformance with SARA requirements which must be met in order for Kentucky to be a member as authorized by KRS 164.540(3).
- (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: This amendment increase fees for SARA participation by half the current rate for each tier.
  - (b) The necessity of the amendment to this administrative regulation: The capacity required to keep pace with institutional approvals and the constant modification of the participation requirements by NC-SARA has increased since the state's initial participation in 2016. In addition, KERS contribution rates have increased since that time, requiring additional annual receipts to cover a large portion of related staff expenses.
  - (c) How the amendment conforms to the content of the authorizing statutes: The authorizing statutes give the Council the authority to adopt provisions via regulation to meet the SARA participation requirements.
  - (d) How the amendment will assist in the effective administration of the statutes: This amendment will allow the Council to better cover its expenses to effectively administered Kentucky's participation in SARA.
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All public and private colleges and universities offering Associate's degrees or higher. Currently there are 45 Kentucky institutions approved for SARA participation.
- (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, including:
- (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Each regulated entity must pay the increased fee in order to continue participation in SARA.
  - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The additional cost is outlined in the changes to the fees. There will be no other additional costs and compliance will otherwise remain the same.
  - (c) As a result of compliance, what benefits will accrue to the entities identified in

question (3): Institutions will be able to continue participation in SARA.

- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
- (a) Initially: The amendment will not result in any additional cost of implementation initially.
  - (b) On a continuing basis: The amendment will not result in any additional cost of implementation on a continual basis.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: SARA fees and General Fund appropriations.
- (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. The amendment is an increase in fees that will assist in providing more non-General Fund financial support for administering the program as it currently exists.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: Yes. This regulation assesses fees.
- (9) TIERING: Is tiering applied? Yes, tiering is applied based on the number of full time students served by the institution.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

### *Administrative Regulation 13 KAR 4:010. State Authorization Reciprocity Agreement*

Contact person: Sarah Levy  
Executive Director of Postsecondary Licensing  
Council on Postsecondary Education  
100 Airport Road, 2<sup>nd</sup> Floor  
Frankfort, KY 40601  
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1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Council is responsible for implementation, and this regulation applies to Kentucky public institutions and private colleges and universities that seek to become members of SARA.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 164.540(3)(c).

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? If the proposed amendment is adopted, revenue from SARA fees will be approximately \$261,000 annually.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? See 3(a).

(c) How much will it cost to administer this program for the first year? Approximately \$376,000 budgeted for 3 FTE staff dedicated to licensure and state authorization for postsecondary education functions. This amount does not include the cost of oversight and leadership at the vice presidential and presidential levels, data and IT

administration and development costs, and traditional agency administrative costs (procurement, HR, etc.).

(d) How much will it cost to administer this program for subsequent years? Same as 3.(c).

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: N/A

**TITLE:** Election of CPE Chair and Vice Chair for 2021

**RECOMMENDATION:** The Committee Chair will present the Nominating Committee's slate of officers for consideration by the Council.

**PRESENTER:** Kristi Nelson, CPE's Nominating Committee Chair

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### **SUPPORTING INFORMATION**

The Nominating Committee met on December 7 and 16, 2020 to discuss and recommend members to serve as chair and vice chair of the CPE for a one year term, per the bylaws.

The chair shall serve as the convener of all Council meetings and as the central voice of the Council. In the absence of the chair, or in the event the chair is unable to perform, the vice chair shall perform the duties of the chair. In the event the chair resigns and the vice chair assumes the duties of the chair, the council may select a vice chair to complete the unexpired term of the vice chair. The chair and vice chair are limited to three consecutive one-year terms.

After the election of the chair and vice chair for 2021, the new officers will begin their duties immediately.



# CPE REPORT

Eastern Kentucky University News for the Council on Postsecondary Education

## UNDERGRADUATE STUDENTS TO GET FREE TEXTBOOKS WITH EKU BOOKSMART

For academic year 2021-2022, every Eastern Kentucky University undergraduate student will receive their required textbooks for free. The initiative, called EKU BookSmart, is a new and innovative program developed by EKU and powered by the long-standing partnership between the University and Barnes & Noble College. BookSmart will provide all required textbooks and course materials for students on all EKU campuses, as well as eCampus students.

“EKU BookSmart was developed by our EKU team as the first program of its kind in partnership with Barnes & Noble College in Kentucky,” said EKU President Dr. David McFaddin. “Over the last year, we have been focused on adding affordability and accessibility elements to a program we call the EKU Advantage. With the addition of free textbooks to the EKU Advantage, a college degree from EKU is now more accessible and affordable than it has been in many years. We are investing in our students so they will be prepared to succeed when their classes begin.”

The EKU Advantage, now with the added power of the BookSmart Program, ensures EKU students of a scholarship model that rewards high achievers, helps low-income students and keeps a keen focus on the service region.

The EKU BookSmart program will reduce financial barriers and lead to greater student success. For more information about EKU BookSmart, go to: [go.eku.edu/books](http://go.eku.edu/books).



## SENIOR MAKES HISTORIC EKU ACHIEVEMENTS

EKU Honors Program student and senior Biology major Nicholas Koenig has been named 2020-2021 National Student of the Year (Four-Year Institution) by the National Collegiate Honors Council (NCHC). Founded in 1966, the NCHC is the principal national association of honors colleges and honors programs throughout the United States. Koenig is only the second EKU student ever to win this award.

Koenig also recently competed as a finalist for the Rhodes Scholarship, the oldest and most celebrated award for postgraduate international study. Only 32 American students were chosen as winners, and while not ultimately selected as a 2021 Rhodes Scholar, Koenig's participation in the final stages of the competition in November is still an historic achievement. He is EKU's first student to reach the interview stage of the competition.

These achievements are the latest in a long list of nationally competitive awards for the Louisville native, including a 2019 Barry Goldwater Scholarship, a 2020 DAAD internship for research in Germany, and a 2020 recipient of “honorable mention” distinction for the nationally competitive Udall Scholarship. Koenig currently serves as the EKU student body vice president, has received national recognition and grants for research work alongside EKU faculty, presented at over 25 conferences, and published 12 popular articles in newspapers and newsletter

## DR. JERRY POGATSHNIK ANNOUNCES RETIREMENT, DR. SARA ZEIGLER TAPPED FOR PROVOST

Eastern Kentucky University announced at its regular December board of regents meeting that its provost, longtime EKU leader Dr. Jerry Pogatshnik, has announced his intention to retire on June 30, 2021. President Dr. David McFaddin said Pogatshnik will be succeeded by the current dean of the College of Letters, Arts, and Social Sciences, Dr. Sara Zeigler.



“After serving nearly 33 years in higher education in various capacities, I’ve come to the point that I want to spend more time on family and other things,” Pogatshnik said. “I am so incredibly grateful to the many exceptional faculty and staff that I have had the privilege to work with during my time at EKU.”

“I’m honored by your confidence in me and your willingness to entrust academic affairs and the welfare of our faculty, our programs and our students to me,” Zeigler said.

“Working with our faculty and staff to weather the pandemic has been hard work, but I consider it a privilege. They have demonstrated resilience, determination and dedication. We have a strong community with a deep commitment to our mission and our students.”

Both Zeigler and Pogatshnik said they were eager to work together in the coming months to ensure a smooth transition.



## PRESSLEY MEMORIAL SCHOLARSHIP TO BRING OPPORTUNITIES FOR COLLEGE OF HEALTH SCIENCE STUDENTS

Eastern Kentucky University’s Dr. Sheila Pressley advocated for and promoted opportunity for students. It’s only fitting that a scholarship bearing her name will provide opportunities to students who want to better themselves through education at EKU. In partnership with the Ohio Capital Corporation for Housing and Kentucky River Foothills Development Council, EKU announced the Dr. Sheila Pressley Opportunity Endowed Scholarship. The scholarship will benefit residents of the Eastern Scholar House who are pursuing a degree in the College of Health Sciences.

“Dr. Pressley was the embodiment of the word opportunity. EKU is the School of Opportunity, and Sheila lived it every day, not just with words, but with her commitment to our institution, our students, our student athletes and their success,” said EKU President Dr. David McFaddin. “I can think of no better way to honor her legacy here than to have a scholarship that helps those that need it most named in her honor.”

The announcement coincided with the inaugural Opportunity Bowl football game, played at EKU in November in memory of Dr. Pressley’s life and accomplishments, her passion for education and students, and love of EKU Athletics.

Dr. Pressley served as dean of the College of Health Sciences for nearly three years and worked at the University for nearly 16 years overall.



# KCTCS GOOD NEWS REPORT

JANUARY 2021

## KCTCS MAKES INFORMATION FOR VETERANS MORE ACCESSIBLE



Veterans and active military personnel now can easily find information about taking classes or obtaining support services at any of the 16 colleges of the Kentucky Community and Technical College System (KCTCS). A new section of the KCTCS website provides information about admissions, VA benefits, credit for military training and resources for prospective student veterans. The new section also directs individuals to qualified veterans' services staff at their local colleges for one-on-one assistance.

An admissions checklist also is included in the section. This process clearly identifies the steps prospective students should take to get enrolled. Additionally, KCTCS is the state's largest provider of online classes so active military personnel can take classes from anywhere in the world.

For more information on what KCTCS offers veterans and active-duty service members, visit the website or contact the closest KCTCS college.



**KENTUCKY**  
COMMUNITY & TECHNICAL  
**COLLEGE SYSTEM**



## KCTCS FACULTY AND STAFF RECEIVE NATIONAL RECOGNITION

Eleven faculty members and instructional design staff from the Kentucky Community and Technical College System have been recognized by their peers from all over the world with the Blackboard Exemplary Course Program (ECP) Award. The ECP Award recognizes faculty and course designers from schools, colleges and universities around the world who develop engaging and innovative courses that represent the best in technology and learning.

The award is given to courses that meet the established standards for exceptional online courses. Each course has been reviewed by three people from schools from around the globe, using the ECP rubric.

“This is quite an honor for our faculty, staff and colleges,” KCTCS Chancellor Kris Williams said. “Thirty-one percent of the winners this year came from KCTCS colleges. This is exceptional considering all of our courses were moved to remote status in March and many had never been taught online before.”





# GOOD NEWS

JANUARY 2021

## KENTUCKY STATE UNIVERSITY

MOURNS THE LOSS OF ITS  
FIRST FEMALE PRESIDENT

*Dr. Mary Levi Smith*

Kentucky State University's 14th and first female president, Dr. Mary L. Smith, 84, departed this life Saturday evening, November 28, surrounded by her loved ones at home. Kentucky State University President Dr. M. Christopher Brown II said losing Dr. Smith will profoundly impact the Thorobred family.

"There are no words to express the enormity of losing a chain breaker, like President Smith," Brown said. "Mary was more than just a pioneer – she was an incredible person. She was admired and known to many as a thoughtful, thorough and well-organized administrator and educator. Mary devoted her life to the pursuit of knowledge and public service." The Mary L. Smith Clock Tower was recently constructed in her honor on the campus of Kentucky State University last spring. The clock tower is a beacon to students on campus, sitting outside the Paul G. Blazer Library. A trailblazer and a longtime advocate for access to education, Dr. Smith was not only Kentucky State's first female president but also the first African-American female president in Kentucky. Dr. Smith served as president from 1991 to 1998. Before becoming president, she was special assistant to the president and professor of education at Kentucky State.

Smith also previously served as interim president and vice president for academic affairs. Dr. Smith became an assistant professor of education at Kentucky State University in 1974, then associate professor of education and acting chairperson of the Division of Education, Human Resources and Technology in 1981. In 1983, Dr. Smith became dean of the College of Applied Sciences and professor of education. While at Kentucky State, two accredited master's programs were added: public administration and aquaculture. Dr. Smith oversaw the establishment of the Center for Diversity and the Center of Excellence for the Study of Kentucky African Americans (CESKAA). Dr. Smith also oversaw the building of the William Exum Athletic Center, the Cooperative Extension Building and renovations to Hume Hall.

Dr. Smith graduated from Jackson State University in 1957 and earned her master's and doctorate degrees from the University of Kentucky. Arrangements are pending, as Dr. Smith's family is requesting time to plan appropriately due to the global pandemic. Kentucky State will update the University community, alumni and friends on upcoming tributes to honor Smith's life and impact.



## KENTUCKY STATE UNIVERSITY PRESIDENT IDENTIFIED AS A TOP-10 HBCU LEADER BY HBCU CAMPAIGN FUND

Kentucky State University President M. Christopher Brown II was recently named one of the 10 most dominant HBCU leaders of 2021 by HBCU Campaign Fund (HCF). According to a release from HCF, the recognition of President Brown is "a national recognition ranking that was started by the HBCU Campaign Fund, a non-profit that advocates for historically black colleges and universities (HBCUs) and Minority-Serving Institutions (MSIs)."

According to HCF's president, CEO and founder Demetrius Johnson Jr., the fourth selected group of leaders have "proven their responsibilities for shaping policies, changing perspectives, and making decisions that affect millions of individuals in the higher education space, and the daily needs of what an HBCU or Minority-Serving Institutions contributes."

The HBCU Campaign Fund (HCF) was founded in 2012 and is a non-profit educational organization that remains a strong advocate for students and higher education.

## KENTUCKY STATE UNIVERSITY RELEASES 2017-2020 QUADRENNIAL PRESIDENT'S REPORT

As 2020 draws to a close, Kentucky State University recently released the 2017-2020 Quadrennial President's Report, which highlights the growth and achievements of the University since President M. Christopher Brown II began his tenure in May 2017.

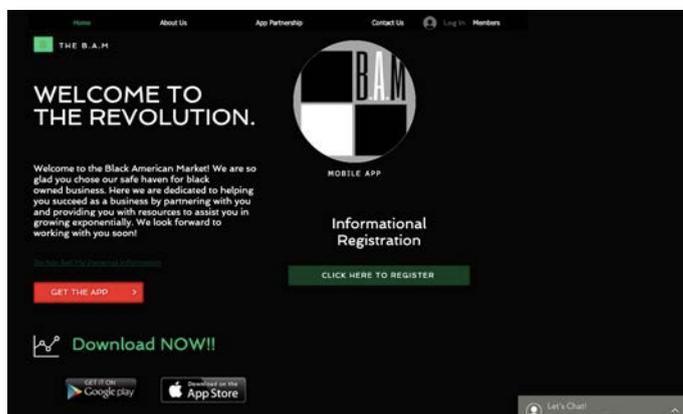
"The blueprint for advancing Kentucky State forward is held up by four pillars of success – access, academics, agriculture and athletics. This Quadrennial Report highlights the contributions, several of the activities and events of how we are setting higher expectations each year," President Brown said in the report.

The report charts Kentucky State's enrollment, retention and financial growth since President Brown's arrival. Initiatives such as reduced tuition, free laptops for incoming freshmen and the establishment of University College and Pre-College Academy illustrate Kentucky State's continuous work to advance the Commonwealth of Kentucky and enhance society.



## KENTUCKY STATE UNIVERSITY ALUMNA LAUNCHED APP TO HIGHLIGHT BLACK BUSINESSES

A Kentucky State University alumna recently launched an app designed to highlight Black businesses across the country. Mariah Bailey created Black American Market (B.A.M.) and said it is available on all platforms. "I created an app designed to host Black businesses as a consumer convenient resource," Bailey said in an email, "but we are a company geared toward mainstreaming Black businesses." Bailey said she is receiving requests from app users for more businesses. "If you have a Black-owned business or service, want to support Black-owned businesses and services, and/or know of other businesses and services that may benefit from partnering with us, please share this information," Bailey said. Bailey said potential app users could find more information about the app at <https://www.blackamericanmarket.net> or follow the app on Instagram at @blackamericanmarket.





## Morehead State University soaring to new heights

While 2020 presented unprecedented challenges, Morehead State University soared to new heights by almost every measure in spite of those circumstances. MSU continued to rise in national rankings, made significant improvements in student retention, and increased alumni giving and support to the University.

MSU was named one of the top public regional universities in the South by U.S. News & World Report for the 17th consecutive year and moved up to 17th in the rankings. This is MSU's highest ranking.

MSU's programs in nursing, adult and higher education, graphic design/art, wellness promotion, sociology, accounting, space systems engineering/astrophysics, and Doctorate in Education all received state and/or national recognition for quality and affordability.

MSU raised first to second-year retention rates to nearly 76%.

Alumni and friends gave to MSU at an all-time high percentage and helped fund student support and scholarships during the pandemic.

MSU aspires to be the best public university in the South. With these accomplishments and many more, it will continue to soar toward that goal in the year ahead.

For more information about MSU's strategic plan, visit [www.moreheadstate.edu/strategicplan](http://www.moreheadstate.edu/strategicplan). If you would like information about MSU's position in other national rankings, visit [www.moreheadstate.edu/rankings](http://www.moreheadstate.edu/rankings).



### Office of the President

202 Howell-McDowell Admin. Bldg. | Morehead, KY 40351  
Phone: 606-783-2022 | [president@moreheadstate.edu](mailto:president@moreheadstate.edu)  
[www.moreheadstate.edu/president](http://www.moreheadstate.edu/president)

## **Morehead State University to freeze residential housing rates for next school year**

As part of Morehead State University's continued Commitment to the Commonwealth, officials at MSU have announced plans to freeze campus residential housing rates for next school year.

"Part of Morehead State's dedication to student success is not just an experience that combines personalized attention and high-quality academic programs, but also making that experience affordable to students and their families," said Dr. Jay Morgan, MSU president. "MSU remains committed to retaining its long-held status as one of the most affordable universities in Kentucky. We will continue to evaluate strategies and to look for ways to make higher education as affordable as possible to as many students as possible at our University."

## **Craft Academy graduate accepts NASA internship**

**Catherine Embury (19)**, a graduate of the Craft Academy for Excellence in Science and Mathematics at Morehead State, has accepted a prestigious internship with NASA.

Embury, a Lexington native, is currently a mathematics major at Wright State University. During her NASA internship, Embury will be researching efficient and cost-effective ways to communicate with and track small satellites.

## **MSU sport management program ranked in top 25 nationally**

For the second consecutive year, Morehead State University's Master of Arts in Sport Management program has garnered a national ranking.

The online program was named one of the 25 Best Online Master's in Sports Management programs for 2021 by Best Masters Programs (BestMastersPrograms.org). This ranking follows a Best Master's in Sports Management Programs for 2020 recognition from Intelligent.com.

## **Malphrus inducted into KY Aviation Hall of Fame**

Dr. Benjamin K. Malphrus, executive director of the Space Science Center and professor of space science at Morehead State University, will be inducted into the Kentucky Aviation Hall of Fame.

Malphrus was instrumental in developing the space systems engineering and astrophysics programs at Morehead State and the construction of MSU's Space Science Center. Malphrus has served on the National Radio Astronomy Observatory scientific staff, as a visiting scientist at NASA's Wallops Flight Facility and on the faculty of universities including the University of South Carolina and West Virginia University. In the late 1990s, Malphrus developed a theory of galaxy formation that has gained wide acceptance among the astronomical community and led to the discovery of a previously unknown galaxy, identified as NGC 5291-B, the first known galaxy proved to result from galaxy-galaxy interactions. He contributes to the body of research in interacting galaxies, radio astronomy instrumentation, and space systems design and operation.

Malphrus is part of the 25th Enshrinement class into the Kentucky Aviation Hall of Fame. Also inducted into the Aviation Hall of Fame is MSU alumna Dr. Wilma "Willi" Walker.



### University unveils two campus statues thanks to generous support of alumni and friends

Murray State formally unveiled a pair of statues in October to recognize an instrumental figure in the institution's history as well as a beloved campus tradition, thanks to the generous support of alumni and friends.

Murray State's favorite thoroughbred, Racer One, is now permanently displayed on campus. The sculpture, which is 150% larger than life size, displays Racer One and jockey, and is located in front of the Curris Center. The monument honors Racers of the past, present and future, and its location is where hundreds of students arrive each year for campus tours as a first step in becoming Racers.

Situated in front of John W. Carr Hall, the likeness of the building's namesake is featured in a prominent location and has great visibility from the pedestrian mall area of campus. A life-sized Carr, seated on a bench, is part of a larger re-designed plaza area which includes seating for individuals around the statue area.



### Center for Economic and Entrepreneurial Development celebrates operations

Murray State celebrated 39 years of providing entrepreneurial support to the region in 2020. Since 1981, the Murray State University Arthur J. Bauernfeind College of Business has been providing consulting and training outreach services to pre-venture and existing businesses in the region.

What began as a partnership with the Small Business Administration SBDC program has grown into The Center for Economic and Entrepreneurial Development (CEED), housed on the campus of Murray State University. The CEED has office locations at the regional

campuses of Paducah, Hopkinsville and Madisonville and with partner organizations in Henderson and Owensboro.

Covering 24 counties of west Kentucky, the CEED provides confidential, in-person consulting and services such as business plan preparation, financial statement analysis and management assistance. The CEED also seeks to engage student experiential learning through internships and employment opportunities with regional business and industry, along with training, seminars and educational services.

### School of Nursing and Health Professions developing new simulation center

Murray State's School of Nursing and Health Professions recently formed a consortium with Murray-Calloway County Hospital (MCCH) and the Purchase Area Health Education Center (Purchase AHEC) to develop a simulation center and recruitment program to meet an identified, demonstrable need for more qualified registered nurses and other healthcare providers in Murray State's eighteen-county service region.

Dr. Dina Byers, dean of the School of Nursing and Health Professions, along with Dr. Dana Todd and Dr. Tonia Mailow,

secured funding for the simulation center through a grant provided by USDA Delta Health Services.

Initially, the project will not only help to increase enrollment in Murray State's Bachelor of Science in Nursing program but also allow collaboration between the Nursing faculty and the Purchase AHEC staff to provide school-age children with additional information about careers and educational pathways in healthcare. The nursing staff at MCCH will also use the simulation center for continuing education and annual competency verification.

## University ranked 14th by U.S. News & World Report among the best colleges for veterans



Along with several other recent rankings that Murray State has received, U.S. News & World Report has ranked the University 14th regionally in its “Best Colleges for Veterans” category. Murray State offers resources for veterans such as personalized advising, career planning and placement, flexible online and weekend schedules for those who serve in active duty, disability services, free counseling services, free limited student health services and a psychological center.

The University also offers military tuition discounts for service members using Federal Tuition Assistance. These benefits can include in-state tuition rates, waived fees for courses, online classes and graduation, free textbooks and admission applications as well as waived tuition costs not covered by the Department of Defense Tuition Assistance program.

“Murray State is very family-oriented, which is reflective of small unit leadership in the military. The staff and faculty

treat veteran students as a member of a small but elite team, addressing their needs as an individual building a connection with our veterans. At Murray State, the little things matter because they matter to the student. It is this distinction that Murray State has earned its ranking and the trust of veterans,” said Allan Patterson, director for veteran and military success.

In addition to being recognized as a top school for veterans, Murray State was also named a top-tier university for the 30th straight year by U.S. News & World Report, ranking 26th in the “Best Regional Universities in the South” category and is the highest-ranked regional public university in Kentucky. Murray State also ranked 11th among peer institutions in the “Top Public Regional Universities in the South” category while increasing its ranking from last year in the “Best Value School” category.

## Department of Music students receive numerous recognitions

Students from Murray State’s Department of Music have received a number of recent recognitions for their talents.

Several students took part in the annual auditions for the Kentucky chapter of the National Association of Teachers of Singing. The event was held virtually this past fall.

Murray State music major Alex Thome received first place in the Kentucky

Music Teachers Association competition in the Young Artist Performance – Piano Category. Thome represented the Commonwealth of Kentucky at the Division Competition in December.

Murray State’s Clarinet Choir has been invited to the 2021 Clarinet Festival to be held in Dallas, Texas, in June 2021.

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## Doctorate of Arts alumna wins national award for article



Murray State alumna Dr. Kristie Hofelich Ennis was awarded the 2020 English Leadership Quarterly Best Article Award from the Conference on English Leadership (CEL), a membership group of the National Council of Teachers of English. The award is one of CEL’s highest honors for scholarly contributions to the profession.

Ennis earned the Doctorate of Arts in English Pedagogy from Murray State in May 2019. In addition to teaching English Composition at the University of Louisville and

Jefferson Community and Technical College, Ennis also teaches graduate education courses at Murray State. She is the Conference Chair of the Kentucky Council of Teachers of English and owns an educational consulting company called SparkEd.

Ennis’s winning article details a collaborative approach to teaching English, one which focuses on increasing student agency through competency-based learning and intentional use of education technology. Ennis says she developed the approach during a “transformational co-teaching experience that has not only made effective use of tech tools and redefined the ‘school’ experience, but also increased student ownership of learning in new ways and decreased teacher workload.”



# GOLD RUSH

JAN. 2021

NORTHERN KENTUCKY UNIVERSITY

## FUEL NKU FOOD PANTRY FALL DONATIONS

23,484

pounds of food

2,545

visits to the pantry

400+

students served



## ENTREPRENEURS KEEP MOVING FORWARD, NAMED AMONG THE WORLD'S BEST

NKU's Center for Innovation and Entrepreneurship (CIE) has been named one of the world's best in creating, advancing and enabling entrepreneurship educational opportunities. The Global Consortium of Entrepreneurship Centers selected the CIE as one of three finalists for the Excellence in Entrepreneurship Teaching and Pedagogical Innovation Award. This is its third recognition in as many years.

"We're focused on keeping the momentum going for students. We understand the bumps and bruises that come with getting startups off the ground because we've been there before," said Dr. David Schneider, director of the CIE. "Entrepreneurship isn't something you can only learn in a classroom or lab. You have to learn how to recognize value and drive value where the vulnerable aspects are."

Housed in NKU's Haile/US Bank College of Business, the CIE allows students to take ownership of their future through innovation and entrepreneurial activities both inside and outside the classroom. Many students take these classroom concepts and start their own business through NKU's INKUBATOR program, an internationally ranked 12-week business accelerator.

CIE's guidance and access to capital create opportunities for businesses at all stages, a commitment distinguishing the center from its peers. CIE's hands-on involvement has helped launch 28 startups with student entrepreneurs like Jessica Wert, who recently became an inaugural vendor at the Newport on the Levee's Exchange Market.

Graduate student Isaiah Kelly continues his success story with his custom apparel business, Smoove Creations. For the second year in a row, he is one of the top 30 student entrepreneurs in the country and won the Entrepreneurs' Organization's Cincinnati Regional Competition.

Kelly is also one of the three teams of NKU students who won at this year's KY Pitch, a business pitch competition for college students across the Commonwealth. NKU is the only university to have three teams accepted and all win at the KY Pitch.

## COLLEGE CORNER

NKU's Honors College became the first of its kind in the region to eliminate standardized test scores entirely from its admissions and scholarship processes. Rather than focusing on how well a student performed on the ACT or SAT, students are evaluated on civic engagement, extra-curricular and volunteer activities, and perseverance through short essays, in addition to their high school records.

The new approach led the Honors College to its third consecutive year of enrollment growth, welcoming nearly 200 first-year students this past fall.

LEARN MORE: <https://tinyurl.com/y6ym23u4>

LEARN MORE: <https://tinyurl.com/yxn48m47>



## NKU SELECTS DR. DANIELLE MCDONALD AS INAUGURAL DIVERSITY FELLOW

Dr. McDonald will advance NKU's strategic goal of fostering inclusivity and global awareness throughout the university alongside Chief Diversity Officer Darryl A. Peal.

"Danielle is a talented civic leader, and her research is translatable across all disciplines," Peal said. "As our Diversity Fellow, she will lead our efforts to embrace diverse learners through new teaching strategies that create pathways for opportunities. One of the unique ways she promotes critical classroom discussions is by encouraging students to connect what they are learning with what they observe and experience in the community."

She serves as the assistant department chair for the Department of Political Science, Criminal Justice, and Organizational Leadership and has taught criminal justice at NKU for the past 12 years. Her courses examine how people experience the criminal justice system differently based upon their ethnicity, class and gender and discusses best practices to address these inequities. A well-renowned scholar, Dr. McDonald navigates round table discussions nationwide about teaching race and criminal justice. She also presents these topics to the campus and community through events, like the Six@Six Lecture Series and the Mayerson Student Philanthropy Project. In 2017, she published a textbook titled "Race, Class, Gender and Criminal Justice: Examining Barriers to Justice." **LEARN MORE:** <https://tinyurl.com/y2yfc8ak>



## THE SCOREBOARD

Student-athletes rounded out 2020 with a 3.42 GPA, making the fall 2020 semester the 19th-straight semester the program has surpassed the 3.0 GPA benchmark.

Additionally, the 3.42 GPA marks the 13th-straight semester Athletics has achieved a 3.2 GPA or higher and the 7th-straight with at least a 3.37. Each team finished above a 3.0 GPA, with six recording GPAs at or above a 3.5.

## FACULTY FOCUS

Dr. Jitana Benton-Lee has received a prestigious Robert Wood Johnson Foundation fellowship to support her research project. The project focuses on the health disparities and inequities rural minorities in Kentucky face. A professor of nursing, she becomes the first faculty member in NKU's history awarded with the honor.

Throughout the three-year program, Dr. Benton-Lee will develop inclusive health care promotion and practices to educate communities on the health risk factors they face, such as diabetes and heart disease. Studies show the Commonwealth ranks as the worst state in preventable hospitalizations, and rural minorities lag further behind.

**LEARN MORE:** <https://tinyurl.com/yype2cht>

## BRIEFS

### SIMULATION EDUCATION ONE OF THE WORLD'S BEST

The Society for Simulation in Healthcare recognized NKU as one of the world's top-tier learning environments for practicing real-life health care situations with a new accreditation. NKU is the Commonwealth's only university to receive full accreditation, a feat accomplished by 183 other simulation centers internationally.

**LEARN MORE:** <https://tinyurl.com/yxgtj6wu>

### US BANK AWARDS THREE CYBERSECURITY SCHOLARSHIPS

U.S. Bank awarded scholarships to three NKU College of Informatics students studying cybersecurity for the 2020-21 academic year. The scholarships went to sophomore Elise Stromberg as well as seniors Zebediah Gentry and Zackary McMurtry. This is the fourth year that U.S. Bank has honored NKU Cybersecurity students with scholarships.

**LEARN MORE:** <https://tinyurl.com/y3kx3fed>

### NKU FALL COMMENCEMENT

Nearly 1,700 NKU students were honored at NKU's fall commencement ceremonies. The celebration featured a special guest speaker, Galadriel Stineman Joy, a '07 alum and TV star. Along with the university-wide celebration, each college hosted its own ceremonies that included reading graduate's names.

**LEARN MORE:** <https://tinyurl.com/y63ml4ok>

### NKU PRESIDENT JOINS NATIONAL EDUCATION BOARD

Dr. Ashish Vaidya is joining the Board of Directors for one of the country's top higher education organizations, the American Association of State Colleges and Universities.

Since taking over the reins at NKU, President Vaidya continues to challenge the university to become a more student-ready and regionally engaged institution.

He took a unique approach to strategic planning when he launched the university's strategic framework, *Success by Design*—a forward-thinking move that's caught the eyes of regional and industry leaders.

President Vaidya's AASCU Board appointment comes on the heels of accolades from two local news outlets.

Cincinnati's Business Courier announced President Vaidya as a 2020 C-Suite Awards finalist, recognizing him as one of the region's top-level executives. The Northern Kentucky Tribune also celebrated his community outreach and impact with its annual Newsmaker Award.

"For two regional partners to celebrate NKU's accomplishments over the past year amplifies our quest to serve the public good," said President Vaidya. "I may be the name recognized, but both awards showcase our faculty and staff's steadfast commitment to transforming our students and the surrounding community. I'm privileged to be NKU's president and to serve this incredible region."

**LEARN MORE:** <https://tinyurl.com/y38qkoro>

## ALUMNI NEWS

### SEVERE LEARNING CURVE



A profession in teaching is one of uncertainty and controlled chaos, especially during the elementary years. Throwing a pandemic into the mix does not make the life of an educator any easier. Megan Louis ('17), a kindergarten teacher at Willowville Elementary in Batavia, Ohio, can attest to that.

Creating a virtual classroom that was age appropriate while also working to accommodate differing schedules and families without internet, computers or electronic devices was a challenge, to say the least.

It would be easy to feel hopeless during such a time, but with a little help from her kindergarten students, Louis was able to create a video that would uplift her class and eventually the entire state when Ohio Governor Mike DeWine featured them during one of his daily briefings.

**LEARN MORE:** <https://tinyurl.com/y4l52fvm>



# THE PRESIDENT'S REPORT

ISSUE 110 | DECEMBER/JANUARY 2021

Dear Friends,

To say the year 2020 was like no other would be an incredible understatement. I have been so impressed with the ways I've seen our Cardinal Family adapt and show the world that our bold mission is moving forward safely and responsibly.

UofL's successful return to campus amid the continuing coronavirus outbreak has been a noteworthy accomplishment and one that required tremendous planning and cooperation. In many ways, we have been a model for other institutions. Due to our entire campus community's adherence to the protocols we put in place, we were able to offer on-campus learning in a safe and healthy environment.

Despite the unpredictability of the current climate, the university has continued to provide an outstanding education, conduct groundbreaking research and engage with our greater community. In fact, 2020 brought growth in both research and enrollment. It was our most successful research funding year yet, topping out at \$170 million. Our enrollment reached more than 23,000 students, which is our highest total in more than 20 years. You'll find more impressive accomplishments listed in this report.

Furthermore, on Dec. 12, the university held a **historic, virtual commencement** ceremony to ensure our more than 5,300 graduates were recognized and given as close to a traditional commencement as possible. With spring, summer and fall 2020 graduates all included, it was one of the largest commencements in university history. After reading some of our graduates' profiles included in this report, I think you'll be reminded that UofL truly has some of the best, brightest and most resilient scholars. They epitomize the Cardinal spirit, and I'm confident that they, like so many of our alumni, will go on to make an incredible impact here and beyond.



Go Cards!

**Neeli Bendapudi**  
President, University of Louisville



## GRADUATE EARNS HIS DEGREE WHILE SERVING AS A LOS ANGELES POLICE OFFICER

Before he had the chance to finish his degree at UofL, Louisville native William Dorsey Jones Jr. moved to Los Angeles in the spring of 2006 to pursue a career in entertainment. While he was out there, he found another passion – service.

That led him to join the Los Angeles Police Department. He spent eight years on patrol and the past three years working as a community relations officer within the department – the **third largest in the U.S.**

Jones eventually returned to UofL to finish his studies online and graduated Dec. 12 with a degree in communications. He acknowledges the challenges along the way, especially those encompassing this year such as serving as a police officer during the social justice movement and presidential election. "Being an African American police officer and from Louisville has given me a very unique perspective," he said.

Not only does he work as a police officer, he also has a family, including a wife who has been working

from home during the pandemic, and a 6-year-old son who has been learning from home. As though his plate isn't full enough, Jones also started a nonprofit organization, called "Officers for Change," in August 2020. The objective is to mentor at-risk youth in low-income communities and "positively affect my community," he said.

Despite now living over 2,000 miles away, Jones was determined to get his degree from UofL and nowhere else. In fact, moving to Los Angeles only amplified his passion for the university and the city.

"Growing up in the west end of Louisville poor, UofL is what brought our family and community together. My mother and (late) father were and are die-hard Cardinal fans and growing up, I've always been a huge Cardinal fan," he said.

Jones plans to leverage his new degree by working his way up the ranks in the LAPD and he plans to expand his nonprofit organization.

## A LOOK BACK AT AN UNPRECEDENTED YEAR

Despite the incredible setbacks of 2020, UofL has continued to lead the way in the fight against COVID-19 and has earned a bevy of accomplishments this past year. Take a look at some of our top achievements:

- On **December 15**, UofL Health became the first hospital in Kentucky, and one of the first in the U.S., to begin administering Pfizer's COVID-19 vaccinations to frontline health care workers.
- UofL received \$8.5 million in funding from the U.S. Department of Defense to develop and test a nasal spray to prevent COVID-19.
- In a year filled with racial justice protests centering on the death of Louisville's Breonna Taylor, we declared UofL's objective of becoming the nation's **premier anti-racist university** and created a **scholarship in memory** of Taylor.
- This year, UofL was identified as **one of only three universities** in the U.S. that provides equal access to Black and Latinx students, as well as a top school for Black students **pursuing a criminal justice degree**.
- UofL became one of just **28 public/private partnerships** funded by the Department of Labor to build a program that will prepare students for jobs of the future.
- UofL ranked as the **best college in Kentucky** based on statistics from the U.S. Dept. of Education.

- UofL was once again named a **"Best of the Best"** for LGBTQ friendliness.
- Raise Some L shattered a fundraising record this year, **generating a sevenfold increase over 2019**.
- UofL's U.S. News & World Report ranking jumped by **16 points this year**.
- UofL placed first in the state and in the top 10 nationally in the **annual recycling competition**.
- The UofL Women's Basketball team was selected to represent the U.S. at the **World University Games**.

If we can achieve such an impressive list of accomplishments in a challenging and crisis-laden year, just imagine what we'll do next.

## \$8.5M RECEIVED TO DEVELOP NASAL SPRAY TO PREVENT COVID-19

The University of Louisville received funding from the U.S. Department of Defense to develop a nasal spray to prevent serious viral respiratory infections such as COVID-19 using Q-Griffithsin, a drug compound developed and co-owned by UofL.

The one-year project, funded through an \$8.5 million agreement from the DoD, includes developing the spray, testing the formulation in lab studies and conducting a Phase I clinical trial. The researchers expect the spray to be used to protect frontline health care workers, military personnel living in close quarters and other essential workers, as well as vulnerable people for whom a vaccine might not be fully protective.

Kenneth E. Palmer, director of the UofL [Center for Predictive Medicine](#) for Biodefense and Emerging Infectious Diseases and the Helmsley Charitable Trust Endowed Chair in Plant-based Pharmaceutical Research at UofL, is leading the project, known as PREVENT-CoV. "The idea is to deliver the antiviral agent to the location in the body where the virus is known to replicate first, the upper respiratory tract," Palmer said.

Q-Griffithsin (Q-GRFT), an analog of the biologic griffithsin, discovered at the Center for Cancer Research, NCI and co-owned by UofL, the University of Pittsburgh and the National Cancer Institute, is a potent anti-viral protein that acts against multiple coronaviruses, including MERS, SARS-CoV and SARS-CoV-2, as well as pandemic threat viruses such as Nipah virus. An application using Q-GRFT to prevent HIV infection already is in Phase I clinical trial.

The UofL researchers will develop and manufacture the nasal spray, to be used once a day to prevent SARS-CoV-2 infection, in collaboration with Lisa Rohan and Sharon Hillier, at the University of Pittsburgh and Magee-Womens Research Institute, Barry O'Keefe, at the National Cancer Institute and Donald Lo and colleagues at the NIH National Center for Advancing Translational Sciences. The team first will formulate the compound for use as a nasal spray, then will test the newly developed spray in the lab using human samples and tissues and in animal models.

"We are pleased to work with the University of Louisville and hopeful about the prospect of developing Q-Griffithsin to combat COVID-19," said Douglas Bryce, the DoD's joint program executive officer for chemical, biological, radiological and nuclear defense. With positive results, the researchers would seek U.S. Food and Drug Administration Emergency Use Authorization for deployment of the formulation, a step that the researchers anticipate could happen as soon as the end of 2021.



## STUDENTS REFLECT ON GRADUATING IN A GLOBAL PANDEMIC

UofL's winter 2020 commencement was a virtual ceremony that featured traditional elements like "Pomp and Circumstance" and messages from the president, deans and provost. Despite some pandemic weariness, our graduates were resilient and they were not willing to let the lingering crisis rain on their milestone.

"It's been a wild ride. I'm grateful for this experience and I believe this has made me mentally stronger," said Charice Johnson, a Louisville native graduating with a communication degree. She notes that the beginning of 2020 was a bigger challenge, particularly the transition to work-from-home in March. She balanced her job with Student Affairs, with her education, with raising a fourth grader, who is also learning from home.

Meherunissa Naseem, a biology major/psychology minor from India, also believes she is graduating with sharpened resiliency. "Though finishing my degree in the middle of a pandemic and not having a traditional ceremony or celebrating with friends and family is not what I have expected, I still feel fortunate to be able to accomplish the biggest dream of my life," she said.

Kendall Ruber, a graduate student from Butler, Kentucky, describes the experience of finishing her degree in the middle of a global pandemic as simply, "surreal." "At the beginning of the pandemic, when we had to convert to online

instruction on a whim, my classes seemed like a blur, and time seemed to move both fast and slow at the same time," she said. "As the months have passed, it still seems like the concept of time doesn't exist anymore. I still have trouble processing the fact that my graduation occurred and that eight months have passed since we were last in the classroom together."

From surreal to "overjoyed." That's how Tony Hobson, who is graduating with an organizational leadership and learning degree, describes finishing his degree amid this unusual environment.

"I am so overjoyed it's actually happening," he said. Hobson, who started his college experience in the early 1990s, keeps himself optimistic by looking for meaning behind these challenges. "At the end of the day, if we're going to get through these tough times, there has to be a purpose," he said.



## DECEMBER GRAD TOOK 21 YEARS TO EARN DEGREE. SHE'S NOT STOPPING NOW

In 2004, Kelly Rowan Burrell was one class away from earning her degree in sociology. While at UofL, she had a baby born in 2000 (who today is a sophomore at UofL). She met and married her husband, Jeremy. From 2000 to 2004, five close family members died, and the grief was overwhelming. In addition, Burrell was diagnosed with a condition defined as "like multiple sclerosis" that had her moving from class to class in a motorized wheelchair. When her health took a sudden downturn, she had to put off the one class she still had to take to earn her degree.

Slowly, as the years passed and her family grew to four children while she worked full-time at Humana, her last class "turned into many," she said. Still, she was determined to finish. "I kept going back over the years," she said. "As requirements changed, I kept going. When I owed tuition, I paid what I could until my balance was fulfilled and immediately, I re-enrolled."

After all, when she arrived at UofL in 1999 as "an 18-year-old full of promise," she was the recipient of a prestigious MLK Endowment of Peace award and a Woodford R. Porter Scholarship. She joined Delta Sigma Theta Sorority Inc. in 2002. Her father, Kenny Rowan, had "put Cardinals in my crib," she said.

In 2019, she arranged with her College of Arts & Sciences advisor to take her final three classes. "I completed all the steps to start classes in

January 2020," she said. "During that first class, COVID-19 hit, and we had to move quickly to virtual classes. Including that class, I have taken the last three classes I needed to graduate, one per term, during COVID."

And she did it despite working from home and having four children at home who each had individual virtual learning needs: A freshman in high school (14-year-old Ajani Nicole), a second grader (8-year-old Hayden Reese), a pre-schooler (5-year-old Katherine Joy) and Lorenzo, who lived both on campus and at home.

Burrell's next challenge will be a master's degree (first she has to decide among public health, Pan-African Studies or Women and Gender Studies) and eventually a Ph.D. "UofL helped prepare me for life," she said. "Over the last 11 months, UofL has helped me show my children that Mommy, now 39, never gave up, no matter what."



## ‘Four big wins’

### WKU President highlights strategic plan progress

WKU President Timothy C. Caboni said the University has made tremendous achievements during the past calendar year toward the goals set in the University’s 10-year strategic plan, *Climbing to Greater Heights*.

“While we have celebrated these successes individually, taking them as a whole highlights WKU’s significant positive momentum,” he said. “Faculty, staff, students, alumni and friends pressed forward toward the carefully-crafted goals.”

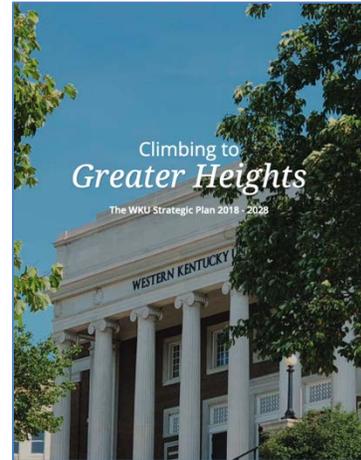
President Caboni highlighted four areas of success:

1. **RECRUITMENT:** In fall 2020, WKU saw the **largest one-year increase in the size of our freshman class** than at any time during the past three decades, up 406 students from fall 2019. This group also brought with it the **highest high school GPA in WKU’s history**.
2. **RETENTION:** In just three years (Academic Year 2017 – 20), WKU’s **first-to-second-year student retention increased 6.9 percentage points**, and underrepresented minority (URM) retention jumped **15.2 percentage points** - both representing the largest three-year increases in WKU’s history.
3. **GRADUATION:** In 2020, WKU’s six-year graduation rate rose to 55.1 percent (up from 50.7 percent in AY 2017). This represents the **highest six-year graduation rate ever at WKU**. During the same time, WKU achieved the **highest URM and low-income six-year graduation rates in eight years** and awarded more than 3,000 bachelor’s degrees - **more than the institution has awarded in any previous academic year**.
4. **ACCESS AND OPPORTUNITY:** The newly revamped freshman scholarship model, along with aggressive marketing and outreach, created historical growth in the fall 2020 freshman class by **more than doubling the number of freshmen receiving scholarships compared to fall 2019**, with nearly 84 percent receiving merit awards to help fund their education. Since its inception in 2017, the WKU Opportunity Fund, a fundraising effort to support our students, has already **grown to \$45 million of its \$50 million target with 129 new endowed scholarship funds**.

“Simply put, more students are coming to WKU because we have made it more attractive and more accessible than ever before; more students are staying and completing their degrees because we have grown and enhanced our targeted student-support structure; and more graduates are choosing to remain in Kentucky because of the growing partnerships in our 27-county service region and beyond, helping us to better tie our program offerings to tangible market needs across the state,” President Caboni said.

“We continue to navigate successfully amid incredibly difficult externalities along with an increasingly complex and rapidly changing higher education landscape, all while creating a bright future for our university.”

A more comprehensive update on the strategic plan metrics can be found at <https://www.wku.edu/strategicplan/>.





## **25 WKU Students Recognized by Gilman Scholarship for Study Abroad**

Twenty-five WKU students were recognized by the Benjamin A. Gilman International Scholarship for study abroad in the October 2020 application cycle. Twenty-one WKU students—more than any other university in Kentucky—were offered scholarships totaling \$98,500 with an average award amount of \$4,690. Four additional students were recognized as alternates.

The COVID-19 pandemic has significantly altered the operations of the scholarship program and the study abroad programs it funds. Recipients whose

study abroad plans are interrupted by travel restrictions are able to defer awards to later terms or apply funding to alternative programs, including credit-bearing virtual international opportunities. For more, see

<https://www.wku.edu/news/articles/index.php?view=article&articleid=9301>

## **WKU reimagines Masters of Arts in Education**

WKU has redesigned its Masters of Education in Advanced Teacher Education degree. The reimagined program will help current teachers advance their rank, hone their pedagogical practices and secure additional teaching licensures, while reflecting and focusing on the needs of their specific communities. Through district informed curriculum, educators can look forward to earning course credits and participating in rank advancement all while teaching from their own classrooms.

“Our Masters of Advanced Teacher Education is arguably the strongest and most cost-conscious choice a teacher can make to advance their career. Led by our high-quality WKU faculty, and informed by on-going district collaborations, we are equipping our teachers with the pedagogical practices necessary to serve as advanced practitioners and leaders in their schools,” Corinne Murphy, Dean of the College of Education and Behavioral Sciences, said.

“Thanks in large part to district partnerships, institutional scholarships, and available financial aid, it is certainly the most economically-minded professional development available to teachers. The long-term impact of an earned master’s degree, and the transferability of graduate course credits from accredited universities, afford students peace of mind that their work, and the evidence of their work, will support the full lifespan of their professional careers.”

The WKU Educator Discount keeps graduate tuition at \$350 per credit hour for licensed teachers. Additionally, there are several opportunities to earn course credit and course fee waivers through existing WKU programs. With these cost-saving opportunities, students could pay as little as 12 to 24 credit hours of the 30-hour program. For more, see

<https://www.wku.edu/news/articles/index.php?view=article&articleid=9282>

## **WKU's Advantage Kentucky Alliance helps Rajant Corp. earn quality certification**

Rajant Corporation earned Lean Six Sigma certification for eight of its Morehead-based employees following an 11-month process that was facilitated by Advantage Kentucky Alliance, a WKU-sponsored Manufacturing Extension Partnership.

Rajant partnered with Advantage Kentucky Alliance to assist them through all phases of the certification. AKA introduced Rajant staffers to a myriad of Lean Six Sigma analytical tools and trained them on how to properly select and use the tools to identify and correct operational gaps. The eight team members were then assigned individual projects to create savings or avoid costs. The completed projects ultimately resulted in total savings of \$40,000. For more, see

<https://www.wku.edu/news/articles/index.php?view=article&articleid=9348>



# Association of Independent Kentucky Colleges and Universities

## News highlights

### AIKCU develops shared service agreements in cybersecurity, legal services

In response to member needs for affordable, high quality consortial services, AIKCU has developed new programs in cybersecurity and legal services. These are just the latest in AIKCU's shared service agreements designed to help independent colleges contain costs and improve campus operations.

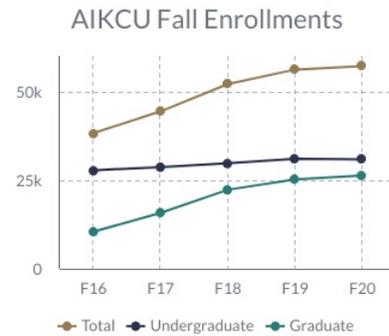
### Dr. Keith Spears named acting president at Campbellsville University

Dr. Keith Spears, formerly Campbellsville University's senior vice president and assistant to the president, was named acting president of Campbellsville University upon the recent retirement of longtime CU president Dr. Michael V. Carter.

## AIKCU enrollments see modest increase; top 57,000

Final CPE fall 2020 enrollment data shows that total enrollment at Kentucky's independent colleges and universities grew 1.4% over the previous fall to 57,266.

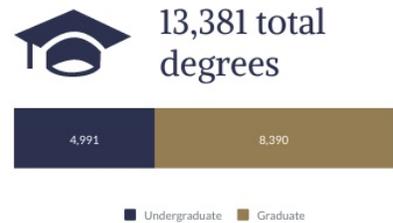
Undergraduate enrollments remained stable (-0.4%), while graduate enrollments increased 4.4%



Some particular highlights from the fall data: Georgetown College's undergraduate enrollment increased 12.5%. Midway University grew undergraduate enrollment by 12.3% and total enrollment by 10.5%, for a record 1,881 students. And with a total fall enrollment of 19,160 (driven by double digit percent increases at the undergraduate and graduate levels), the University of the Cumberlands is now the third largest university in Kentucky. [More on fall enrollments at AIKCU.org.](#)

## AIKCU members award record number of degrees during 2019-20

AIKCU members awarded a record 13,381 degrees during the 2019-20 academic year, an increase of 22.5% over the previous year.



Those included 4,991 undergraduate and 8,390 graduate degrees, including 1 out of every 5 bachelor's degrees awarded in Kentucky last year. [Learn more about AIKCU degree production.](#)