

## **MINUTES**

### **JOINT COMMITTEE ON ADMINISTRATIVE RULES AND REGULATIONS**

January 28, 2015  
Room 212B-N—Statehouse

#### **Members Present**

Representative Sharon Schwartz, Chairperson  
Senator Vicki Schmidt, Vice-chairperson  
Senator Oletha Faust-Goudeau  
Senator Tom Hawk  
Senator Garrett Love  
Representative Steve Huebert  
Representative Jerry Lunn  
Representative Janice Pauls  
Representative Ed Trimmer  
Representative Jim Ward

#### **Members Absent**

Senator Ralph Ostmeyer  
Representative Valdenia Winn

#### **Staff Present**

Jill Shelley, Kansas Legislative Research Department  
Whitney Howard, Kansas Legislative Research Department  
Natalie Scott, Office of Revisor of Statutes  
Shirley Jepson, Committee Assistant

#### **Conferees**

Jacqueline Johnson, Director of Private Postsecondary Education and Adult Testing, Board of Regents  
Rita Johnson, Senior Director for Workforce Innovation, Board of Regents  
Jean M. Redeker, Senior Director of Academic Affairs, Board of Regents

#### **Other Attendees**

See attached list.

## Afternoon Session

Chairperson Schwartz opened the meeting at 12:05 p.m.

### Approval of Minutes

*Representative Huebert moved to approve the minutes of December 2, 2014, as written. Motion seconded by Senator Love. Motion approved without objection.*

### Review and Comment on proposed rules and regulations noticed for hearing by the Board of Regents.

KAR 88-24-2, test score requirements.

Jacqueline Johnson, Director of Private Postsecondary Education and Adult Testing, Board of Regents, appeared before the Committee to address amendments to KAR 88-24-2 ([Attachment 1](#)). Ms. Johnson explained that these regulations will establish new GED (General Education Development) test score requirements. Ms. Johnson noted the new 2014 test differs from the 2002 GED in many ways, indicating a passing score on the 2014 GED test is intended to be more reflective of students' readiness for college and careers.

There were no questions from the Committee.

KAR 88-26-1, definitions; KAR 88-26-2, accreditation; KAR 88-26-3, admissions; KAR 88-26-4, credit; KAR 88-26-5, graduation or completion requirements; KAR 88-26-6, approval of programs; KAR 88-26-7, residence determination for state aid purposes; KAR 88-26-8, determination of student residency; KAR 88-26-9, revocation (review of student tuition determination); KAR 88-26-10, revocation (residence appeal board); KAR 88-26-11, revocation (review of residence appeal board determinations); KAR 88-26-12, revocation (out-district tuition for certain students); KAR 88-26-13, revocation (review of out-district tuition determinations); KAR 88-26-14, revocation (approval of out-district courses); KAR 88-26-15, revocation (review of program or out-district course disapproval); KAR 88-26-16, revocation (out-district courses disapproved for community college operating grant purposes).

Rita Johnson, Senior Director for Workforce Innovation, Board of Regents, appeared before the Committee to address proposed amendments to Article 26 of its rules and regulations ([Attachment 2](#)). Ms. Johnson explained the primary purposes for these proposed amendments and revocations are to update the regulations for consistency and changes with the statutes, Higher Learning Commission accreditation requirements and current practice and to incorporate the six technical colleges and the Washburn Institute of Technology, so this article will apply to all of the public two-year institutions rather than only to the community colleges.

Responding to questions from the Committee regarding KAR 88-26-3, Ms. Johnson explained the statute allows for the inclusion of tenth grade and ninth grade gifted students to technical and non-technical programs. With regard to course credits, Ms. Johnson noted the Board determines whether the course work is equivalent, trying to be as flexible as possible in

making the determination. The Committee noted it would be important to work with adjacent states with regard to border schools. It was further noted statutory residency requirements vary by type of postsecondary institution.

#### KAR 88-28-6, fees.

Jacqueline Johnson explained the proposed change in fees will lower many of the established rates paid by private and out-of-state postsecondary institutions to receive and maintain a Certificate of Approval to operate in the state ([Attachment 3](#)). Ms. Johnson explained significant consumer protections and streamlined processes are in place and were one-time costs. The Board is seeking to amend its regulation to lower the rates paid to the Board so revenues will more closely approximate projected expenditures for this Board office responsibility.

Responding to a question from the Committee, Ms. Johnson indicated this action to lower fees will result in a one-third reduction in the balance in the fund.

KAR 88-29-1, definitions; KAR 88-29-5, qualifications required for the admission of a Kansas resident who is under the age of 21; KAR 88-29-6, qualifications required for the admission of a Kansas resident who is 21 or older; KAR 88-29-7, qualifications required for the admission of a nonresident who is under the age of 21; KAR 88-29-7a, qualifications required for the admission of a nonresident who is 21 or older; KAR 88-29-11, requirements for the qualified admission precollege curriculum; KAR 88-29a-1, definitions; KAR 88-29a-5, qualifications required for the admission of a Kansas resident who is under the age of 21; KAR 88-29a-6, qualifications required for the admission of a Kansas resident who is 21 or older; KAR 88-29a-7, qualifications required for the admission of a nonresident who is under the age of 21; KAR 88-29a-7a, qualifications required for the admission of a nonresident who is 21 or older; KAR 88-29b-1, definitions; KAR 88-29b-4, qualifications required for the admission of an applicant with 24 or more transferable college credit hours; KAR 88-29b-5, qualifications required for the admission of a Kansas resident who is under the age of 21; KAR 88-29b-6, qualifications required for the admission of a Kansas resident who is 21 or older; KAR 88-29b-7, qualifications required for the admission of a nonresident who is under the age of 21; KAR 88-29b-7a, qualifications required for the admission of a nonresident who is 21 or older.

Jean M. Redeker, Senior Director of Academic Affairs, Board of Regents, appeared before the Committee to provide background information and a brief summary of the Board of Regents' proposed amendments to the qualified admissions regulations ([Attachment 4](#)). The proposed amendments replace "GED" with "high school equivalency," update courses the Board has determined will meet certain qualified admission curriculum requirements, and removing race as a factor to be considered by the University of Kansas admission review committee in making admissions recommendations for those who are not automatically admitted. Ms. Redeker explained the 2009 Legislature amended the statute to give the Board of Regents authority to establish admissions standards for the state universities. The Board convened a task force to "advise the Board and make recommendations regarding optimal state university admissions policies for the year 2010 and beyond." The recommendations included revised admissions standards for high school students graduating in 2015 and thereafter. The Board

also approved different admission standards for the University of Kansas beginning in the summer of 2016.

Ms. Redeken responded to questions from the Committee.

## **COMMITTEE COMMENTS AND RECOMMENDATIONS**

### **Board of Regents**

KAR 88-28-6. The Committee commends the agency for evaluating the amounts needed to pay budgeted expenses and reducing the established rates to be paid by private and out-of-state postsecondary institutions to receive and maintain certificates of approval to operate in the state.

### **Adjournment**

The meeting was adjourned at 12:50 pm. No date for the next meeting of the Committee was established.

Prepared by Shirley Jepson  
Edited by Jill Shelley and Whitney Howard

Approved by the Committee on:

February 20, 2015  
(Date)