

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

March 12-13, 2008

The March 12, 2008, meeting of the Kansas Board of Regents was called to order by Chairman Christine Downey-Schmidt at 1:40 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 Docking moved that the minutes of the February 13-14, 2008, meeting be approved. Following the second of Regent Perkins, the motion carried.

### **INTRODUCTIONS**

President Ed Hammond introduced Dr. Ruksana Kibria, a Fulbright Scholar from the University of Dhaka in Dhaka, Bangladesh. Dr. Kibria is serving as a Visiting Professor at Fort Hays State University this spring.

### **REPORTS**

#### **REPORT FROM CHAIR**

Chairman Downey-Schmidt reported that she and Regent Shank recently enjoyed a concert at Emporia State University where former Regent Janice Debaugé and three other musicians performed. On February 28, Chairman Downey-Schmidt attended the Kansas Educational Leadership Commission, sanctioned by the State Board of Education, to consider development of school leadership. The Commission will be finalizing its recommendations at an upcoming two-day retreat. The previous evening, Regent Downey-Schmidt attended a presentation by Kasey Pipes at the Dole Institute. The topic related to a civil rights/segregation issue involving former President Eisenhower and was entitled "Ike's Final Battle."

Members of the Board met with the Senate Education Committee for breakfast earlier in the day. Six senators attended. While the current topic of energy dominated, there was discussion related

to the teacher shortage and the number of certified teachers who for a number of reasons have chosen not to teach. The Committee was reminded of the need to hold confirmation hearings for the five new Regents appointed by the Governor last summer. There was also brief discussion regarding possible budget increases. The Board will meet with the House Education Committee for breakfast on Thursday morning.

#### REPORT FROM OTHER REGENTS

Regent Perkins shared her recent experience in Garden City where she organized a community event to familiarize individuals with other organizations and the services available. Both the University of Kansas and Kansas State University were represented, complete with mascots. She extended an invitation to other institutions to participate next year.

#### REPORT FROM PRESIDENT AND CEO

President Robinson reported that he has been busy in the statehouse. Recently he testified in opposition to legislation that would repeal the provision that enables certain undocumented immigrants to attend institutions at in-state rates. He noted that broad legislation is pending in both chambers but only in the Senate is there potential for repeal, and he indicated that there is no way to predict action or whether the repeal provision will be included in the language that is included in the vote. Mr. Robinson noted that Vice President Gary Alexander has been busy with the House Education Committee's consideration of new methods of alternative teacher certification. In that regard, a subcommittee has been asked to study the issue more carefully and the Board of Regents will be a part of that review.

Another recent focus for President Robinson has been related to developing strategy to address the shortage of trained engineers in Kansas. Senator Morris and others have concerns and a meeting was convened. The engineering deans developed a white paper, which Senator Morris believes is a starting point for continued discussion. Mr. Robinson expects to work with the engineering deans to prepare for interaction with stakeholders to discuss strategy. He noted that there may be shortages in the engineering field that relate to the two-year sector, and he plans to have a comprehensive review of the needs.

#### REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Duane Dunn briefed the Board on the meeting of the System Council of Presidents held earlier in the day. SCOPS received the following update from the System Council of Chief Academic Officers. Plans are underway for a summer retreat that will focus on the millennial student. SCOCAO continued its discussion regarding common reporting of transfer data.

The System Council of Business Officers reported to SCOPS that the Council is working on the development of an FY 2010 budget proposal with the following elements: keeping up, catching up, stepping up, and building up. The keeping up aspect involves using the HEPI information to maintain the purchasing power of institutions. The catching up and stepping up include looking at deficits and an analysis of needed dollars, and the building up is referring to deferred maintenance and the five-year plan. The Council also discussed the unified budget concept.

SCOPS considered the request from Kansas State University and Wichita State University to add to the program offerings available to out-of-state students through the Midwest Student Exchange Program (MSEP). The following programs received endorsement:

Kansas State University

Bachelor in Agronomy

Master in Regional and Community Planning

Master in Architecture

Master in Interior Architecture and Product Design

Master of Landscape Architecture

Wichita State University

Bachelor of Music: Special Music Education

Bachelor of Education: Exercise Science

Bachelor of Science: Forensic Science

Bachelor of Science: Geology

**APPROVAL OF CONSENT AGENDA**

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

Academic Affairs

**COMMUNITY COLLEGE, TECHNICAL COLLEGE, AND TECHNICAL SCHOOL REQUEST FOR APPROVAL OF CERTIFICATE AND DEGREE PROGRAMS**

Approval was given to the following program requests:

Barton County Community College – a new program in Corrections (CIP 43.0102) at the Associate of Applied Science degree (A.A.S.) level. The degree consists of 68 credits with a budget of \$15,800 funded through partnerships, tuition and fees. The program was developed in conjunction with the Kansas Department of Corrections.

Hutchinson Community College – a new Pharmacy Technician (CIP 51.0805) program at the certificate level. The certificate consists of 32 credit hours with a budget of \$47,000 funded through grants, tuition and fees.

Wichita Area Technical College – a new program in Administrative Office Technology (CIP 52.0408) at the Associate of Applied Science degree (A.A.S.) level. The degree consists of 67 credits with a budget of \$50,000 funded through tuition and fees.

**CONSIDERATION OF DISCUSSION AGENDA***Fiscal Affairs and Audit***UPDATE ON KANSAS POSTSECONDARY DATABASE**

Dawn Ressel, Director of Institutional Research, provided an update on the Kansas Postsecondary Database (KSPSD) project. Working through the history of the project, she noted that prior to Senate Bill 345, there was no consistency and no link in the data reported for the state universities, community colleges, and technical institutions. Beginning in 2001, the Institutional Research unit was established and since that date, efforts have been underway to create individual student unit records for a statewide database, to assume responsibility for all KBOR reporting.

The database has been developed in phases to address the inconsistencies and to limit the burden on the institutions. The groundwork was laid by collecting fall census data from each institution, although Ms. Ressel noted that academic year data provides a better reflection of student numbers. Next to be added was data from program inventory, adult basic education, and career and technical education. The project is currently working on the addition of business technology and enrichment courses. A 12-member advisory committee representing all sectors has been established and new modules are pilot tested prior to actual data collection, whenever possible.

Ms. Ressel reported that institutions are benefiting through the increased communication and the data is more consistent. The Board and Board staff also benefit from the larger range of analysis that is available. Using the information that is now in the database, analyses have been conducted on such things as a student tracking report, an institutional list of programs, which will be accessible by high school counselors, and development of a Perkins core indicators report that is required for federal accountability. The student tracking report allows institutions to upload any list of students and receive an aggregate report on whether or not the students enrolled in another sector or graduated from that sector.

Data collection will begin this summer for the business technology & enrichment programs. The information will be used to track students by courses taken instead of program. The data will provide a better overview on issues like career and technical education, as it reflects both how the training is happening and how the institutions are contributing to communities and the support of business and industry. Financial aid data is expected to follow as the next collection.

Working with the Department of Labor (DOL) analyses can be conducted related to employment. Negotiations were completed with the DOL to share graduate information and receive feedback on whether or not the student is employed in Kansas and the wage information.

The Kansas State Department of Education recently established a unit record database (KIDS) and each student in the K-12 system is tracked using an identification number. A representative of the KBOR IR staff has served on the KIDS advisory committee and IR staff from both agencies meet monthly to review overlapping issues between K-12 and postsecondary. An individual was hired in February, 2008 to create a P 2 Career database. Currently a task force is working to identify a way for Kansas postsecondary institutions to gain access to the KIDS identification numbers.

Discussion followed. Responding to a question related to student financial aid information, Ms. Ressel stated that the institutions have different modules for the data. Currently information is available through the student registration module but the student financial aid module, which is linked, will need to be accessed for inclusion in the KSPSD. Ms. Ressel confirmed that the KSPSD information will be used to develop an annual report and establish benchmarks, and will also be a resource for responding to the Five Strategic questions identified by the Board at its retreat. When looking at student financial aid data, information will be available on costs for tuition and housing, Pell Grants, institutional awards, and amount of eligibility for student loans, but will not reflect whether the student took advantage of the loan amount or received loan funds from other entities. However, Ms. Ressel noted that information is available through other sources such as the National Student Loan Clearing House.

(Powerpoint Filed with Official Minutes)

### Other Matters

#### FIVE STRATEGIC QUESTIONS

President Robinson led a discussion related to the five strategic questions endorsed by the Board during its retreat last August. He presented a handout that outlined the goal to move from the established questions to development of a strategic plan for higher education. He noted that the values and goals that will be reflected in the ultimate working document were included in the statement introduced by the Council of Faculty Senate Presidents in February and also are reflective of the system as it is undergoing change. He called attention to the pipeline metaphor where the focus begins with K-12 and moves through postsecondary and on to careers and business and industry. However, engagement with higher education may now be better described metaphorically as a "swirl" rather than a "pipeline" as individuals move in and out of the higher education system with increased opportunities for the adult learner.

To respond to the five sets of questions, Mr. Robinson proposed looking at the data elements that bring framework to the questions and determine the current "location" as the system moves to the desired goal. The question related to *educational systems alignment* can potentially be answered by looking at available data and engagement with K-12 leadership through a group expected to be named by the Governor. Dawn Ressel reported that a pilot study will be undertaken, with the cooperation of the Kansas State Department of Education, by tracking a group of high school seniors moving into postsecondary education to determine if there is criteria to define success. This study will look at whether high school students participating in concurrent enrollment perform better and are more successful than non-participants. Developmental enrollment and success by field will be viewed to see if a student taking developmental math is further behind in another field, such as English. Ms Ressel noted that ACT has a report defining college readiness that is based on ACT subscores. The ACT test has a composite score of 36 but has subcategories of English, math, social studies and reading. Thus, Ms. Ressel proposed looking at the performance level of an individual in an ACT subsection. The ACT composite and subscores can also be evaluated to determine the level at which a student should be referred for remedial coursework. Ms. Ressel cited the example of some states using a composite ACT score of 21 and a student scoring below 21 is referred for remedial

courses. A data search can also be conducted on the K-12 assessment scores to determine developmental needs. The findings from such data can help the Board in defining what it means to be "college ready."

Questions followed. Ms. Ressel confirmed that information such as class rank or completion of college preparatory curriculum would be helpful but is generally not available if the individual scored a certain level on the ACT because that is an automatic qualifier and then records are not maintained for rank and curriculum. Another question related to the terminology "college ready" and its implications. Mr. Robinson noted that terminology to refer to the "next stage of educational pursuit" would be more appropriate. Interest was expressed in obtaining other high school-related performance information such as GPA and class rank, in addition to ACT scores.

To respond to the questions related to *participation*, Mr. Robinson noted that it is a challenge to understand what we can do as a system to make the system more accessible for adults to return to higher education. Data is available on how many graduates each year continue for postsecondary education. However, less is known about the pool of adult learners and whether we are satisfied with the number who return for postsecondary education. Participants in adult basic education programs can easily be tracked as they move into postsecondary programs. The Project Next Step administered federally through a Department of Education grant will enhance the opportunities for adults to progress to postsecondary programs. However, Mr. Robinson indicated that there are other adults who may have interest in furthering their education and the number in that pool is difficult to determine and track. He suggested that we might look at the number or percentage of students above a determined age who are choosing to continue education. He expressed interest in 1) determining if interested adult learners are finding a way to access Kansas higher education and 2) identifying ways the institution and the system can be supportive. President Hammond reported that there is data that looks at workforce and census data and analyzes the educational needs by state to determine the workforce needs. It was noted that the data should also include adults who enroll in classes for enrichment type needs.

Moving to the questions regarding *persistence*, Mr. Robinson noted that graduation rate data is flawed because there is no record for transfers who subsequently complete, and a transfer is currently viewed as a failure to the institution the student transfers from and a non-entity to the institution transferred to. But even with its flaws, it is the data that is currently available and will be gathered for this document. Mr. Robinson summarized the data elements that relate to analyzing persistence and graduation rates, and reported that plans are underway to track enrollment and degree completion on a system basis to encompass students who transfer to and from institutions in the Regents system.

The next set of questions related to *outcomes* and Mr. Robinson noted that the data available may be limited because we lack many of the tools. Vice President Alexander will be working with institutional representatives on the definition for the cross-cutting postsecondary skills and competencies that will be the focus of this part of the effort. It was noted that leaders in business and industry should be consulted. Skills in writing, speaking and financial skills are often lacking, despite certificate or degree completion.

The final set of questions related to *alignment* with the Kansas economy and whether graduates are meeting workforce needs and research and discovery is innovative. Data is available from a recent workforce study that can be helpful. Currently there are workforce shortages in areas such as teachers, nurses, engineers and technical fields. Mr. Robinson noted that the need to maintain alignment between education and workforce needs is very challenging. He suggested that it would be helpful to obtain an analysis of key position descriptions in priority industries and called attention to the valuable role that the Technical Education Authority has in this area. Other information that is important relates to federal research funding and whether Kansas is content with its ranking compared to other states. One way to measure the impact of research would be through information about patent filings.

Mr. Robinson indicated that the goal is to have a document for the Board in April. He will work with the Chair and Vice Chair to develop a plan to get Board input to establish the goals to be pursued.

(Powerpoint Filed with Official Minutes)

#### RECESS

Chairman Downey-Schmidt announced a recess at 3:30 p.m. The meeting resumed at 3:45 p.m.

#### REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Vice President Blake Flanders provided an update from the Kansas Postsecondary Technical Education Authority. A new member on the Authority is Dr. Olga Koper, Vice President of Technology and Technical Services at NanoScale Corporation in Manhattan, Kansas. At its recent meeting, the Authority heard presentations from the technical schools that are transitioning and it is expected that those transitions will be in place by July 1, 2008. Dr. Flanders reported that Joe Glassman, Authority Chairman, has written to Chairman Downey-Schmidt expressing support for the institutions and the various transition plans. However, some Authority members have concerns regarding the goal for Salina to transition from School to College status as it relates to sustainability, livelihood in terms of cash reserves, earning accreditation in a timely fashion, board development, and administrative staff development.

In terms of work related to workforce intelligence, the Authority has a committee that has looked at proposals from the universities to do some regional work. A recommendation has been made but arrangements have not been finalized. Statewide information is available but the Authority would like to view the data by regions or rural areas because it may not be a worker shortage for the state, but could be a shortage for a given area.

An RFP for market research will be closing on March 17. The Authority will review the proposals on April 2, and forward its recommendation to the Board for authorization. The vendor chosen will provide recommendations for a comprehensive marketing plan, rather than undertaking the actual marketing.

The Authority has been exploring funding for technical education. Jim Grier, Jack Wempe, and Eddie Estes are serving on a funding committee. Dr. Flanders noted that the Authority is excited about the data being collected by Dawn Ressel and her staff.

Questions followed. Dr. Flanders reported that the Authority funding committee is working closely with the Board's funding committee and will be developing a recommendation. Chairman Downey-Schmidt indicated that she would like to see the recommendation when it is developed and before it comes to the Board for a vote. Responding to a question about marketing, Dr. Flanders noted that some positions, such as nursing, are available in almost every area and high school students are not aware of the wages or amount of training to qualify for some positions. Sometimes there are positions and there is no student interest. Dr. Flanders believes that the information learned from the RFP process will identify areas for marketing success. Another question related to program approvals authorized by the Authority in contrast to approval by the Board of Regents and Dr. Flanders confirmed that the Authority recommendations will flow to the Board for final consideration. President Robinson reported that Board staff discussed the process for such programs to flow logically to the Board of Regents. Regarding staffing, new positions will become Board of Regents staff who will be working primarily in support of the Authority, without duplicating work of current staff.

#### LEGISLATIVE UPDATE

An update on the legislative process was given by Kip Peterson, Director of Government Relations and Communications. He identified the timelines in both the House and Senate for budget and appropriations measures and provided a status report on the following Board 2008 legislative initiatives: SB 403 – Adjustment to Partnership for Faculty of Distinction program cap; SB 404 – Implementation of Kansas Academy of Mathematics and Science; SB 415 – Deferred maintenance program amendments; SB 436 – Local option sales tax to reduce property taxes; HB 2610 – SGF payments to eliminate crumbling classrooms debt; and HB 2611 – University support staff and classified staff benefits clarification.

(Handout Filed with Official Minutes)

#### RECESS

The Chairman recessed the meeting at 4:10 p.m.

#### RECONVENE

The meeting was reconvened at 8:50 a.m. on Thursday, March 13.

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

## REPORTS

### REPORT FROM COUNCIL OF PRESIDENTS

President Michael Lane briefed the Board on the meeting of the Council of Presidents held the previous day. COPS received the following update from the Council of Chief Academic Officers. COCAO approved a variety of programs on first and second reading. COCAO received a report from Vice President Gary Alexander on the alternate teacher certification bills that are pending in the Legislature and Dr. Alexander thanked the Deans of Education for efforts to help respond to the legislative proposals. COCAO drafted a statement to be provided to legislative liaisons for distribution that relates to eligibility of 10<sup>th</sup> grade students to take concurrent enrollment courses.

The Council of Business Officers reported to COPs on discussion at its recent meeting. COBO recommended adoption of a single blended cost for year two of the student health insurance plan and it is anticipated that the cost for the state university system will increase approximately \$25,000. COBO discussed the policy amendment to increase annual leave accrual for classified employees and recommended to the Council of Presidents that action on the proposal be deferred until the May meeting to 1) await outcome on a bill that is still being considered that would authorize the Board to enhance benefits for employees in the unclassified support staff category; 2) assess the level of support from classified employees at this point; and 3) allow time for the Legislature to address recommendations from the Hay Group regarding classified employee benefits. COPS concurred with this recommendation. COBO recommended (and COPS previously concurred) that Veterans' Day be recognized as a holiday on all campuses. COBO discussed the willingness of the KSU Foundation to participate in a pilot program in the investment of idle funds.

COPs approved the request from Kansas State University to offer a Secondary Major in Biological Engineering. The Council discussed the institutional concealed carry policies. A summary has been developed and COPs recommended that the Board review the current policies and make recommendations, if needed. COPS approved the policy recommendation to establish a Board of Regents Classified and Support Staff Council. Board staff developed a summary on current campus practices related to background checks and COPs reviewed that summary. President Robinson shared a legislative request related to how universities contract for athletic broadcasting rights and discussion followed. President Lane reported that there are league issues involved and some athletic departments are separate corporations. Board staff will be collecting that information.

A question was asked about using text messaging for security alerts, whether sign-up is mandatory, and whether students were signing up to receive text messages. It was reported that both KU and KSU have a voluntary sign-up arrangement, WSU and ESU are working with a firm to provide either a text message or an audio message to the cell phone with no cost, and approximately 70 percent of FHSU students have signed up for the voluntary program. Another question related to establishment of Board policy related to background checks and President Robinson reported that a summary of the university policies and procedures and a summary of the institutional concealed carry policies will be shared with the Board in April. An RFP has been developed for a security consultant to review emergency response plans and there is

potential to receive information for background check and concealed carry. Discussion followed about institutional services for mental health.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Dr. Harvey Foyle, Chairman of the Council of Faculty Senate Presidents, reported on the Council meeting the previous day. Once again, COFSP expressed support for the Regents focus on the five strategic questions. COFSP members have discussed building a public agenda for higher education. Additionally, members have reported back to their campuses and will be sharing the most recent five strategic questions powerpoint information with faculty members and will give them a chance to provide input. COFSP expressed support for using data to establish the benchmarks and goals for the future.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

SAC Chair Courtney George reported that elections are in process at some campuses and will be upcoming at others. The new SAC members will be identified by May. Students are currently participating in campus budget discussions.

SAC heard a presentation from Dr. Curt Brungardt, FHSU, regarding Kansas Corps. The Committee tabled its discussion on electronic transcript and transfer materials for April because only four members were in attendance. SAC discussed Higher Education Day and made plans for next year. The Committee also discussed the academic calendar and voted to close its discussion on the topic, as well as recommend that Board policy remain as it is.

#### APPROVAL OF CONSENT AGENDA

Regent Perkins moved that the Consent Agenda be adopted. Following the second of Regent Lykins, the motion carried. The following requests were authorized:

##### *Fiscal Affairs and Audit*

##### AMENDMENT TO REHABILITATION AND REPAIR LIST FOR FY 2008 TO INCLUDE SUDLER COMPUTER CENTER HVAC IMPROVEMENTS – KUMC

The University of Kansas Medical Center received approval to amend its Rehabilitation and Repair list for FY 2008 to include Sudler Computer Center HVAC improvements. The project is estimated to cost \$620,000 and will be funded with \$310,000 from Educational Building Funds and \$310,000 from the KU Hospital.

##### AMENDMENT TO REHABILITATION AND REPAIR LIST FOR FY 2008 TO INCLUDE REPLACEMENT OF LIGHTING DIMMER SYSTEM AND CONTROLS AT THE LIED CENTER – KU

Approval was given to the University of Kansas to amend its list of Rehabilitation and Repair projects for FY 2008 to include replacement of the lighting dimmer system and controls at the Lied Center. The estimated cost of the project is \$386,800 and will be funded through the master lease program. The master lease

funds will be repaid with a combination of Tuition Funds and State General Funds over a period of three years.

AMEND REHABILITATION AND REPAIR LIST FOR FY 2008 TO INCLUDE REMODELING LABS IN HAWORTH HALL - KU

The University of Kansas was authorized to amend its list of Rehabilitation and Repair projects for FY 2008 to include the remodeling of labs in Haworth Hall. The estimated cost of the project is \$548,700 and will be funded with Tuition Funds.

ARCHITECTURAL PROGRAM FOR STUDENT HOUSING – PSU

Pittsburg State University received approval of its Architectural Program to renovate the seven existing student dormitories and construct a new student housing complex. The estimated cost per existing building is as follows: Trout Hall (\$1,037,114); Bowen Hall (\$1,036,985); Tanner Hall (\$1,031,723); Tanner Annex (\$1,698,036); Nation Hall (\$2,826,318); Dellinger Hall (\$3,464,373); and Mitchell Hall (\$905,617). The total budget estimate for the renovation work for the seven existing student housing facilities is approximately \$12,000,000.

The new student housing complex would provide an additional 200 beds. The complex would include four buildings with three floors each and two unit size configurations and the total estimated budget for the new student housing complex is \$9,999,008 (not including land acquisition and parking costs).

The estimated budget to accomplish the renovation and complete the new construction totals approximately \$22 million dollars. It is estimated that annual debt service for a 30-year term on \$22 million in borrowing would require an annual payment of \$1,725,000. Funding to service the annual debt would be derived from the following three primary sources: 1) an overall rate increase in the current and future housing system room and board charges (\$685,000); 2) additional occupancy in the new construction (\$540,000); and 3) annual operating surplus from the University's housing budget (\$500,000). The rate increase would be implemented in a phased manner over four fiscal years beginning in FY 2009 and fulfilling in FY 2012, and would be in addition to the annual normal inflationary increases for room and board rates. All future operational and maintenance costs would be funded with housing revenue.

ARCHITECTURAL PROGRAM FOR PARKING IMPROVEMENTS – PSU

Approval was granted to Pittsburg State University for its interrelated projects that include parking lot improvements to core campus locations and the addition of two pedestrian plazas that further the goals of the Campus Master Plan to segregate pedestrian and vehicular traffic. Each proposed project will increase the quantity and quality of student parking. The total budget for these projects is \$4,000,000 (including land acquisition). It is estimated that the annual debt service for a 20-year term on \$4,000,000 in borrowing would require an annual payment of \$350,000. Funding to service this debt would be derived from

parking permit sales and parking violation citation revenues. The University will be in year three of a 5-year plan to increase parking permit fees for FY 2009. Revenue is projected to be \$338,000 (FY 2009), \$372,000 (FY 2010), and \$409,000 (FY 2011).

## **CONSIDERATION OF DISCUSSION AGENDA**

### *Academic Affairs*

#### **REPORT ON IMPLEMENTATION OF QUALIFIED ADMISSIONS**

Dr. Kathyrne Mueller, Director of Academic Initiatives, presented the annual report on qualified admissions, along with supporting statistical information. She noted that the information is similar to recent years. Dr. Mueller called attention to the table setting out the number of students admitted under the exceptions policy, which confirmed that the universities have honored the ten percent exception window. She explained that in the process of developing qualified admissions regulations, it was determined that additional students will fall in that category in the future so the numbers will be monitored closely.

Statistics were provided for the number of student denials, number of students admitted by qualified admission categories, and number of students admitted who enrolled by qualified admission categories. The information reflected that most students are admitted by the score received on the ACT or SAT exam. Dr. Mueller outlined the other admission options of class rank, GPA in the prescribed qualified admission precollege curriculum, the 10% exception window, and individuals over twenty-one who have earned a GED or graduated from an accredited Kansas high school.

Questions followed. Dr. Mueller reported that a comprehensive set of web pages is maintained for each Kansas high school with a qualified admissions curriculum and the information is accessible. About three years ago a review of course content began and, as a result, some changes were necessary in English, math, and natural science. She cited the example of the laboratory requirement for the science curriculum. The review found many high schools needed to add more labs to the curriculum to meet the qualified admission standard.

Discussion followed about the student unpreparedness reflected in denials, retention difficulties, particularly for freshmen, and the challenge to the university to help students succeed.

Regent Shank moved, with the second of Regent Lykins, the qualified admissions report for 2006-2007 be adopted. The motion carried.

(Enrollment Report Filed with Official Minutes)

#### **STATE UNIVERSITY ADMISSIONS POLICIES**

Dr. Mueller briefed the Board on the requirement to have university admissions policies approved. Regulations authorized in 2007 require Board approval of such policies. Universities were given flexibility to customize their policies related to admission of out-of-state applicants,

implementation of the 10 percent exception window, establishment of admission categories and related policies, acceptance of transfer credits, and admission of nondegree-seeking applicants. Dr. Mueller reported that the category of provisional admission was established to accommodate students who qualify statutorily but whose academic background suggests the student is at risk. For a student admitted provisionally, there is a probationary period and there may be other restrictions related to the admission.

Discussion followed. Responding to a question about guaranteed admission for a student over twenty-one who has earned a GED or graduated from a home school, Dr. Mueller stated that there is great interest in that, particularly as it relates to individuals who have completed the adult education program administered through the Board office. It was noted that some statutory adjustments may need to be requested.

Regent Docking moved that the university policies be approved for a period of two years to see how they work and to give the Admissions Task Force time to develop recommendations. Following the second of Regent Lykins, the motion carried.

(University Policies Filed with Official Minutes)

#### EXTENSION PROGRAMS IN KC METRO – ESU

Regent Downey-Schmidt moved that Emporia State University be authorized to offer a Bachelor of Science in Health Promotion, a Bachelor of Science in Business: Marketing Major, and a Master of Business Administration in the Kansas City metro area. Following the second of Regent Thornton, the motion carried.

#### Fiscal Affairs and Audit

#### POLICY AMENDMENT TO INCREASE ANNUAL LEAVE ACCRUAL FOR STATE UNIVERSITY CLASSIFIED EMPLOYEES

General Counsel Julene Miller reported that the Council of Presidents requested that consideration of the proposed policy amendment to increase annual leave accrual for state university classified employees be delayed until May. However, she briefed the Board on the request. Legislation passed in 2005 authorized the Board to allow any state university to convert classified staff employee positions to unclassified university support staff positions to allow more flexibility regarding compensation and title management, while retaining the leave benefits provided under the State of Kansas civil service system. Legislation was adopted in 2006 that permitted the Board of Regents to adopt policy for classified employees' benefits to be different than other State classified employees by enhancing the annual leave benefits. In 2007, the Board pursued legislation to allow the Board the same flexibility regarding unclassified university support staff benefits that it had been given the year previously regarding classified staff in the Regents system. That measure did not pass in 2007, but has been reintroduced in the Board's 2008 legislative package. Even though legislation has not passed to pursue the enhancement for university support staff, the Council of Presidents directed that steps be taken to develop a recommendation for the enhancement of classified employee benefits.

The Advisory Committee on Retirement and Benefits recommended a policy proposal to the Council of Business Officers for the classified staff, non-exempt employees reporting 80 hours in pay status per pay period and exempt employees reporting any hours in pay status per pay period. The Council of Business Officers endorsed the proposal and recommended that the enhanced benefits be phased in over a two-year period. Because of the pending legislation and the study of employee benefits currently underway by the Hay Group, the Council of Business Officers and Council of Presidents have requested that consideration be delayed until the May 2008 Board meeting. Regent Sherrer noted his desire to receive additional information from the state universities regarding fiscal implications of adopting such a policy and why institutions believe the policy is necessary or desirable.

POLICY AMENDMENT TO RECOGNIZE VETERAN'S DAY AS A HOLIDAY FOR ALL EMPLOYEES AT THE STATE UNIVERSITIES

Regent Hedges moved, followed by the second of Regent Downey-Schmidt, that proposed amendments to the Board of Regents holiday observation policy be adopted. The motion carried. The policy is in Chapter II, Section F.13.e. and will be amended as follows:

Holiday Observations

(1) ~~Regents institutions~~ State universities shall observe the ~~following~~ holidays listed below for all unclassified and classified personnel. For purposes of this section F.13(e), the term classified personnel shall include University Support Staff (USS).

New Year's Day  
Martin Luther King, Jr. Day  
Memorial Day  
Independence Day  
Labor Day  
Veteran's' Day  
Thanksgiving Day  
Christmas Day

(2) Unclassified and classified personnel shall be entitled to such other special holidays as may be declared by the Governor. ~~If any listed or special holidays fall during a time when classes are in session, such holidays shall not be observed by unclassified personnel.~~ Classified employees and unclassified non-exempt employees required to work on such holidays shall be afforded compensatory time or compensation ~~in accordance with Civil Service rules and regulations at the rate of one and one-half time for each hour worked.~~ Unclassified exempt staff who accrue annual leave who are required to work on any listed or special holiday shall be afforded equivalent time off at a later date.

(3) ~~Employees within the Regents system~~ Unclassified and classified personnel within the state university system who accrue annual leave shall be entitled to one

additional holiday per year to be taken at their discretion, subject to the advance approval of the individual's administrative ~~superior~~ supervisor.

POLICY AMENDMENT TO REMOVE MINISTERIAL PUBLIC RECORDS INSPECTION AND COPYING PROVISIONS FROM THE BOARD'S POLICY MANUAL

Associate General Counsel Theresa Bush briefed the Board on the request to amend the statement of current procedures related to requests for inspection of public records and obtaining copies, which is included in the Policy Manual. She noted that the requests rarely require high level policy decisions and the current policy must be updated each time there is a staff change, an increase in costs, or any amendments to the Kansas Open Records Act (KORA), K.S.A. 45-215, *et seq.*. Ms. Bush reported that the proposed changes are requested to streamline the procedures by identifying the Board's President and CEO as the official custodian and authorizing him to make procedural changes relating to requests for access to or copies of public records, designate appropriate staff as record custodians, and establish fees to cover the cost of providing copies of or access to public records.

Regent Docking moved, with the second of Regent Boettcher, that the Board's policy statement be amended to name the President and CEO as the official record custodian with authority to adjust Board procedures as the need arises, to designate staff to act as record custodians, and to report such changes to the Board. The motion carried. The amended policy is as follows:

Amend Chapter II., Section G.27. as follows:

PROCEDURES RELATING TO REQUESTS FOR INSPECTION OF PUBLIC RECORDS AND OBTAINING COPIES/BOARD OF REGENTS OFFICE (6-27-02)

a. ~~The purpose of this policy statement is to set forth procedures to implement and follow the provisions of the Kansas Open Records Act, K.S.A. 45-215, et seq., with reference to public records.~~ The Board's President and CEO

(1) shall act as the Official Custodian of all public records maintained in the Kansas Board of Regents Office, Suite 520, 1000 S.W. Jackson, Topeka, Kansas 66612-1368;

(2) may make changes to the Board procedures relating to requests for access to or copies of public records and when changes are made shall report those changes to the Board; and

(3) may appoint appropriate staff to act as designated record custodians and/or the designated "freedom of information officer, as set forth and defined by K.S.A. 45-215 et seq."

a. ~~The Executive Assistant to the President and CEO shall be the "Official Custodian" of public records maintained in the Board of Regents Office.~~

~~b. The Director of External Affairs shall be the "Local Freedom of Information Officer" for the Board of Regents.~~

b. Public records may be inspected during normal business hours of the Board of Regents Office which are between 8:00 a.m. and 5:00 p.m. Monday through Friday (except holidays and other non-work days authorized by the state).

c. The Board's President and CEO may establish record fees that reflect and are designed to recoup the actual costs of providing copies of or access to public records.

~~d. Fees, in accordance with those established subsection i. of this policy, shall be charged for providing access to and/or copies of public records maintained and located in the Board of Regents Office. All fees must be paid in advance.~~

~~e. If copies of public records are requested, a written request, proof of identity, an advance payment of the required fees shall be requested.~~

~~f. Written request for copies of public records shall state:~~

~~(1) the requester's name and address;~~

~~(2) information sufficient to identify the precise public records being requested; and~~

~~(3) the requester's right of access to the records.~~

~~g. If access to public records or the purpose for which the records are to be used is limited pursuant to state law, the Official Custodian shall request written certification pursuant to K.S.A. 45-220(c), including the following:~~

~~(1) The basis of the requester's right of access to the records; and~~

~~(2) the fact that the requester does not intend to, and will not:~~

~~(i) use any list of names or addresses contained in or derived from the records for the purposes of selling or offering for sale any property or service to any person listed; or~~

~~(ii) sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the records for the purpose of allowing that person to sell or offer for sale any property or service to any person listed.~~

~~h. In cases of conflict, the provisions of K.S.A. 45-215, et seq., shall be deemed controlling.~~

~~i. Fees charged for providing access to and/or copies of public records located in the Board of Regents office shall be as follows:~~

~~(1) Staff time in providing access to/inspection of record or coordinating copies in excess of 10 minutes \$15/hour~~

~~(2) Copy of record~~

~~(i) Copy produced at Regents' Office in excess of 5 pages \$.05/page~~

~~(ii) Copy produced by outside vendor Actual cost~~

~~(3) Mailing of record Actual cost of postage~~

~~(4) Certification of record \$.50/page~~

### RECESS

Chairman Downey-Schmidt announced a recess at 10:20 a.m. The meeting resumed at 10:35 a.m.

Other MattersPROPOSAL TO ESTABLISH BOARD OF REGENTS CLASSIFIED AND SUPPORT STAFF COUNCIL

President Robinson presented the request to establish a Board of Regents Classified and Support Staff Council. He stated that it would provide classified employees a formal and scheduled opportunity to communicate with the Board regarding issues of concern on campus. The Council of Presidents previously discussed such a council and was supportive, but requested that President Robinson work with classified staff leaders to develop a proposal for a council. Classified senate leaders have reviewed the proposal and have proposed addressing the Board in September (beginning of academic year) and January (just prior to legislative session).

Regent Hedges moved that the proposed policy language to establish a Classified and Support Staff Council be adopted. Following the second of Regent Lykins, the motion carried. The following language was authorized for inclusion in the Policy Manual as new subsection II.A.4.e., with subsequent provisions being renumbered appropriately. (Note: f. "Council on Hospital Governance" was removed as being obsolete.)

Classified and Support Staff Council

The Classified and Support Staff Council (CSSC) consists of the duly elected representatives from the Classified Staff (or University Support Staff) Council at each of the State Universities and the University of Kansas Medical Center. Upon invitation from the Chair of the Kansas Board of Regents, CSSC's role is to advise the Board of Regents regarding matters relating to classified staff/university support staff issues and concerns. The general expectation is that CSSC will make a report during the Board's September and January meetings. The CSSC Chair shall be from the same institution as the Chair of the Council of Presidents.

e. f. 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. Whenever rotation in such manner is impossible for a given committee or council, a chair shall be selected by general election of the members.

f. ~~Council on Hospital Governance~~

~~(1) The Council on Hospital Governance has delegated authority from the Board of Regents to serve as the governing body for the University of Kansas Hospital and is responsible for the quality of patient care at the University of Kansas Hospital and for assuring that the Hospital carries out its stated mission. The role and purpose of the University of Kansas Hospital is to provide recognized leadership in patient-centered care in a technologically superior environment that supports the education of healthcare professionals. The Council ensures the establishment of a medical staff. The Council is responsible for approving the Medical Staff Bylaws and amendments and credentialing of~~

~~medical staff members. The Council is responsible for conducting an annual evaluation of its own performance.~~

~~(2) The Council on Hospital Governance is composed of the following: Chancellor, Executive Vice Chancellor of the University of Kansas Medical Center, Chief Executive Officer of the University of Kansas Hospital, Chief of Staff, Vice Chief of Staff, Executive Dean of the School of Medicine, two members of the Board of Regents, one member of the **Rev. 11-00-14**~~

~~Executive Committee of the Medical Staff (as elected by the Executive Committee), the President and Chief Executive Officer of the Board of Regents, the chief operating officer of the University of Kansas Hospital, and a senior representative of Kansas University Physicians, Inc. (KUPI).~~

~~(3) The two members from the Board of Regents shall be appointed by the Board of Regents for staggered three year terms. The senior representative of KUPI shall be appointed by KUPI. All other members of the Council shall serve by title. The Executive Vice Chancellor of the Medical Center shall serve as Chair and the Chief of Staff shall serve as Vice Chair. The responsibility of the Chair shall be to conduct the meeting, and to ensure that appropriate levels of communication are maintained between the Council, the Board of Regents and the Medical Staff. The responsibility of the Vice Chair is to carry out the duties of the Chair in case of his/her absence. The Council shall meet quarterly at the Hospital, and shall have its actions approved by the Board of Regents on a quarterly basis.~~

~~(4) Six members shall constitute a quorum to transact business. Council members shall be notified in writing at least two weeks in advance of each regular meeting. Council members may forward agenda items to the Chair at least ten days before the date of the regular meeting. The Chair shall mail to each member of the Council, at least seven days prior to each meeting, an agenda and supplemental materials. Special meetings may be called by the Chair, or in the Chair's absence, by the Vice Chair, with at least five days notice. Meetings are conducted following Robert's Rules of Order.~~

~~(5) The Chancellor is responsible for appointing the Chief Executive Officer of the Hospital. The Council shall provide consultation to the Chancellor with respect to the selection and appointment of the Chief Executive Officer of the Hospital. The Chief Executive Officer of the Hospital has the authority to direct and coordinate hospital operations in conjunction with the Hospital's mission and subject to Council policies. On an annual basis, a Subcommittee of the Council shall provide an annual performance evaluation of the Chief Executive Officer of the Hospital. The Subcommittee shall be composed of the Chancellor and Executive Vice Chancellor. The Subcommittee shall provide a report of the evaluation to the Council.~~

President Robinson introduced Barbara Nagel, Kansas State University, and Mary Ellen Conley, Emporia State University, who assisted in the development of the proposal.

#### UPDATE ON WICHITA CENTER FOR GRADUATE MEDICAL EDUCATION (WCGME) AT WICHITA AND SALINA

Dr. Barbara Atkinson briefed the Board on the Wichita Center for Graduate Medical Education (WCGME). The Center was created in 1989 as a community-based model to organize, monitor,

and run the medical residency programs in Wichita. The Center is a consortium of Via Christi Regional Medical Center, Wesley Medical Center, and KU School of Medicine-Wichita with the two hospital CEOs and Dean of the KU School of Medicine at Wichita serving as the executive committee. This arrangement contrasts with the University of Kansas Medical Center program where the University runs the residency program.

Dr. Atkinson introduced the following individuals: Dr. S. Edwards Dismuke, Dean of the KU School of Medicine at Wichita; Dr. Glenn Cox, Vice Dean and Senior Associate Dean for Educational and Academic Affairs, KUMC and member of the Board; Hugh Tappan, President and CEO of Wesley Medical Center; Laurie Labarca, Interim President and CEO of Via Christi Wichita Health Network; Penny Vogelsang, Chief Operating Officer of WCGME; and Lana Oleen, Director of Governmental Affairs for WCGME.

The majority of funding for WCGME comes from the two hospitals, Wesley Medical Center and Via Christi. The hospitals receive federal funding for both direct and indirect medical education but also contribute hospital funds to the consortium. The Wichita programs are geared toward family practice and the consortium currently has 87 residents in such programs, while training 185 residents in other medical programs. The shared aspect of the program provides residents the opportunity to serve at Wesley, Via Christi, Smoky Hill in Salina and the Veteran's Administration hospital. Students receive medical training for years one and two in Kansas City and Wichita is a site for the third and fourth year, primarily for those interested in family practice. More specialties are available at KUMC, in contrast to those available in Wichita.

Dr. Atkinson reported that the Wichita program has been vital to addressing medical needs in Kansas and 55 percent of those trained in Wichita remain in Kansas, a percentage that is greater than the national average. The primary care focus of the Wichita program contributes to doctors entering the fields of family medicine, pediatrics, general medicine, and internal medicine/pediatrics.

The WCGME program recently requested additional legislative support. According to Dr. Atkinson, the funding need is prompted in part from the medical treatment provided to many Medicaid and uninsured patients by the WCGME residents. Another factor relates to the changing national accreditation standards, which now require scholarly activity and compensation for faculty for teaching and administrative duties. Funds from Medicare and Medicaid for graduate medical education have also been reduced. The WCGME request called for \$9.6 million in 2008 and \$12.5 million in 2009 to provide additional faculty and research staff, compensate for budget shortfall that is currently covered by hospitals, off-site monthly rotations and educational leave and non-clinical educational experience. The Governor included \$1 million in her budget to KUMC for WCGME. The Senate did not include funding and deferred to Omnibus and the House included \$1 million for two years. It is anticipated that the request will be considered during consideration of the Omnibus bill.

Questions and discussion followed. Dr. Atkinson was encouraged to think of the Kansas City and Wichita programs as a team effort to establish oneness, and the great contribution of WCGME to the state was noted. Responding to whether it would be appropriate for KUMC to provide additional funds to WCGME, Dr. Atkinson reported that appropriations are divided by

percentage between Kansas City and Wichita, with Wichita having its own budget. She stated that it would be necessary to review the Wichita budget to see how it is managed and then look to any enhancement funds that might be available. Another question related to whether the Wichita hospitals were experiencing a disproportionate amount of Medicaid and uninsured patients compared to hospitals throughout the state. Dr. Dismuke reported that most hospitals use the direct federal funds for medical training programs, while Wesley and Via Christi have also been contributing their indirect federal funds to the pooled medical training fund of WCGME. There is now concern that the indirect federal funds will be cut. WCGME is currently receiving state funds and the recent request is for additional funds.

Regent Sherrer moved that the Board Chair and President establish a subgroup of Regents to develop a more in depth knowledge about WCGME and its issues to ensure that the Board can be appreciative and supportive of its needs and be a partner through KUMC. Regent Docking seconded the motion.

Dr. Atkinson indicated that the arrangement at Wichita is not unique and President Robinson voiced support for becoming more familiar with the changing landscape and increased accreditation expectations that have contributed to the funding need so that the Board can advocate for the needs. Dr. Atkinson noted that this is part of the whole physician workforce plan. WCGME has been working to create strong programs prior to expanding to accommodate training greater numbers. Groups such as the Kansas Primary Care Collaborative Coordinating Commission are focusing on increasing training opportunities.

The vote was called and the motion carried. Chairman Downey-Schmidt will name the committee.

(Powerpoint Filed with Official Minutes)

#### UPDATE ON PRESIDENTIAL ASSESSMENT PROCESS

Regent Thornton reported that the CEO Assessment Committee is working to improve the process and better communicate the expectations. He indicated that the form has been revamped by including an itemization of what each category means. There was discussion about four rankings, as opposed to five. The annual reports will continue to be a part of the process with evidence of achievements and future goals identified. The Chancellor/Presidents were asked to align their written report with the assessment form by specifically addressing each category.

Regent Docking moved that proposed form be adopted with the number of rankings being changed to four instead of five. Following the second of Regent Boettcher, the motion carried. The schedule will be announced in the very near future.

**ADJOURNMENT**

Regent Downey-Schmidt adjourned the meeting at 11:30 a.m.

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Reginald L. Robinson, President and CEO

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Christine Downey-Schmidt, Chair