

KANSAS BOARD OF REGENTS

MINUTES

September 15-16, 2010

The September 15, 2010, meeting of the Kansas Board of Regents was called to order by Chairman Gary Sherrer at 1:30 p.m. The meeting was held in Board offices located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT:

Gary Sherrer, Chairman
Ed McKechnie, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Mildred Edwards
Tim Emert
Dick Hedges
Dan Lykins
Janie Perkins

APPROVAL OF MINUTES

Regent McKechnie moved that the minutes of the June 23-24, 2010 meeting be approved. Following the second of Regent Edwards, the motion carried.

Regent McKechnie moved that the minutes of the August 17-19, 2010 Board Retreat be approved. Following the second of Regent Edwards, the motion carried.

INTRODUCTIONS

Chancellor Gray-Little introduced Jeffrey Vitter as the new provost at the University of Kansas.

GENERAL REPORTS

REPORT FROM CHAIR

Chairman Sherrer welcomed everyone back and thanked his colleagues, President Tompkins, and Board staff for the organization and productivity of the August Board Retreat. At the Retreat, the Board set an aggressive agenda for the upcoming year. Some of the items the Board will focus on include funding enhancements, Foresight 2020, the Admissions Taskforce, and the Alignment Taskforce. The Board also decided to improve communication with the presidents of the community colleges, technical colleges, and state universities. Individual Regents will visit each of the community and technical college campuses, and the six state university CEOs by the end of December 2010.

REPORT FROM PRESIDENT AND CEO

President Tompkins reported that the Board office has received the conflict of interest forms from all the Regents. A summary of the forms will be presented to the Board at the October

2010 meeting. Additionally, President Tompkins reminded the Board that the enrollment numbers will be available soon, and thanked the 2-year colleges for hosting the Board members in the coming months.

STANDING COMMITTEE REPORT

Academic Affairs

Regent Hedges reviewed the Academic Affairs items that are on Wednesday's Board agenda.

APPROVAL OF CONSENT AGENDA

Regent McKechnie moved, with the second of Regent Perkins, that the Consent Agenda be approved. The motion carried.

Academic Affairs

ADDITIONAL DEGREE GRANTING AUTHORITY FOR CAPELLA UNIVERSITY

Approval was given to Capella University to offer the following degrees: 1) Doctor of Education – Reading and Literacy Specialization; and 2) Master of Public Administration and Master of Science in Public Safety – Joint Degree Program. These degrees are attained through on-line distance education programming.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR ASSOCIATED MENNONITE BIBLICAL SEMINARY

Associated Mennonite Biblical Seminary received approval to offer a Master of Arts in Peace Studies and a Master of Arts in Theological Studies. These degrees will be offered at the Newton, Kansas campus.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR NASHVILLE AUTO-DIESEL COLLEGE

Nashville Auto-Diesel College received approval to offer an Associate of Occupational Studies in Automotive and Diesel Technology with Automotive Undercar Specialty and an Associate of Occupational Studies Degree in Automotive and Diesel Technology with Heavy Equipment Maintenance.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR PINNACLE CAREER INSTITUTE, SOUTH KANSAS CITY, MO

Approval was given to Pinnacle Career Institute to offer an Associate of Occupational Studies in Health Information Technician and an Associate of Occupational Studies in Information Technology Web Programming and Information Technology Support at the South Kansas City, Missouri campus.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR AMERICAN PUBLIC UNIVERSITY SYSTEM

American Public University System received approval to offer the following degrees: 1) Master of Arts in Legal Studies; 2) Bachelor of Science in Criminal Justice; and 3) Bachelor of Arts in General Studies.

CERTIFICATE PROGRAM FOR JOHNSON COUNTY COMMUNITY COLLEGE

Johnson County Community College received approval to offer a Railroad Signal Career Certificate (CIP 49.0208). This certificate will prepare current and prospective employees to meet the needs mandated by the Rail Safety Improvement Act of 2008. Burlington Northern Santa Fe Railway has agreed to assume all expenses and will provide the instructors for the program.

CONSIDERATION OF DISCUSSION AGENDA*Academic Affairs***NEW DEGREE GRANTING AUTHORITY FOR WYO TECH**

Vice President Alexander presented Wyo Tech's request for new degree granting authority for an Associate in Specialized Technology. The degree will be offered from its Blairsville, Pennsylvania campus and Sacramento, California campus.

NEW DEGREE GRANTING AUTHORITY FOR REGIS UNIVERSITY

Vice President Alexander reported that Regis University is requesting new degree granting authority for eight (8) degrees listed below. These degrees will be attained through on-line based programming.

Bachelor

- a. Bachelor of Science in Computer Networking
- b. Bachelor of Science in Computer Science
- c. Bachelor of Science in Marketing
- d. Bachelor of Science in Accounting
- e. Bachelor of Science in Business Administration
- f. Bachelor of Science in Applied Science

Master

- a. Master of Education – Adult Education
- b. Master of Non-Profit Management

NEW DEGREE GRANTING AUTHORITY FOR GRAND CANYON UNIVERSITY

The Grand Canyon University's request for new degree granting authority for 45 degrees and advanced certificate programs was presented by Vice President Alexander. The degrees and certificates are attained through on-line and traditional campus based programming. The following degrees and certificates were presented for approval:

Bachelor

- a. Bachelor of Arts Christian Studies
- b. Bachelor of Arts Communications
- c. Bachelor of Arts English Literature
- d. Bachelor of Arts History
- e. Bachelor of Arts Interdisciplinary Studies

- f. Bachelor of Science Accounting
- g. Bachelor of Science Addiction Counseling
- h. Bachelor of Science Applied Management
- i. Bachelor of Science Business Administration
- j. Bachelor of Science Elementary Education with emphasis in English (non-licensure per KSDE)
- k. Bachelor of Science Elementary Education/Special Education (non-licensure per KSDE)
- l. Bachelor of Science Entrepreneurial Studies
- m. Bachelor of Science Finance and Economics
- n. Bachelor of Science Health Care Administration
- o. Bachelor of Science Health Sciences: Professional Development and Advanced Patient Care
- p. Bachelor of Science Justice Studies
- q. Bachelor of Science Marketing
- r. Bachelor of Science Medical Imaging Sciences
- s. Bachelor of Science Registered Nurse to BSN
- t. Bachelor of Science Psychology
- u. Bachelor of Science Public Safety and Emergency Management
- v. Bachelor of Science Respiratory Care
- w. Bachelor of Science Sociology
- x. Bachelor of Science Sport Management

Master

- a. Master of Arts in Christian Studies
- b. Master of Education
- c. Master of Business Administration
- d. Master of Business Administration and Master of Science in Leadership (Dual Degree)
- e. Master of Science in Accounting
- f. Master of Science in Addiction Counseling
- g. Master of Science in Criminal Justice
- h. Master of Science in Health Care Administration
- i. Master of Science in Health Care Informatics
- j. Master of Science in Leadership
- k. Master of Science in Disaster Preparedness and Executive Fire Leadership
- l. Bridge to Master Degree in Nursing
- m. Registered Nurse to Master of Science
- n. Master of Business Administration and Master of Science in Nursing Leadership in Health Care (Dual Degree)
- o. Master of Science in Professional Counseling
- p. Master of Science in Public Health
- q. Master of Science in Psychology
- r. Master of Public Administration

Doctoral

- a. Doctor of Education in Organizational Leadership

Advanced Certificate Program

- a. Emergency Management: Health Care
- b. Emergency Management: Public Safety

NEW DEGREE GRANTING AUTHORITY FOR VATTEROTT COLLEGE

Vice President Alexander reported that Vatterott College in Sunset Hills, Missouri requested new degree granting authority for an Associate of Occupational Studies in Business Management, Medical Billing and Coding, and Medical Assistant. These degrees will be offered on-line.

Regent Downey-Schmidt moved to approve new degree granting authority for Wyo Tech, Regis University, Grand Canyon University, and Vatterott College. Followed by a second from Regent Edwards, the motion carried. The degrees and certificates listed under each institution were approved.

RESPIRATORY THERAPY ALIGNMENT

Blake Flanders, Vice President for Workforce Development, presented the proposed Respiratory Therapy Alignment. The alignment project includes six community and technical colleges and Washburn University. The Letter of Guidance addresses the following four purposes of the Program Alignment Process in respect to Respiratory Therapy:

1. The identification of a nationally recognized third-party industry credential is satisfied with the Certified Respiratory Therapist (CRT) credential which is required for employment.
2. An industry value-added exit point is prescribed because external accreditation mandates an associates degree in Respiratory Therapy as a minimum for entry into employment.
3. The identification of a few common technical courses to bridge articulation between secondary and postsecondary partners are unnecessary in this case because accreditation requires program candidates be at least 18 years of age and have obtained a high school diploma or the equivalent to receive admittance into the program.
4. Upon reviewing respiratory therapy programs offered at colleges across Kansas, staff submits a recommended maximum program length of 76 credit hours be allotted as eligible for state funding. The 76 credit hours include all courses associated with the respiratory therapy program to include: prerequisites, support courses, and professional courses.

Three of the four purposes of program alignment are met when external accreditation requirements are applied to the program. Following discussion, Regent McKechnie asked staff to clarify the language on 1. Regent Perkins moved to approve the Respiratory Therapy Alignment. Regent McKechnie seconded and the motion carried.

STANDING COMMITTEE REPORT**Fiscal Affairs and Audit**

The Fiscal Affairs and Audit Standing Committee report was presented by Regent Boettcher. The Committee discussed the new university audit processes and suggested that the reports from the universities be based on FY 2011 or earlier. The Board did not have any objections to the suggestion. Additionally, the Committee discussed technical education funding.

Diane Duffy informed the Board that the Legislative Post Audit report on excess credit hours will be released September 30, 2010.

Other Matters

FORESIGHT 2020

President Tompkins presented the proposed Foresight 2020 document. He made one amendment to objective 6.3 to show a biennial report instead of a biannual report. Following discussion, Regent Downey-Schmidt added the phrase “A Strategic Agenda for Kansas Higher Education” to the title page. Regent McKechnie moved to approve Foresight 2020 as amended. Regent Emert seconded and the motion carried. The following strategic goals, with a number of specific objectives under each, were adopted:

1. Achieve alignment between the state’s preK-12 and higher education systems and continue to enhance alignment between higher education institutions.
2. Achieve participation in the state’s higher education system that better reflects the state’s demography and more fully engages adult learners.
3. Achieve measureable improvement in persistence and completion rate for higher education institutions across the state.
4. Ensure that students earning credentials and degrees across the higher education system possess the foundational skills essential for success in work and in life.
5. Enhance alignment between the work of the state’s higher education system and the needs of the Kansas economy.
6. Enhance the regional and national reputation of Kansas universities through aspirational initiatives.

(Foresight 2020 Document, as amended, filed with Official Minutes)

LEGISLATIVE INITIATIVES

a. Systemwide Policy Initiatives (First Reading)

Kip Peterson, Director of Government Relations and Communications, introduced the following preliminary list of 2011 legislative initiatives:

1. Discontinue the Kansas Distinguished Scholarship Program which is part of the Kansas State Scholarship Program (submitted by Board staff)
2. Amend the Vocational Education Scholarship Program (submitted by Board staff)
3. Extend Authority for new Private and Out-of-State Postsecondary Fees (submitted by Board staff)
4. Expand Kan-ed Membership & Clean-Up Statutes (submitted by Kan-ed)
5. Clean-Up Technical Education Statutes (submitted by Board staff and as approved by the TEA)
6. Create Technical Education State Aid Funding Model (submitted by Board staff and as approved by the TEA)
7. Fund Postsecondary Educational Institution Infrastructure Program (PEI) (submitted by Kansas Association of Community College Trustees)

8. Reinstate Community College Tax Credits (submitted by Kansas Association of Community College Trustees)
9. Amend State University Information Technology Threshold (submitted by the University of Kansas)
10. Amend State Universities Housing Suspense Fund statute (submitted by the University of Kansas)
11. Amend JCERTA Earned Interest Retention for State Universities statute (submitted by the University of Kansas)
12. Support Aviation Industry's Funding Request for NIAR (submitted by Wichita State University)
13. Authorize revenue bonds for WSU's Rhatigan Student Center Expansion (submitted by Wichita State University)

(Handout filed with Official Minutes)

b. Enhancements as discussed at Board Retreat

Kip Peterson presented the FY 2012 funding enhancement proposal, the Kansas Commitment. Mr. Peterson reviewed the issues and plans for the following five items:

1. Kan-Protect – Request an inflationary increase based on the 3-year rolling average of the Higher Education Price Index (HEPI). The HEPI 3-year rolling average (FY08-FY10) is 2.73%. Cost = \$20.5 million State General Fund (SGF).
2. Kan-Build – Restore funding for year four of the five-year comprehensive deferred building deferred building maintenance plan. Request \$15 million SGF to restore the state universities' Year 4 (FY11) funding. Request \$750,000 SGF to restore Year 4 (FY11) of the PEI no-interest loan program utilized by WU and the community and technical colleges.
3. Kan-Help – Create a new \$10 million (\$0 SGF) need-based financial aid program for state university students
4. Kan-Grow – Create a systemwide workforce and economic development initiative which would be financed through a 2-to-1 state-to-institution matched funding. Cost = \$14.15 million SGF + \$7.075 million institution funds.
5. Kan-Connect – Continue Kan-ed funding (\$0 SGF) for FY 12 through the Kansas Universal Service Fund (\$10 million KUSF)

Following discussion, Regent McKechnie moved to approve the dollar amounts of the Kansas Commitment, on the condition that the Regents further review the programs for the regional universities under Kan-Grow. Regent Edwards seconded and the motion carried.

(PowerPoint filed with Official Minutes)

BREAK

The Chairman called for a short break at 2:30 p.m. and resumed the meeting at 2:36 p.m.

c. Kansas Postsecondary Technical Education Authority – Tiered Funding Model

Regent Boettcher stated this would be the first reading of the Technical Education Tiered Funding Model proposal. He said the process to develop the model incorporated significant

outreach to the impacted institutions and that a number of options will be presented to the Board today. Regent Boettcher informed the Board that the enrollment data used in the model is from academic year 2009 and that it will be updated at the end of September with academic year 2010 numbers.

Blake Flanders, Vice President for Workforce Development, reviewed the three step process the Technical Education Authority (TEA) used to develop the funding model. Step one was to build the cost model, which was based on Instructor Costs, Extraordinary Costs, Instructional Support Costs, and Institutional Costs. Programs are divided into 6 tier rates, based on instructor costs, and each course within the program is designated as “tiered” (technical courses) or “nontiered” (other courses). Step two was to determine what should be recommended to the Legislature as the State share of the calculated cost. The following three questions were asked: 1) How much should the student contribute? 2) How much should local taxing authority, if available, be recognized? and 3) Which student credit hours are eligible for state support? The TEA shared its preferences on these issues but wanted to seek Board guidance. The final step to implementing the tiered funding model will be to transition the old system to the new approach.

(PowerPoint filed with Official Minutes)

Diane Duffy, Vice President of Finance and Administration, demonstrated the tiered funding model, and TEA Chairman Joe Glassmen reviewed some of the implementation issues. Following discussion, the Regents decided to review all the information presented and continue the discussion at the October Board meeting.

(Sample Scenario Spreadsheet filed with Official Minutes)

BOARD’S UNIFIED FY 2012 BUDGET REQUEST

Vice President Duffy presented the Board’s FY 2012 Unified Budget Request. In addition to the Legislative funding initiatives and technical education initiatives, there are three additional budget request items. The University of Kansas Pharmacy Debt Service Payment schedule calls for an increase of \$2.5 million in State General Fund (SGF) for FY 2012, and Fort Hays State University’s Kansas Academy of Math and Science program should include a request for \$200,000 in order to fund the second year of the cohort that was started last year. Both items will be listed in the institution’s budget request. Additionally, Vice President Duffy stated that the Division of Budget, Kansas State Department of Education and the Kansas Board of Regents staff reconciled the final federal stimulus award and there is an additional \$423,533 for Institutions of Higher Education. Board staff recommends the Board allocate the supplemental amount in the same manner as the allocation in June for FY 2011; with the exception that the state universities commit the entire amount of the supplemental allocation to deferred maintenance. Regent Emert moved, with the second of Regent Downey-Schmidt, that the Board approve the FY 2012 Unified Budget Request. The motion carried.

APPOINTMENTS TO THE KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

The Kansas Board of Regents has four appointments to the Kansas Postsecondary Technical Education Authority, and the statute creating the Authority does not mention terms of service.

President Tompkins presented the following proposed procedure for the Kansas Board of Regents appointments to the Kansas Technical Education Authority:

- 1) Direct President Tompkins to develop a process that sets terms of service for Board of Regents' appointees and to outline a process for making decisions regarding future appointments.
- 2) Request that President Tompkins work with the community college association and representatives of the technical colleges to identify potential appointees for these positions and that President Tompkins bring a recommendation to the Board at the October Board meeting.
- 3) Request that the Board of Regents work with Regent Sherrer and McKechnie to identify two Regents members, or designees, to fill new three year terms to commence July of 2011.

The Regents asked President Tompkins to proceed with his proposal.

MEMBER TO THE WASHBURN BOARD OF REGENTS (K.S.A. 13-13a04) AND OTHER APPOINTMENTS

Regent McKechnie made a motion to appoint Regent Lykins to the Washburn Board of Regents. Following a second by Regent Perkins, the motion carried. Regent McKechnie moved to appoint Dr. Mark Bannister from Fort Hays State University to serve as the Board's appointee to Kansas, Inc. Following a second from Regent Perkins, the motion carried.

(Other Appointments Filed with Official Minutes)

EXECUTIVE SESSION

At 4:40 p.m. Regent McKechnie moved, followed by the second of Regent Emert, that the Board of Regents recess into executive session for 20 minutes to discuss personnel matters related to non-elected personnel, specifically individual CEO salaries. Participating in the executive session were members of the Board, President Tompkins, and General Counsel Julene Miller. At 5:00 p.m. the meeting returned to open session.

RECESS

Chairman Sherrer recessed the meeting at 5:00 p.m.

RECONVENE

Chairman Sherrer reconvened the meeting at 8:30 a.m. on Thursday, September 16.

MEMBERS PRESENT:

Gary Sherrer, Chairman
Ed McKechnie, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Mildred Edwards
Tim Emert
Dick Hedges
Dan Lykins
Janie Perkins

INTRODUCTIONS

President Scott introduced Pittsburg State University's Student Government President, Brandon Mills and Legislative Affairs Director, Marcus Nelson. President Schulz introduced Kansas State University's President of Faculty Senate, Dr. Betsy Cauble, Student Body President, Danny Unruh, and the Classified and Support Staff Council President, Becki Bohnenblust.

REPORTS**REPORT FROM COUNCIL OF PRESIDENTS**

Chancellor Gray-Little briefed the Board on the Council of Presidents' September meeting. The Council received a report from the Council of Business Officers (COBO), who met with Secretary Goossen at their September meeting. Secretary Goossen reported to COBO the FY 2011 budget will be balanced, but he predicted that the FY 2012 budget will be more challenging. It was reported health care costs are expected to increase 15% for FY 2012 and 10% for FY 2013. COBO also reported the State of Kansas will have a federal desk audit of FY 2010 stimulus funding expenditures, which will involve three institutions (KU, KSU, and Johnson County Community College). Additionally, the Council of Presidents discussed the Board's budget proposals and the presidential evaluation process.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The Council of Faculty Senate Presidents' report was presented by Barbara Phipps. The Council discussed their advisory role to the Board and how they can be more useful. Additionally, the Council discussed their concerns on curriculum and faculty recruitment and retention. Ms. Phipps stated the Council is supportive of Foresight 2020.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Michael Smith, Chair of the Students' Advisory Committee, thanked the Board for hosting breakfast for SAC earlier in the day. Mr. Smith reported the SAC held its annual retreat in July and their theme was partnership and collaboration. The SAC wants to have a unified system with a clear message. This year the SAC is committed to building relationships with members of the Legislature, lobbying in the spring, writing informational opinion pieces on the Kansas Commitment, and creating a Regent institutional testimonial video project that asks students, "What has Kansas higher education done for you, and how do you plan to give back to the State of Kansas?" At the November meeting, the SAC will bring a formal plan of action to the Board regarding what the SAC will be doing this year.

REPORT FROM CLASSIFIED AND SUPPORT STAFF COUNCIL

The report from the Classified and Support Staff Council was given by Becki Bohnenblust. The Council was pleased the Legislature decided to fund longevity bonuses and the pay plan. Ms. Bohnenblust stated the Council will meet in October to discuss its goals for this year.

APPROVAL OF CONSENT AGENDA

Regent Emert moved, with the second of Regent McKechnie, that the Consent Agenda be approved. The motion carried.

Fiscal Affairs and AuditACCEPTANCE OF PROPERTY FROM SEDGWICK COUNTY, KS – KU

The University of Kansas received approval to accept the transfer of property from Sedgwick County, Kansas. The KU School of Medicine in Wichita has leased the land from the County since 1980. The County proposed to transfer the building, which contains almost 99,000 gross square feet, and terminate the 99 year lease. The legal description of the property is as follows:

Lot 3, Block 1, KUMC Addition to Wichita, Kansas, Sedgwick County, Kansas

ACCEPTANCE OF PROPERTY FROM KANSAS UNIVERSITY ENDOWMENT ASSOCIATION – KU

The University of Kansas received approval to accept the transfer of approximately 0.67 acres of land from the Kansas University Endowment Association. The land is adjacent to the E.B. Allen Hospital Building that houses the KU School of Medicine in Wichita. The legal description of the property is as follows:

Lot 2, Block 1, KUMC Addition to Wichita, Kansas, Sedgwick County, Kansas

CONVEYANCE OF PROPERTY TO THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION PURSUANT TO K.S.A. 74-3254 – KU

The University of Kansas received authorization to transfer the following mineral interests to the KU Endowment Association:

From the Richard R. and Laura Jean Von Ezdorf 1991 Family Trust for the School of Music:

- In Phillips County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells located in the Southwest Quarter (SW/4), the South Half of the Northwest Quarter (S/2 NW/4), and the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section Fourteen (14), Township Five (5) South, Range Twenty (20) West of the Sixth (6th) P. M., Phillips County, Kansas,
- In Finney County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells located in Section Thirty-Five (35), Township Twenty-Four (24) South, Range Thirty-One (31) West of the Sixth (6th) P. M., Finney County, Kansas;

and, The East Half (E/2) of Section Twenty-Two (22) and the Northwest Quarter (NW/4) of Section Twenty-Seven (27), Township Twenty-Four (24) South, Range Thirty-One (31) West of the Sixth (6th) P. M., Finney County, Kansas,

From the estate of Dr. Gary Edward Gregg (2008) for the support of scholarship halls:

- In Haskell County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells situated in Section Five (5), Township Twenty-seven (27) South, Range Thirty-one (31) West of the Sixth (6th) P. M., Haskell County, Kansas,

From the estate of Dorris Carey (1986) for scholarships:

- In Marion County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells situated in Marion County, Kansas:
Pritz A Unit, East Half of the West Half and the Northeast Quarter of Section 30, Township 18, Range 5, 320 acres.
Pritz B Unit, The Southeast Quarter of Section 30, West Half of the West Half of the Northwest Quarter, West Half of the Northwest Quarter of the Southwest Quarter, South Half of the Southwest quarter, Southeast Quarter of the Northwest Quarter of the Southwest Quarter and Southwest Quarter of Northeast Quarter of Southwest Quarter of Section 29, all in Township 18, Range 5, 320 acres.

R.W. Heise A Unit (1 and 2) West Half of Section 32, Township 18 South, Range 5, 320 acres.
R.W. Heise B Unit (1 and 2) East Half of Section 32, Township 13 South, Range 5, 320 acres.
- In Seward County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells situated in One Half of 170/2330 royalty interest in Northeast Quarter of Section 29, Township 33, Range 33.

FY 2011 REHABILITATION AND REPAIR LIST – KUMC

Authorization was given to the University of Kansas Medical Center to reallocate \$687,675 in Rehabilitation and Repair funds to complete the renovation and remediation of the 6th floor of the Delp (f) building. The estimated project cost is \$749,000. The remaining \$61,325 will be funded by Restricted Fees Funds.

CAPITAL IMPROVEMENT PLANS – KSU

Kansas State University received approval to modify its FY 2011 Capital Improvement Plan to increase the Sheep and Meat Goat Center project budget from \$1.5 million to \$1.8 million. The project is funded by a combination of private gifts and restricted fees.

Kansas State University received approval to modify its FY 2011 and FY 2012 Capital Improvement Plans. K-State is adding the Justin Hall Addition, a \$5.2 million privately funded project, and the Snyder Family Stadium Improvements, a \$50 million projected funded by bonds to be repaid by Athletic revenues, to its FY 2011 Capital Improvement Plan. Both projects will have earlier start dates.

Additionally, K-State received approval to include in its FY 2011 and FY 2012 Capital Improvement Plans a project to remove the Old Chemical Waste Landfill (OCWLF). The project consists of two stages. The first stage is to build an interceptor trench and temporary treatment facility, which is expected to cost \$300,000. The final stage is to remove the landfill, which is expected to cost \$3.7 million. A combination of Sponsored Research Overhead funds and bond funds will pay for the project.

ACCEPTANCE OF PROPERTY FROM THE K-STATE FOUNDATION – KSU

Authorization was given to Kansas State University to accept a gift of 14.831 acres from the K-State Foundation. The legal description of the property is as follows:

The East Half of the Southeast Quarter of the Northeast Quarter (E/2 SE/4 NE/4) of Section 34, Township 10 South, Range 7 East of the 6th PM in Riley County, Kansas, Less that portion thereof platted as the Barry Addition, Riley County KS, recorded in Plat Book K, Page 399, in the office of the Register of Deeds of Riley County, Kansas” the Barry Property

CONSIDERATION OF DISCUSSION AGENDAAcademic AffairsREQUEST FOR UNIVERSITY OF KANSAS CHANCELLOR EMERITUS

Regent Emert presented a Resolution that would designate Dr. Gene Budig as Chancellor Emeritus for the University of Kansas. Regent Emert moved to adopt the Resolution. Followed by the second of Regent McKechnie, the motion carried.

(Resolution filed with Official Minutes)

DISTANCE EDUCATION PLAN

Vice President Gary Alexander presented the proposed Distance Education Plan. The plan includes the following elements: 1) requires that each campus develop a Distance Education Plan that will need to be approved by the Board; 2) requires annual report to the Board that will provide an inventory of distance education activity across the system; 3) encourages collaboration among system institutions in the development of distance education programs; and 4) establishes responsibilities for both the Board and universities. Additionally, Vice President Alexander requested the definition of distance education in Appendix F, Section 3 of the Board's Policy and Procedure Manual be amended. Regent Perkins moved to approve the Distance Education Plan and policy amendment. Regent Edwards seconded and the motion carried.

The following policy amendment was approved in Appendix F, Section 3:

- g. A Distance education program is ~~a curriculum comprised entirely of distance education courses~~ one in which the proportion of content delivered via distance learning is fifty percent or more.

AMENDED K.A.R. 88-24-1 TO ALLOW GED TEST TO BE TAKEN IN KANSAS BY NON-KANSAS RESIDENTS

Associate General Counsel Theresa Schwartz presented the proposed amendment to the regulation that establishes who may take the General Education Diploma (GED) test at a Kansas testing center (K.A.R. 88-24-1). The amendment would eliminate the requirement that a person being tested at a Kansas testing center actually be a Kansas resident. Following discussion, Regent Downey-Schmidt moved that the proposed permanent regulation on GED eligibility criteria be adopted. Regent Sherrer seconded. On a roll call vote the following Regents voted affirmatively to adopt the motion: Gary Sherrer, Ed McKechnie, Jerry Boettcher, Christine Downey-Schmidt, Mildred Edwards, Tim Emert, Dick Hedges, Dan Lykins, and Janie Perkins. The motion carried.

(Regulation filed with Official Minutes)

Fiscal Affairs and Audit

PROJECTS TO BE FUNDED WITH FY 2011 ARRA/SFSF FUNDS

Eric King, Director of Facilities, presented the proposed projects to be funded with FY 2011 ARRA/SFSF funds. He stated that during Wednesday's FY 2012 Unified Budget Request discussion, the Board approved the additional supplemental amount for institutions of higher education to be allocated to deferred maintenance. These additional funds will be added to the last project on each campus list. Following discussion, the Regents would like to receive an update on stimulus projects and expenditures at the December meeting. Regent Boettcher moved to approve the funds. Following Regent Lykins second, the motion carried.

(List of Authorized Projects Filed with Official Minutes)

BOND RESOLUTION – KUMC CLINICAL RESEARCH FACILITY – KU

General Counsel Julene Miller introduced a Resolution for the University of Kansas that would authorize the issuance of KDFA revenue bonds not to exceed \$25,000,000. The purpose of the bonds is to finance the costs of remodeling a Clinical Research Facility in Fairway, Kansas for the University of Kansas Medical Center. The bonds will be secured and debt serviced with a pledge of Johnson County Education Research Triangle sales tax funds. Regent Boettcher made a motion to adopt the Resolution and to authorize the Chair and the President and CEO to execute the Resolution and related bond documents. Following the second of Regent Emert, the motion carried.

(Resolution filed with Official Minutes)

SURPLUS PROPERTY POLICY

General Counsel Miller presented the proposed Surplus Property Policy that will implement the changes the 2010 Legislature made to the State Surplus Property Act. Regent Boettcher moved to adopt the policy and Regent McKechnie seconded. The motion carried.

The following policy was adopted:

B. FISCAL MANAGEMENT

...

11. Authorized Disposition of Surplus Property (K.S.A. 2010 Supp. 75-6606)a. Guiding Principals

- (1) Each state university choosing to utilize the provisions of K.S.A. 75-6606(c) shall develop and be guided by policies and procedures for the disposition of surplus university property that:
 - (a) Focus on the stewardship of public property;
 - (b) Advance and support the mission of the institution;
 - (c) Promote the reuse of surplus property at the institution;
 - (d) Operate in a fair, equitable and transparent manner;
 - (e) Prohibit the giving or sale of property to an individual without first complying with university policies and procedures; and
 - (f) Are in full compliance with all local, state and federal laws, rules and regulations.
- (2) Each state university is encouraged to engage in cooperative opportunities with the other state universities to promote the reuse of surplus property system-wide. Each state university is also encouraged to consider sustainability practices, as surplus property is disposed.

b. Policy Requirements

The policies and procedures developed by each state university in accordance with this section shall address, at a minimum:

- (1) How notice of the planned disposal of surplus property will be provided to the general public; and
- (2) How the disposition of property and receipt of revenues will be documented and utilized.

c. Disposal Methods

The following methods are authorized for the disposition of surplus property:

- (1) Advertised fixed price;
- (2) Advertised negotiated price;
- (3) Advertised sealed bid;
- (4) Advertised public auction;
- (5) Donation to not-for-profit organizations, or individuals and entities eligible to participate in the Federal Surplus Property Program; and
- (6) Cannibalize, recycle, junkyard or trash.

Other Matters

UPDATE FROM THE UNIVERSITY OF KANSAS CONCERNING ATHLETICS

Chancellor Gray-Little updated the Board on the athletics ticketing operation for the University of Kansas. An Athletics Taskforce was created to review ticket-handling procedures and the segregation of duties in the ticket office. The Taskforce created an implementation plan to have more control over complimentary tickets and restrict access to the ticketing system based on job requirements. The Taskforce also observed the Select-A-Seat process and is reviewing the internal controls for the Priority Point system. Additionally, the University is reviewing the composition of the Athletics Board. The Chancellor noted that the Board is no longer chaired by the Athletics Director and that KU is considering adding members from outside the university to the Athletics Board.

POLICY AMENDMENT TO ESTABLISH BOARD OF REGENTS UNCLASSIFIED STAFF COUNCIL AND TO AMEND ORDER OF ROTATION OF COUNCIL OR COMMITTEE CHAIR

General Counsel Miller presented a policy amendment to the Rotation of Council or Committee Chair. Regent McKechnie moved to adopt the amendment. Regent Perkins seconded, and the motion carried. The following policy was adopted:

A. THE BOARD AND ITS STAFF

...

4. COUNCILS AND COMMITTEES

...

g. Rotation of Council or Committee Chair

As a general rule, committee and council chairs will rotate annually on July 1 in the following sequence: University of Kansas, ~~Fort Hays State University,~~ Kansas State University, Pittsburg State University, Emporia State University, ~~and~~ Wichita State University ~~and~~ Fort Hays State University. Whenever rotation in such manner is impossible for a given committee or council, a chair shall be selected by general election of the members. (5-19-88)

General Counsel Miller introduced the proposed policy to create an Unclassified Staff Council that would report to the Board during its September and January meetings. Following discussion, Regent Lykins moved to adopt the policy. Regent Edwards seconded and the motion carried. The following policy was adopted:

4. COUNCILS AND COMMITTEESf. Unclassified Staff Council

The Unclassified Staff Council (USC) consists of the duly designated representatives from the unclassified professional staff ranks at each of the State Universities and the University of Kansas Medical Center. Because a formally designated unclassified staff organization does not exist at all of the universities, each institution shall determine how its representative to the USC will be selected. Upon invitation from the Chair of the Kansas Board of Regents, USC's role is to advise the Board of Regents regarding matters relating to unclassified staff issues and concerns. The general expectation is that USC will make a report during the Board's September and January meetings. The USC's Chair shall be from the same institution as the Chair of the Council of Presidents.

MEMORANDUM OF AGREEMENT WITH FHSU/AAUP – FHSU

Associate General Counsel Theresa Schwartz presented the proposed Memorandum of Agreement (MOA) between Fort Hays State University and the FHSU Chapter of the American Association of University Professors. This is a new agreement that goes from July 1, 2010 through June 30, 2013. Regent Perkins moved to approve the MOA. Followed by a second from Regent Edwards, the motion carried.

AMENDMENT TO MEMORANDUM OF AGREEMENT WITH PSU/KNEA – PSU

Theresa Schwartz introduced the proposed amendments to the Memorandum of Agreement (MOA) between Pittsburg State University and the PSU Chapter of the Kansas National Education Association. Regent McKechnie moved to approve, and Regent Edwards seconded. The motion carried.

PRESIDENTIAL EVALUATION PROCESS AND FORMS

President Tompkins presented the proposed Presidential Evaluation Process and Forms. He suggested amending the process by eliminating section 5 and 6. Then add the sentence "Begin a practice to have a multi-rater feedback process for each president" to the beginning of section 8 and renumber the items. Regent Emert moved to approve the Presidential Evaluation Process and Forms as amended. Followed by a second from Regent McKechnie, the motion carried.

(Presidential Evaluation Process and Forms, as amended, filed with Official Minutes)

PROCESS FOR ESTABLISHING HIGHER EDUCATION ALIGNMENT TASKFORCE

President Tompkins stated that objective 1.4 under Strategic Goal One of Foresight 2020 is the creation of a task force to review transfer and articulation of higher education institutions in Kansas. Regent Hedges moved that the Board Chair, Vice-Chair, and President and CEO be authorized to approve members of a Transfer and Articulation Task Force and to develop a charge to the Task Force. Regent Edwards seconded, and the motion carried.

CEO SALARIES FOR FY 2011

Regent Downey-Schmidt stated that even though the Board wishes it could consider performance based increases for the Regents' university leaders, the economic circumstances that we face at this time has made the Board decide to forego any increases for the current year. Regent Downey-Schmidt moved that there be no increase in the salaries for the Regents' university presidents for FY 2011. Followed by a second from Regent Emert, the motion carried.

EXECUTIVE SESSION

At 10:08 a.m., Regent McKechnie moved, followed by the second of Regent Perkins, that the Board of Regents recess into executive session for 30 minutes to discuss matters deemed confidential in the attorney-client relationship regarding pending litigation. Participating in the executive session were members of the Board, President Tompkins, Blake Flanders, Diane Duffy, Assistant Attorney General Steve Phillips, and General Counsel Miller. At 10:45 a.m., the meeting returned to open session and, extended the executive session for an additional 15 minutes. Open meeting resumed at 11:00 a.m.

ADJOURNMENT

Chairman Sherrer adjourned the meeting at 11:00 a.m.

Andy Tompkins, President and CEO

Gary Sherrer, Chair