

MINUTES

Council on Postsecondary Education

Type: Executive Committee
Date: October 8, 2019
Time: 2:00 p.m.
Location: Council on Postsecondary Education, Conference Room A

WELCOMING & CALL TO ORDER

The Council on Postsecondary Education met Wednesday, October 8, 2019 at 2:00 p.m., ET, at the CPE offices in Frankfort, Kentucky. Chair Sherrill Zimmerman presided.

ATTENDANCE

Members in attendance: Ron Beal (joined at 2:30 p.m.) Ben Brandstetter, Kim Halbauer, Kristi Nelson and Sherrill Zimmerman. All attended by teleconference.

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, via the meeting recording.

PROPOSED REGULATION CHANGES FOR REVIEW & RECOMMENDATION

Presenter: Travis Powell, CPE's Vice President and General Counsel

Mr. Powell presented two regulations for the Executive Committee's review & recommendation. Upon approval by the full Council, staff would file the administrative action, and authorize CPE's 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.

- 1) 13 KAR 4:010 – State Authorization Reciprocity Agreement Regulation - The proposed amendment language includes a new Section 7, which sets forth an appeal process for institutions denied approval for initial or renewal application for SARA participation.

MOTION: Ms. Nelson moved the Committee recommend approval of the amendment to 13 KAR 4:010 to the full Council at its October 31, 2019 meeting. Mr. Brandstetter seconded the motion.

VOTE: The motion passed.

- 2) 13 KAR 1:020 – Private College Licensing - At the June 28, 2019 meeting, the Council approved an amendment to 13 KAR 1:020, revising language in several areas. During the public comment period, the Council received a comment from Walden University regarding the following provision from Section 8. (4)(e) of the Regulation and suggesting that the Council may not notice each time a student files a complaint against the school with another state agency or a federal agency. Since there is generally no threshold to initiate a student complaint with a state or federal agency, complaint filing is not indicative that an issue of concern exists. However, if a complaint or a series of complaints were substantive, the state or federal agency would most certainly initiate an investigation. As such, staff is recommending that the word “complaint” be removed from Section 8(4)(e) of the Regulation.

MOTION: Ms. Halbauer moved the Committee recommend approval of the amended after comments to 13 KAR 1:020 to the full Council at its October 31, 2019. Ms. Nelson seconded the motion.

VOTE: The motion passed.

CPE PRESIDENT EVALUATION

The Committee approved the 2019 President Evaluation Process with the following components:

- Timeline process that begins Sept 5 and ends Nov 15. The Exec Committee will review the results/responses at its Dec 7, 2019 meeting.
- A list of survey takers that include all 16 Council members, all members of the CPE staff, all university presidents, the KCTCS and AIKCU president, and

key members of the Kentucky General Assembly, the Governor's administration, and state policy leaders.

- Specialized survey questions for each of the constituency groups.
- The Nov 15, 2019 deadline for President Thompson's self-evaluation.

LARGE PURCHASE THRESHOLDS

Presenter: Travis Powell, CPE's Vice President and General Counsel

As requested at the previous Committee meeting, Mr. Powell provided a list of contracts for the past three years, and noted that without specific exemptions, all Memoranda of Agreement (MOAs) and Personal Service Contracts (PSCs) cannot cross the Biennium. After a short discussion, Council members stated that they would like to review any contracts or discretionary funds not originally included in the approved agency annual budget and represent a threshold of over \$50,000.

UNIFIED BUDGET REQUEST

Presenter: Ben Brandstetter, CPE Finance Committee Chair

Mr. Brandstetter provided the Executive Committee with an update regarding the joint Finance Committee and campus Presidents' meeting.

NEW ACADEMIC PROGRAM REVIEW PROCESS

This information was provided in the agenda materials.

ADJOURNMENT

The committee adjourned at 3:15 p.m., ET.