

**KANSAS BOARD OF REGENTS
ACADEMIC AFFAIRS STANDING COMMITTEE**

**MEETING AGENDA
Wednesday, June 15, 2022
10:30 a.m. – 12:00 p.m.**

The Board Academic Affairs Standing Committee (BAASC) will meet in the Kathy Rupp Conference Room, located in the Curtis State Office Building at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612. To the extent possible, a virtual option will be provided to accommodate those who prefer not to attend in person. Information will be sent to participants via email, or you may contact arobinson@ksbor.org.

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| I. Call to Order | Regent Kiblinger, Chair | |
| A. Roll Call and Introductions | | |
| B. Approve minutes from May 26, 2022 | | p. 3 |
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| II. Discussion Items | | |
| A. Performance Agreement Model | Daniel Archer | |
| B. Renewal of National American University (NAU)
Conditional Certificate | Crystal Puderbaugh | p. 6 |
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| III. Consent Items | | |
| A. Private Post-Secondary Degree-Granting School Approval | Crystal Puderbaugh | p. 9 |
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| IV. Other Matters | | |
| A. Private Post-Secondary (PPS) Report | Crystal Puderbaugh | |
| B. Concurrent Enrollment Partnership (CEP) Report | Karla Wiscombe | |
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| V. Suggested Agenda Items for August 30th Meeting | | |
| A. Introduce New BAASC Members | | |
| B. Approve BAASC Meeting Schedule | | |
| C. Begin Review of AY21 Performance Reports | | |
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| VI. Adjournment | | |

Date Reminders:

- September: Introduce Student Body Presidents and discuss BAASC AY 2023 Work Topics

BOARD ACADEMIC AFFAIRS STANDING COMMITTEE

Four Regents serve on the Board Academic Affairs Standing Committee (BAASC), established in 2002. The Regents are appointed annually by the Chair and approved by the Board. BAASC meets virtually approximately two weeks prior to each Board meeting. The Committee also meets the morning of the first day of the monthly Board meeting. Membership includes:

Shelly Kiblinger, Chair

Jon Rolph

Allen Schmidt

Wint Winter

**Board Academic Affairs Standing Committee
AY 2023 Meeting Schedule**

<i>Tentative BAASC Academic Year 2022- 2023 Meeting Dates</i>			
Meeting Dates	Location	Time	Agenda Materials Due
August 30, 2022	Virtual Meeting	9:00 a.m.	August 9, 2022
September 14, 2022	Topeka	11:00 a.m.	August 24, 2022
October 4, 2022	Virtual Meeting	9:00 a.m.	September 13, 2022
October 19, 2022	Topeka	11:00 a.m.	September 27, 2022
November 1, 2022	Virtual Meeting	9:00 a.m.	October 11, 2022
November 16, 2022	Topeka	11:00 a.m.	October 26, 2022
November 29, 2022	Virtual Meeting	9:00 a.m.	November 8, 2022
December 14, 2022	Topeka	11:00 a.m.	November 23, 2022
January 3, 2023	Virtual Meeting	9:00 a.m.	December 13, 2022
January 18, 2023	Topeka	11:00 a.m.	December 28, 2022
January 31, 2023	Virtual Meeting	9:00 a.m.	January 10, 2023
February 15, 2023	Topeka	11:00 a.m.	January 25, 2023
February 28, 2023	Virtual Meeting	9:00 a.m.	February 7, 2023
March 22, 2023	Topeka	11:00 a.m.	March 1, 2023
April 4, 2023	Virtual Meeting	9:00 a.m.	March 14, 2023
April 19, 2023	Topeka	11:00 a.m.	March 29, 2023
May 2, 2023	Virtual Meeting	9:00 a.m.	April 11, 2023
May 17, 2023	Topeka	11:00 a.m.	April 26, 2023
May 30, 2023	Virtual Meeting	9:00 a.m.	May 9, 2023
June 14, 2023	Topeka	11:00 a.m.	May 24, 2023

*Please note virtual meeting times are 9 a.m., and Board day meetings are 11 a.m. unless otherwise noted.

**Board Academic Affairs Standing Committee
MINUTES**

Thursday, May 26, 2022

The May 26, 2022, meeting of the Board Academic Affairs Standing Committee (BAASC) of the Kansas Board of Regents was called to order by Regent Kiblinger at 9:00 a.m. The meeting was held through Zoom, with an in-person option at the Board office.

In Attendance:

Members:	Regent Kiblinger	Regent Rolph	Regent Winter
Staff:	Daniel Archer Tara Lebar Hector Martinez Marti Leisinger	Amy Robinson Karla Wiscombe Julene Miller Renee Burlingham	Sam Christy-Dangermond Travis White Cindi Farrier
Others:	Adam Borth, Fort Scott CC Bill Turnley, K-State Greg Paul, K-State Huston Gibson, K-State Jennifer Ball, Washburn Jill Arensdorf, FHSU Karen Johnson, PSU Linnea GlenMaye, WSU Michelle Schoon, Cowley CC Mary Carol Pomatto, PSU Shaun Schmidt, Washburn Tanya Gonzalez, K-State Corey Isbell, NCKTC	Aron Potter, Coffeyville CC Christy Craft, K-State Heather Morgan, KACCT Jason Sharp, Labette CC Jennifer Roberts, KU Jim Truelove, PSU Kim Zant, Cloud County CC Mark Watkins, Labette CC Mickey McCloud, JCCC Paul Grimes, PSU Stuart Day, KU Tom Hallaq, K-State Mike Daly, rpK GROUP	Chuck Taber, K-State Elaine Simmons, Barton CC Howard Smith, PSU Jean Redeker, KU Jerry Pope, KCKTC JoLanna Kord, ESU Laura Stephenson, Washburn Marc Malone, Garden City CC Monette DePew, Pratt CC Robert Frisbee, PSU Susan Castro, WSU Tom Nevill, Butler CC Tim de Noble, K-State

Roll call was taken for members and presenters.

Approval of Minutes

Regent Rolph moved to approve May 18, 2022, meeting minutes, and Regent Winter seconded the motion. With no corrections, the motion passed.

Academic Portfolio and Workload Review Update

Mike Daly, Associate with rpK GROUP, provided the following update:

- The Faculty Advisory Group has been launched to remain informed of the project, ask questions and ensure institutional stakeholders know how to ask questions and raise opportunities for additional communication and stakeholder engagement.
- The Data Team and Steering Team meetings have all been scheduled.
- Academic Portfolio Review data has been discussed extensively between rpK and KBOR, and they will soon begin the process of data collection and validation.

Credit for Prior Learning (CPL) Report

Tara Lebar presented the [Credit for Prior Learning \(CPL\) report](#). The AY 2020-21 report includes 15 types of credit for prior learning which KBOR collects data on and measures annually. The top five sources of CPL represent almost 87% of the total CPL credits awarded. The top source for public universities is Advanced Placement exams; for community colleges, it is military credit, and for technical colleges, it is institutional

exams.

Performance Agreement Funding Model

In October 2020, the Board directed staff to redesign performance agreement indicators with the Strategic Plan in mind. Daniel Archer provided potential models and indicators, and institutions have been asked to provide feedback on the indicators by June 1, 2022. Daniel focused on the funding model structure. Options include 1) keeping the same funding structure and appeal process; 2) keeping the same funding structure but changing the appeal process or 3) changing the funding structure and the appeal process, through which institutions would commit to implementing best practices. Regent Kiblinger asked to include “evidence-based practices” alongside “best practices.” Regents will discuss and potentially vote on this information at the June 15, 2022, meeting.

General Education Update

Daniel Archer presented updates on the draft systemwide General Education policy. At the suggestion of BAASC, a “town hall” meeting was held on May 25, 2022, which consisted of over 60 institutional representatives. Written feedback was also solicited and due by May 25, 2022. A few reoccurring themes from this feedback were 1) concerns with the fall 2023 implementation timeline, 2) a desire to reduce the science requirement from 7-10 hours to 5 hours, and 3) the need to set up a website where an FAQ and other related documents can be posted. Several administrative actions that may take time to implement include curricular changes, shifting faculty, and updating degree audits and catalogs. Written feedback will be shared with BAASC members, and the draft policy will be presented to the Board on June 15, 2022.

Consent Items

- Jen Roberts and Stuart Day presented the first reading for a Bachelor in Professional Studies at the KU Edwards Campus. This will be a hybrid undergraduate degree primarily intended for workforce-focused students seeking a degree completion option.
- Chuck Taber presented the first reading for an Ed.S. in School Counseling at K-State. The program will be housed in the College of Education. The program currently exists within a sub-plan of the MS of Counseling and Student Development, requiring 48 hours. The request is for a new “stand-alone” program in School Counseling, as the accrediting body has recently changed requirements to 60 credit hours.
- Chuck Taber presented the first reading for a BS in Real Estate & Community Development at K-State. This program is embedded within a department that studies regional and community planning. The new program will provide expertise and knowledge that leads to community development professional opportunities within the real estate environment.
- Chuck Taber presented the first reading for a BS in Operations & Supply Chain Management. This program builds off the existing supply chain management track within the management major, which has shown growth. By creating a separate bachelor’s degree, they believe they can create greater visibility and more growth.
- Chuck Taber presented the first reading for a BS in Digital Innovation in Media at K-State. This program is interdisciplinary and crosses three colleges: the College of Arts and Sciences, the College of Engineering, and the College of Business Administration.

Regent Rolph moved to place the five requests as presented under the Board consent agenda. Following the second of Regent Winter, the motion passed unanimously.

Discussion Items

- Howard Smith presented the request for approval for a substantial reorganization at PSU as detailed on page 71. The request merges several departments, creates several schools, and changes a department name. Changes are aimed at reducing costs and increasing efficiencies, which are needed with declining enrollments. Howard stated the rpk GROUP was invaluable in looking at the staffing and support costs, mission, competition, persistence rates, and recommendations.

Regent Winter moved to place the PSU reorganization requests as presented on the Board discussion agenda. Following the second of Regent Rolph, the motion passed unanimously.

- Karla Wiscombe presented the Concurrent and Dual Enrollment policy revision to align KBOR policy with updates to K.S.A. 72-3220-3224, and amendments thereto, and K.S.A. 2021 Supp. 72-3225. A list of changes and the draft policy can be found on page 77.

Regent Rolph moved to place the policy as presented under the Board discussion agenda. Following the second of Regent Winter, the motion passed unanimously.

Adjournment

Regent Winter moved to adjourn the meeting, and Regent Rolph seconded. With no further discussion, the meeting adjourned at 10:10 a.m.

Act on Conditioned Certificate of Approval for National American University

Summary

On November 17, 2021, the Board voted to condition the certificate of approval for National American University (NAU). That certificate of approval is set to expire on June 19, 2022, and NAU has submitted a renewal application to continue its approval to operate in Kansas. After a thorough review of staff qualifications, financial statements, record-keeping systems, coursework, and supporting materials, staff express concern regarding the financial stability of the institution. Staff recommends continuing the conditions of the institution's certificate of approval

June 15, 2022

Summary of Institution Requirements

The Private and Out-of-State Postsecondary Educational Institution Act (Act) requires private and out-of-state postsecondary educational institutions to obtain a certificate of approval from the Kansas Board of Regents (Board) to lawfully operate in Kansas. This Act not only covers “brick and mortar” institutions having a physical location within Kansas but also institutions that offer or provide online distance education to Kansans who remain in the State while receiving their education.

To qualify for a certificate of approval, an institution subject to the Act must meet the standards established by the Act and the regulations adopted pursuant to the Act. To determine if institutions meet the minimum requirements, Board staff reviews substantial documentation and evidence to demonstrate compliance with minimum requirements. Financial statements, proof of accreditation, evidence of compliance with safety codes, enrollment agreements, catalog, copies of advertisements, schedules of tuition and fees, and refund policies are reviewed by Board staff. Institutions are also required to provide descriptions of their programs and courses, administrator and instructor credentials, program objectives, and ownership structure information.

To ensure that institutions are financially responsible and capable of fulfilling commitments, the Act requires the owner of the institution to submit financial statements to the Board. K.A.R. 88-28-2 states that the financial statements shall meet at least one of the following requirements for the most recent fiscal calendar year or for the two most recent fiscal or calendar years combined:

- A. Demonstrate a minimum ratio of current assets to current liabilities of at least 1:1. This asset ratio shall be calculated by adding the cash and cash equivalents to the current accounts receivable and dividing the sum by the total current liabilities;
- B. Exhibit a positive net worth in which the total assets exceed the total liabilities; or
- C. Demonstrate a profit earned.

In 2021, the Legislature amended the Act to give the Board authority to impose conditions on an institution's certificate of approval if the Board has reasonable cause to believe additional information is necessary, a violation of the Act occurred, or it is in the students' best interest for the institution to continue operating.

National American University

NAU, headquartered in South Dakota, was founded in 1941 and has operated ground locations throughout the United States, including campuses in Kansas. Today, the University operates solely online, providing undergraduate and graduate programs via distance education. The Board first awarded a certificate of approval to NAU in 2006.

NAU typically renews its certificate of approval in May. However, due to financial concerns expressed by Board staff additional follow up was required, including a show cause notice, request for additional financial information, and a financial review and opinion of an independent CPA.

On November 17, 2021, the Board voted to condition NAU's certificate of approval after the financial statements submitted with their 2021 renewal did not meet the minimum requirements outlined in K.A.R. 88-28-2. The conditioned certificate of approval is scheduled to expire on June 19, 2022.

On May 2, 2022, NAU submitted payment and an application to renew its certificate of approval. The renewal application provided financial statements for the year ended May 31, 2020, which do not meet the minimum requirements set by regulation. The financial calculations for the year result in a current ratio of less than one, a negative net worth and a net loss before income taxes.

NAU's failure to meet the minimum financial requirements continue to create a concern that the institution could close and not meet their commitments to students. In some cases, when institutions close, students are not provided any teach-out options, which would allow them to transfer to another institution or an option to complete their program. There are also instances when students are not provided access to their student records leaving them unable to validate their education.

Staff Recommendation

Board staff recommends to issue NAU a certificate of approval with conditions. While NAU does not meet the minimum requirements established by the statute and regulations, Board staff recommends granting a conditioned certificate of approval. This will allow NAU to continue serving the 20 current Kansas students enrolled, whereas the denial of the renewal application would cause immediate harm to these students.

Board staff recommends continuing the current conditions to NAU's certificate of approval, as follows:

- Require NAU to submit quarterly financial statements.
- Prohibit NAU from any new enrollments of Kansas residents until NAU meets the minimum financial requirements.
- Require a per term listing of enrolled Kansas students, to include the program in which each student is enrolled, and the anticipated graduation date. NAU has previously provided formal written teachout agreements. Any modifications to these agreements must be disclosed to the Board office immediately.
- Require additional bonding in an amount reasonable to protect Kansas students in the event of a closure. The bond amount shall be sufficient to cover the amount of tuition held for Kansas students. The bond shall be renewed annually and the amount updated based on current Kansas student enrollments.

By imposing these conditions, as opposed to denying the renewal, NAU can continue serving the enrolled students without interrupting their education while NAU brings its financial condition up to the required minimum standards. Board staff recommends conditioning NAU's certificate of approval because it is the most direct method of protecting students while ensuring continuity for current students.

Appeal Procedure

The Board's decision to not renew or condition a certificate of approval is preliminary until the institution is

provided written notice of the decision and an opportunity to request a hearing pursuant to the Kansas Administrative Procedure Act. If a hearing is not requested within 15 days of the date of service of notice, the Board's decision becomes final. If a hearing is requested, the hearing must occur within 30 days of our receipt of that request. The Board office has confirmed that a presiding officer from the Office of Administrative Hearings (OAH) is available to hold that hearing if necessary. Once a decision becomes final, after review by the OAH hearing officer, the decision is a final agency action subject to appeal to the district court under the Kansas Judicial Review Act.

Act on Request for a New Certificate of Approval for Degree Granting Authority for Fuller Theological Seminary

Summary

Fuller Theological Seminary has applied for a certificate of approval to operate in Kansas and is requesting degree granting authority. After a thorough review of staff qualifications, record keeping systems, coursework, and supporting materials, the institution demonstrates that it meets and complies with statutorily imposed requirements. Staff recommends the institution be issued a Certificate of Approval.

June 15, 2022

Summary of Institution Requirements

The Private and Out-of-State Postsecondary Educational Institution Act (Act) requires private and out-of-state postsecondary educational institutions to obtain a certificate of approval from the Kansas Board of Regents (Board) to lawfully operate in Kansas. This Act not only covers “brick and mortar” institutions having a physical location within Kansas but also institutions that offer or provide online distance education to Kansans who remain in the State while receiving their education.

To qualify for a certificate of approval, an institution subject to the Act must meet the standards established by the Act and the regulations adopted pursuant to the Act. To determine if institutions meet the minimum requirements, Board staff reviews substantial documentation and evidence to demonstrate compliance with minimum requirements. Financial statements, proof of accreditation, evidence of compliance with safety codes, enrollment agreements, catalog, copies of advertisements, schedules of tuition and fees, and refund policies are reviewed by Board staff. Institutions are also required to provide descriptions of their programs and courses, administrator and instructor credentials, program objectives, and ownership structure information.

Fuller Theological Seminary

Founded in Pasadena, California in 1947 by Charles E. Fuller, a radio evangelist, Fuller Theological Seminary graduated its first class of 20 students in 1950. Today, Fuller Theological Seminary serves approximately 3,500 students annually from more than 75 countries and 110 denominations. The Seminary offers master and doctoral programs to students in the areas of theology, intercultural studies, psychology, and marriage and family therapy. In addition to the main campus in Pasadena, CA, they have campuses in Houston, TX, and Phoenix, AZ, and offer programs online. The programs approved under the Board-issued certificate of approval will be offered to Kansas students online.

Fuller Theological Seminary is accredited by the Association of Theological Schools and the Western Association of Schools and Colleges, both accreditation agencies recognized by the U.S. Department of Education. The Seminary’s psychology programs are accredited by the American Psychological Association.

Staff Recommendation

Staff recommends issuance of a certificate of approval with degree granting authority to Fuller Theological Seminary.