

**KANSAS BOARD OF REGENTS  
SYSTEM COUNCIL OF CHIEF ACADEMIC OFFICERS**

**VIRTUAL MEETING AGENDA  
Wednesday, February 14, 2024  
8:30 – 9:00 a.m.**

The System Council of Chief Academic Officers (SCOCAO) will meet virtually via Zoom. An in-person option will be available at the Curtis State Office Building at 1000 SW Jackson, Suite 530, Topeka, Kansas, 66612.

- |   |  |                          |               |
|---|--|--------------------------|---------------|
| <b>I. Call to Order</b>   |  | Mickey McCloud, Co-Chair |               |
| A. Roll Call and Introductions  |  |                          |               |
| B. Approve Minutes from January 17, 2024                              |  |                          | p. 3          |
| <br>  |  |                          |               |
| <b>II. Systemwide Updates</b>   |  |                          |               |
| A. Apply Free Days and Apply Kansas Update                            |  | Mistie Knox              |               |
| B. Transfer and Articulation Council (TAAC) Report                    |  | Jane Holwerda            |               |
| C. Math Pathways  |  | Sam Christy-Dangermond   |               |
| D. Systemwide Elementary Education Transfer Associate                 |  | Sam Christy-Dangermond   |               |
| E. Performance Agreements/Reports &<br>Performance Funding Guidelines |  | Sam Christy-Dangermond   | p. 4<br>p. 14 |
| <br>  |  |                          |               |
| <b>III. Other Matters</b>   |  |                          |               |
| A. Off-Campus Delivery of Academic Courses and Programs               |  | Mickey McCloud           |               |
| <br>  |  |                          |               |
| <b>IV. Next SCOCAO Meeting – March 20<sup>th</sup></b>                |  |                          |               |
| <br>  |  |                          |               |
| <b>V. Adjournment</b>   |  |                          |               |

Date Reminders:

- July 1<sup>st</sup> Performance Reports are due (including [Degree Maps](#) for all programs)

## SYSTEM COUNCIL OF CHIEF ACADEMIC OFFICERS

The System Council of Chief Academic Officers (SCOCAO), established in 2002, is composed of the six chief academic officers of the state universities, four chief academic officers selected by the nineteen community colleges, one chief academic officer selected by the six technical colleges, and the chief academic officer of Washburn University. The Board's Vice-President for Academic Affairs serves as an ex officio member. The Committee meets in person on the morning of the first day of the monthly Board meeting. Membership includes:

Mickey McCloud, Co-Chair	JCCC
Debbie Mercer, Interim, Co-Chair	K-State
Barbara Bichelmeyer	KU
Brent Thomas	ESU
Howard Smith	PSU
Jane Holwerda	Dodge City CC
Jill Arensdorf	FHSU
John Fritch	Washburn
Luke Dowell	Seward CCC
Shirley Lefever	WSU
Phil Speary	Butler CC
Scott Lucas	WSU Tech
Karla Wiscombe, Interim	KBOR

### System Council of Chief Academic Officers AY 2024 Meeting Schedule

<i><b>SCOCAO Academic Year 2023- 2024 Meeting Dates</b></i>		
<b>Meeting Dates</b>	<b>Location (virtual or in-person)</b>	<b>Institutional Materials Due</b>
September 20, 2023	Virtual	August 30, 2023
November 15, 2023	Emporia State University	October 25, 2023
December 13, 2023	Virtual	November 22, 2023
January 17, 2024	Virtual	December 27, 2023
February 14, 2024	Virtual	January 24, 2024
March 20, 2024	Virtual	February 28, 2024
April 17, 2024	Fort Hays State University	March 27, 2024
May 15, 2024	Virtual	April 24, 2024
June 18, 2024	Virtual	May 29, 2024

SCOCAO meets at 8:30 a.m. unless otherwise noted.

**System Council of Chief Academic Officers  
MINUTES**

**Wednesday, January 17, 2024**

The January 17, 2024, System Council of Chief Academic Officers (SCOCAO) meeting was called to order by Co-Chair Mickey McCloud. The meeting was held virtually through Zoom with an in-person option at the KBOR offices.

**In Attendance:**

Members: Mickey McCloud, JCCC	Laura Stephenson, Washburn	Phil Speary, Butler CC
Barbara Bichelmeyer, KU	Howard Smith, PSU	Luke Dowell, Seward County CC
Brent Thomas, ESU	Jill Arensdorf, FHSU	Jane Holwerda, Dodge City CC
Shirley Lefever, WSU	Scott Lucas, WSU Tech	Laura Stephenson, Washburn
Karla Wiscombe, KBOR		

**Approval of Minutes**

Jill Arensdorf moved to approve the December 13, 2023, meeting minutes. Brent Thomas seconded the motion, and the motion passed.

**Systemwide Updates**

- Jane Holwerda provided the Transfer and Articulation Council (TAAC) Report. Karla Wiscombe added that an email would be sent regarding certifying the preliminary courses submitted for the four new Systemwide Transfer courses approved by the Board in December.
- Karla Wiscombe stated the General Education Council met on January 11 and determined a deadline of February 1 for any revisions to the master course lists. Revisions will be considered at their February 16 meeting.
- Sam Christy-Dangermond provided an update on math pathways. The Math Pathways Task Force will meet this month. The Dana Center is assisting work, and five representatives will attend the Dana Center Convening in February to gain insight, network, and discuss with the other 21 states that are part of the [Launch Years Initiative](#).

**Other Matters**

- Mickey McCloud noted work is underway to update language and processes for the [Off-Campus Delivery of Academic Courses and Programs policy](#) and will be on the February agenda.

**Adjournment**

Brent Thomas moved to adjourn the meeting; Jane Holwerda seconded, and the motion passed.

Sample Performance Agreement

AY 2024 – AY 2026 Performance Agreement	Institution:
Contact:	Email:

**Project Timeline**

AY 2023: Starting the Foundation		
Fall 2022 Semester	Spring 2023 Semester	Summer 2023 Semester
Acceptance into Dana Center’s Launch Year’s Initiative	Establish timeline	Establish the gateway math courses that will be used for math pathways (math task force will work with associate deans and/or department chairs in various disciplines)
Math task force attends the Dana Center’s <a href="#">Launch Year's Initiative in November 2022.</a>	<a href="#">Develop Charge Document</a>	
<a href="#">Develop Charge Document</a>	Establish the gateway math courses that will be used for math pathways (math task force will work with associate deans and/or department chairs in various disciplines)	
Performance Funding Implications		
N/A existing system still in place. (Review of AY 2021 Performance Reports was completed by the Board in Spring of 2023; any new funding to be awarded in July of 2023.)		

AY 2024: Continue Building the Foundation		
Fall 2023 Semester	Spring 2024 Semester	Summer 2024 Semester
Establish the gateway math courses that will be used for math pathways (math task force will work with associate deans and/or department chairs in various disciplines). Upon completion of this work, revise Board policy to include math pathway options with a Fall 2026 implementation date.	Establish systemwide math course placement measures (Math task force members and a soon-to-be-created systemwide math course placement measures committee will work on this).	Establish systemwide math course placement measures (Math task force members and a soon-to-be-created systemwide math course placement measures committee will work on this).
Establish systemwide math course placement measures (Once it is understood what gateway math courses will be used for math pathways, this work will begin). Math task force members and a soon-to-be-created systemwide math course placement measures committee will work on this.	Establish systemwide English course placement measures (A soon-to-be systemwide English course placement measure committee will work on this).	Establish systemwide English course placement measures (A soon-to-be systemwide English course placement measure committee will work on this).
Contemporary Math course outcomes and Elementary Statistics course outcomes might be revised at the Fall 2023 Kansas Core Outcomes Group Meeting.		Establish math pathways advising one-pager to outline what, when, and the alignment between majors and math pathway courses.
Institutions will work on creating degree maps for students who begin in Fall 2024 or Spring 2025.	Institutions will work on creating degree maps for students who begin in Fall 2024 or Spring 2025.	
Performance Funding Implications		
N/A existing system still in place. (Review of existing AY 2022 Performance Reports turned in by June 30, 2023, will be completed by the Board in Spring of 2024; any new funding to be awarded in July of 2024.)		

Sample Performance Agreement

**AY 2024 performance is based on creating a plan for AY 2025, including the below activities. Any new funding to be awarded in July of 2025.**

AY 2025: Professional Development and Preparation		
Fall 2024 Semester	Spring 2025 Semester	Summer 2025 Semester
Math faculty design gateway math courses for math pathways (if needed) and establish any institutionally designated math course placement measures	Math faculty design gateway math courses for math pathways (if needed) and establish any institutionally designated math course placement measures	
Math faculty design corequisite math support developmental education for each math pathway course that applies to the degree offerings on campus	Math faculty design corequisite math support developmental education for each math pathway course that applies to the degree offerings on campus	
English faculty design corequisite English support developmental education on campus (if needed) and establish any institutionally designated English course placement measures	English faculty design corequisite English support developmental education on campus (if needed) and establish any institutionally designated English course placement measures	
<b>KBOR Professional Development</b> <ul style="list-style-type: none"> <li>• Corequisite Support Developmental Education                             <ul style="list-style-type: none"> <li>○ Instruction: English and Math Faculty</li> <li>○ Advising: Academic Advisors</li> <li>○ Data Reporting: Institutional Research</li> </ul> </li> <li>• Math Pathways                             <ul style="list-style-type: none"> <li>○ Instruction: Math Faculty</li> <li>○ Advising: Academic Advisors</li> </ul> </li> <li>• Course Placement Measures                             <ul style="list-style-type: none"> <li>○ Instruction: Math Faculty</li> <li>○ Advising: Academic Advisors</li> <li>○ Data Reporting: Institutional Research</li> <li>○ Assessment: Testing Center Personnel</li> </ul> </li> </ul>	<b>KBOR Professional Development</b> <ul style="list-style-type: none"> <li>• Corequisite Support Developmental Education                             <ul style="list-style-type: none"> <li>○ Instruction: English and Math Faculty</li> <li>○ Advising: Academic Advisors</li> <li>○ Data Reporting: Institutional Research</li> </ul> </li> <li>• Math Pathways                             <ul style="list-style-type: none"> <li>○ Instruction: Math Faculty</li> <li>○ Advising: Academic Advisors</li> </ul> </li> <li>• Course Placement Measures                             <ul style="list-style-type: none"> <li>○ Instruction: Math Faculty</li> <li>○ Advising: Academic Advisors</li> <li>○ Data Reporting: Institutional Research</li> <li>○ Assessment: Testing Center Personnel</li> </ul> </li> </ul>	Some of the professional development may also be conducted in Summer 2025.
Institutions will work on updating degree maps for students beginning in Fall 2025 or Spring 2026	Institutions will work on updating degree maps for students beginning in Fall 2025 or Spring 2026	
Performance Funding Implications (AY 25 Funding Cycle; any new funding awarded July of 2025)		
By July 1, 2024, each institution submits a plan document (template to be provided by KBOR in Spring of 2024) for the above activities for AY 2025, including:		
1. A commitment to implementing math pathways, which will include detailing <ul style="list-style-type: none"> <li>• the process and estimated timing that is required on campus to create and approve gateway math courses for math pathways into degree programs; and</li> <li>• the list of the group members that will lead this work on campus.</li> </ul>		1 Point
2. A commitment to implementing corequisite math support developmental education, which will include detailing <ul style="list-style-type: none"> <li>• the process and estimated timing that is required on campus to create and approve corequisite math support developmental education; and</li> <li>• the list of the group members that will lead this work on campus.</li> </ul>		1 Point
3. A commitment to implementing corequisite English support developmental education, which will include detailing (its understood that many are currently doing corequisite English) <ul style="list-style-type: none"> <li>• the process and estimated timing that is required on campus to create and approve corequisite English support developmental education; and</li> <li>• the list of the group members that will lead this work on campus.</li> </ul>		1 Point
4. A commitment to having faculty and staff participate in KBOR sponsored-professional development, which will include: <ul style="list-style-type: none"> <li>• the list of the individuals that will participate in professional development; and</li> <li>• a plan to ensure that faculty and staff who are unable to attend professional development meeting will receive the information missed (e.g., watch video recordings, review professional development documentation, etc.).</li> </ul>		1 Point
5. A link to all its <a href="#">academic degree maps</a> for students starting in Fall 2024 or Spring 2025.		1 Point

Sample Performance Agreement

**AY 2025 performance is based on creating a plan for AY 2026, including the below activities. Any new funding to be awarded in July of 2026.**

AY 2026: Soft Launch		
Fall 2025 Semester	Spring 2026 Semester	Summer 2026 Semester
Offer at least one section of each gateway math course that applies to the degree programs on its campus for math pathways.	Offer at least one section of each gateway math course that applies to the degree programs on its campus for math pathways.	
Offer at least one section of corequisite math support developmental education for each gateway math course that applies to the degree programs on its campus for math pathways.	Offer at least one section of corequisite math support developmental education for each gateway math course that applies to the degree programs on its campus for math pathways.	
Offer at least one section of corequisite English support developmental education.	Offer at least one section of corequisite English support developmental education.	
Institutions will work on updating degree maps for students beginning in Fall 2026 or Spring 2027	Institutions will work on updating degree maps for students beginning in Fall 2026 or Spring 2027	
Performance Funding Implications (AY 26 Funding Cycle; any new funding awarded July of 2026)		
<b>By July 1, 2025, each institution submits a plan document (template to be provided by KBOR in Spring of 2025) for the above activities for AY 2026, including:</b>		
1. A schedule showing at least one section of each gateway math course that applies to degrees on its campus for Fall 2025 and Spring 2026 and a plan to implement math pathways full scale in 2026-2027 (Identify the number of students and course sections that are estimated to be taught in each respective gateway math course per year when this initiative is fully scaled in 2026-2027);		1 Point
2. A schedule showing at least one section of corequisite math support developmental education for each gateway math course that applies to degrees on its campus for Fall 2025 and Spring 2026 and a plan to implement corequisite math support developmental education full scale in 2026-2027;		1 Point
3. A schedule showing at least one section of corequisite English support developmental education for Fall 2025 and Spring 2026 and a plan to implement corequisite English support developmental education full scale in 2026-2027;		1 Point
4. A plan to implement the systemwide English and math course placement measures for the soft launch and full-scale in 2026-2027; and		1 Point
5. A link to all its <a href="#">academic degree maps</a> for students starting in Fall 2025 or Spring 2026.		1 Point

Sample Performance Agreement

**AY 2026 performance is based on creating a plan for AY 2027, including the below activities. Any new funding to be awarded in July of 2027.**

AY 2027: Full Implementation		
Fall 2026 Semester	Spring 2027 Semester	Summer 2027 Semester
Math pathways full scale	Math pathways full scale	Math pathways full scale
Corequisite English and math support developmental education are full scale	Corequisite English and math support developmental education are full scale	Corequisite English and math support developmental education are full scale
Systemwide English and math course placement measures are full scale	Systemwide English and math course placement measures are full scale	Systemwide English and math course placement measures are full scale
Performance Funding Implications (AY 27 Funding Cycle; any new funding awarded July of 2027)		
By July 1, 2026, each institution submits a plan document (template to be provided by KBOR in Spring of 2026) for the above activities for AY 2027, including:		
1. A schedule of Fall 2026 and Spring 2027 gateway math courses for math pathways;		1 Point
2. A schedule of Fall 2026 and Spring 2027 corequisite math support developmental education sections (no prerequisite math developmental education courses will be offered);		1 Point
3. A schedule of Fall 2026 and Spring 2027 corequisite English support developmental education sections; (no prerequisite English developmental education courses will be offered);		1 Point
4. An institutional policy demonstrating compliance with the systemwide English and math course placement measures and any institutionally designated English and math course placement measures that will be used (ALEKS, homegrown math assessment, plan to evaluate non-cognitive factors, etc.); and		1 Point
5. A link to all its <a href="#">academic degree maps</a> for students starting in Fall 2026 or Spring 2027.		1 Point











**b. Institutional Plan to Ensure Those Unable to Attend Will Receive Information Missed**

Insert text here

5. Please provide a link to all [academic degree maps](#) effective for students starting in Fall 2024 or Spring 2025.  
(Provide as many links as is necessary to ensure there is a degree map included for each undergraduate program.)

1 Point

Insert text here

Sample Performance Report

Performance Funding Implications (AY 26 Funding Cycle)	
By July 1, 2025, each institution submits:	
6. A schedule showing at least one section of each gateway math course that applies to degrees on its campus for Fall 2025 and Spring 2026 and a plan to implement math pathways full scale in 2026-2027 (Identify the number of students and course sections that are estimated to be taught in each respective gateway math course per year when this initiative is fully scaled in 2026-2027);	1 Point
7. A schedule showing at least one section of corequisite math support developmental education for each gateway math course that applies to degrees on its campus for Fall 2025 and Spring 2026 and a plan to implement corequisite math support developmental education full scale in 2026-2027;	1 Point
8. A schedule showing at least one section of corequisite English support developmental education for Fall 2025 and Spring 2026 and a plan to implement corequisite English support developmental education full scale in 2026-2027;	1 Point
9. A plan to implement the systemwide English and math course placement measures for the soft launch and full-scale in 2026-2027; and	1 Point
10. A link to all its <a href="#">academic degree maps</a> for students starting in Fall 2025 or Spring 2026.	1 Point
Performance Funding Implications (AY 27 Funding Cycle)	
By July 1, 2026, each institution submits:	
5. A schedule of Fall 2026 and Spring 2027 gateway math courses for math pathways;	1 Point
6. A schedule of Fall 2026 and Spring 2027 corequisite math support developmental education sections (no prerequisite math developmental education courses will be offered);	1 Point
7. A schedule of Fall 2026 and Spring 2027 corequisite English support developmental education sections; (no prerequisite English developmental education courses will be offered);	1 Point
8. An institutional policy demonstrating compliance with the systemwide English and math course placement measures and any institutionally designated English and math course placement measures that will be used (ALEKS, homegrown math assessment, plan to evaluate non-cognitive factors, etc.); and	1 Point
5. A link to all its <a href="#">academic degree maps</a> for students starting in Fall 2026 or Spring 2027.	1 Point

Forms for the above information, due July 1, 2025 and July 1, 2026, will be sent to institutions in the spring of 2025 and 2026 respectively.



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# Performance Agreements: Funding Model & Guidelines

Effective for Academic Years 2024, 2025, & 2026

Approved \_\_\_\_\_

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## Introduction

In 1999, the Kansas legislature adopted K.S.A. 74-3202d which established improvement plans for public higher education institutions in Kansas and tied the awarding of new state funds to these improvement plans. These plans are commonly known as performance agreements.

The Board of Regents is responsible for reviewing and approving performance agreements and for providing technical assistance to institutions as they develop, implement and revise their performance agreements.

The Board is also responsible for determining the amount of new state funds awarded, as defined in K.S.A. 74-3202d. The awarding of new state funds is based on an institution's level of compliance with its performance agreement and the funds available for distribution.

## Establishing an Improvement Plan

At least once every three years, institutions negotiate a new performance agreement with the Board. [\*Building a Future\*](#), the Board's strategic plan for the System, provides the foundation for each institution's performance agreement. The three pillars of Building a Future are Family, Business, and Economic Prosperity. Performance metrics will be drawn predominantly from the Family pillar, which includes three areas of focus: Affordability, Access, and Success.

The projects-based performance funding model is based upon an institution employing proven practices that will position the system to move the needle on the Board's [\*Building a Future\*](#) strategic plan.

## Annual Evaluation of Compliance and Funding

To be eligible for any new funding appropriated by the Legislature and approved by the Governor, each institution annually submits a performance report that updates the Board on an institution's progress toward implementing the proven practices as outlined in the performance agreement. The performance report provides the Board a basis for awarding any new funding.

Awarding of new funding is based on progress in the following five projects/indicators included in the performance agreement, all in accordance with amended Board Policy [Chapter III.A.14](#), unless otherwise noted in the Projects-Based Performance Funding table below.

- Math Pathways
- Corequisite Math Support Developmental Education
- Corequisite English Support Developmental Education
- Systemwide Course Placement Measures (for both math & English)
- Academic Degree Maps

Projects-Based Performance Funding					
Project	Math Pathways	Corequisite Math Support Developmental Education	Corequisite English Support Developmental Education	Systemwide Math & English Course Placement Measures	Academic Degree Maps in Accordance with the <a href="#">Basic Standards</a>
Percentage of Funding Each Year	20% Funding	20% Funding	20% Funding	20% Funding	20% Funding

It should be noted that when new legislative dollars are allocated to higher education, an institution will receive a performance funding allocation by participating and meeting basic conditions in the five projects, in accordance with the reporting specifications outlined in the AY 2024 – AY 2026 Performance Agreement, and as generally described below. *The below Funding Tiers table is based upon full completion of the given number of projects/indicators. Please refer to the AY 2024 – AY 2026 Performance Agreement for the specific expectations and reporting requirements for each project/indicator for each year of the agreement.*

Funding Tiers					
<u>First Funding Tier: Institution Receives 100% New Funding Available</u>					
Institution Meets 5 out of 5 Indicators	1	2	3	4	5
<u>Second Funding Tier: Institution Receives 80% New Funding Available</u>					
Institution Meets 4 out of 5 Indicators	1	2	3	4	5
<u>Third Funding Tier: Institution Receives 60% New Funding Available</u>					
Institution Meets 3 out of 5 Indicators	1	2	3	4	5
<u>Fourth Funding Tier: Institution Receives 40% New Funding Available</u>					
Institution Meets 2 out of 5 Indicators	1	2	3	4	5
<u>Fifth Funding Tier: Institution Receives 20% New Funding Available</u>					
Institution Meets 1 out of 5 Indicators	1	2	3	4	5
<u>Sixth Funding Tier: Institution Receives 0% New Funding Available</u>					
Institution Meets 0 out of 5 Indicators	1	2	3	4	5

*If a project/indicator is not fully completed, partial credit may be awarded for each project/indicator, depending upon the institution’s level of completion and compliance, as determined by Board Staff and BAASC upon review of each annual performance report.*



Compliance is evaluated annually, and levels of funding are determined on an annual basis. The first year is critical and builds the foundation for the next two years. For each reporting year, an institution may be awarded 0% to 100% of new funding, based on its level of compliance with the performance agreement and level of completion of each of the five projects as specified in the AY 2024 – AY 2026 Performance Agreement, as reported by the institution.

### **Definition of New State Funds**

Pursuant to K.S.A. 74-3202d, each public postsecondary educational institution’s receipt of “new state funds” shall be contingent upon achieving compliance with its performance agreement, as determined by the Kansas Board of Regents. Except as otherwise specifically required by statute or appropriation proviso, only those funds that are appropriated by the Legislature to a specific postsecondary educational institution for a specific purpose by using a separate line item shall be exempted from performance funding.

Accordingly, the Board has determined that the following line items are subject to performance: (1) State university and Washburn University operating grants; (2) community college, technical college and Washburn Institute of Technology Postsecondary Tiered Technical State Aid and Non-Tiered Course Credit Hour Aid; (3) eligible institutions’ Career Technical Education Capital Outlay Aid and Technology Grant Funding; (4) Tuition for Technical Education (secondary students); (5) Postsecondary Education Performance-Based Incentive Special Revenue Fund; and (6) any other state funding consistent with the statutes. “New state funds” received by any postsecondary institution under the original 1999 Senate Bill 345 provisions for 2% performance grant funding, codified in K.S.A. 76-771, will also be subject to performance.

Pursuant to K.S.A. 74-3202d, the Board of Regents will determine the amount of new state funds to be received by each institution, taking into account the institution’s level of compliance with its performance agreement and the funds available for distribution. For the purpose of this statute, “new state funds” means the amounts of additional state funding each institution received for the fiscal year from a particular line item that is in excess of state funding that institution received for the previous fiscal year from that line item. The Board will determine the amount of new state funds each institution is eligible to receive for each line item if the institution is determined to be in full compliance with its performance agreement. If the Board determines that an institution is not in full compliance with its performance agreement, the Board may allocate to the institution none or a portion of the new state funds for which the institution would otherwise be eligible. Any portion not allocated to an institution in the fiscal year shall not be reallocated to any other institution. Except for those funds that never become a part of the institution’s base, any portion not allocated to an institution will be deemed to be part of the institution’s base budget for the purpose of determining the following fiscal year’s allocation. This provision precludes an institution from permanently losing multi-year state funding due to noncompliance with its performance agreement. The intended effect of this provision is that such loss of funds would be only for one fiscal year.

### **Alignment with [Building a Future](#)**

[Building a Future](#) is the Board’s strategic plan for the System and provides the foundation for each institution’s performance agreement. Much more information is collected for strategic plan purposes than can be used in any single performance agreement. A data dashboard has been incorporated into the Kansas Board of Regents website. Taken together, the dashboard and the annual institutional performance reports will provide a comprehensive picture of where the system stands on the critical components of [Building a Future](#) and of the progress individual institutions are making on their performance agreements.

## Attachment A

### Performance Agreement Statute

**Statute 74-3202d: Same; performance indicators, review; core indicators of quality performance; selection of determinants for state moneys; institutional improvement plans; performance agreements; new state funds, requirements for receipt.** (a) During the 2000 fiscal year, the state board of regents (1) shall review the performance indicators developed by the postsecondary educational institutions, including the municipal university; (2) after consideration of the core indicators of quality performance identified by the respective commissions and with the active involvement of the postsecondary educational institutions, shall approve those indicators that the state board determines should be implemented; and (3) shall select from among the indicators approved for implementation those indicators that will become determinants for the allocation of state moneys on the basis of performance. The indicators selected may vary among the postsecondary educational institutions and among institutional sectors and, if feasible, shall include indicators developed and adopted by the governing bodies of each postsecondary educational institution based on the needs of each such postsecondary educational institution.

(b) During the 2001 fiscal year, the postsecondary educational institutions, including the municipal university, shall develop institutional improvement plans showing how they will implement the performance indicators applicable to their institution and how they will measure performance on the basis of each indicator. Institutional improvement plans shall be revised and submitted to the state board of regents by each institution at least every three years. The state board of regents shall provide technical assistance to institutions in the development, implementation, and revision of their improvement plans.

(c) Commencing on July 1, 2001, institutional improvement plans shall be implemented for each postsecondary educational institution, including the municipal university. Each postsecondary educational institution shall begin the data collection, measurement, or other documentation necessary in order for its performance to be evaluated with regard to each indicator.

(d) Commencing on July 1, 2004, the state board shall have authority to review and approve institutional improvement plans, and, on the basis of each plan, shall develop and implement a performance agreement with each postsecondary educational institution. Performance agreements shall incorporate the goals, priorities, policies and mission objectives identified in the institutional improvement plans, and the performance measures, which will be used to demonstrate compliance and progress.

(e) Commencing on July 1, 2005, each postsecondary educational institution's receipt of new state funds shall be contingent on achieving compliance with its performance agreement. As used in this subsection, "new state funds" means that amount of state funds by which the amount received by a postsecondary educational institution for a fiscal year exceeds the amount received by that postsecondary educational institution for the preceding fiscal year. The state board shall determine the amount of new state funds to be received by each postsecondary educational institution, taking into account the postsecondary educational institution's level of compliance with its performance agreement and the funds available for distribution. Any new state funds received by a postsecondary educational institution pursuant to a performance agreement shall be deemed to be part of the state funds received in the preceding fiscal year for the purposes of determining new state funds for the postsecondary educational institution pursuant to a performance agreement for the ensuing fiscal year. If a postsecondary educational institution is not allocated any portion of new state funds in a fiscal year, the new state funds which the institution was eligible to be allocated by the state board in such fiscal year shall be deemed part of the state funds received by such institution in such fiscal year for the purpose of determining such institution's base budget and any new state funds for the ensuing fiscal year. The failure of a postsecondary educational institution to enter a performance agreement with the state board shall prevent that postsecondary educational institution from receiving any new state funds. Any funds designated by the legislature for a specific postsecondary educational institution or purpose shall be exempt from the provisions of this section.

**History:** L. 1999, ch. 147, § 12; L. 2001, ch. 94, § 3; L. 2002, ch. 188, § 3; July