

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

December 15-16, 2010

The December 15, 2010, meeting of the Kansas Board of Regents was called to order by Chairman Gary Sherrer at 1:35 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 Emert moved that the minutes of the November 17-18, 2010 meeting be approved. Following the second of Regent Perkins, the motion carried.

#### **GENERAL REPORTS**

##### **REPORT FROM CHAIR**

Regent Sherrer reported that the Regents completed all the campus visits to the community and technical colleges. The visits were beneficial and impressive and Regent Sherrer thanked all the colleges for hosting the Regents. Regent Sherrer also reported that the Presidential Evaluation Subcommittee met to discuss the multi-rater feedback survey, which will be a tool used in the university CEOs' evaluation process this year. The Kansas Board of Regents will host the survey and a neutral third party will evaluate the results. The Subcommittee identified different constituent groups, both on and off the campuses, who will receive a survey. The persons identified to take the survey will be contacted by e-mail and will be informed that the survey is confidential. The results will then be distributed to the Regents and the pertinent CEO for use in the CEO's performance review. Regent Sherrer emphasized that this survey will be conducted on all six state university campuses, and is not the result of any occurrence or problem at any on the campuses.

##### **REPORT FROM PRESIDENT AND CEO**

President Tompkins thanked Ray Frederick for his service as interim president for Wichita Area Technical College and thanked Clark Coco for his service on the Technical Education Authority. President Tompkins reported that the Kansas Board of Regents (KBOR) was tasked by Governor Sebelius to conduct a study on the mission, structure and funding for graduate medical education

programs managed by the Wichita Center for Graduate Medical Education (WCGME). The report is complete and includes the following recommendations for WCGME: 1) change the by-laws to ensure that appropriate leadership is in place, 2) use the KBOR budget review process if WCGME determines that additional state dollars for graduate medical education are needed, 3) thoroughly examine federal funding opportunities, and 4) provide an accounting summary to the Regents outlining how these funds were used to support graduate medical education in Wichita. The final report will be forwarded to the Governor by December 31, 2010.

#### P-20 COUNCIL

Regent Downey-Schmidt stated that the P-20 Council met for the last time. The Council Chairs will meet with the Governor tomorrow to present the final report.

#### AMEND AGENDA

President Tompkins asked that the agenda be amended to add an executive session to discuss confidential data relating to financial affairs or trade secrets of a corporation, partnership, trust, or individual proprietorship. This will be item VI. and the remainder of the agenda will be renumbered accordingly. Regent Perkins moved to amend the agenda. Regent McKechnie seconded and the motion carried.

#### STANDING COMMITTEE REPORTS

##### Academic Affairs

Regent Hedges presented the Academic Affairs Standing Committee report. The Committee reviewed and approved nine performance agreements at its meeting. Regent Hedges stated that the agreements are getting better, and they are on the Board's agenda for consideration.

##### Fiscal Affairs and Audit

The Fiscal Affairs and Audit Standing Committee report was presented by Regent Boettcher. The Committee was presented with a new format for the State Universities Campus and Security Summary Status Reports, now that the consultant's recommendations have all been addressed. The Committee discussed the Kansas State University feed-mill project, which is on Thursday's consent agenda. The reason K-State is asking for bonding authority on this project is because the current facility is located on the NBAF site and in order to relocate the existing facility to meet NBAF's deadline, K-State must begin construction this summer. This is one of several options being explored for possible funding. Additionally, the Committee discussed the Federal US Department of Education Desk Audit of ARRA/SFSF and reviewed last year's tuition documents.

Regent Boettcher also informed the Regents that the Joint Building Committee met and affirmed the use of tax credits to finance deferred maintenance projects for Emporia State University's Memorial Student Union and Wichita State University's Rhatigan Student Center. He noted that the process to qualify for the tax credits is complicated but that this ruling will give the universities more flexibility to use the funds. The Board continues to limit use of the tax credits to portions of the projects tied to academic use.

**APPROVAL OF CONSENT AGENDA**

Regent Hedges moved, with the second of Regent Downey-Schmidt, that the Consent Agenda be approved. The motion carried.

*Academic Affairs***ADDITIONAL DEGREE GRANTING AUTHORITY FOR CONCORD CAREER COLLEGE**

Concord Career College received approval to offer an Associate of Applied Science Degree in Occupational Therapy Assistant and in Health Information Technology.

**DEGREE AND CERTIFICATE PROGRAM SUBMITTED FROM WICHITA AREA TECHNICAL COLLEGE**

Approval was given to Wichita Area Technical College (WATC) to offer an Associate of Applied Science (61 credits) and a Technical Certificate (47 credits) in Robotics (CIP 15.0405). This program will prepare students for the highly technical field of industrial robotics. WATC will fund the program by redistributing existing institutional resources.

**CONSIDERATION OF DISCUSSION AGENDA***Academic Affairs***2011-2013 (CYCLE 8) PERFORMANCE AGREEMENTS**

Vice President Gary Alexander reported that nine institutional performance agreements were reviewed by staff and by the Academic Affairs Standing Committee. Following discussion, Regent Hedges moved to approve. Regent Edwards seconded, and the motion carried. The following agreements were approved:

Washburn University  
Flint Hills Technical College  
Kansas City Kansas Community College  
Coffeyville Community College  
Colby Community College  
Hutchinson Community College  
Pratt Community College  
North Central Kansas Technical College  
Pittsburg State University

**ADMISSION STANDARDS**

Vice President Alexander presented the Admission Task Force's proposed undergraduate admissions standards for public universities. Some of the proposed recommendations include: 1) changing the precollege curriculum to add an option to the English requirement, revise the mathematics requirement, and add electives; 2) requiring students to complete the precollege or Kansas Scholars curriculum as a condition for admission; and 3) expanding the resident and

nonresident freshman exception windows. It was noted that the timeline for effectiveness of the proposed standards will be 4-years from the time regulations are adopted, and that individual universities may petition the Board for approval to implement more stringent admission standards. Following discussion, Regent Downey-Schmidt moved to approve. Regent Edwards seconded, and the motion carried.

(Admission Standards filed with Official Minutes)

### BREAK

The Chairman called for a short break at 3:10 p.m. and resumed the meeting at 3:24 p.m.

### Other Matters

#### REPORT ON OPERATING PROCEDURES FOR THE NEW TIERED FUNDING DISTRIBUTION MODEL

Diane Duffy, Vice President of Finance and Administration, updated the Board on the discussions between the Two Year College CEO Group and Board staff on the operating procedures for the new tiered funding distribution model, which was approved at the November Board meeting. The group recommends the following to the Board: 1) state funding received by each college in FY 2011 is established as the base year for purposes of a college's portion of this state funding (this is a "forward-looking" approach intended to set the base amount "as is" and move forward with any new funding flowing through the new formula); 2) if there is flat funding in FY 2012, the distribution to each college would be the same as the FY 2011 base state funding; 3) if there is a reduction in FY 2012, the reduction would be distributed on a pro rata basis to each of the 26 eligible institutions; and 4) beginning in FY 2014, a three-year rolling average of each college's enrollments would be calculated and the college's FY 2011 base funding would be re-centered, and re-centered every year thereafter using the three-year rolling average of enrollments. The Regents discussed the concept of establishing base funding and also an approach that would redistribute funds among institutions without new money.

The CEOs and Board staff continue to discuss various draft distribution scenario spreadsheets. They are also ironing out the details of an annual process to occur in the Fall whereby Board staff will work with community colleges, technical colleges and Washburn Institution of Technology to review the cost model and distribution. The recommendation of a majority of the presidents will be reported to the Board. The Board will receive a further update on the discussions of new tiered funding distribution model at its January meeting.

#### RECOMMENDED STATUTORY CHANGES TO IMPLEMENT THE TIERED FUNDING DISTRIBUTION MODEL FOR TECHNICAL EDUCATION AND THE NEW NON-TIERED FUNDING MODEL

General Counsel Miller presented the proposed statutory changes to implement the new tiered technical education funding distribution model and the new non-tiered course funding process. General Counsel Miller noted that the proposed changes do not contain implementation language and that the Revisor's Office still needs to review the language. Regent McKechnie moved to approve the statutory changes. Following a second by Regent Emert, the motion carried.

(Statutory Language filed with Official Minute)

THE KANSAS COMMITMENT COMPONENTS AND RECOMMENDATIONS FOR KAN-HELP

Kip Peterson, Director of Government Relations and Communications, presented the proposed recommendations for the KAN-HELP and KAN-GROW components of the Kansas Commitment. Mr. Peterson reviewed the details of the KAN-HELP component which includes eligibility, grant amounts, funding, and administrating the program. Mr. Peterson also stated that Emporia State University requested that their KAN-GROW initiative be updated by removing the Student Affairs Administration program and adding a new Nursing Informatics program. Following discussion, Regent Lykins moved to approve both the KAN-HELP and KAN-GROW components. Regent Hedges seconded, and the motion carried.

(Handout filed with Official Minutes)

EXECUTIVE SESSION

At 4:45 p.m., Regent McKechnie moved, followed by the second of Regent Downey-Schmidt, that the Board of Regents recess into executive session for 20 minutes to discuss confidential data relating to financial affairs or trade secrets of a corporation, partnership, trust, or individual proprietorship. Participating in the executive session were members of the Board, President Tompkins, President Ed Hammond, and Fort Hays State University Vice President of Administration and Finance Mike Barnett. At 5:05 p.m., the meeting returned to open session. Regent Boettcher moved, followed by the second of Regent Perkins, to extend the executive session for an additional 5 minutes. Open meeting resumed at 5:10 p.m.

RECESS

Chairman Sherrer recessed the meeting at 5:11 p.m.

RECONVENE

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

Allen Rawitch, Dean of the Graduate School at the KU Medical Center, invited the Regents to attend the Graduate Research Summit, which will take place at the Capitol on February 17, 2011.

**REPORTS****REPORT FROM COUNCIL OF PRESIDENTS**

Chancellor Gray-Little presented the Council of President's report. The Council received reports from the Council of Business Officers (COBO) and the Council of Chief Academic Officers (COCAO). COBO reported that the final payment on the Crumbling Classrooms bonds will be made during FY 2012. COBO also reported on the campus safety reports, death benefits for individuals who are on Phased Retirement, and the progress on a common net price calculator. COCAO asked the Council to endorse the Kansas Hunger Dialogue, which will take place March 10-11, 2011 at Overland Park. The Council endorsed the dialogue and Chancellor Gray-Little asked the Board if they would endorse it. Regent Boettcher moved to endorse the Kansas Hunger Dialogue. Regent Perkins seconded, and the motion carried.

Chancellor Gray-Little reported that the Council of Presidents approved a Bachelor of Science in Exercise Science for Pittsburg State University. This program will be forwarded to the Board for consideration in January. Additionally, the Council reviewed information about faculty who have left state universities since FY 2008 to highlight the need to keep salaries competitive.

**REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS**

The Council of Faculty Senate Presidents' report was presented by Rita Hauck. Ms. Hauck stated that the Council discussed concurrent enrollment and the admission standards.

**REPORT FROM STUDENTS' ADVISORY COMMITTEE**

Michael Smith, Chair of the Students' Advisory Committee, reported that the SAC will be holding a press conference at the Statehouse later today to present 3,000 postcards that endorse the Kansas Commitment.

**APPROVAL OF CONSENT AGENDA**

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

*Academic Affairs***BACHELOR OF SCIENCE IN INTERDISCIPLINARY COMPUTING (CIP 11.0101) – KU**

The University of Kansas received approval to offer a Bachelor of Science in Interdisciplinary Computing (CIP 11.0101). The program will be funded through internal reallocation.

**APPROVAL OF CONSENT AGENDA**

Regent Boettcher moved, with the second of Regent Downey-Schmidt, that the Fiscal Affairs and Audit Consent Agenda be approved. The motion carried.

*Fiscal Affairs and Audit*ACCEPTANCE OF PROPERTY UNDER THE DEFERRED MAINTENANCE TAX CREDIT PROGRAM AND THE SELL OF PROPERTY TO THE KU ENDOWMENT ASSOCIATION

Authorization was given to the University of Kansas to accept approximately eight acres of land under the Deferred Maintenance Tax Credit Program. The University will then sell the donated property to the KU Endowment Association at its appraised value (\$50,000).

The legal description of the property is as follows:

Beginning at a point on the East line of Section Eight (S8), Township Twelve South (T12S), Range Twenty East (R20E), said point being 1371.52 feet North of the Southeast corner of Section Eight (S8); thence West 630.8 feet; thence North 582.10 feet; thence East 630.95 feet to the East line of Section Eight (S8); thence South 582.10 feet to the point of beginning, all in Douglas County, Kansas.

ARCHITECTURAL PROGRAM FOR A NEW FINE AND PERFORMING ARTS CENTER – PSU

Pittsburg State University received approval of the Architectural Program for a new Fine and Performing Arts Center. The new facility will be approximately 85,000 square feet. The project will be funded by private gifts and no state funding will be requested for operational costs.

FY 2011 AND FY 2012 CAPITAL IMPROVEMENT PLANS – KSU

Kansas State University received authorization to amend its FY 2011 Capital Improvement Plan. K-State added a \$1.2 million project, which will be funded with private gifts on deposit at the K-State Foundation, to replace the turf at Snyder Family Stadium and Tointon Stadium. Additionally, K-State added a project to remodel the Technology Assistance Center on the Salina Campus. This \$600,000 project will be funded with restricted fees.

Kansas State University also received authorization to amend its FY 2011 and FY 2012 Capital Improvement Plan to include the \$13 million Grain Science Center Feed Mill project. The existing feed-production facility is on the NBAF site and the requested \$5.4 million in NBAF relocation funds will not be made available. To meet the NBAF deadline to relocate the facility by September 1, 2013, K-State received authority, if needed, to change the project from privately funded to university funded and may seek \$5.4 million in bonding authority, which will be combined with \$8 million in private funds to complete the project.

**CONSIDERATION OF DISCUSSION AGENDA****Academic Affairs****REORGANIZE THE INSTITUTE OF COMMUNITY AND PUBLIC HEALTH INTO A SCHOOL OF PUBLIC HEALTH – KUMC**

Dr. Barbara Atkinson, Executive Vice Chancellor at the KU Medical Center, introduced the request to reorganize the Institute of Community and Public Health into a School of Public Health. Four existing departments at the University of Kansas will form the new college. The reorganization is intended to grow the public health care workforce and expand public health research and education across the state. Internal reallocation of funds will support the school. Following discussion, Regent Emert moved to approve. Regent Edwards seconded, and the motion carried.

(PowerPoint filed with Official Minutes)

**REQUEST TO CHANGE ACADEMIC CALENDARS – WSU AND PSU**

Vice President Alexander presented Wichita State University's and Pittsburg State University's requests to revise their academic calendars. Regent Hedges moved to approve both calendars. Following the second of Regent Perkins, the motion carried. The following changes were made:

<b>Wichita State University</b>		
	<b>Move From</b>	<b>To</b>
<b>Fall 2011</b>		
Fall Classes Begin	Thursday, August 18, 2011	<b><i>Monday, August 22, 2011</i></b>
Fall Break	October 13-14, 2011	<b><i>October 17-18, 2011</i></b>
Total Instructional Days	75	<b><i>73</i></b>
<b>Spring 2012</b>		
Spring Classes End	Monday, May 7, 2012	<b><i>Thursday, May 3, 2012</i></b>
Total Instructional Days	75	<b><i>73</i></b>
Exams	May 9-15, 2012	<b><i>May 5-11, 2012</i></b>
<b>Fall 2012</b>		
Classes Begin	Thursday, August 23, 2012	<b><i>Monday, August 27, 2012</i></b>
Fall Break	October 18-19, 2012	<b><i>October 22-23, 2012</i></b>
Total Instructional Days	75	<b><i>73</i></b>
<b>Spring 2013</b>		
Classes End	Monday, May 13, 2013	<b><i>Thursday, May 9, 2013</i></b>
Total Instructional Days	75	<b><i>73</i></b>
Exams	May 15-21, 2013	<b><i>May 11-17, 2013</i></b>

<b>Pittsburg State University</b>	
<b>Move From</b>	<b>To</b>
<b>Spring 2012</b>	
Thursday, January 12, 2012	<i>Tuesday, January 17, 2012</i>
<b>Spring 2013</b>	
Thursday, January 10, 2013	<i>Monday, January 14, 2013</i>
<b>Fall 2012</b>	
Aug 20 Thurs	<i>Aug 20 Mon</i>

### REVISED ACADEMIC PROGRAM REVIEW GUIDELINES

Vice President Alexander introduced the proposed revision to the academic program review guidelines. The revision removes the dated material but keeps the key components of the 1997 guidelines. Additionally, the revised guidelines will reflect the creation of the Kansas Postsecondary Database and will clarify the role of this data in supporting program review. Vice President Alexander noted that the review process does not change and that the Board will still receive an annual report on individual campus results. Following discussion, Regent Lykins moved to approve. Regent Boettcher seconded, and the motion carried.

### BREAK

The Chairman called for a short break at 10:14 a.m. and resumed the meeting at 10:26 a.m.

### AMEND AGENDA

President Tompkins recommended amending the agenda to add an executive session to discuss personnel matters of non-elected personnel. The executive session will be the last item on the agenda. Regent Emert moved, followed by a second from Regent Hedges, that the agenda be amended. The motion carried.

### Fiscal Affairs and Audit

### FY 2012 HOUSING AND FOOD SERVICE RATE ADJUSTMENTS SUBMITTED BY STATE UNIVERSITIES

Vice President Duffy presented the proposed FY 2012 housing and food service rate adjustments for final action. Following discussion, Regent Boettcher moved to approve. Regent Lykins seconded, and the motion carried.

(Complete Listing of Adjustments filed with Official Minutes)

### ALLOCATION OF FY 2012 REHABILITATION AND REPAIR APPROPRIATIONS – SYSTEMWIDE

The FY 2012 allocation for Rehabilitation and Repair appropriations was presented by Eric King, Director of Facilities. He expects that \$15,000,000 will be available from the Education Building Fund. Regent Perkins moved that the project list for the FY 2012 rehabilitation and repair appropriation be approved. With the second of Regent Hedges, the motion carried. The following summary reflects the authorized totals:

## FY 2012 - \$15,000,000 Educational Building Fund

	<u>Allocation</u>
The University of Kansas	\$4,031,000
The University of Kansas Medical Center	1,687,000
Kansas State University	4,484,000
Wichita State University	1,648,000
Emporia State University	906,000
Pittsburg State University	1,107,000
Fort Hays State University	<u>1,137,000</u>
TOTAL	\$15,000,000

PROJECT STATUS REPORT FOR ARRA/SFSF FUNDS

Eric King, Director of Facilities, updated the Board on the project status for the American Recovery and Reinvestment Act (ARRA)/State Fiscal Stabilization Funds (SFSF). The Kansas Board of Regents was appropriated \$90 million in ARRA/SFSF. The state universities received \$72.4 million, which are to be expended on tuition mitigation and deferred maintenance projects. Per federal law, all federal ARRA/SFSF must be expended by December 31, 2011. Mr. King also noted that the federal government is conducting a Desk Audit on ARRA/SFSF. The Board will receive another project status update in Spring 2011.

(Project Status Report on Deferred Maintenance filed with Official Minutes)

EXECUTIVE SESSION

At 10:55 a.m., Regent McKechnie moved, followed by the second of Regent Edwards, that the Board of Regents recess into executive session for 1 hour 35 minutes to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board and President Tompkins. At 12:30 p.m., the meeting returned to open session.

ADJOURNMENT

Chairman Sherrer adjourned the meeting at 12:30 p.m.

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Andy Tompkins, President and CEO

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Gary Sherrer, Chair