



KANSAS BOARD OF REGENTS

NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted on March 29, 2017 at 10:00 a.m. in the Board of Regents board room, 1000 S.W. Jackson, Suite 520, Topeka, to consider the amendment of K.A.R. 88-3-8a, 88-24-2, 88-28-1, 88-28-2, 88-28-3, 88-28-4, 88-28-5, 88-28-6, 88-28-7, and 88-28-8.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comment on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Theresa Schwartz, Kansas Board of Regents, 1000 S.W. Jackson, Suite 520, Topeka, Kansas 66612-1368, tschwartz@ksbor.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Renee Burlingham at (785) 430-4239.

Copies of the regulations and the economic impact statements may be found at http://www.kansasregents.org/about/rules_regulations or by contacting Renee Burlingham. A summary of the proposed regulations and the economic impact follows:

Article 3—GUIDELINES FOR THE DETERMINATION OF RESIDENCY FOR FEE PURPOSES

K.A.R. 88-3-8a The overall purposes for the proposed amendment to this regulation is to implement the provisions of 2016 House Bill 2567. This 2016 legislative action impacted the tuition rate available to and paid by veterans and their respective spouses or dependent children and was a companion piece of legislation to 2015 House Bill 2154. The Board is proposing amendments to the existing regulation in order to provide for the residency status set forth in the more recent piece of legislation.

Article 24—GENERAL EDUCATION DEVELOPMENT TEST

K.A.R. 88-24-2 establishes the GED test score requirements for issuance of an equivalent high school diploma. The overall purpose for the proposed amendments to this regulation is to adopt the new passing scores.

Article 28 – PRIVATE AND OUT-OF-STATE POSTSECONDARY EDUCATION INSTITUTIONS

These regulations are being amended to (1) change the definition of “enrollment agreement” to a broader meaning encompassing other types of enrollment documents; (2) establish a minimum time frame for record retention by institutions, to insure that specific types of important student related records are kept for a length of time that ensures their ongoing availability to the Board as well as program graduates and attendees, and amends the minimum refund policy requirement for institutions, which is dependent upon how long a student was in the program; (3) clarify that “functional equivalents” to catalogs and enrollment agreements may be provided to the Board, removes language referencing the no longer used ledger sheets, clarifies what financial information must be provided by institutions in their first year of operation, and generally clarifies other subsection language; (4) removes language specific to degree-granting institutions, clarifying that the Board of Regents may conduct on-site visits at any approved institution; (5) changes the registration of representative requirements from each individual representing an institution to require registration by a single designated representative of the institution, in order to limit the number of representatives submitted for approval and responsible for being the main institution contact; (6) clarify the definitions of in-state and out-of-state by replacing the word “domiciled” with “chartered, incorporated or otherwise organized under the laws of Kansas” and changes language in order to clarify that to be considered an in-state institution, the institution must be both physically located in Kansas and be established in Kansas; (7) increases the late fee to encourage compliance and timely renewal application submission; and (8) revokes redundant language concerning fees for copies of student transcripts, which is also contained in another regulation.

Economic Impact:

88-3-8a There is no anticipated economic impact on the Board, as its duties to the universities will not significantly expand with the promulgation of this amendment to the regulation. The fiscal impact on the universities, community and technical colleges, and the impacted individuals will depend upon how many individuals will now qualify for resident tuition rates.

88-24-2 There will be no economic impact on the Board of Regents office or individuals taking the test. Some individuals who do not pass the test may be fiscally impacted if they have to pay to take it again.

88-28-1 through 88-28-8 The economic impact of these amendments to the Board of Regents office will be a negligible increase in revenues for the Private and Out-of-State Postsecondary Educational Institution program, due to an increase in the penalty paid by institutions filing late applications for renewal.

Blake Flanders, Ph.D.
President and CEO