

### **13 KAR 2:060. Degree program approval; equal opportunity goals.**

RELATES TO: KRS 164.001, 164.020.

STATUTORY AUTHORITY: KRS 164.020(19)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.020(19) requires the Council on Postsecondary Education to promulgate administrative regulations establishing equal opportunity goals that institutions are required to meet in order to obtain approval of new academic programs. It further requires the council to promulgate administrative regulations establishing requirements for securing a temporary waiver, if an institution has made substantial progress toward meeting the goals. This administrative regulation establishes the process for goal setting, measurement of progress, and how to secure a temporary waiver.

#### Section 1. Definitions.

- (1) "Council" is defined by KRS 164.001(8).
- (2) "Policy" means the Kentucky Public Postsecondary Education Policy for Diversity, Equity, and Inclusion.
- (3) "Institution" means a state-supported postsecondary education institution listed in KRS 164.001(17).
- (4) "Institution diversity plan" means a plan developed by an institution, in conjunction with the Council on Postsecondary Education, which addresses the goals and strategies outlined in the Diversity Policy and outlines an appropriate plan for assessment.
- (5) "Rubric" means the Diversity, Equity, and Inclusion Plan Report Evaluation Rubric for a Kentucky Community and Technical College or four (4) year institution, as applicable.

#### Section 2. Creation of Institution Diversity Plan.

- (1) The Kentucky Public Postsecondary Education Policy for Diversity, Equity, and Inclusion shall provide the framework and guidelines for developing an institution diversity plan to be submitted to the council for approval.
- (2) As described in the policy, institution diversity plans shall include annual goals for the following areas of interest:
  - (a) Student enrollment:
    1. Undergraduate students; and
    2. Graduate students at the four (4) year institution;
  - (b) Student success:
    1. First year to second year retention of undergraduate students;
    2. Associate and baccalaureate degrees and credentials conferred; and
    3. Graduation rates for undergraduate students; and
  - (c) The increase and advancement of diverse faculty and staff.
- (3) Institution diversity plans shall also be designed to address the following goals:
  - (a) Promoting equity and inclusion on campus in order to create a positive campus climate that embraces diversity; and
  - (b) Working toward producing culturally competent students, faculty, and staff.
- (4) As described in the policy, institution diversity plans shall identify strategies and initiatives designed to meet the goals set and provide an appropriate plan for assessment.

#### Section 3. Measurement of an Institution's Performance in Demonstrating Continuous Progress, and Automatic Eligibility for New Academic Programs.

- (1) As described in the policy, an institution shall submit a written report annually to the council or its designee describing the institution's progress in meeting the goals set forth in the institution diversity plan, providing evidence that identified strategies are being

implemented, analyzing the effectiveness of the implemented strategies, and identifying lessons learned from that analysis and any related next steps. Reports shall be evaluated in accordance with the applicable rubric.

(2) To be automatically eligible for new academic programs:

(a) A four (4) year institution shall score twenty-four (24) out of a maximum of thirty-six (36) as outlined in its rubric.

(b) A community college shall score twenty-two (22) out of a maximum of thirty-six (36) as outlined in its rubric.

#### Section 4. Waivers.

(1) As described in the policy, if an institution is not automatically eligible under Section 3 of this administrative regulation, the institution shall submit to the council for approval a performance improvement plan that identifies specific strategies and resources dedicated to addressing its performance deficiencies.

(2) An institution may request a waiver to offer a new academic program if the council has approved the institution's performance improvement plan.

(3) The council shall approve a waiver request if the institution can provide the council with sufficient assurance that offering the new program will not divert resources from its improvement efforts.

#### Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) The "Kentucky Public Postsecondary Education Policy for Diversity, Equity, and Inclusion", September 23, 2016;

(b) The "Diversity, Equity, and Inclusion Plan Report Evaluation Rubric - KCTCS", September 23, 2016; and

(c) The "Diversity, Equity, and Inclusion Plan Report Evaluation Rubric – Universities", September 23, 2016.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Council on Postsecondary Education, 1024 Capital Center Drive, Suite 320, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(19 Ky.R. 1689; Am. 2024; eff. 3-4-1993; 23 Ky.R. 164; 1389; eff. 9-5-1996; 24 Ky.R. 916; 1291; 1498; eff. 1-12-1998; 37 Ky.R. 2250; 2539; eff. 6-3-2011; TAm eff. 1-4-2012; TAm 5-22-2012; 43 Ky.R. 758, 1162; eff. 1-30-2017; Cert. eff. 11-20-2023; 2025 RS HB 4 established that this administrative regulation was null, void, and unenforceable, eff. 6-27-2025.)