

**KANSAS BOARD OF REGENTS**  
**MINUTES**  
September 19-20, 2007

The September 19, 2007, meeting of the Kansas Board of Regents was called to order by Chairman Christine Downey-Schmidt 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 PARTICIPATING: Christine Downey-Schmidt, Chairman  
Donna Shank, Vice Chairman  
Jerry Boettcher  
Jill Docking  
Dick Hedges  
Dan Lykins  
Janie Perkins  
Gary Sherrer  
Bill Thornton

**APPROVAL OF MINUTES**

Regent Shank moved that the minutes of the June 27-28, 2007, meeting be approved. Following the second of Regent Perkins, the motion carried.

Regent Shank moved, with the second of Regent Perkins, that the minutes of the September 6, 2007, conference call meeting be approved. The motion carried.

**INTRODUCTIONS**

The Chairman introduced the following new members of the Board of Regents who were named by the Governor in July: Jill Docking, Wichita; Jerry Boettcher, Beloit; Gary Sherrer, Overland Park; Bill Thornton, Atchison; and Dick Hedges, Fort Scott.

Other introductions included Dr. Terry Calaway, new president of Johnson County Community College, and Dr. Robin Bowen, new Vice President for Academic Affairs at Washburn.

The Chair also congratulated President Robinson on being named Chair-Elect for the State Higher Education Executive Officers (SHEEO) organization.

**REPORTS**

**REPORT FROM CHAIR**

Chairman Downey-Schmidt reported on the various events she has attended on behalf of the Board since being elected in June. She participated in the orientation for new Regents, in which a representative from the Association of Governing Boards spoke about Board responsibilities.

She called attention to the fact that it is not the Board of Regents' job to decide the state's economic goals, but it is the Board's job to make sure that someone is determining that, and then the Board can establish its direction.

The Chairman hosted the Board Retreat in Hesston. In addition to focused discussions, she noted that new and returning Board members had a chance to get acquainted with each other and with sector representatives.

Regent Downey-Schmidt attended the dedication of the Fort Hays State University Memorial Union. She participated in a two-day campus visit to the University of Kansas Medical Center and the University of Kansas, noting that it was very helpful to receive the updates on current issues at KUMC and have time with administrators, faculty, students and staff at the Lawrence campus. It was also educational in that Board members had a short lesson in Chinese. She attended a reception and football game at KU.

The Chairman spoke during the Buhler School District opening session, which provided her the opportunity to share the expectations the Board has for graduates of the K-12 system. Also, she noted a couple opportunities that were of a collaborative nature. First, she attended a meeting of the Kansas Educational Leadership Commission. That group discussed the issue of leadership among teachers and administrators and the deficit in those areas. She was present at the announcement of the Kansas Book Festival at Wichita State University. Following the Board meeting, she will attend a meeting of the Kansas Arts Commission, which will be hosted by Cloud County Community College in Concordia.

#### REPORTS FROM OTHER REGENTS - HIGHLIGHTED ACTIVITIES

Regent Shank attended the Seward County Community College presidential scholarship luncheon. Following the Board meeting, she will be traveling to Pittsburg State University to attend the dedication ceremony for the polymer research center.

Regent Thornton met briefly with Chancellor Hemenway and Provost Lariviere, KU, as well as President Lane, ESU.

Regent Lykins attended a football game at PSU and met with legislators, administrators, faculty, and students. He also attended the KU alumni awards banquet where former Regent Dick Bond was honored.

Regent Hedges plans to attend the dedication ceremony for the polymer research center at PSU.

Regent Perkins attended the dedication of the FHSU Memorial Union and enjoyed seeing the sculpture of the new tiger.

Regent Sherrer will be representing the Board at the dedication of the new Regnier Technology Business Center at Johnson County Community College.

Regent Boettcher attended the dedication of the FHSU Memorial Union. He has met with several institutional presidents. Also, he spoke briefly at the opening day ceremony of North Central Kansas Technical College in Beloit.

Regent Docking met with Chancellor Hemenway and Provost Lariviere, KU, as well as Executive Vice Chancellor Atkinson, KUMC. She visited with Sheila Frahm, Kansas Association of Community College Trustees, and President Jackie Vietti, Butler County Community College. She has a meeting planned with President Lane, ESU, in the near future.

#### REPORT FROM PRESIDENT AND CEO

President Robinson helped Butler County Community College launch a new academic year by speaking to the faculty and staff. He participated in the KU campus visit and thanked the University and Mary Burg for their efforts in scheduling insightful opportunities.

Recently Mr. Robinson attended a Big 12 Engineering Consortium meeting in Kansas City. The group discussed ways to collaboratively address workforce and economic needs. One particular focus of the group related to nuclear engineering. Approximately 30-40 years ago, programs were thriving but have experienced a decline since then. Now, interest in nuclear energy is surging. The resources needed to increase infrastructure and student capacity to meet that surge is significant, but the engineering deans framed an outline to address the need collaboratively. The nuclear engineering challenge will be a first step, and broader engineering programs might be considered later. President Robinson noted that KSU has played a prominent role in this initiative. As Mr. Robinson interacts with this group, he will be looking at whether this is a model that can be replicated in other disciplines and whether there are Board policies and practices that create barriers.

Other commitments for the President during the past month included attending the Kansas Rural Broadband Summit, which was organized by Representative Tom Sloan. High level federal officials addressed the need to ensure that rural areas of the state are not left behind. Mr. Robinson noted that the Kan-ed program is an integral part of delivery to the rural areas. Mr. Robinson met with Education Commissioner Alexa Posney to discuss mutually significant issues. The topics will come to the Board at a later date.

The Technical Education Authority will meet September 26 and 27 for an orientation and retreat. President Robinson expects the Board will receive a report from the Authority late fall or early winter.

#### REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Duane Dunn briefed the Board on the System Council of Presidents' meeting held earlier in the day. The Council received the following report from the System Council of Chief Academic Officers. SCOCAO provided an update on the core outcomes project and will continue to work on that. A group of 145 faculty members met this past summer to review seven disciplines. In the future, the group will look at the mission of the core competency project. SCOCAO is considering consistent procedures and processes for modifying curriculum to assist as new faculty members come on board. The primary function is the transfer and articulation

issue. SCOCAO is looking at the definition of General Education. Board staff will be reviewing several resources and will report back to SCOCAO.

SCOPS received a report from President Robinson on the Technical Education Authority. Dr. Dunn noted that the Council is pleased with the Board appointees of former Regents Jack Wempe and Jim Grier to the Authority. President Robinson also reported on the Board's interest in reviewing its Mission Statement, Board discussion related to Five Strategic Questions for Higher Education in Kansas, and Board discussion concerning the university admission process and the comprehensive review that will be forthcoming. Vice President Diane Duffy proposed policy language to SCOPS to create a System Council of Business Officers. SCOPS voted to adopt the policy with amended language that the composition of the council reflect the same make-up as SCOCAO and SCOPS. Vice President Duffy also shared information about the Higher Education Price Index and incorporating the updated rate into the FY 2009 Unified Budget Request.

#### REPORT ON KANSAS ACADEMY OF MATH AND SCIENCES

Don Norwood and Jerry Magliano briefed the Board on the Kansas Academy for Mathematics and Science (KAMS), a measure that was passed during the 2006 legislative session.

Drawing on an experience with the Illinois State Board of Education, Mr. Norwood lobbied to establish a similar program in Kansas. His vision is to enable Kansas to be at the forefront of mathematics and science education, along with fifteen other states that are already operating residential mathematics and science academies.

Mr. Magliano, an Information Systems Professor at Johnson County Community College, elaborated on the unpreparedness of middle school and high schools students in the math and science fields, which translates to limited numbers pursuing such programs at the postsecondary level. Mr. Magliano highlighted the areas of positive impact which can materialize from the Kansas program. He also requested advocacy from the Board in pursuing implementation of KAMS in a timely manner.

President Robinson reported that proposals from interested institutions are expected in mid-October. Those proposals will spell out how the institution would implement the KAMS program, along with budgetary needs. Mr. Magliano noted that he anticipates that the need for funding would be gradual over the next two to three years. Responding to a question about availability of federal grants, Mr. Magliano reported that the PACE Act was introduced in January 2006. The Act passed but information about federal funding opportunities was not available.

(Presentation Filed with Official Minutes)

**CONSIDERATION OF DISCUSSION AGENDA***Fiscal Affairs and Audit***AMEND POLICY MANUAL TO ESTABLISH A SYSTEM COUNCIL OF BUSINESS OFFICERS**

Vice President Duffy reported that the System Council of Presidents considered the proposed language to initiate a System Council of Business Officers (SCOBO). As noted in the report given earlier by President Dunn, SCOPs voted to amend the policy language to mirror the make-up of SCOPs and SCOCAO. The Board's Fiscal Affairs and Audit Committee considered the language and chose to endorse the SCOPs recommendation. Brief discussion followed. Responding to a question, Vice President Duffy indicated that the Committee thought the amendments would enhance communication with the institutions.

Regent Perkins moved that the Board accept the Committee recommendation to adopt the policy to establish a System Council of Business Officers with inclusion of the changes proposed by SCOPs. Following the second of Regent Boettcher, the motion carried. The following was approved for inclusion in the Board's Policy Manual:

**12.a. SYSTEM COUNCIL OF CHIEF ACADEMIC OFFICERS**

(1) 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 ten technical institutions, and the chief academic officer of Washburn University. The Board's Vice-President for Academic Affairs serves as an ex officio member. Two members of SCOCAO will serve as co-chairpersons: One shall be from the same institution as the state university SCOP co-chairperson; the other shall be selected by the six SCOCAO members from institutions coordinated-but-not-governed by the Board. The chief academic officers of the University of Kansas Medical Center and other institutions (when not current members) are invited to provide input to SCOCAO when agenda items affecting those institutions are to be considered. SCOCAO may solicit input from councils that are not established by the Board. SCOCAO meets monthly. SCOCAO reports to SCOP on matters that have system-wide impact; on such matters all positions will be reported to SCOP, and a majority will be required for Council endorsement.

(2) SCOCAO formulates recommendations relating to the implementation of the Higher Education Coordination Act as they apply to academic affairs; addresses instructional, academic, or related issues that affect higher education system-wide in Kansas; receives and reviews recommendations from individual campuses or instructional groups; promotes continuous quality improvement and coordination of higher education in Kansas; and promotes higher education improvement through joint academic or professional development activities. One of its primary functions is continuous academic planning for the Regents system. It acts in accordance with the academic affairs policies and procedures for coordination as outlined in the Board's Policy and Procedure Manual.

~~The policy is effective immediately and will be reviewed for continuation in one year. (12-18-02)~~

### **12.b. SYSTEM COUNCIL OF BUSINESS OFFICERS**

(1) The System Council of Business Officers (SCOBO), established in 2007, consists of the six chief business officers of the state universities, four chief business officers selected by the nineteen community colleges, one chief business officer selected by the ten technical institutions, and the chief business officer of Washburn University. The Board's Vice-President for Finance and Administration serves as an ex officio member. Two members of SCOBO will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by the six SCOBO members from institutions coordinated-but-not-governed by the Board. The chief business officers of the University of Kansas Medical Center and other institutions (when not current members) shall be invited to provide input to SCOBO when agenda items affecting those institutions are to be considered. SCOBO meets as needed and on call of a co-Chairperson and reports to the System Council of Presidents on matters that have system-wide impact. All positions will be reported to the System Council of Presidents, and a majority will be required for SCOBO endorsement.

(2) SCOBO formulates recommendations relating to the implementation of the Higher Education Coordination Act as they apply to fiscal affairs and administration and considers system financial and business matters on which it can advise the System Council of Presidents, either at the request of the System Council of Presidents or on SCOBO's own initiative. One of its primary functions is to study and make recommendations regarding the unified budget for state funding of postsecondary educational institutions.

### **REVISE FY 2009 UNIFIED BUDGET REQUEST**

Vice President Duffy reported to the Board that the revision in the FY 2009 Unified Budget Request approved in June was based on a change in the Higher Education Price Index (HEPI). The 5 percent increase included in the Board's June 27 action was based on the FY 2006 HEPI national rate. However, in August the Commonfund Institute released its annual compilation of HEPI for FY 2007, which revealed that the national inflation rate for colleges and universities was 3.4 percent. She also noted that at the June meeting, the total for annual maintenance of state university facilities was estimated to be approximately \$38 million for the Unified Budget Request; however, Board staff has determined that \$28 million is a more accurate figure. Vice President Duffy asked the Board to adopt a revised FY 2009 Unified Budget Request to incorporate the two categories of change. She also noted that a placeholder was inserted in the Board's official budget request for the KAMS program.

Regent Perkins moved to approve the revised FY 2009 Unified Budget Request incorporating the revised percentage based on HEPI and adjusting the annual maintenance totals. Regent Thornton seconded the motion. Discussion followed. Regent Sherrer voiced concerns related to priorities in the budget request, noting that he has not yet seen identification of specific priorities. He indicated that between now and December, priorities need to be established prior to any request

for funds in order for him to advocate for the proposed increases. The motion carried. The approved budget follows:

**KANSAS BOARD OF REGENTS  
FY 2009 HIGHER EDUCATION UNIFIED BUDGET REQUEST - STATE FUNDS<sup>1</sup>  
September, 2007 Budget Submission**

	FY 2008 Combined Line Item Appropriations	FY 2009 Increase	% Increase
<b>All Higher Education Sectors</b>			
Combined Operating Grants Total	\$789,427,156		
New Unified Operating Grant - 3.4% HEPI Increase		\$26,840,523	
State Priorities - Investment Increase		\$25,319,455	
<b>Total - Higher Education Sectors</b>	<b>\$789,427,156</b>	<b>\$52,159,978</b>	<b>6.6%</b>
<b>Student Financial Assistance</b>	\$9,257,163		
Comprehensive Grant Program	\$15,689,878	\$3,000,000	
Other Programs - 3.4% HEPI Increase		\$126,844	
<b>Total - Student Financial Assistance</b>	<b>\$24,947,041</b>	<b>\$3,126,844</b>	<b>12.5%</b>
<b>Board of Regents Office</b>	\$3,383,111		
Staff Support to Align with New Higher Ed Initiative		\$250,000	
3.4% HEPI Increase		\$145,620	
Kan-ed Financing Shift - SGF replacement of KUSF	\$2,000,000	\$2,500,000	
<b>Total - Board of Regents Office</b>	<b>\$5,383,111</b>	<b>\$2,895,620</b>	<b>11.7%</b>
<b>Other Postsecondary Education Programs</b>	\$10,601,189		
3.4% HEPI Increase		\$256,003	
Pilot for Part-time Adult Learners		\$200,000	
<b>Total - Other Postsecondary Ed. Programs</b>	<b>\$10,601,189</b>	<b>\$456,003</b>	<b>4.3%</b>
<b>Facility Maintenance State Universities</b>			
Deferred Maintenance Projects <sup>2</sup>		\$56,393,000	
Annual Maintenance Increase <sup>3</sup>		\$28,000,000	
<b>Total - Building Maintenance</b>		<b>\$84,393,000</b>	
<b>Grand Total</b>	<b>\$830,358,497</b>	<b>\$143,031,445</b>	<b>17.2%</b>
<b>Grand Total, Excluding Facility Maintenance</b>	<b>\$830,358,497</b>	<b>\$58,638,445</b>	<b>7.1%</b>

Note: HEPI is the Higher Education Price Index

<sup>1</sup> Table reflects appropriations from State General Fund and Economic Development Initiatives Fund.

<sup>2</sup> This figure is the difference between the amount of funding already approved by the 2007 Legislature (\$20 million SGF; \$8.6 million interest earnings and \$15 million in EBF) and \$100 million, the estimated amount of funds that can be expended on deferred maintenance projects in a fiscal year.

<sup>3</sup> Updated 6/27 preliminary estimate. Assumes budgeting goal of \$84 million in annual maintenance expenditures less \$38 million (est) currently expended in the Physical Plant of the operating budgets of the universities. The difference of \$46 million would be only partially financed with SGF (60%) and the balance with other university funds for an SGF request of \$28.0 million, which would be adjusted by any approved inflation increase to the operating budget.

Other MattersAUGUST BOARD RETREAT DISCUSSION AND FOLLOW-UP

President Robinson reported on the Board's Retreat in August. Board members had an opportunity to engage with the Governor on a number of issues, and a chance to talk with presidents from the System Council of Presidents and University Council of Presidents. The interactions contributed to the Board's discussion for possible future goals. Mr. Robinson identified three major items of work that carried forward from the Retreat discussion.

The first topic related to the Board's **Mission Statement**. Mr. Robinson reported that the Board examined the current Mission Statement to determine if it outlines and describes the core function and core agenda of the Board. The language from the current Mission Statement is as follows:

*The Mission of the Kansas Board of Regents is to advance the quality of life, promote economic vitality, create and preserve knowledge, foster respect for diversity and enrich the culture of Kansas by delivering superior educational opportunity for all citizens so they may reach their greatest potential.*

Regent Boettcher, with wordsmithing assistance from other Regents, developed the following revised Mission Statement:

*The Kansas Board of Regents shall pursue measurable continuous improvement in the quality and effectiveness of the public postsecondary educational system in Kansas, while expanding participation in that system for all qualified Kansans.*

*To achieve that mission, the Board will:*

- *Deliver quality*
- *Demand Accountability*
- *Focus Resources*
- *Advocate powerfully*

Regent Sherrer suggested that the former statement was broad and the revised Statement establishes that the Board should be focused on measurable, continuous improvement each and every day. He also indicated that the Statement should reflect the system, with an expansion of the number of people who are taking advantage of the postsecondary offerings, taking into account accessibility geographically, financially, and culturally. He believes the system should look like Kansas from a socio-economic point of view and reflect well for the state. He also feels that the Board should serve with strong advocacy for the measures it adopts.

Regents agreed that it would be appropriate for the system stakeholders to have an opportunity to comment. Consequently, the Board will take action in October, following feedback from institutional representatives.

A document entitled "Five Strategic Questions for Higher Education in Kansas" was discussed at the Retreat and President Robinson presented the document to the Board with data needs/tasks identified for each section. He reported that the discussion with the Governor was important because of her work on the National Governor's Association and the initiatives identified in the NGA document, "A Compact for Postsecondary Education." The resource "Minnesota Measures," is identified in the NGA report and it describes the process undertaken in Minnesota that identified issues, developed questions, and then was incorporated into a report comprised of supporting data. Mr. Robinson indicated that Board staff is currently reviewing the "Minnesota Measures" document.

Moving to the Five Questions, Mr. Robinson indicated that Board staff has considered what we would need to know and what data is currently available regarding **alignment w/K-12**. There are details that might be helpful to the Board to respond to alignment questions. In his discussion of alignment with K-12, he identified a report published by the Alliance for Excellent Education, which he feels verbalizes his thoughts on the issue. One question that surfaces is that if it is assumed there is misalignment between K-12 and postsecondary, does producing alignment require the Board of Regents to define what college readiness means? Without a definition, how does one know with what the K-12 system should be aligned?

In terms of **participation**, Mr. Robinson noted a need to increase the numbers of students pursuing postsecondary education. He called attention to the outstanding Adult Basic Education Program in Kansas and identified the need to know whether ABE completers and those passing the GED test move successfully into postsecondary education.

The third question relates to **persistence**. Mr. Robinson noted that retention rate and graduation rate data is available and higher education people are aware of the complications related to graduation rates. Board staff is looking at whether there are elements to put together in a broad aggregate sense to acquire a better and more accurate picture regarding completion in the system.

Mr. Robinson stated that there is information available related to **workforce alignment** that will be helpful in determining whether course offerings align with the workforce demands of the state's economy. The Board of Regents, the State Department of Commerce, and Kansas, Inc. have commissioned a study that examines these alignment issues and the information should be available for presentation to the Board in October. Kansas, Inc. is also conducting a study that may provide relevant data. Also, Regent Downey-Schmidt and President Robinson will be meeting with the Governor's Economic Sub-Cabinet. Mr. Robinson encouraged a proactive approach through development of a tool to address alignment issues on a recurring basis. Alignment challenges were noted in the area of teaching, nursing, engineering, and technical fields. The nursing shortage is currently being addressed and Mr. Robinson is hearing about needs in engineering and technical fields. Additionally, although there is no current data, there appears to be a shortage of teachers in math and science, and maybe special education. Mr. Robinson suggested that a review of the workforce challenge could bring attention to areas that might need immediate attention.

President Robinson characterized **learner outcomes** as being the most difficult to do in the right way. Questions arise such as whether graduates are competent only in technology or specific

disciplines? Should students have cross-cutting, non-disciplinary skills? Should such skills as writing, written and spoken communication, basic competency with numbers, or financial competency be included? Is there a set of graduation expectations without regard to a course major? He stated that the first task is to determine what should be included in a competency list and suggested that SCOCAO can assist with development of expectations. After a short list is established, the question to follow will relate to how those skills are measured. He identified agencies that provide assessment tools for such measurements.

#### RECESS

Chairman Downey-Schmidt announced a recess at 3:20. The meeting resumed at 3:30 p.m.

#### AUGUST BOARD RETREAT DISCUSSION AND FOLLOW-UP, continued.

Chairman Downey-Schmidt invited Board members to comment on the five strategic questions that were presented with possible supporting data identified. Discussion followed in which Regents commented that the "Minnesota Measures" report was very helpful and a similar report for Kansas is important. The ability to show improvement in an identified area is important to the Board. Other Regents expressed support and enthusiasm for the initiative as it establishes both individual and common goals and sets priorities. Another comment related to the apparent need for math and science teachers, but that the need is not reflected in the institutional Performance Agreements.

University presidents commented on issues related to math and science teachers, noting that teacher salaries are not competitive. Mr. Robinson agreed that there are two sides and he plans to meet with the deans of the School of Education and deans of Liberal Arts and Science to become better apprised of the related issues and roadblocks, and then the Board can consider ways to address the matter. Regents encouraged the institutions to be proactive in addressing the math and science teacher need.

(Five Strategic Questions Document Filed with Official Minutes)

A third topic forwarded from the Retreat discussion related to **university admission standards**. At the Retreat, the Board reached consensus that now is a good time to review the standards to determine if changes are warranted. President Robinson presented a document that, if sanctioned by the Board, would serve as a charge to a State University Admissions Task Force. Minor revisions were proposed and Mr. Robinson indicated that he would incorporate the changes and bring a recommendation for the Task Force membership to the Board in October.

(Document Filed with Official Minutes)

#### SELECT MEMBER TO THE WASHBURN BOARD OF REGENTS (K.S.A. 13-13a04)

Regent Downey-Schmidt moved that Dan Lykins be named to serve on the Washburn Board of Regents, as set out in K.S.A. 13-13a04(b)(5)). Following the second of Regent Thornton, the motion carried.

**RECESS**

The Chairman announced a recess at 4:05 p.m., with the meeting to resume the following morning with an Executive Session at 9:15 a.m.

**RECONVENE**

MEMBERS PARTICIPATING: Christine Downey-Schmidt, Chair  
Donna Shank, Vice Chair  
Jerry Boettcher  
Jill Docking  
Dick Hedges  
Dan Lykins  
Janie Perkins  
Gary Sherrer  
Bill Thornton

**EXECUTIVE SESSION**

At 9:30 a.m., Regent Shank moved that the meeting of the Board recess into executive session for approximately one hour to discuss personnel matters of non-elected personnel related to salaries for the chief executive officers. Following the second of Regent Thornton, the motion carried. Participating in the session were members of the Board and President Robinson for a short period of time. At 10:30 a.m., Regent Shank moved, followed by the second of Regent Perkins, that the open meeting resume. The motion carried.

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

The Council of Presidents met on Wednesday, September 20. President Michael Lane briefed the Board on that meeting.

The Council of Chief Academic Officers provided the following report to COPs. Board staff will be preparing a white paper on basic competencies and skills as they move forward on that project. COCAO received a letter from each campus identifying why Physical Science should not be included to satisfy the Regents required curriculum requirements. The Council discussed the Faculty of Distinction program. The program is reaching the maximum ceiling of \$5 million allowed by statute and the institutions will provide qualitative information to Board staff to include in the Board's report to the Legislature and to establish a foundation to seek legislative authority to increase the maximum funding level available for the program. President Lane noted that COPs supports pursuing the legislation. COCAO reviewed the implementation procedures for the revised geographic jurisdiction policy. COCAO defined the Kansas City metro area to be Johnson and Wyandotte counties. Several new programs were considered by the Council. The Council received an update on the search for the Vice President for Academic Affairs vacancy in the Board office. Dr. Nellis is representing the Council in that search. The Council discussed the mathematics and science issue as it relates to teacher education and a

recommendation was made to include the Deans of Liberal Arts and Science in the discussion with the College of Education Deans to look at the teacher education capacity available.

The Council of Business Officers updated COPs on the following matters. The Council received a report from budget officers that non-base funding for bonuses will be subtracted in the same proportion as it was added into the budget. Acting on a recommendation from the Advisory Committee on Retirement and Benefits, COBO moved to designate Veterans' Day as a holiday for all employees at the state universities. President Lane noted that COPs also endorsed the holiday designation and a proposal to amend the Board's Policy Manual will be forwarded to the Board for consideration. In regard to implementation of the classified employee leave recommendation made the previous year, COBO requested a one month extension so members can evaluate the final report from the Hay Group about the benefits side of classified employee compensation.

The Council of Presidents voted to amend the Board's Policy Manual to include a statement on teacher evaluation. COPs approved a minor adjustment to the admissions policy. The Council briefly discussed campus security, deciding to send copies of current policies to President Robinson and also requesting that university attorneys determine compliance needs and evaluate plans to develop a check list. The Council discussed the Attorney General's letter on student loans. The Attorney General recommended a Code of Conduct for student loans, which the Council voted to adopt. Dr. Lane noted that all of the state universities are in excess of compliance with that code. The Council received an overview from Carol Foreman, Department of Administration, on the Hay Report to the Compensation Commission. Dr. Lane noted that any campus input related to the Report should be submitted to Provost Lariviere in a timely manner prior to the October 15 meeting.

President Robinson elaborated on a couple items. First, he provided background related to secondary education physical science classes being considered in the Board of Regents Qualified Admissions curriculum requirements. He noted that there is interest in the high school community for physical science to be included. University academic administrators responded to that interest by surveying science faculty asking whether physical science should count toward the requirements. Mr. Robinson indicated that he will review the responses to determine if he can now be responsive to the K-12 inquiries. He noted that he will share the information with the Board for its evaluation. Secondly, Mr. Robinson reported that the Faculty of Distinction program enables institutions to leverage private giving to supplement a faculty member's salary. The legislature established a cap on such giving and the program is near that ceiling. He reported that a required report will be developed which quantifies the effectiveness of the program in terms of leveraging private giving and enhancing economic development. The report should assist in developing a foundation to pursue extension of the program.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Dr. Harvey Foyle, Chair of the Council of Faculty Senate Presidents, briefed the Board on the Council's meeting the previous day. He reported that Council members and university faculty senate are discussing institutional grievance procedures to determine compliance with Board policy. The Council also discussed the teaching evaluation policy. The Council supports that

policy but would like to reserve the right to suggest minor modifications in the future. Dr. Foyle expressed the Council's willingness to partner with the Board in meeting future challenges.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Students' Advisory Committee Chair, Courtney George, reported on the Committee's recent meeting. University student government legislative liaisons also attended the meeting. Students are busy at their campuses reviewing existing policies and implementing new policies, as well as working on several pieces of legislation.

The Committee received a charge last spring from the Board related to academic advising. At its summer retreat, SAC developed a list of survey questions and representatives took those questions back to their respective campus. The KSU representative encountered some difficulties so Kelly Cox, KSU, met with SAC to clarify the issues. KSU Institutional Research has agreed to work with SAC to help create the survey. Courtney reported that SAC plans to have a comprehensive report related to academic advising and student opinion to the Board in January, and will provide monthly updates following the report.

Dr. Curt Brungardt, Fort Hays State University, briefed SAC on Kansas Corps. SAC liked the idea of students helping others, but especially appreciated the link with two-year institutions and private institutions across the state. Allie Crouse, WSU student body president, and Eddie Penner, PSU legislative director, will represent SAC on the planning committee for Kansas Corps.

Student government leaders from the two-year institutions will be invited to join SAC for dialogue at the November SAC meeting. SAC tabled discussion on emergency response notification until the October meeting.

Regent Docking asked about flexibility in the academic calendar, noting that she understands that Kansas students begin much earlier and have a longer winter break than students in other states and students participating in activities such as internships are impacted by the early dates. Courtney reported that she had not heard of students encountering problems with the semester starting dates. Regent Lykins asked if students made contacts with their local legislators and Courtney indicated that they do contact legislators in both their institutional and home area.

#### ADJUST AGENDA

Chairman Downey-Schmidt announced that the Fiscal Affairs and Audit topics included on pages 70-73 of the agenda would receive consideration on the Consent Agenda. She also reported that the topic of CEO salaries will be held over to the October meeting.

#### APPROVAL OF CONSENT AGENDA

Regent Donna Shank introduced the Academic Affairs Consent Agenda. Regent Boettcher moved, followed by the second of Regent Lykins, that the Consent Agenda be adopted. The motion carried. The following measure received approval:

Academic AffairsNEW MASTER OF SCIENCE IN ACADEMIC ADVISING CIP (13.1102)

Kansas State University received approval to offer a new Master of Science in Academic Advising (CIP 13.1102). The program will be funded by internal reallocation.

Regent Shank moved that the Fiscal Affairs and Audit Consent Agenda be approved. With the second of Regent Boettcher, the motion carried. The following measures were authorized:

Fiscal Affairs and AuditUSE OF BOND SURPLUS FUNDS/PETERS RECREATION CENTERS - KSU

Kansas State University received approval to use up to \$725,000 of bond surplus funds to replace the roof on the Peters Recreation Center on the Manhattan campus. The University has a balance of approximately \$1.4 million in the bond surplus fund and the bonds are being retired through a dedicated student privilege fee. The bond resolution allows the University to use the surplus funds for "lawful" purposes with the approval of the Board of Regents.

FY 2008 REHABILITATION & REPAIR ALLOCATIONS/PETERS RECREATION CENTER – KSU

Approval was given to Kansas State University to modify its Fiscal Year 2008 rehabilitation and repair budget to include replacement of the roof on Peters Recreation Center, Manhattan campus. The cost of the project will not exceed \$725,000 and it will be funded by bond surplus funds.

ARCHITECTURAL PROGRAM/MCCRAY HALL – PSU

Pittsburg State University received approval of its Architectural Program for McCray Hall. The project is a Deferred Maintenance project and was approved for FY 2008 funding by the Joint Committee for State Building Construction on August 22, 2007. The scope of the project includes new windows, new heating and air conditioning systems, new roof, new electrical service, brick tuck-pointing and restoration, and foundation/settlement correction. The estimated cost of the restoration of this facility is \$2.3 million.

LAND PURCHASE/RENO COUNTY – KU

Authorization was given to the University of Kansas to purchase a 140-acre tract of land adjacent to the Kansas Law Enforcement Training Center (KLETC) in Reno County, Kansas, to construct an emergency vehicle operations driver training course and related operational buildings. The purchase of the property will enhance the training center's ability to serve the increased demands of the Kansas law enforcement community. Chapter 170 of the 2006 Kansas Session Laws authorized an increase in docket fee remittance levels to fund critical training facility needs and improvements at the existing training center and Chapter 167 of the 2007 Kansas Session Laws authorized the expenditure of the

Center's funds for acquisition of tracts of land. The purchase is subject to obtaining a satisfactory Phase I Environmental site assessment and other specified contractual contingencies. The contract price is \$25,950 below the final property value estimate of \$400,000, as determined by the consensus appraisal.

FY 2008 REHABILITATION & REPAIR ALLOCATIONS/COMPUTING SERVICES FACILITY – KU

The University of Kansas received approval to amend its FY 2008 list of rehabilitation and repair projects to include the renovation of an office area in the Computing Services Facility. The project will create more efficient office space, and provide updated utility services to new work stations. The estimated cost of the project is \$495,800 and will be funded with Restricted Fees funds.

FINAL PLANS/KANSAS LIFE SCIENCES INNOVATION CENTER – KUMC

Approval was given to the University of Kansas Medical Center for the final plans and contract documents for the Vivarium Modifications to the Kansas Life Sciences Innovation Center. The renovation costs are estimated to be \$250,000 plus \$450,000 for fixed equipment. Construction will be contracted through the KU Endowment Association.

ARCHITECTURAL PROGRAM/TUNNEL DEFERRED MAINTENANCE – KU

The Architectural Program for various segments of the University of Kansas Tunnel Deferred Maintenance project was approved. This is a Deferred Maintenance project and \$6 million was approved for FY 2008 funding by the Joint Committee for State Building Construction on August 22, 2007. The total estimated cost of the project is \$8.8 million.

CONSTRUCTION OF BUILDING/STRUCTURAL BIOLOGY CENTER – KU

The University of Kansas received approval for the University of Kansas Center for Research (KUCR) to construct phase four of the Structural Biology Center. The 8,300 square foot facility will include labs, imaging equipment, conference room, offices for graduate research students and faculty, and will be primarily occupied by a Kansas Bioscience Authority Eminent Scholar of Medicinal Chemistry in the School of Pharmacy. Funding will be through a \$5 million grant from the Kansas Bioscience Eminent Scholars Program and will be constructed by KUCR as authorized by K.S.A. 76-759.

ARCHITECTURAL PROGRAM/PICKEN HALL – FHSU

The Architectural Program for Picken Hall at Fort Hays State University was approved. The project is a combination of deferred maintenance and renovation. On August 22, 2007, the Joint Committee for State Building Construction approved \$3,845,000 for FY 2008 for deferred maintenance funding. The balance of the cost will be provided from University and/or private funds. The project budget is estimated at \$4,800,000.

**CONSIDERATION OF DISCUSSION AGENDA***Other Matters***UPDATE ON KSU ANIMAL/PLANT SCIENCE FOOD SECURITY PROJECT IN OLATHE**

Dr. Jon Wefald, President of Kansas State University, briefed the Board on the Olathe Innovation Campus project. Dr. Wefald reported that five or six years ago the Kansas City Chamber of Commerce looked ahead to the future of Kansas City and established some goals for the future. Those goals included an emphasis for bioscience, both for human health and animal health. KSU's decision ten years ago to focus on food safety and security led to collaboration with the University on the long-range goals for Kansas City. In its report, *Time to Get it Right*, the Greater Kansas City Chamber of Commerce recognized that cooperation of nearby research universities was key to meeting the interdisciplinary goals.

The Johnson County Education Research Triangle was formed, comprised of the University of Kansas Medical Center cancer cite in Johnson County, the KU Edwards campus in Overland Park, and the K-State Olathe Innovation Campus. Legislation was passed in 2007 to authorize Johnson County to add a revenue enhancement package to the November 2008 ballot to seek funding for the Research Triangle.

The City of Olathe has a tract of land comprised of 92 acres, of which 38 acres have been committed to KSU to establish the K-State Olathe Innovation Campus. It is anticipated that in 20-30 years, the campus will be fully developed and will provide 354,000 square foot of educational and research facilities to accommodate approximately 3,000 full-time students. The remaining acreage will be developed by the Kansas Bioscience Authority for business incubator/wet labs and a Kansas Biosciences Research Park.

Dr. Wefald noted that KSU has previously established campus settings separate from the Manhattan campus. In 1991, KSU merged with the College of Technology at Salina and, more recently, in March 2005, the University established a veterinary medicine facility in Omaha, Nebraska.

The Olathe City Council approved a Development Agreement in June 2007, which authorized rezoning, final approval of the site plan and provisions for public improvements and infrastructure. The processes are expected to be completed by mid to late October. On completion, the City expects to convey the land to the KSU Foundation as a gift restricted for the purpose of developing the K-State Olathe Innovation Campus. A not-for-profit 501(c)(3) entity has been formed through the State of Kansas Department of Procurement as a Sole Source Contract. K-State will be obligated to build a 53,000 square foot primary facility. The University also entered into a Cooperative Development Agreement with the Kansas Bioscience Authority and a Development Services Agreement with the KBA and the K-State Olathe Innovation Campus.

Dr. Wefald emphasized that there are no long-term budget implications for the Kansas Board of Regents. Plans are to leverage possible local funding through the Johnson County Research

Triangle. KSU also plans to initiate a major private fundraising effort. Additional funding sources will be through tuition and fees, as well as private federal funding.

The KSU campus in Olathe will not duplicate the Edwards Campus. It is expected to be an interdisciplinary, collaborative facility that will be thematic, and will be focused on research and teaching, as well as community workforce development needs.

Questions and comments followed, with Regents noting the importance of the Board being apprised of the details of such arrangements. Responding to a question, Dr. Wefald reported that the agreements will be finalized within a couple days. If the taxing authority does not materialize in November, Dr. Wefald indicated the University would need to go back to the drawing board. Responding to questions about the timeline, Vice President Bob Krause reported that the initial timeline was five years for construction of the first phase, but KSU is obligated to build the first facility within six years. The actual terms of the development agreement are for twenty years with an automatic ten year renewal. If KSU is fortunate enough to attract the National Bio and Agro-Defense Facility, the equation will change. Some of the degree programs referenced are currently available or options are in place for them, but new graduate specialties would need to be developed in certain areas. In terms of a higher education authority for oversight and governance, Dr. Wefald responded that with the Research Triangle and the possibility of taxation funding, there will be a need for control. He anticipates that he and the Chancellor would be included in a group to establish the fiduciary responsibilities. President Robinson suggested that the oversight entity might be modeled after the existing Sedgwick County advisory board currently in place. Another question related to cost of faculty and whether state funds would be needed later. However, Dr. Wefald reported that there are no plans to seek state funds for faculty.

(Handouts Filed with Official Minutes)

#### PERMANENT REGULATIONS ON STUDENT HEALTH INSURANCE (ROLL CALL VOTE)

General Counsel Julene Miller introduced permanent regulations related to student health insurance. She noted that the regulations will replace the temporary regulations authorized by the Board at its May 17 meeting.

Regent Perkins moved, with the second of Regent Boettcher, that the proposed permanent regulations to implement and administer the Board's student health insurance program, K.S.A. 88-30-1, 88-30-2, and 88-30-3, be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regents Downey-Schmidt, Shank, Boettcher, Hedges, Lykins, Perkins, Sherrer, and Thornton. The motion carried. The following regulations were approved:

**88-30-1. Definitions.** The following terms wherever used in this article shall have the meanings specified in this regulation:

(a) "Degree-seeking undergraduate student" means a student who has formally indicated to the state educational institution the intent to complete a program of study that is designated by the United States department of education as a program that is eligible for federal financial aid.

(b) "Dependent" means a student's unmarried child under the age of 19 who is not self-supporting.

(c) "Employer contribution" means the amount paid by a state educational institution for the coverage of a student employee that equals 75% of the cost of student-only coverage.

(d) "State board" means the state board of regents.

(e) "State educational institution" has the meaning specified in K.S.A. 76-711, and amendments thereto, except that for the purposes of this article, the university of Kansas medical center shall be considered a state educational institution separate from the university of Kansas, Lawrence, and its campuses.

(f)(1) "Student" means any individual who meets each of the following conditions:

(A) Is enrolled at a state educational institution, except as provided in paragraph

(f)(1)(C)(iv) of this regulation;

(B) is not eligible for coverage under K.A.R. 108-1-1; and

(C) meets one of the following conditions:

(i) Is a degree-seeking undergraduate student who is enrolled in at least six hours in the fall or spring semesters or at least three hours in the summer semester or is participating in an internship approved or sponsored by the state educational institution;

(ii) is a master's degree student who is enrolled in at least three hours each semester;

(iii) is an individual with J-1 or other nonimmigrant status;

(iv) is an individual with nonimmigrant status who is engaged in optional practical training or academic training, even though the individual is not enrolled;

(v) is a doctoral student;

(vi) is a master's or doctoral student who is participating in an internship approved or sponsored by the state educational institution; or

(vii) has been appointed as a postdoctoral fellow.

(2) "Student" shall not include either of the following:

(A) Any individual who is enrolled exclusively in any of the following:

(i) One or more semester-based internet courses;

(ii) one or more semester-based television courses;

(iii) one or more home study courses; or

(iv) one or more correspondence courses; or

(B) a concurrent enrollment pupil, as defined in K.S.A. 72-11a03, and amendments thereto.

(3) Each individual who meets the criteria for being a "student," as specified in this subsection, at the time of application for coverage under the student health insurance program shall remain eligible for coverage throughout the coverage period.

(g) "Student employee" means a student who meets one of the following conditions:

(1) Is appointed for the current semester to a graduate teaching assistant or graduate research assistant position that is at least a 50% appointment; or

(2) holds concurrent appointments to more than one graduate teaching or graduate research position that total at least a 50% appointment.

(h) "Student health insurance program" means the health and accident insurance coverage or health care services of a health maintenance organization for which the state board has contracted pursuant to K.S.A. 75-4101, and amendments thereto.

(Authorized by and implementing K.S.A. 2006 Supp. 75-4101; effective, T-\_\_\_\_\_, \_\_\_\_\_; effective P-\_\_\_\_\_.)

**88-30-2. Election of coverage.** Any student may elect coverage under the student health insurance program for any of the following sets of people:

- (a) The student;
- (b) the student and the student's spouse;
- (c) the student and the student's dependents; or
- (d) the student, the student's spouse, and the student's dependents. (Authorized by and implementing K.S.A. 2006 Supp 75-4101; effective, T-\_\_\_\_\_, \_\_\_\_\_; effective P-\_\_\_\_\_.)

**88-30-3. Payment of premiums.** Each student who elects coverage under the student health insurance program as described in K.A.R. 88-30-2 shall pay the costs of the coverage as follows:

- (a) Each student who is not a student employee shall pay the full cost of the elected coverage.
- (b) Each student employee's cost of elected coverage shall be reduced by the employer's contribution. (Authorized by and implementing K.S.A. 2006 Supp. 75-4101; effective, T-\_\_\_\_\_, \_\_\_\_\_; effective P-\_\_\_\_\_.)

POLICY MANUAL AMENDMENT TO UPDATE PROVISIONS DEALING WITH STUDENT HEALTH PROGRAMS AND TO REQUIRE COVERAGE FOR CERTAIN INTERNATIONAL STUDENTS

Regent Shank moved that Board policy be amended to require that certain international students be required to show proof of health insurance coverage if not choosing to participate in the Board's voluntary plan and that language be added to reflect the Board's health insurance option for GTAs and GRAs. Following the second of Regent Thornton, the motion carried. The Policy Manual will be amended as follows:

II.E.7. STUDENT HEALTH INSURANCE

- ~~a. Each institution is authorized to formulate its own health programs. (5-20-21) (sic?)~~
- a. Pursuant to K.S.A. 2006 Supp. 75-4101, and amendments thereto, the Board has entered a contract and adopted administrative rules and regulations, K.A.R. 88-30-1 et seq., for the provision of a voluntary student health insurance program.
- b. Each state university shall require any international student holding a F-1 visa and any exchange visitor holding a J-1 visa to show proof of health insurance coverage for each semester or term for which the student is enrolled, whether or not the student is participating in the Board's voluntary student health insurance program. Such proof of insurance shall be required prior to the student beginning classes.

- c. Nothing in this Section shall affect any state university's authority to form its own student health centers and similar health programs.

#### II.F.17. HEALTH PROGRAM AND INSURANCE

- a. The state of Kansas provides group health, life and long-term disability insurance to eligible classified and unclassified employees.
- b. Pursuant to K.S.A. 2006 Supp. 75-4101, and amendments thereto, the Board has entered a contract and adopted administrative rules and regulations, K.A.R. 88-30-1 et seq., for the provision of a voluntary student health insurance program. Eligible graduate teaching assistants and graduate research assistants may choose to participate in this health insurance program.

#### BOND RESOLUTION/LAW ENFORCEMENT TRAINING CENTER EXPANSION – KU

General Counsel Miller provided background information on the request of the University of Kansas to adopt a bond resolution for expansion of the Law Enforcement Training Center through the issuance of Kansas Development Finance Authority (KDFA) Revenue Bonds to finance all or a portion of the costs of constructing and equipping an addition to the Center in Salina. Revenues derived from docket fees credited to the Center Fund will be pledged to repay the bonds and the ongoing maintenance of the Center and new addition are and will continue to be funded through revenue from the Center's Fund. The project was previously approved by the Board as a capital improvement project and the 2007 Kansas Legislature approved the measure in an appropriations proviso.

Regent Sherrer moved that the Resolution be approved to authorize the University to pursue bonding authority in one or more series in an aggregate principal amount not to exceed \$16,421,000 plus costs and reserves through the Kansas Development Finance Authority, and that the Board's Chair and its President and CEO be authorized to execute the Resolution, a Pledge of Revenues Agreement, and various other documents relating to the security and payment of such Bonds, as approved by the Board's General Counsel. Following the second of Regent Perkins, the motion carried.

(Resolution Filed with Official Minutes)

#### BOND RESOLUTION/STUDENT LIFE CENTER – KSU

Counsel Miller presented the request of Kansas State University to seek bonding authority for the purpose of financing all or a portion of the costs of planning, constructing and equipping the Student Life Center at the Salina campus. The University plans that revenues derived from the Center will be pledged to pay the bonds and the ongoing maintenance of the existing Student Life Center, as well as this addition, will continue to be funded through revenue from the Center. As with the KU project, the Student Life Center at Salina has received prior Board approval and the Legislature has authorized issuance of revenue bonds to finance the project.

Regent Sherrer moved, followed by the second of Regent Perkins, that the Board adopt the Resolution authorizing Kansas State University to seek bonding authority through the KDFFA in one or more series of bonds in an aggregate principal amount not to exceed an amount that provides not more than \$2,000,000 for the payment of the costs of the project, plus costs and reserves, and further that the Board's Chair and President and CEO be authorized to execute the Resolution, a Pledge of Revenues Agreement and various other documents relating to the security and payment of the Bonds, as approved by the Board's General Counsel. The motion carried.

(Resolution Filed with Official Minutes)

**ADJOURNMENT**

Chairman Downey-Schmidt adjourned the meeting at 11:50 a.m.

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Reginald L. Robinson, President and CEO

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Christine Downey-Schmidt, Chairman