

**CHAPTER 60****( SB 140 )**

AN ACT relating to interstate distance education among postsecondary institutions.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 164.540 is amended to read as follows:

- (1) The Council on Postsecondary Education in Kentucky as defined in KRS 164.011 is hereby designated as the agency of the Commonwealth of Kentucky charged with the responsibility and vested with all necessary authority, subject to the conditions and restrictions set out in subsection (2) of this section, to carry out the obligations, participate in the planning and negotiations, and administer the rights, benefits, and privileges, devolving upon the Commonwealth of Kentucky and its citizens pursuant to the regional compact referred to in KRS 164.530, and to do all such other acts and things as may be necessary or desirable to implement the provisions of said regional compact efficiently and impartially for the benefit of all citizens of the Commonwealth.
- (2) In its participation in the regional compact, or in any other regional plan having a similar purpose, the Commonwealth of Kentucky shall not erect, acquire, develop, or maintain in any manner any educational institution within its borders to which any student would be refused entrance on the basis of race, national origin, gender, creed, or religion.
- (3) *Notwithstanding any other law governing the offering of postsecondary education in the state, the council shall be authorized to take the following actions on behalf of the Commonwealth:*
  - (a) *Enter into the State Authorization Reciprocity Agreement, which establishes uniform national standards for interstate offerings of postsecondary distance education and authorizes postsecondary educational institutions meeting those standards located in member states or territories to provide distance education to residents of the Commonwealth;*
  - (b) *Serve as the lead or "portal" agency on behalf of the Commonwealth's public and private postsecondary institutions seeking to offer distance education in member states by:*
    1. *Managing functional and administrative state responsibilities under the State Authorization Reciprocity Agreement; and*
    2. *Serving as the official contact for other states and students from other states on matters pertaining to the agreement; and*
  - (c) *Promulgate administrative regulations in accordance with KRS Chapter 13A to establish procedures for participation by Kentucky postsecondary institutions in the State Authorization Reciprocity Agreement.*

**Signed by Governor April 8, 2016.**