



proposed

## KANSAS BOARD OF REGENTS

### NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted on Tuesday, September 19, 2017 at 1:00 p.m. in the Board of Regents Board room, 1000 S.W. Jackson, Suite 520, Topeka, to consider the amendment of the regulation concerning the fees paid by in-state institutions renewing a certificate of approval for a branch campus location.

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](mailto: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:

The overall purposes of the proposed amendment to the regulation is to lower the fees charged to in-state postsecondary educational institutions who seek to renew the certificate of approval for a branch location.

K.A.R. 88-28-6 is being amended. The proposed amendment will lower the fees to be paid by in-state postsecondary educational institutions seeking to renew a certificate of approval for a branch campus location.

**2. Reason or reasons the proposed regulation is required, including whether or not the regulation is mandated by federal law.**

The proposed amendment reduces the fee to be paid by in-state postsecondary educational institutions seeking to renew a certificate of approval for a branch campus location. The regulation is not mandated by federal law.

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**3. Anticipated economic impact upon the Kansas State Board of Regents.**

This change to the fee regulation has no anticipated significant economic impact on the Board.

**4. Anticipated financial impact upon other governmental agencies and upon private business or individuals.**

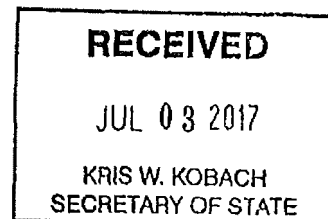
Impacted institutions will pay less if they have branch campus locations.

**5. Anticipated economic impact upon private citizens.**

See response to paragraph number 4, above.

**6. Less costly or intrusive methods that were considered, but rejected, and the reason for rejection.**

See response to paragraph number 4, above.



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**88-28-6. Fees.** Fees for certificates of approval, registration of representatives, and certain transcripts shall be paid to the state board in accordance with this regulation.

(a) For institutions chartered, incorporated, or otherwise organized under the laws of Kansas and having their principal place of business within the state of Kansas, the following fees shall apply:

(1) Initial application fees:

(A) Non-degree-granting institution \$1,000

(B) Degree-granting institution \$2,000

(2) Initial evaluation fee, in addition to initial application fees:

(A) Non-degree level \$750

(B) Associate degree level \$1,000

(C) Baccalaureate degree level \$2,000

(D) Master's degree level \$3,000

(E) Professional and doctoral degree levels \$4,000

(3) Renewal application fees:

(A) Non-degree-granting institution 2% of gross tuition  
but not less than \$500 and not more than \$10,000

(B) Degree-granting institution 2% of gross tuition,  
but not less than \$1,200 and not more than \$10,000

(4) New program submission fees, for each new program:

(A) Non-degree program \$100

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(B) Associate degree program	\$250
(C) Baccalaureate degree program	\$500
(D) Master's degree program	\$750
(E) Professional and doctoral degree programs	\$1,500
(5) Program modification fee, for each program	\$100
(6) Branch campus site fees, for each branch campus site:	
(A) Initial non-degree-granting institution	\$1,000
(B) Initial degree-granting institution	\$2,000
(7) Renewal branch campus site fees, for each branch campus site:	
(A) Non-degree-granting institution	2% of gross tuition, but not less than \$500 and not more than <del>\$10,000</del> <u>\$1,000</u>
(B) Degree-granting institution	2% of gross tuition, but not less than <del>\$1,200</del> <u>\$1,000</u> and not more than <del>\$10,000</del> <u>\$1,500</u>
(8) On-site branch campus review fee, for each branch campus site	\$100
(9) Representative fees:	
(A) Initial registration	\$200
(B) Renewal of registration	\$10
(10) Late submission of renewal of application fee	\$500
(11) Student transcript copy fee	\$10

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(12) Returned check fee \$50

(13) Changes in institution profile fees:

(A) Change of institution name \$50

(B) Change of institution location \$50

(C) Change of ownership only \$50

(b) For institutions that are not chartered, incorporated, or otherwise organized under the laws of Kansas that have their principal place of business outside the state of Kansas, the following fees shall apply:

(1) Initial application fees:

(A) Non-degree-granting institution \$3,000

(B) Degree-granting institution \$4,000

(2) Initial evaluation fee, in addition to initial application fees:

(A) Non-degree level \$1,500

(B) Associate degree level \$2,000

(C) Baccalaureate degree level \$3,000

(D) Master's degree level \$4,000

(E) Professional and doctoral degree levels \$5,000

(3) Renewal application fees:

(A) Non-degree-granting institution 3% of gross tuition

received or derived from Kansas students, but not

less than \$1,800 and not more than \$10,000

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(B) Degree-granting institution 3% of gross tuition  
received or derived from Kansas students, but not  
less than \$2,400 and not more than \$10,000

(4) New program submission fees, for each new program:

(A) Non-degree program \$250

(B) Associate degree program \$500

(C) Baccalaureate degree program \$750

(D) Master's degree program \$1,000

(E) Professional and doctoral degree programs \$2,000

(5) Program modification fee, for each program \$100

(6) Branch campus site fees, for each branch campus site:

(A) Initial non-degree-granting institution \$3,000

(B) Initial degree-granting institution \$4,000

(7) Renewal branch campus site fees, for each branch campus site:

(A) Non-degree-granting institution 3% of gross tuition  
received or derived from Kansas students, but not  
less than \$1,800 and not more than \$10,000

(B) Degree-granting institution 3% of gross tuition  
received or derived from Kansas students, but not  
less than \$2,400 and not more than \$10,000

(8) On-site branch campus review, fee for each branch campus site \$500

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(9) Representative fees:

(A) Initial registration \$350

(B) Renewal of registration \$10

(10) Late submission of renewal of application fee \$500

(11) Student transcript copy fee \$10

(12) Returned check fee \$50

(13) Changes in institution profile fees:

(A) Change of institution name \$50

(B) Change of institution location \$50

(C) Change of ownership only \$50

(Authorized by and implementing K.S.A. 2016 Supp. 74-32,181; effective Oct. 20, 2006;  
amended April 16, 2010; amended, T-88-7-20-11, July 20, 2011; amended Oct. 21, 2011;  
amended April 10, 2015; amended May 26, 2017; amended P-\_\_\_\_\_.)

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## **ECONOMIC IMPACT STATEMENT FOR K.A.R. 88-28-6**

### **1. Summary of proposed regulations, including purposes.**

The overall purpose for the proposed amendments to this regulation is to lower the established rates paid by in-state private and out-of-state postsecondary institutions to receive and maintain a certificate of approval to operate in Kansas. The Board has crafted and is proposing the following amendments:

K.S.A. 74-32,181 sets the maximum and minimum fees that must be charged to private and out-of-state postsecondary institutions operating in Kansas and grants the Board authority to set the various categories of fees through regulation K.A.R. 88-28-6. The amendments lower established rates for in-state branch campuses based on projections made in a recent business study.

### **2. Reason or reasons the proposed regulation is required, including whether or not the regulation is mandated by federal law.**

This regulation and the proposed amendments implement the Board's authority to regulate institutions under the Kansas Private and Out-of-State Postsecondary Educational Institution Act. The regulation is not mandated by federal law.

### **3. Anticipated economic impact upon the Kansas State Board of Regents.**

The economic impact of these amendments to the Board of Regents office will be a 4% decrease in revenues for the Private and Out-of-State Postsecondary Educational Institution program. The Private Postsecondary Division anticipates that there will be enough income to pay its budgeted expenses.

### **4. Anticipated financial impact upon other governmental agencies and upon private business or individuals.**

The economic impact to the private and out-of-state postsecondary educational institution sector will be a 4% decrease in the amount of fees paid to the Board of Regents for obtaining and maintaining a certificate of approval to operate in the state. It is not possible for us to ascertain whether this decrease will have any impact on the students enrolling in these institutions or their parents.

### **5. Anticipated economic impact upon private citizens.**

See response to paragraph number 4, above.

### **6. Less costly or intrusive methods that were considered, but rejected, and the reason for rejection.**

See response to paragraph number 3, above.

