

## MEETING MINUTES

Approved by the Council on June 21, 2024

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Who: Kentucky Council on Postsecondary Education  
Meeting Type: Special-called Business Meeting  
Date: April 25, 2024  
Time: 11:00 a.m. ET  
Location: Virtual meeting via ZOOM webinar

### WELCOME REMARKS

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The Kentucky Council on Postsecondary Education met in a special-called business meeting on Thursday, April 25, 2024, at 11:00 a.m. ET. The meeting occurred virtually by ZOOM webinar. Chair Madison Silvert chaired the meeting.

### ATTENDANCE

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Council Members' attendance:

- Attended: CB Akins, Muhammad Babar, Jennifer Collins, Kellie Ellis, Meredith Figg, Karyn Hoover, Faith Kemper, Chloe Marsteller, LaDonna Rogers, Madison Silvert.
- Did not attend: Jacob Brown, Eric Farris, Connie Smith, Elaine Walker, Kevin Weaver, Interim Commissioner Robin Kinney

CPE President Aaron Thompson served as Secretary of the board, per the CPE bylaws. Ms. Heather Faesy, CPE's board liaison, served as recorder of the meeting minutes.

### AMENDMENT TO 13 KAR 2:120. COMPREHENSIVE FUNDING MODEL FOR THE ALLOCATION OF STATE GENERAL FUND APPROPRIATIONS TO PUBLIC UNIVERSITIES

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Mr. Travis Powell, Vice President and General Counsel, presented the staff recommendation that the Council approve the emergency and regular amended administrative regulation titled 13 KAR 2:120. *Comprehensive funding model for the allocation of state general fund appropriations to the public universities*. The action would authorize staff to file the proposed administrative regulation and the 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 of the new regulation by the Administrative Regulation Review Subcommittee and the Interim Joint Committee on Education.

This recommendation was prompted by Governor Beshear signing SB 191 (2024), which amends the comprehensive funding model for the allocation of state general fund

appropriations for postsecondary institution operations. The bill requires revisions to the public university sector formula and the KCTCS sector formula, and it provides the Council with authority to promulgate emergency and/or amended administrative regulations in order to implement the amended funding formulas. SB 191 contained an emergency clause and therefore went into effect immediately, which put the performance funding regulations out of statutory compliance. Therefore, an emergency regulation filing was necessary to bring the regulations into compliance before the fiscal year 2024-2025 funding distributions are certified to the Office of State Budget Director by the May 1st statutory deadline.

SB 191 includes the changes recommended to the funding model by the Performance Funding Workgroup. In addition, SB 191 removes the underrepresented minority student metric from the model and requires that the 3% previously allocated to that metric be allocated equally to first-generation college students and low-income students in fiscal year 2024-2025.

Highlights of these recommendations for the regulation include:

- An increase to the allocation for low-income bachelor's degree produced, from 3% to 9.5%.
- The inclusion of an allocation of 1.5% to first-generation college students.
- The addition of a premium for credit hours earned by non-traditional adult learners.
- An increase to the small-school adjustments at Kentucky State University and Morehead State University to increase their respective abilities to earn funding through the model.
- An increase to the nonresident student earned credit hour weighting, from .5 to .75.

SB 191 also created a new "underrepresented student" metric that will be defined by the Performance Funding Workgroup on or before December 1, 2024. That revised definition will be brought to the Council for approval for incorporation into the amended regulation and will be final in anticipation of the fiscal year 2025-2026 performance funding distribution.

MOTION: Dr. Figg moved the Council approve the emergency and regular amended administrative regulations 13 KAR 2:120 and 13 KAR 2:120E and authorized staff to file them with LRC accordingly. Rev. Akins seconded the motion.

VOTE: The motion passed.

### **AMENDMENT TO 13 KAR 2:130. COMPREHENSIVE FUNDING MODEL FOR THE ALLOCATION OF STATE GENERAL FUND APPROPRIATIONS TO KENTUCKY COMMUNITY AND TECHNICAL COLLEGE INSTITUTIONS**

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Mr. Powell presented the staff recommendation that the Council approve the emergency and regular amended administrative regulation titled 13 KAR 2:130. *Comprehensive funding model for the allocation of state general fund appropriations to the Kentucky Community and*

*Technical College System institutions.* The action would authorize staff to file the proposed administrative regulation and the 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 of the new regulation by the Administrative Regulation Review Subcommittee and the Interim Joint Committee on Education.

This recommendation was also prompted by Governor Beshear signing SB 191 (2024) and has the same resulting requirements. SB 191 includes the changes recommended to the funding model by the Performance Funding Workgroup, removes the underrepresented minority student metric from the model, and also requires that the 2% previously allocated to that metric for the KCTCS institutions be allocated equally to first-generation college students and low-income students in fiscal year 2024-2025.

Highlights of these recommendations for the regulation include:

- An allocation of 1% to credentials earned by first-generation college students.
- The use of a community needs index to weight performance on the production of credentials.
- An increase to the weightings for targeted student populations, including low-income students, and a reduction in the weighting of student progression metrics.
- The inclusion of a metric for non-traditional, college-age students.
- Inclusion of a community needs index in order to determine equity adjustments for institutions.

MOTION: Ms. Rogers moved the Council approve the emergency and regular amended administrative regulations 13 KAR 2:130 and 13 KAR 2:130E and authorized staff to file them with LRC accordingly. Ms. Collins seconded the motion.

VOTE: The motion passed.

## **ADJOURNMENT**

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The Council adjourned the meeting at 11:20 a.m. ET.