

KANSAS BOARD OF REGENTS

April 15-16, 2009

2008-2009

Donna Shank, Chair
Jill Docking, Vice Chair

STANDING COMMITTEES

Academic Affairs

Gary Sherrer, Chair
Christine Downey-Schmidt
Dick Hedges
Janie Perkins

Fiscal Affairs and Audit Committee

Jill Docking, Chair
Jerry Boettcher
Dan Lykins
Bill Thornton

Regents Retirement Plan

Dan Lykins
Jerry Boettcher

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 for all qualified Kansans. To achieve that mission, the Board will demand accountability, focus resources, and advocate powerfully.

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**KANSAS BOARD OF REGENTS
MEETING SCHEDULE**

April 15-16, 2009
Curtis State Office Building
1000 S.W. Jackson, Suite 520
Topeka, KS

Wednesday, April 15, 2009

11:00 – 12:00 noon Board Academic Affairs Standing Committee – *Kathy Rupp Conference Room*

11:00 – 12:00 noon Fiscal Affairs and Audit Standing Committee – *Board Room*

11:00 – 12:00 noon Council of Presidents – *Suite 530*

11:00 – 12:00 noon Council of Faculty Senate Presidents – *Conference Room A*

12:00 – 1:15 p.m. **Lunch – Board of Regents and President Robinson** – *Conference Room B*

1:30 p.m. **Board of Regents** – *Board Room*

4:00 p.m. or Adjnmt Council of Faculty Senate Presidents – *Conference Room B*

4:00 p.m. or Adjnmt Students' Advisory Committee – *Kathy Rupp Conference Room*

6:00 p.m. **Dinner – Board of Regents, President Robinson, and State University Presidents** – *Chez Yasu, 2701 S.W. 17th, Topeka, KS*

Thursday, April 16, 2009

8:00 – 9:15 a.m. Board Academic Affairs Standing Committee – *Kathy Rupp Conference Room*

9:30 a.m. **Board of Regents** – *Board Room*

11:30 a.m. **Lunch – Board of Regents and President Robinson** – *Conference Room B*

**KANSAS BOARD OF REGENTS
AGENDA**

April 15-16, 2009
1000 S.W. Jackson, Suite 520
Topeka, KS

WEDNESDAY, April 15, 2009

I. CALL TO ORDER

Chairman Donna Shank

- A. Approve Minutes/Board Meeting on March 11-12, 2009

Page 8

II. REPORTS

- A. Introductions
- B. Report from the Chair
- C. Report from the President and CEO

**Chairman Donna Shank
President Reggie Robinson**

III. APPROVAL OF CONSENT AGENDA

- A. *Academic Affairs*
Regent Gary Sherrer

**Gary Alexander
Vice President for Academic Affairs**

- 1. Act on Community and Technical Colleges' Request for Approval of the Following Degree Programs and Certificates: Barton County Community College – Certificate in Military Technologies (CIP 29.0101); Johnson County Community College – Associate of Science in Energy Performance and Resource Management (CIP 15.0503); Seward County Community College – Certificate in Coding and Reimbursement Specialist Certificate Program (CIP 51.0707); Flint Hills Technical College – Associate of Science in Interactive Digital Systems (CIP 10.304); Salina Area Technical College – Associate of Applied Science in Applied Electronic Technology (CIP 47.0105), Associate of Applied Science in Auto Collision Repair (CIP 47.0603), Associate of Applied Science in Automotive Technology (CIP 47.0604), Associate of Applied Science in Business Administrative Technology (CIP 52.0401), Associate of Applied Science in Commercial and Advertising Art (CIP 50.0402), Associate of Applied Science in Computer Aided Drafting (CIP 15.1302), Associate of Applied Science in Construction Technology (CIP 46.0201), Associate of Applied Science in Dental Assistant (CIP 51.0601), Associate of Applied Science in Diesel Technology (CIP 47.0605), Associate of Applied Science and Certificate in Electrical Technology (CIP 46.0302), Associate of Applied Science in Heating, Ventilation and Air Conditioning (CIP 47.0201), Associate of

Applied Science in Machine Tool Technology (CIP 48.0501), Associate of Applied Science in Medical Assistant (CIP 51.0801), and Associate of Applied Science in Welding Technology (CIP 48.0508); and Wichita Area Technical College – Associate of Applied Science and Certificate in Personal Training (CIP 51.3699) *Page 21*

2. Act on Request for Additional Degree Granting Authority for Brown Mackie College – Associate of Applied Science in Architectural Design and Drafting Technology and Associate of Applied Science in Health and Fitness Training *Page 27*

3. Act on Request for Approval of Additional Degree Granting Authority for National American University – Associate of Applied Science in Health Information Technology *Page 28*

IV. CONSIDERATION OF DISCUSSION AGENDA

A. *Academic Affairs* **Gary Alexander**
Vice President for Academic Affairs
Regent Gary Sherrer

1. Act on Request to Approve Renewal of Two Members of the Kansas Private Postsecondary Education Advisory Commission *Page 30*

B. *Other Matters* **Blake Flanders**
Vice President for Workforce Development

1. Receive Report from Kansas Postsecondary Technical Education Authority **Kip Peterson**
Director of Government Relations and Communications

Diane Duffy
Vice President for Finance and Administration

2. Receive Legislative/Budget Update **Reggie Robinson**
President and CEO

3. Discuss Strategic Agenda for Higher Education in Kansas: Five Questions

V. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected Personnel (CEO Assessment) – President Hammond

THURSDAY, APRIL 16, 2009**VI. REPORTS**

- | | |
|---|----------------------------|
| A. Introductions | |
| B. Report from Council of Presidents | President Don Beggs |
| C. Report from Council of Faculty Senate Presidents | Dr. Larry Spurgeon |
| D. Report from Students' Advisory Committee | Lydia Peele |

VII. APPROVAL OF CONSENT AGENDA

- | | |
|---|---|
| A. <i>Fiscal Affairs and Audit</i> | Diane Duffy |
| Regent Jill Docking | Vice President for Finance and Administration |
| | Eric King |
| | Director of Facilities |
| 1. Amend FY 2010 Capital Improvements to Include Utility & Infrastructure Improvements – KSU | <i>Page 33</i> |
| 2. Authorize Transfer of Property from the Emporia State University Foundation to the Kansas Board of Regents for the Benefit of Emporia State University – ESU | <i>Page 33</i> |
| 3. Amend FY 2009 Rehabilitation & Repair List to Include Remodeling in Watson Library – KU | <i>Page 34</i> |
| 4. Approve Purchase of Real Property/304 East Quincy, Pittsburg – PSU | <i>Page 34</i> |
| B. <i>Retirement Plan Committee</i> | Theresa Bush |
| Regent Dan Lykins | Associate General Counsel |
| 1. Re-appoint Retirement Plan Committee Members | <i>Page 35</i> |
| 2. Approve Recommendations for Fund Investment Line-up Changes in the Board's Mandatory Retirement Plan | <i>Page 37</i> |
| C. <i>Other Matters</i> | Ed Phillips, KUMC |
| | Chair, Student Health Insurance Advisory Committee |
| 1. Approve Extension of KBOR/United Healthcare Contract for State University Student Health Insurance to Add One Additional Year | <i>Page 39</i> |

VIII. DISCUSSION AGENDA

A. *Fiscal Affairs and Audit* **Diane Duffy**
Regent Jill Docking **Vice President for Finance and Administration**

1. Consider Proposal-“The Jayhawk Generations” Scholarship Tuition
Waiver Pilot Program – KU *Page 41*

1. Discuss Developments Regarding the Board’s State Budget/State
Fiscal Stabilization Fund/Tuition Plan for State Universities *Page 44*

Julene Miller
General Counsel

3. Adopt Policy Provision Requiring State University Reports on Pending
Legislative Post Audits *Page 48*

B. *Other Matters* **Reggie Robinson**
President and CEO

1. Receive Update on Pittsburg State University Presidential Search

2. Receive Update on University of Kansas Chancellor Search

**IX. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected
Personnel (CEO Assessment) – President Lane**

**X. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected
Personnel and Attorney-Client Privilege**

XI. ADJOURNMENT

WEDNESDAY, April 15, 2009

I. CALL TO ORDER

Chairman Donna Shank

- A. Approve Minutes of March 11-12, 2009, Meeting

**KANSAS BOARD OF REGENTS
MINUTES
March 11-12, 2009**

The March 11, 2009, meeting of the Kansas Board of Regents was called to order by Chairman Donna Shank at 1:35 p.m. The meeting was held in Board offices located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT: Donna Shank, Chairman
Jill Docking, Vice Chairman
Jerry Boettcher
Dick Hedges
Dan Lykins
Janie Perkins
Gary Sherrer
Bill Thornton

MEMBERS ABSENT: Christine Downey-Schmidt

APPROVAL OF MINUTES

Regent Docking moved that the minutes of the February 11-12, 2009, meeting be approved. Following the second of Regent Sherrer, the motion carried.

INTRODUCTIONS

Dr. Doris Wright Carroll, Kansas State University Professor, was introduced as a visitor, along with some of her graduate students who came to observe the Board meeting.

REPORTS

REPORT FROM CHAIR

Chairman Shank announced that Presidents Lane and Hammond are scheduled for presidential assessment in April and Presidents Beggs and Robinson will follow in May. As part of the process, the presidents were asked to submit their self-evaluation and goals three weeks prior to the Board meeting. Campus reports to the Board will not be a part of the process this year.

Chancellor Hemenway and Presidents Wefald and Bryant will be retiring at the end of the fiscal year. Chairman Shank has had many occasions to interact with the three during her tenure as a Regent, and she took a few minutes to share her fondest memory of each of them.

REPORT FROM PRESIDENT AND CEO

President Robinson was in Washington, D.C. earlier in the week and had the opportunity to participate in three separate events. As part of the State Higher Education Executive Officers' (SHEEO) meeting, he met with Bob Shireman, who is currently the Secretary of Education's Postsecondary Education Advisor. Mr. Shireman shared guidance about stimulus funding, but more information will follow at a later date.

Another of the events Mr. Robinson attended related to state data systems. The Obama administration has a commitment to enhance data systems. Mr. Robinson participated in a panel dealing with a quality data campaign for educational data systems, which has been funded by the Gates Foundation.

The third event attended by Mr. Robinson was the Kansas Bioscience Authority Board of Directors' meeting. Among the recipients named to receive funds was the University of Kansas Medical Center for its cancer program. The KBA Board members also had the opportunity to engage with the Kansas congressional delegation.

Mr. Robinson reminded the Board that the Annual Capitol Graduate Research Summit will be held on Thursday, March 12, at the Docking State Office Building, and he encouraged them to stop by to meet KSU, KU, and WSU graduate students who will share information about their research projects. He also read a proclamation from the Governor's office designating March 9-13, 2009, as Graduate Student Research Week in Kansas.

CONSIDERATION OF DISCUSSION AGENDA

Other Matters

CAREER AND TECHNICAL EDUCATION ANNUAL REPORT

Vice President Blake Flanders presented the annual report for Career and Technical Education. He noted there are 524 postsecondary technical education programs with 159 different program classifications offered by twenty-six institutions. Those programs range from associate degree offerings and technical certificates to apprenticeships, adult short-term training and business and industry training. In FY 2008, the federal Carl D. Perkins program provided funding totaling \$12,410,918, which was divided equally with the Kansas State Department of Education.

Dr. Flanders summarized the role and priorities of the Kansas Postsecondary Technical Education Authority. The Authority has paralleled its focus with the categories of the Board of Regents' strategic goals by addressing alignment, participation, Kansas economy alignment and learner outcomes. A marketing program is currently underway to familiarize Kansans with the many opportunities for technical education. Additionally, a partnership with the Department of

Commerce continues to be effective in maximizing grant resources, addressing industry needs, and in developing a workforce intelligence process.

(PowerPoint Presentation Filed with Official Minutes)

LEGISLATIVE UPDATE

A status report on the Board's legislative initiatives was provided by Kip Peterson, Director of Government Relations and Communications. His report included information on S.B. 8 – KUMC Tort Claims, S.B. 9 – State University Capital Improvements, S.B. 11 – Community College Property Ownership, S.B. 285 – Kan-ed Funding, H.B. 2003 – Technical Education Statutory Clean-up, H.B. 2004 – Regents Mandatory Retirement Plan Amendments, H.B. 2007 – State University Tuition Waivers, and H.B. 2197 – State University Admissions.

(Handout Filed with Official Minutes)

RECESS

The Chairman announced a break at 2:42 p.m. The meeting resumed at 3:00 p.m.

STATE BUDGET AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 – Kansas Postsecondary Education System Implications

President Robinson introduced discussion related to the American Recovery and Reinvestment Act of 2009 (stimulus package). He noted that while there are still some unanswered questions, a category called State Fiscal Stabilization Fund (SFSF) offers direct assistance for postsecondary educational institutions. Other provisions have potential for institutions by way of competitive research dollars, Kan-ed through broadband assistance in rural areas, and individuals through Pell grant money.

Mr. Robinson explained the relationship between the level of funding for State General Funds and the availability of funding from the stimulus dollars through the use of a bar graph. The SFSF should make available to Kansas approximately \$367 million between now and the end of FY 2011, to be distributed to support both the state's K-12 education and the public postsecondary education system. The SGF funds of \$747 million approved for FY 2006 establish a threshold that must be met for Kansas to be eligible to receive the SFSF dollars.

Premised on the Legislature meeting the funding threshold, Mr. Robinson reported that funds received through the stabilization component must be used by higher education institutions for 1) the education and general expenditures designed to mitigate the need to raise tuition for in-state students; or 2) the modernization, renovation, and repair of facilities that are used primarily for instruction, research, or student living. The funds may not be used to increase endowments or maintain facilities used primarily for athletic events. He recommended the Board allocate funds for FY 2009 and FY 2010 based on each sector's current share of SGF. For FY 2009, he recommended that 100 percent of the funding be used to fund higher education maintenance projects. Further discussion of FY 2010 is scheduled for the Thursday agenda. He noted there will be reporting requirements connected to the receipt of funds. He also indicated that he would communicate the Board's decision to legislative policymakers.

STRATEGIC AGENDA FOR HIGHER EDUCATION IN KANSAS: FIVE QUESTIONS

Mr. Robinson continued his updates on the strategic agenda by addressing the Outcomes section. Although outcomes could describe the progress a student makes in a given discipline, Mr. Robinson called attention to outcomes that demonstrate a set of skills beyond technical competence such as oral and written communication, problem solving, computer literacy, etc.

Mr. Robinson noted that institutional representatives will be given an opportunity to comment on the proposal and that critique has already begun in the Board's council system.

RECESS

Chairman Shank recessed the meeting at 4:05, to resume the following day at 8:30 a.m.

RECONVENE

The meeting of the Board was reconvened at 8:30 a.m. on Thursday, March 12.

MEMBERS PRESENT: Donna Shank, Chairman
Jill Docking, Vice Chairman
Jerry Boettcher
Dick Hedges
Janie Perkins
Gary Sherrer
Bill Thornton

MEMBERS ABSENT: Christine Downey-Schmidt
Dan Lykins

INTRODUCTIONS

Dr. Joseph Steinmetz, Dean of Liberal Arts and Sciences at the University of Kansas, was introduced. He will serve as KU's Interim Provost.

REPORTS

REPORT FROM COUNCIL OF PRESIDENTS

The report from the Council of Presidents was given by President Beggs. The Council of Business Officers reported to COPs that it recently discussed the stimulus package, efforts underway with Board staff regarding increased costs, the reduction in the Faculty of Distinction funding, the business procurement card rebate, and delegated purchasing authority.

At its recent meeting, the Council of Chief Academic Officers received for First Reading a proposal from KSU for a Bachelor of Science in Wildlife and Outdoor Enterprise Management, and the University of Kansas Medical Center for a Ph.D. in Medical Nutrition Sciences. The Council discussed the persistence and learner outcomes categories of the Board's strategic goals and considered whether funding reductions will impact an institution's ability to meet its Performance Agreement expectations. The Council also voted to suspend the universities' contribution to the University Press for one year, because of its available reserve funds.

The Council of Presidents considered the stimulus funding and developed a recommendation to the Board supporting the priority of using the money for one-time items. In view of upcoming presidential transitions, the Council discussed rotation of council leadership and recommended that Fort Hays State University assume that role for FY 2010 and then return to the established cycle the following year.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Dr. Larry Spurgeon, Chair of the Council of Faculty Senate Presidents, reported that the Council discussed the faculty morale survey and believe it would be good to follow-up with a shorter survey on a regular basis, placing emphasis on professional development, recruitment and retention. Vice President Alexander met with COFSP to discuss continuity of information from year-to-year, and avenues for providing input. The Council expressed interest in sharing information related to core competencies, as addressed in Mr. Robinson's comments regarding the Board's strategic agenda.

In response to a question from Regent Docking, Dr. Spurgeon noted faculty are concerned about the uncertainty of the budget issues and potential impact on salary increases, furloughs, and possible layoffs.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Lydia Peel, SAC Chair, indicated the Committee discussed the effects of the stimulus package. Students are concerned about how they might be impacted if funds are used for deferred maintenance projects. The students expressed interest in being involved in the decision-making process.

APPROVAL OF CONSENT AGENDA

Regent Docking moved, with the second of Regent Perkins, that the Consent Agenda be adopted. The following measures were approved:

Academic Affairs

BACHELOR OF ARTS AND BACHELOR OF SCIENCE IN AMERICAN ETHNIC STUDIES (CIP 05.0102) - KSU

Kansas State University received approval to offer a Bachelor of Arts and Bachelor of Science in American Ethnic Studies (CIP 05.102). The program will be funded through internal reallocation.

Fiscal Affairs and Audit

FY 2009 REHABILITATION AND REPAIR LIST – KSU

West Hall Elevator Upgrades

The request of Kansas State University to upgrade the West Hall Elevator was approved. The total cost of the project is estimated to be \$400,000, and all costs associated with the project will be funded by budgeted housing system funds.

Boyd Hall Roof Replacement

Replacement of the roof at Boyd Hall, KSU, was authorized. The total project cost is estimated at \$500,000, and the costs associated with the project will be funded by budgeted housing system funds.

Haymaker Hall Window Replacement

Approval was given to replacement of the existing windows at Haymaker Hall, KSU. The total project cost is estimated to be \$700,000 and will be funded by budgeted housing system funds.

Re-roofing of Putnam Hall

Approval was given to the re-roofing project for Putnam Hall, KSU. The estimated total cost of the project is \$500,000, and the costs associated with the project will be funded by budgeted housing system funds.

Boyd Hall Restroom Upgrades

The project to modernize the existing restroom facilities at Boyd Hall, KSU, was approved. The project cost is estimated to be \$300,000, with funding to be through budgeted housing system funds.

Putnam Hall Restroom Upgrades

Approval was given to the restroom facilities upgrades in Putnam Hall, KSU. The estimated cost of \$300,000 will be funded by budgeted housing system funds.

FINAL PLANS FOR PORTER HALL RENOVATION – PHASE I – PSU

Approval was given to the Final Plans and Specifications for Porter Hall Renovation-Phase I at Pittsburg State University. The estimated construction budget is \$2.7 million and will be paid for with deferred maintenance funds. The project has been split into two phases during two fiscal years. Approval is for Phase I only with an estimated cost of \$1.1 million.

FINAL PLANS FOR PARKING IMPROVEMENTS AND PEDESTRIAN PLAZA PROJECTS – PSU

Pittsburg State University received approval of its Final Plans and Specifications for various parking improvements and pedestrian plaza projects. While the project has been split into three bid packages, this approval covers packages 1 and 2, which include the parking lot improvements for the lot north of Grubbs Hall, the lot adjacent to the Physical Plant, and the lot adjacent to the New Student Health Center. Approval was also given to package 3, Lindburg Street Plaza, contingent on review and approval of the Director of Facilities.

RAZE STUDENT HEALTH CENTER BUILDING – PSU

Pittsburg State University received approval to raze the existing Student Health Center Building. The estimated cost to raze the building is \$15,000 and will be funded through the University operating budget. The vacated lot will be converted into additional parking and green space.

FY 2009 CAPITAL IMPROVEMENT TO CONSTRUCT WIND POWER GENERATION FACILITY – FHSU

Approval was granted to Fort Hays State University to construct 5 megawatts of wind power generation. This request includes adding it to the University's FY 2009 Capital Improvement Plan. The facility will be located on the University Farm, approximately 2.0 miles west of the main campus, or 2.5 miles west of Akers Energy Center. The estimated cost of the project is \$13 million, to be funded with private money, university funds and/or federal and state funds.

FINAL PLANS FOR THE INDOOR PRACTICE FACILITY AT ECK STADIUM/HOME OF TYLER FIELD – WSU

Wichita State University received approval of its final plans and specifications for the indoor practice facility adjacent to Eck Stadium, as part of the WSU Intercollegiate Athletic Association baseball program. This project is Part A, or an initial phase of what the University is calling Phase V improvements to Eck Stadium. The project will provide approximately 29,000 square feet of indoor practice facilities and is a WSU Foundation project with an estimated total budget of \$4,766,000.

FY 2010 CAPITAL IMPROVEMENT TO INCLUDE WAHL/HIXON RENOVATION – KUMC

Approval was given to the University of Kansas Medical Center to amend its FY 2010 capital improvements to meet the Cancer Center's near-term space needs for basic and translational cancer research. The proposal is to renovate the 170,000 g.s.f., Wahl/Hixon research complex (three interconnected biomedical research structures including Wahl East, Wahl West, and Hixon Hall). The estimated cost of the project is \$34 million plus the cost of equipment. The Kansas Bioscience Authority Investment Committee has recommended a \$26.4 million, ten year grant for the project (which was approved at the KBA meeting held on March 9-10). The KUMC Research Institute will issue bonds through the Kansas Development Finance Authority for this project, and the bonds will be a general obligation of the KUMC Research Institute.

CONSIDERATION OF DISCUSSION AGENDA

Academic Affairs

DOCTORATE OF BIOINFORMATICS (26.1103) – KU

Regent Hedges moved, with the second of Regent Perkins, that the University of Kansas be authorized to offer a Doctorate of Bioinformatics (26.1103). The motion carried. The program will be funded through internal reallocation.

REQUEST TO SEEK ACCREDITATION OF THE MASTER OF PUBLIC HEALTH PROGRAM – KSU

Regent Boettcher moved that Kansas State University be authorized to seek accreditation for a Master of Public Health Program. Following the second of Regent Perkins, the motion carried.

Fiscal Affairs and Audit

NAME INDOOR PRACTICE FACILITY AT ECK STADIUM - WSU

Dr. Beggs, WSU President, was called on to provide background on the request to name the Indoor Practice Facility at Eck Stadium. He recommended the facility be named to recognize the funding partnership with Bombardier Learjet. Regent Sherrer moved that the baseball facility at Eck Stadium be named the Bombardier Learjet Practice Facility. Following the second of Regent Thornton, the motion carried.

LEGISLATIVE POST AUDIT REPORT ON COMPUTER SECURITY

Regent Docking called attention to the recent Legislative Post Audit report related to computer security at KU, KSU and ESU, as a follow-up to a report undertaken in 2005. Regents were not aware of the recommendations from the 2005 report and were surprised by the shortcomings reported in the 2009 report. Discussion followed about whether it would be appropriate for the Board to adopt policy language with institutional reporting requirements in such situations. It was noted the 2009 Post Audit Report calls for quarterly updates on progress being made to Post Audit and other entities, and the Board will receive those updates. President Robinson will be developing a policy statement to ensure the Board is kept apprised of any Post Audit expectations and the necessary follow-up responses.

Other Matters

RESOLUTION TRANSFERRING BOARD AUTHORITY TO EXERCISE MANAGEMENT CONTROL OVER SECURITY OF CERTAIN BIOSECURITY RESEARCH INSTITUTE (BRI) RELATED CLASSIFIED INFORMATION TO A SECURITY EXECUTIVE COMMITTEE - KSU

General Counsel Julene Miller introduced a Resolution for Board consideration related to the Biosecurity Research Institute at Kansas State University. She noted that adoption of the Resolution would exempt members of the Board from exercising management control and supervision over the security of certain classified information, and would transfer that management control to a University Security Executive Committee comprised of the KSU President, Provost, Vice Provost for Research and Facility Security Officer, and their successors. In an effort to keep the Board informed, Ms. Miller recommended the University Security Executive Committee report to the Board once a year.

Regent Sherrer suggested the word “knowingly” be inserted in the last sentence in Section 3 prior to “take action.” Regent Hedges moved the Resolution be adopted with the recommended amendment. Following the second of Regent Boettcher, the motion carried.

The Resolution approved is as follows:

RESOLUTION

A RESOLUTION BY THE KANSAS BOARD OF REGENTS TO TRANSFER AUTHORITY TO EXERCISE MANAGEMENT CONTROL AND SUPERVISION OVER SECURITY OF CLASSIFIED INFORMATION PROTECTED PURSUANT TO EXECUTIVE ORDER 12958, AS AMENDED, ITS SUCCESSOR OR PREDECESSOR ORDERS, AND THE ATOMIC ENERGY ACT OF 1954, AS AMENDED, AND IN THE POSSESSION OF KANSAS STATE UNIVERSITY; SUCH AUTHORITY TO BE TRANSFERRED TO A LEGALLY CONSTITUTED SECURITY EXECUTIVE COMMITTEE COMPOSED OF THE KANSAS STATE UNIVERSITY PRESIDENT, THE KANSAS STATE UNIVERSITY PROVOST, THE KANSAS STATE UNIVERSITY VICE PRESIDENT FOR RESEARCH AND THE KANSAS STATE UNIVERSITY FACILITY SECURITY OFFICER.

WHEREAS, the Kansas Board of Regents (the "Board") is vested under the Constitution and laws of the State of Kansas with jurisdiction and control over Kansas State University located in the City of Manhattan, Kansas (the "University"), and is authorized under such laws to adopt this Resolution and perform, execute and carry out, or cause to be performed, executed and carried out, the powers, duties and obligations of the Board under this Resolution in connection with the University's operation as a Contractor pursuant to Department of Defense Directive No. 5220.22-M, "National Industrial Security Program Operating Manual," dated February 28, 2006; and

WHEREAS, the Board has, pursuant to K.S.A. 76-712, delegated responsibility for administration of the affairs of the University to the chief executive officer ("President") of the University; and

WHEREAS, the Defense Security Service and the Board have heretofore determined that, in order for the University to obtain Facility Clearance pursuant to Department of Defense Directive No. 5220.22-M, supra, it is permissible to specifically, by Board Resolution, transfer authority to exercise management control and supervision over security of classified information protected pursuant to executive order 12958, as amended, its successor or predecessor orders, and the atomic energy act of 1954, as amended, and disclosed to the University, to a Security Executive Committee composed of the University President, the University Provost, the University Vice President for Research and the University Facility Security Officer; and

WHEREAS, the University President, the University Provost, the University Vice President for Research and the University Facility Security Officer have been processed for a personnel security clearance for access to classified information to the level of the facility security clearance to be granted to the University, as provided for National Industrial Security Program established by Executive Order 12829.

NOW THEREFORE, BE IT RESOLVED BY THE KANSAS BOARD OF REGENTS, AS FOLLOWS:

SECTION 1. The Board hereby transfers authority to exercise management control and supervision over security of classified information protected pursuant to Executive Order 12958, as amended, its successor or predecessor orders, and the atomic energy act of 1954, as amended, and disclosed to the University, to the University Security Executive Committee. This transfer includes responsibility over all matters involving the security of such classified information in the possession of the University.

SECTION 2. The University Security Executive Committee to which the Board transfers authority under Section 1 shall consist of four members, each of whom have been processed for a personnel security clearance for access to classified information to the level of the facility clearance granted to the University. The four members shall be the following individuals, or their successors once cleared:

President, Jon M. Wefald
Provost, M. Duane Nellis
Vice President for Research, Ronald W. Trewyn
Facility Security Officer, Craig A. Beardsley

SECTION 3. The following members of the Kansas Board of Regents agree they shall not require, shall not have, and can be effectively excluded from, access to all classified information protected pursuant to executive order 12958, as amended, its successor or predecessor orders, and the atomic energy act of 1954, as amended, that is disclosed to the University and will not knowingly take action to affect adversely the policies and practices of the University in the performance of classified contracts of the Department of Defense, or associated User Agencies with the National Industrial Security Program, awarded to the University.

Jarold Boettcher
Jill Docking
Christine Downey-Schmidt
Richard Hedges
Dan Lykins
Juana Perkins
Donna Shank
Gary Sherrer
William Thornton

CERTIFICATE

We, the undersigned Chair and President and CEO of the Kansas Board of Regents (the “Board”), hereby certify that the foregoing Resolution was lawfully adopted by the Board at its meeting held on _____ .

(SEAL)

KANSAS BOARD OF REGENTS

By _____
Donna Shank, Chair

ATTEST:

By _____
Reginald L. Robinson, President and CEO

STATE BUDGET AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 – State University Implications

Building on the report from the previous day, President Robinson returned to the topic of the prospective federal stimulus funds. Assuming conditions fall into place for higher education to receive \$9.6 million of stimulus funds for Fiscal Year 2009, Mr. Robinson recommended those funds be allocated based on the sectors’ share of State General Fund appropriation, and 100 percent of the funds be used for higher education system maintenance projects.

Currently it appears that \$40 million will be available for higher education in Fiscal Year 2010. Mr. Robinson recommended that 1) allocation to the sectors be based on SGF; 2) funds going to coordinated institutions be conditioned on the commitment to federal guidelines, which require stimulus dollars be used either for maintenance or to mitigate the impact of tuition restraint; 3) state universities implement a one-year tuition freeze for Kansas residents, contingent on legislative adoption of the Governor’s SGF recommendation of 7 percent; 4) a portion of the state university share be used to buffer the impact of tuition restraint; and 5) the remainder of the state university share be used for deferred maintenance. Discussion followed.

Regent Docking moved that the recommendation from President Robinson for allocation among the sectors and use of stimulus funds received through the stabilization portion for fiscal years 2009 and 2010 be adopted. Following the second of Regent Boettcher, the motion carried.

RECESS

Chairman Shank announced a recess at 10:10 a.m. The meeting resumed at 10:25 a.m.

ISSUES RELATED TO GRADUATE MEDICAL EDUCATION IN WICHITA

President Robinson commented on the funding issues related to the Wichita Center for Graduate Medical Education (WCGME). The Governor recently vetoed a line item provision for WCGME to receive \$2.9 million and followed up with a letter to the Kansas Board of Regents to seek a short-term resolution to the funding crisis by April and a long-term recommendation for funding by 2010. As a result of that directive, Mr. Robinson reported he, along with Regents

Shank, Docking, and Sherrer, met with Kevin Conlin, CEO of Via Christi Hospital; Hugh Tappan, CEO of Wesley Medical Center; Dr. Barbara Atkinson, Executive Vice Chancellor, University of Kansas Medical Center; and Dr. Fred Chang, Interim Dean, KUMC-Wichita, to review the issue and consider solutions.

Mr. Robinson reported the groundwork has been laid to reach a short-term solution. He also commented that he thinks the group, along with the possible addition of a representative from the Kansas Health Policy Authority, is an appropriate body to pursue long-term recommendations. Mr. Robinson indicated the hospital representatives were requested to provide a detailed assessment of the activities and needs that comprise the WCGME budget. That information has just been received and will be shared with Board members. It is expected the Board will recommend increased funding for WCGME. Senator McGinn has suggested the Kansas Health Policy Authority be contacted about whether there would be short-term funding assistance available from stimulus funds dedicated to medical issues and that option will be pursued.

UPDATE ON PITTSBURG STATE UNIVERSITY PRESIDENTIAL SEARCH

The PSU Search Committee met recently to review candidate files and the Committee has scheduled off-site interviews with preliminary finalists. Dates will be identified in the very near future for interviews with the Board.

UPDATE ON UNIVERSITY OF KANSAS CHANCELLOR SEARCH

Mr. Robinson reported the Executive Search Consultant is currently recruiting for the applicant pool for the Chancellor position at the University of Kansas. The University community is sharing names of potential candidates.

STATE UNIVERSITIES' RESPONSES TO SECURITY CONSULTANTS' RECOMMENDATIONS REGARDING CAMPUS SAFETY

General Counsel Miller noted she has received responses from the state universities related to the January recommendations from the security consultants. She indicated the institutional reports were timely and complete; she proposed that following review of the institutional reports in Executive Session, the next step would be for the state universities to deliver a final report in January 2010.

EXECUTIVE SESSION

At 10:50 a.m., Regent Docking moved the Board of Regents recess into executive session for approximately sixty minutes to discuss matters related to security measures pursuant to K.S.A. 75-4319(b)(13), the state university responses to a report from the Board's security consultant regarding safety and security measures on the state university campuses. Open discussion or disclosure of these security measures would pose a substantial likelihood of revealing information that protects persons. Following the second of Regent Thornton, the motion carried. Included in the executive session were members of the Kansas Board of Regents, President Robinson, General Counsel Miller, Associate General Counsel Theresa Bush, university CEOs, and designated university staff. The meeting returned to open session at 11:20 a.m.

ADJOURNMENT

Chairman Shank adjourned the meeting at 11:20 a.m.

Reginald L. Robinson, President and CEO

Donna L. Shank, Chair

II. REPORTS

- A. Introductions
- B. Report from the Chair
- C. Report from the President and CEO

Chairman Donna Shank
President Reggie Robinson

III. APPROVAL OF CONSENT AGENDA

- A. *Academic Affairs*
Regent Gary Sherrer

Dr. Gary Alexander
Vice President for Academic Affairs

1. **ACT ON COMMUNITY AND TECHNICAL COLLEGES’ REQUEST FOR APPROVAL OF THE FOLLOWING DEGREE PROGRAMS AND CERTIFICATES: BARTON COUNTY COMMUNITY COLLEGE – CERTIFICATE IN MILITARY TECHNOLOGIES (CIP 29.0101); JOHNSON COUNTY COMMUNITY COLLEGE – ASSOCIATE OF SCIENCE IN ENERGY PERFORMANCE AND RESOURCE MANAGEMENT (CIP 15.0503); SEWARD COUNTY COMMUNITY COLLEGE – CERTIFICATE IN CODING AND REIMBURSEMENT SPECIALIST CERTIFICATE PROGRAM (CIP 51.0707); FLINT HILLS TECHNICAL COLLEGE – ASSOCIATE OF SCIENCE IN INTERACTIVE DIGITAL SYSTEMS (CIP 10.304); SALINA AREA TECHNICAL COLLEGE – ASSOCIATE OF APPLIED SCIENCE IN APPLIED ELECTRONIC TECHNOLOGY (CIP 47.0105), ASSOCIATE OF APPLIED SCIENCE IN AUTO COLLISION REPAIR (CIP 47.0603), ASSOCIATE OF APPLIED SCIENCE IN AUTOMOTIVE TECHNOLOGY (CIP 47.0604), ASSOCIATE OF APPLIED SCIENCE IN BUSINESS ADMINISTRATIVE TECHNOLOGY (CIP) 52.0401), ASSOCIATE OF APPLIED SCIENCE IN COMMERCIAL AND ADVERTISING ART (CIP 50.0402), ASSOCIATE OF APPLIED SCIENCE IN COMPUTER AIDED DRAFTING (CIP 15.1302), ASSOCIATE OF APPLIED SCIENCE IN CONSTRUCTION TECHNOLOGY (CIP 46.0201), ASSOCIATE OF APPLIED SCIENCE IN DENTAL ASSISTANT (CIP 51.0601), ASSOCIATE OF APPLIED SCIENCE IN DIESEL TECHNOLOGY (CIP 47.0605), ASSOCIATE OF APPLIED SCIENCE AND CERTIFICATE IN ELECTRICAL TECHNOLOGY (CIP 46.0302), ASSOCIATE OF APPLIED SCIENCE IN HEATING, VENTILATION AND AIR CONDITIONING (CIP 47.0201), ASSOCIATE OF APPLIED SCIENCE IN MACHINE TOOL TECHNOLOGY (CIP 48.0501), ASSOCIATE OF APPLIED SCIENCE IN MEDICAL ASSISTANT (CIP 51.0801), AND ASSOCIATE OF APPLIED SCIENCE IN WELDING TECHNOLOGY (CIP 48.0508); AND WICHITA AREA TECHNICAL COLLEGE – ASSOCIATE OF APPLIED SCIENCE AND CERTIFICATE IN PERSONAL TRAINING (CIP 51.3699)**

Summary and Staff Recommendation

<p><i>Community colleges and technical colleges request approval for new certificate and degree programs each month. The board office received 19 program requests to be implemented Fall 2009. These program requests have met all the criteria and have been subjected to the 14 day comment period required by policy. Salina Area Technical College proposed programs are already approved at the certificate level. The request to offer these programs at the associate degree level is required to enable Salina Area Technical College to continue on its accreditation pathway with the Higher Learning Commission as an independent technical college. Staff recommends approval of these programs.</i></p>

3/31/09

Background

Community colleges and technical colleges submit requests for new certificate and degree programs each month utilizing forms approved by staff. Criteria for new programs include:

- Current and projected job openings
- Employer demand for the program
- Student demand for the program
- Analysis of potential impact on enrollment in any similar programs offered in the region or state
- Description of available facilities and equipment
- Projected program costs
- Membership of a steering/advisory committee for the program
- Measurable program outcomes
- Identification of workplace basic skills and competency profiles for technical courses
- Efforts to collaborate to provide the needed program
- Level of program duplication across institutions, based on Classification of Instructional Program Code (CIP)

In addition, the local governing board has approved the program application and the programs have undergone the 14 day comment period.

Description of Proposed Program by College

1. **Barton County Community College** requests the following new program:
 - *Military Technologies (CIP 29.0101)* at the Certificate level consisting of 30 credit hours. A budget of \$800,000 for this program will be allocated through courses currently being instructive and active through other program enrollments. No new funding for this program is required. No other institutions have programs under the same CIP code. No comments were received concerning this program proposal.
2. **Johnson County Community College** requests the following new program:
 - *Energy Performance and Resource Management (CIP 15.0503)* at the Associate of Applied Science (A.A.S.) level consisting of 64 credit hours and at the Certificate level consisting of 25 credit hours. A budget of \$167,000 for this program will be allocated through a Kansas Workforce Solutions Fund grant and general funds. No other institutions have programs with the same CIP code. No comments were received concerning this program proposal.
3. **Seward County Community College** requests the following new program:
 - *Coding and Reimbursement Specialist Certificate Program (CIP 51.0707)* at the certificate level consisting of 45 credit hours. A budget of \$47,338 for this program will be allocated through Seward County Community College general funds. Other institutions having programs with the same CIP code include Hutchinson Community College and Washburn University. Comments from Hutchinson Community College were received concerning this program proposal.
4. **Flint Hills Technical College** requests the following new program:
 - *Interactive Digital Systems (CIP 10.0304)* at the Associate of Applied Science (A.A.S.) level consisting of 66 credit hours and the certificate level consisting of 30 credit hours. A budget of \$181,380 for this program will be allocated through program enrollment generated tuition, and

Carl D. Perkins IV Program Improvement Grant, and FHTC New Program Development funds. Other institutions having programs under the same CIP code include Butler Community College, Johnson County Community College, Kansas City Kansas Community College, and Labette Community College. No comments were received concerning this program proposal.

5. **Salina Area Technical College** requests the following new programs:

- *Applied Electronic Technology (CIP 47.0105)* at the Associate of Applied Science (A.A.S.) level consisting of 65 credit hours. A budget of \$78,854 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. No other institutions have programs with the same CIP code. No comments were received concerning this program proposal.
- *Auto Collision Repair (CIP 47.0603)* at the Associate of Applied Science (A.A.S.) level consisting of 60 credit hours. A budget of \$127,207 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Butler Community College (A.A.S. and certificate), Coffeyville Community College (A.A.S. and certificate), Highland Community College (certificate), Hutchinson Community College (A.A.S. and certificate), Kansas City Kansas Community College (certificate), KAW Area Technical School (certificate), Manhattan Area Technical College A.A.S. and certificate), Neosho County Community College (A.A.S. and certificate), North Central Kansas Technical College (A.A.S. and certificate), Northwest Kansas Technical College (A.A.S. and certificate), Seward County Community College (certificate) and Wichita Area Technical College (certificate). No comments were received concerning this program proposal.
- *Automotive Technology (CIP 47.0604)* at the Associate of Applied Science (A.A.S.) level consisting of 74 credit hours. A budget of \$127,917 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Barton County Community College (A.A.S. and certificate), Butler Community College (A.A.S. and certificate), Coffeyville Community College, Cowley County Community College (A.A.S. and certificate), Dodge City Community College (A.A.S. and certificate), Flint Hills Technical College (A.A.S. and certificate), Garden City Community College (A.A.S. and certificate), Highland Community College (certificate), Hutchinson Community College (A.A.S. and certificate), Independence Community College (A.A.S. and certificate), Johnson County Community College (A.A.S. and certificate), Kansas City Kansas Community College (certificate), KAW Area Technical School (certificate), Manhattan Area Technical College (A.A.S. and certificate), Neosho County Community College (A.A.S. and certificate), North Central Kansas Technical College (A.A.S.), Northwest Kansas Technical College (certificate), Pittsburg State University (A.A.S. and certificate), Pratt Community College (A.A.S. and certificate), Seward County Community College (A.A.S. and certificate) and Wichita Area Technical College (A.A.S. and certificate). No comments were received concerning this program proposal.
- *Business Administrative Technology (CIP 52.0401)* at the Associate of Applied Science (A.A.S.) level consisting of 60 credit hours. A budget of \$75,999 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other

institutions having programs with the same CIP code include Allen County Community College (A.A.S and certificate), Barton County Community College (A.A.S.), Butler Community College (A.A.S. and certificate), Cloud County Community College (A.A.S. and certificate), Coffeyville Community College (A.A.S. and certificate), Colby Community College (A.A.S and certificates), Cowley County Community College (A.A.S. and certificates), Dodge City Community College (A.A.S. and certificate), Flint Hills Technical College (A.A.S. and certificate), Fort Hays State University (A.A.S), Fort Scott Community College (A.A.S. and certificate), Garden City Community College (A.A.S. and certificate), Highland Community College (A.A.S and certificate), Hutchinson Community College (A.A.S. and certificate), Independence Community College (certificate), Johnson County Community College (A.A.S. and certificates), Kansas City Kansas Community College (A.A.S and certificate), KAW Area Technical School (certificate), Labette Community College (A.A.S.), Manhattan Area Technical College (A.A.S. and certificate), Neosho County Community College (A.A.S. and certificates), Northwest Kansas Technical College (certificate), Pratt Community College (A.A.S. and certificate), and Seward County Community College (A.A.S. and certificate). No comments were received concerning this program proposal.

- *Commercial and Advertising Art (CIP 50.0402)* at the Associate of Applied Science (A.A.S.) level consisting of 74 credit hours. A budget of \$145,442 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Cowley County Community College (A.A.S), Flint Hills Technical College (A.A.S. and certificate), and Highland Community College (A.A.S). No comments were received concerning this program proposal.
- *Computer Aided Drafting (CIP 15.1302)* at the Associate of Applied Science (A.A.S.) level consisting of 61 credit hours. A budget of \$77,291 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Butler Community College (A.A.S. and certificate), Coffeyville Community College (A.A.S. and certificate), Johnson County Community College (A.A.S.), Kansas City Kansas Community College (A.A.S.), KAW Area Technical School (certificate), Manhattan Area Technical College (A.A.S.), Highland Community College (certificate), and Wichita Area Technical College (A.A.S. and certificate). No comments were received concerning this program proposal.
- *Construction Technology (CIP 46.0201)* at the Associate of Applied Science (A.A.S) level consisting of 60 credit hours. A budget of \$70,452 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Coffeyville Community College (A.A.S. and certificate), Flint Hills Technical College (A.A.S. and certificate), Fort Scott Community College (A.A.S. and certificate), Highland Community College (certificate), Hutchinson Community College (A.A.S. and certificate), Independence Community College (A.A.S. and certificate), Kansas City Kansas Community College (certificate), Manhattan Area Technical College (A.A.S. and certificate), North Central Community College (certificate), Northwest Kansas Technical College (A.A.S. and certificate), Seward County Community College (A.A.S. and certificate), and Wichita Area Technical College (certificate). No comments were received concerning this program proposal.

- *Dental Assistant (CIP 51.0601)* at the Associate of Applied Science (A.A.S) level consisting of 60 credit hours. A budget of \$116,751 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Flint Hills Technical College (A.A.S. and certificate) and Wichita Area Technical College (certificate). No comments were received concerning this program proposal.
- *Diesel Technology (CIP 47.0605)* at the Associate of Applied Science (A.A.S) level consisting of 74 credit hours. A budget of \$133,980 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Dodge City Community College (A.A.S. and certificate), KAW Area Technical School (certificate), Highland Community College (certificate), Northwest Kansas Technical College (A.A.S and certificates), Seward County Community College (A.A.S. and certificates) and Wichita Area Technical College (certificate). No comments were received concerning this program proposal.
- *Electrical Technology (CIP 46.0302)* at the Associate of Applied Science (A.A.S.) level consisting of 63 credit hours and at the certificate level consisting of 48 credit hours. A budget of \$95,000 for this program will be allocated through Carl D. Perkins funds, capital outlay, general funds and reserve funds. Remodeling of \$100,000 also appears in the budget although it is not required in the implementation year. Other institutions having programs with the same CIP code include Coffeyville Community College, Independence Community College, Johnson County Community College, North Central Kansas Technical College, Northeast Kansas Technical College, Northwest Kansas Technical College, and Wichita Area Technical College.
- *Heating, Ventilation and Air Conditioning (CIP 47.0201)* at the Associate of Applied Science (A.A.S) level consisting of 62 credit hours. A budget of \$68,676 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Coffeyville Community College (A.A.S. and certificate), Fort Scott Community College (A.A.S. and certificate), Highland Community College (certificate), Johnson County Community College (A.A.S. and certificates), Kansas City Kansas Community College (certificate), KAW Area Technical School (certificate), Labette Community College (A.A.S.), Manhattan Area Technical College (A.A.S. and certificate), North Central Technical College (certificate), Northwest Kansas Technical College (A.A.S and certificate), Seward County Community College (A.A.S. and certificate), and Wichita area Technical College (certificates). No comments were received concerning this program proposal.
- *Machine Tool Technology (CIP 48.0501)* at the Associate of Applied Science (A.A.S) level consisting of 60 credit hours. A budget of \$58,384 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Coffeyville Community College (A.A.S. and certificate), Hutchinson Community College (A.A.S. and certificate), Kansas City Kansas Community College (certificate), KAW Area Technical School (certificate), Seward County Community College (A.A.S. and certificate), and Wichita area Technical College (certificate). No comments were received concerning this program proposal.

- *Medical Assistant (CIP 51.0801)* at the Associate of Applied Science (A.A.S) level consisting of 60 credit hours. A budget of \$75,283 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Barton County Community College (A.A.S), Coffeyville Community College (certificate), Highland Community College (certificate), Kansas City Kansas Community College (certificate), Northwest Kansas Technical College (A.A.S and certificate), Seward County Community College (A.A.S. and certificate), and Wichita area Technical College (certificate). No comments were received concerning this program proposal.
- *Welding Technology (CIP 48.0508)* at the Associate of Applied Science (A.A.S) level consisting of 61 credit hours. A budget of \$65,895 for this program will be allocated through general funds, Carl D. Perkins Grant funds, local Capital Outlay, and lastly, reserve funds. Other institutions having programs with the same CIP code include Butler Community College (A.A.S. and certificate), Coffeyville Community College (A.A.S. and certificate), Cowley County Community College (A.A.S. and certificate), Dodge City Community College (A.A.S. and certificate), Garden City Community College (A.A.S. and certificate), Highland Community College (certificate), Hutchinson Community College (A.A.S. and certificate), Independence Community College (certificate), Johnson County Community College (A.A.S. and certificates), Kansas City Kansas Community College (certificate), KAW Area Technical School (certificate), Manhattan Area Technical College (A.A.S. and certificate), Neosho County Community College (certificates), North Central Technical College (certificate), Northwest Kansas Technical College (A.A.S and certificate), Seward County Community College (certificate), and Wichita area Technical College (certificate). No comments were received concerning this program proposal.

6. **Wichita Area Technical College** requests the following re-submission of a new program:

- *Personal Training (CIP 51.3699)* at the Associate of Applied Science (A.A.S.) level consisting of 62 credit hours and at the Certificate level consisting of 27 credit hours. A budget of \$34,135 for this program will be allocated through Wichita Area Technical College general funds. Highland County Community College is the one other institution that offers a program with the same CIP code. No comments by other colleges were received concerning this program proposal. This proposal was not approved at a prior Program Standards and Curriculum Committee meeting. Wichita Area Technical College is expected to address concerns by the Program Standards and Curriculum Committee as recorded in the minutes of the original meeting.

The above new certificate and degree programs have been carefully reviewed by staff utilizing the above stated standards and criteria. Copies of the detailed program proposals are available for inspection.

2, ACT ON REQUEST FOR ADDITIONAL DEGREE GRANTING AUTHORITY FOR BROWN MACKIE COLLEGE – ASSOCIATE OF APPLIED SCIENCE IN ARCHITECTURAL DESIGN AND DRAFTING TECHNOLOGY AND ASSOCIATE OF APPLIED SCIENCE IN HEALTH AND FITNESS TRAINING

Summary and Staff Recommendation

Staff recommends that Brown Mackie College be given additional degree-granting authority for the following degrees:

- *Associate of Applied Science in Architectural Design & Drafting Technology*
- *Associate of Applied Science in Health & Fitness Training*

Staff has reviewed the coursework and course outcomes and finds the degrees meet KBOR standards. Brown Mackie College demonstrates it has appropriate facilities, equipment, materials, record keeping systems, qualified staff, and adequate space to meet the needs of its students. These degrees will be awarded at the Salina and Overland Park Campuses.

03/02/2009

Background

Brown Mackie College is approved for degree granting authority by the Kansas Board of Regents. It was founded in 1892 as a subdivision of Kansas Wesleyan College and became incorporated in 1938 as the Brown Mackie College. In 2002, the school was purchased by Education Management Corporation. Brown Mackie Colleges are now located in ten different states with twenty different campuses.

Brown Mackie College is accredited by The Higher Learning Commission of North Central Association of Colleges and Schools (HLC). HLC is a United States Department of Education approved accrediting agency. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).
- Proper maintenance of student transcripts, attendance records, and proper use of students’ achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

3. ACT ON REQUEST FOR APPROVAL OF ADDITIONAL DEGREE GRANTING AUTHORITY FOR NATIONAL AMERICAN UNIVERSITY – ASSOCIATE OF APPLIED SCIENCE IN HEALTH INFORMATION TECHNOLOGY

Summary and Staff Recommendation

Staff recommends that National American University be given additional degree-granting authority for an Associate of Applied Science in Health Information Technology. Staff has reviewed the coursework and course outcomes and finds the degree meets KBOR standards. National American University demonstrates it has appropriate facilities, equipment, materials, record keeping systems, qualified staff, and adequate space to meet the needs of its students. These degrees will be awarded at the Wichita and Overland Park campuses.

03/02/2009

Background

National American University (NAU) is approved for degree granting authority by the Kansas Board of Regents. The main campus is located in Overland Park with a branch campus in Wichita. The brick and mortar university was founded in South Dakota in 1941, and now it has campuses located throughout the United States. The university began offering online coursework via the internet to students across the United States and internationally in 1996.

National American University is accredited by the Higher Learning Commission, a United States Department of Education approved accrediting agency, and it is a member of the North Central Association of Colleges and Schools. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).

- Proper maintenance of student transcripts, attendance records, and proper use of students' achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

IV. CONSIDERATION OF DISCUSSION AGENDA

A. *Academic Affairs*
Regent Gary Sherrer

Dr. Gary Alexander
Vice President for Academic Affairs

1. ACT ON REQUEST TO APPROVE RENEWAL OF TWO MEMBERS OF THE KANSAS PRIVATE POSTSECONDARY EDUCATION ADVISORY COMMISSION

Summary and Staff Recommendation

Staff recommends approval of the renewal of two members of the Private Postsecondary Advisory Commission, Mr. Gerald Lauber, President of Kaw Valley Bank, Topeka, KS and Ms. Deborah Thompson, Vice President of Human Resources, Lawrence Memorial Hospital, Lawrence, Kansas. Mr. Lauber and Ms. Thompson have currently served one year as replacements for the final year of the four-year terms of two retired Advisory Commission members. Candidates for the Private Postsecondary Advisory Commission serve for a term of four years, as required by the Kansas Private and Out of State Postsecondary Educational Institution Act, Advisory Commission 74-32,166.

3/20/2009

Background

According to subsection (f) of the Kansas Private and Out of State Postsecondary Educational Institution Act, 74-32, 166, the purpose of the advisory board is to recommend to the Kansas Board of Regents such policies, minimum standards and rules and regulations that the commission deems necessary for administering the provisions of this act. The advisory commission is to consist of nine members and meet each October (or more as necessitates). This year's meetings are planned for May and October. Below is a brief summary of each candidate.

Business & Industry Nominee

Mr. Gerald Lauber, President, Kaw Valley Bank, Topeka, KS

Mr. Lauber made Topeka his home in 1971 when he moved from Woodson County to attend Washburn University. He graduated with a degree in business administration. Serving as President of Kaw Valley Bank since 1982, Mr. Lauber remains involved with Topeka economic development, business and industry. He is on the board of the North Topeka Business Alliance and was appointed by Governor Sebelius as a commissioner for the Kansas Department of Wildlife and Parks.

Economic Development Nominee, Health Occupations

Ms. Deborah Thompson, Vice President of Human Resources, Lawrence Memorial Hospital, Lawrence, KS

Ms. Thompson is responsible for human resources, education and learning services, and the business health center services line at Lawrence Memorial Hospital (LMH). Prior to LMH, she worked for Payless ShoeSource in executive recruitment, organization development, and employee relations roles. She also was with Heidelberg Web Press in Ft. Worth, Texas, where she was responsible for human resources functions for a precision machining facility. Ms. Thompson received a bachelor's degree in psychology from Emporia State University and an MBA with an emphasis in human resources from the University of Kansas. She holds Senior Professional Human Resources certification.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act, 74-32, 166, gives the Board of Regents responsibility for appointing the nine member advisory commission. The scope of the advisory commission includes:

- (a) The advisory commission on private and out-of-state postsecondary educational institutions is hereby created. The commission shall consist of nine members appointed by the state board. Except as provided by this section, members shall be appointed for terms of four years. Vacancies shall be filled by the state board for the unexpired term. Five members of the commission shall be owners or managers of private postsecondary educational institutions, at least two of the five members shall represent institutions, which at the time of appointment of such members, have enrollments of under 125 students, and at least one shall represent a degree granting institution. Four members shall be selected from among persons representing: Secondary schools, postsecondary schools, business and industry, members of the employment community, economic development interests of the state and health occupations.
- (b) The commission shall elect one member as chairperson of the commission and such other officers as may be necessary.
- (c) The commission shall meet at least once annually in Topeka during the month of October, and shall conduct special meetings on the call of the chairperson or the state board or at the request of at least four members of the commission.
- (d) Members attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.
- (e) A majority of the commission is a quorum to conduct business, but no less than four members must concur to pass upon any matter before the commission.
- (f) The commission may recommend to the state board such policies, minimum standards and rules and regulations that the commission deems necessary for administering the provisions of this act.

B. *Other Matters*

Blake Flanders
Vice President for Workforce Development

**1. RECEIVE REPORT FROM KANSAS POSTSECONDARY TECHNICAL
EDUCATION AUTHORITY**

Kip Peterson
Director of Government Relations and Communications

Diane Duffy
Vice President for Finance and Administration

2. RECEIVE LEGISLATIVE/BUDGET UPDATE

Reggie Robinson
President and CEO

**3. DISCUSS STRATEGIC AGENDA FOR HIGHER EDUCATION IN KANSAS:
FIVE QUESTIONS**

**V. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected
Personnel (CEO Assessment) – President Hammond**

THURSDAY, APRIL 16, 2009

VI. REPORTS

- | | |
|---|----------------------------|
| A. Introductions | |
| B. Report from Council of Presidents | President Don Beggs |
| C. Report from Council of Faculty Senate Presidents | Dr. Larry Spurgeon |
| D. Report from Students' Advisory Committee | Lydia Peele |

VII. APPROVAL OF CONSENT AGENDA

- | | |
|------------------------------------|--|
| A. <i>Fiscal Affairs and Audit</i> | Diane Duffy |
| Regent Jill Docking | Vice President for Finance and Administration |
| | Eric King |
| | Director of Facilities |

1. **AMEND FY 2010 CAPITAL IMPROVEMENTS TO INCLUDE UTILITY & INFRASTRUCTURE IMPROVEMENTS – KSU**
 Kansas State University requests authorization to amend its FY 2010 capital improvements plan to include a \$21.6 million project to relocate existing university facilities and utilities, re-route existing roads, and re-locate access to University existing facilities on and around the NBAF Site. KSU and the City of Manhattan continue to cooperate in preparing the 48.4 acre NBAF site for use by the Federal government and the Department of Homeland Security. This project consists of relocating and clearing a feed mill, animal research and support facilities, animal sheds, an art kiln, fences, roads, electrical lines, gas lines, water lines, sewer lines, and telecommunications lines. Exact relocation requirements and project funding will be included in agreements with the Department of Homeland Security that have not yet been finalized. The purpose of this request is to enable any action required in FY 2010.

2. **AUTHORIZE TRANSFER OF PROPERTY FROM THE EMPORIA STATE UNIVERSITY FOUNDATION TO THE KANSAS BOARD OF REGENTS FOR THE BENEFIT OF EMPORIA STATE UNIVERSITY – ESU**
 Emporia State University requests authorization to transfer property from the Emporia State University Foundation to the Kansas Board of Regents on behalf of ESU. Five lots were acquired by the ESU Foundation for University expansion. Recent requests to the Foundation for use of the land, as a parking lot, resulted in the Foundation’s offer to transfer the land. The land is likely to be transferred with a deed restriction specifying that the land may only be used for expansion of Emporia State University. The land is vacant and will be used for future development for the University.

Two legal descriptions for the properties follows:

Legal Description No. 1: Beginning at a point 279 feet west of the northeast corner of Lot 8 in Perley’s Addition to the City of Emporia, Lyon County, Kansas, According to the recorded plat thereof; thence south to the south line of said Lot 8; thence east 129 Feet; thence north 72.5 feet; thence west 27.5 feet; thence north to the north line of said Lot 8; thence west to the point of beginning. (for three of the lots 1236 ,1240, and 1244 Market).

Legal Description No. 2: The west half of Lot 6 in Perley’s Addition to the City of Emporia, Lyon County, Kansas, according to the recorded plat thereof, except the south half of the north half thereof, and except the south half of the south half thereof (for two of the lots 1228 and 1232 Market).

3. AMEND FY 2009 REHABILITATION & REPAIR LIST TO INCLUDE REMODELING IN WATSON LIBRARY – KU

The University of Kansas requests authority to amend its FY 2009 Rehabilitation & Repair list. The project is phase one of the development of a Learning Center. The project involves converting existing fourth floor library stack areas into offices and meeting rooms. The work includes seven new private offices, an open office area for fourteen, a small conference room for eight, and a larger conference room for thirty-six. This project also includes replacing deteriorated finishes in several open areas of the Library adjacent to this work. The estimated project cost is \$516,900 and it will be funded with General Fund Appropriation for Operating Expenditures.

4. APPROVE PURCHASE OF REAL PROPERTY/304 EAST QUINCY, PITTSBURG – PSU

Pittsburg State University requests authorization to proceed with requisite procedures provided by K.S.A. 76-147 relative to the purchase of real property located adjacent to the main campus. The house on this property will be razed and the land converted to campus parking and/or new student housing. The purchase will initially be made from existing University funds with reimbursement from parking and new student housing bond proceeds which will be issued in FY09. Parking improvement and student housing bonds were approved at the March 2008 Kansas Board of Regents meeting. Purchase price is to be negotiated at no more than \$100,000 as supported by two separate appraisals. Final acquisition is contingent upon Board staff approval and is expected to occur no later than August 1, 2009.

Judy Scott – 304 East Quincy Street, Pittsburg, KS.

Legal Description: Lots six (6) through eight (8) in Mellette’s Addition to the City of Pittsburg, Crawford County, Kansas, according to the recorded plat thereof.

B. *Retirement Plan Committee*
Regent Dan Lykins

Theresa Bush
Associate General Counsel

1. RE-APPOINT RETIREMENT PLAN COMMITTEE MEMBERS

Summary and Staff Recommendation

To fulfill the Board's fiduciary responsibility for the KBOR Mandatory Retirement Plan, appropriate management and periodic review of the investment options provided under the Plan are required. In July 2005, the Board delegated responsibility for plan administration and investment oversight to the Retirement Plan Committee (RPC). The Committee began work on the Board's Mandatory Plan in October 2005, culminating in Plan consolidation in 2006. In April 2007, the Board approved a one year extension of all RPC member appointments because of work facing the RPC. Appointments for four members will expire on June 30, 2009. Staff recommends the re-appointment of the four RPC members whose terms will expire so that they can serve the remaining two years of the three year terms associated with the positions those members are filling.

The Kansas Board of Regents Retirement Plan

The KBOR Retirement Plan is an essential component of the benefits and compensation package available to faculty and staff who serve at the six state universities and the KBOR Office. The Plan has four components: (1) a mandatory 403(b) retirement plan; (2) a voluntary 403(b) retirement plan; (2) a long term disability plan; and (4) a phased retirement plan.

Mandatory Retirement Plan

The Board's Mandatory Retirement Plan was established by the Kansas Legislature under Internal Revenue Code Section 403(b) in 1962 to provide retirement income for faculty and unclassified employees at the state universities. The creation of the KBOR plan allowed eligible employees an alternative to KPERS, which was established the same year.

Then, as now, the KBOR retirement plan is an essential tool used to attract and retain quality faculty and unclassified employees to the state universities and to the KBOR Office. With features such as portability and immediate vesting, the KBOR retirement plan offers aspects that are different from KPERS and are more attractive and essential in the competitive environment of higher education.

Each eligible employee is required to contribute a percentage of their compensation to the Mandatory Plan (currently 5.5%). The employer, a State university or the KBOR Office, is required to contribute an additional percentage to the Mandatory Plan (currently 8.5%). Thus, employees have a total of 14% of their compensation directed as pretax contributions to their retirement.

In 2006, the Board approved the RPC recommendation to consolidate the Mandatory Retirement Plan from four vendors to two. The vendors who were eliminated were Lincoln National and Security Benefit Group; the vendors who were retained are ING and TIAA-CREF. The consolidation was effective on December 30, 2006. As of December 31, 2008, total accumulations in the Mandatory Plan were \$1.95 billion dollars.

Retirement Plan Committee

The Board created and appointed the Retirement Plan Committee (RPC) in June 2005. The RPC is composed of representatives from the Board itself, the Council of Presidents (COPs), the Council of Business Officers (COBO) and ACORB (Advisory Committee on Retirement and Benefits). Subject matter experts from the campuses provide additional expertise. The RPC duties include oversight of the Mandatory Retirement Plan, its administration and its investments, as well as responsibility for creating and reviewing plan documents and investment provider agreements, implementing an investment policy with performance standards, and reviewing the investment performance on a semi-annual basis. Deloitte Consulting has been hired by the Board to work closely with the RPC and to provide consulting services regarding the oversight of investment options.

The RPC is comprised of nine voting members, representing each of the institutions, with staggered three year terms. The RPC is currently chaired by Regent Lykins, and Regent Boettcher also serves on the committee. In 2005, the Board appointed all RPC members to two or three year terms beginning in 2005. In April 2007, the Board extended each member's appointment by an additional year so that the RPC would be able to utilize the knowledge it had gained to address the final 403(b) regulations that were to be issued that fall.

The four RPC members whose one year extensions expire on June 30, 2009, are:

- Dr. Rick LeCompte, WSU, Chair, Department of Finance, Real Estate and Decision Sciences, subject matter expert
- Dr. Dipak Ghosh, ESU, Associate Professor Accounting and Information Systems, subject matter expert
- Mike Barnett, FHSU, VP for Administration and Finance, representing COBO
- Michele Sexton, PSU, Director of Budget and Human Resource Services, representing Human Resource Directors/ACORB

The current RPC members whose appointments are expiring have all been asked to “re-up” because of the knowledge and expertise they have gained by serving on the Committee.

Staff recommends that the Board approve the extension of the appointments for the above four RPC members so that they can serve out the remaining two years of the current three year appointments associated with the positions those members are filling.

2. APPROVE RECOMMENDATIONS FOR FUND INVESTMENT LINE-UP CHANGES IN THE BOARD’S MANDATORY RETIREMENT PLAN

Summary and Staff Recommendation

To fulfill the Board’s fiduciary responsibility for the KBOR Mandatory Retirement Plan, appropriate management and periodic review of the investment options provided under the Plan are required. In April 2007, the Board approved the Vendor Management Document, which addresses the protocol for proposed fund changes by the two KBOR investment vendors (ING and TIAA-CREF), the guidelines for submission of fund changes, the Investment Policy Statement criteria that will be used to assess the proposed fund, and the subjective evaluation criteria. In January, 2009, ING and TIAA-CREF submitted requests for fund line-up changes to the Retirement Plan Committee (RPC). Based upon information provided to the RPC at its February 2009 meeting and recommendations from Deloitte Consulting, the RPC recommends that the Board approve: a) replacing the ING Solution Portfolio funds with Vanguard Target Date Funds; replacing the ING Alliance Bernstein fund with the ING FMR Mid Cap Growth Fund managed by Fidelity Management Research; adding additional TIAA-CREF LifeCycle funds (45, 50 and Retirement Income) and adding the Sentinel Cap Growth Index Fund to the TIAA-CREF line-up.

Vendor Management Document

In April 2007, the Board approved use of the Retirement Plan Committee (RPC) Vendor Management Document to address 1) the protocol for fund changes proposed by the two KBOR investment vendors (ING and TIAA-CREF) including the guidelines for submission of fund changes, 2) the Investment Policy Statement criteria that will be used to assess the proposed fund (such as adherence to investment objective; three and five year performance relative to benchmark and relative to median peer group manager; risk and value added statistics; qualitative factors such as assets under management, manager tenure, organizational structure and stability, investment management process; and fees and expenses), and 3) the subjective evaluation criteria.

Under the provisions of the Vendor Management Document, ING and TIAA-CREF submitted information to the RPC requesting consideration of funds for inclusion or replacement within the investment options for the Board’s Mandatory Retirement Plan.

Brad Tollander with Deloitte Consulting screened each of the investment options against the KBOR Mandatory Retirement Plan Investment Policy Statement to determine whether they met the minimum requirements for possible consideration. It was determined that each of the funds met those requirements.

At its February 2009 meeting, the RPC discussed with Mr. Tollander each of the ING and TIAA-CREF recommended funds to determine if they addressed an asset class that is not presently available to participants, and whether the timing was right to add some of the recommended funds. Based upon his analysis of the funds and the discussion with the RPC, Mr. Tollander made the following recommendations to the RPC:

ING Fund Line-up Recommendations

1. The KBOR fund line-up currently includes ING Solution Portfolio as target date funds with 10 year break points. Target date funds automatically adjust to a more conservative asset mix when the participant approaches retirement, usually close to the fund's target date. ING recommended replacing those funds with five Vanguard Target Retirement Funds (2015, 2025, 2035, 2045 and Income), all with net fund expenses of 0.19% and an additional annual 0.35% asset based fee used to offset sub-transfer agency fees incurred by ING that are not reimbursed by Vanguard. Assets would be mapped to the appropriate Vanguard funds.

Brad Tollander stated that these Vanguard funds are passively managed. Fund performance has been good and they have outperformed the ING Solutions Portfolio funds. Although the 0.35% asset base fee is the same expense fee in the revenue sharing received from the current ING Solutions Portfolio funds, the total fees for the Vanguard funds are lower (54% versus 74% and higher).

The RPC supported Mr. Tollander's recommendation to use the full suite of Vanguard Target Retirement funds, with five year break points despite the .35% asset based charges as they have performed better than the current ING Solutions Portfolios.

2. The KBOR fund line-up currently includes the ING Alliance Bernstein fund. ING recommended replacing that fund with the ING FMR Mid Cap Growth fund managed by Fidelity Management Research.

During the June 2008 Deloitte review, the ING Alliance Bernstein fund was placed on a watch list because of performance. Brad Tollander stated that the FMR Mid Cap Growth fund's performance has been good relative to benchmarks and peer groups, it offers more downside protection, consistency of returns, its manager has been with the fund for five years, it is in the top quartile for performance (reward for the amount of risk), it takes a more conservative approach as well as provides strong upside market capture and very strong down market capture which offers protection to participants.

The RPC supported Mr. Tollander's recommendation that the ING FMR Diversified Mid Cap Portfolio should replace the ING Alliance Bernstein fund as it offers a stronger investment option.

TIAA-CREF Fund Line-up Recommendations

1. The KBOR fund line-up currently includes TIAA-CREF Lifecycle funds (target date funds), in five year breakpoints, from 2010 to 2040. TIAA-CREF recommends the addition of three new funds for 2045, 2050 and LifeCycle Retirement Income, which is designed to provide an investment vehicle for those at the stage of income distribution and no longer in the accumulation stage.

Brad Tollander stated that it is typical for new lifecycle funds to be recommended as an additional enhancement to the current suite of funds. The RPC supported Mr. Tollander's recommendation to approve these new lifecycle funds.

2. Two funds currently in the KBOR fund line-up will be merged in 2009: the TIAA-CREF Small Cap Growth Index Fund will be merged into the TIAA-CREF Small Cap Blend Index Fund. TIAA-CREF recommends the addition of the Sentinel Small Company Fund as a small cap growth option.

Brad Tollander stated that the merger of the two funds will result in a small cap fund void in the Mandatory Plan and the Sentinel fund is very solid with good returns. Although there is an additional expense for this actively managed fund, it has outperformed the index and peer groups. The RPC supported Mr. Tollander's recommendation to add this fund to the line-up to fill the upcoming void in the small cap growth area. If this fund is approved, assets in the TIAA-CREF Small Cap Growth Index Fund will be mapped directly into the Sentinel fund.

C. *Other Matters*

Ed Phillips, KUMC
Chair, Student Health Insurance Advisory Committee

1. APPROVE EXTENSION OF KBOR/UNITED HEALTHCARE CONTRACT FOR STATE UNIVERSITY STUDENT HEALTH INSURANCE TO ADD ONE ADDITIONAL YEAR

Summary and Staff Recommendation

In February 2007, the Board approved a contract with United Health Care – Student Resources to provide insurance coverage for students at the state universities. The initial contract was for three years and expires on July 31, 2010. The contract can be extended or amended in writing for two additional one year periods. The Board's Student Insurance Advisory Committee recommends that the contract be extended for an additional year. Staff supports this recommendation.

Student Insurance Plan

During its 2006 Session, the Kansas Legislature enacted a provision authorizing the Board of Regents to enter into group health insurance contracts to provide health and accident insurance coverage for health care services for all students attending a state educational institution and such students' dependents. Previously, health insurance coverage for student employees was offered through the Kansas State Employees Health Care Commission.

In February 2007, the Board approved the recommendation of Board staff, the Council of Presidents and the Council of Business Officers to select UnitedHealthCare – Student Resources (SR) as the provider for the KBOR student health insurance plan for a three year contract beginning August 1, 2007. That contract will expire on July 31, 2010.

Student Insurance Advisory Committee

In June 2007, the Student Insurance Advisory Committee (SIAC) was created to serve in an advisory capacity to the Council of Business Officers (COBO) for the student insurance plan. Each of the seven state universities has its own university advisory subcommittee and the chair of each of those subcommittees sits on the SIAC. Two student representatives, nominated by the Student Advisory Council, also sit on the SIAC, which is chaired by a member of COBO or designee. The SIAC receives consulting services from Peoples Benefit Group out of Topeka, Kansas.

The SIAC has received information from SR about premiums for the third and final year of the current contract for plan year 09-10 and the annual student premium will be \$915, an 8.32% decrease from the previous year. This reduction reflects actual claims experience and the establishment of a viable UnitedHealthCare Physician Network for all campuses.

Recommendation

The SIAC and COBO recommend that the contract with SR be extended for one additional year. This issue will be presented to the Council of Presidents at their April meeting, so President Begg's April 16 report to the Board should include a recommendation as well. If the recommendation to extend the contract for one year is not accepted and a contract is to be bid and negotiated, it needs to be in place by April 2010 in order for students and families to receive information for August 2010 coverage. That would require the contract procurement process to begin in the summer of 2009, and is the reason for bringing the issue to the Board at this time rather than closer to the time the current contract expires.

SR continues to meet and exceed all contractual performance guarantees. SR provides outstanding service to enrolled students and campus administrators and is very responsive to requests for change or assistance. Enrollment system-wide as of December 2008 was 7,058 which represents an increase of 459 students (7%) over December 2007. For plan year 09-10, students will see a decrease in their premiums, as will the state universities which contribute 75% toward the premium for eligible graduate teaching and graduate research assistants.

Staff supports the recommendation to extend the existing contract for one additional year. If approved, General Counsel will prepare the written contract extension for August 1, 2010, through July 31, 2011.

VIII. CONSIDERATION OF DISCUSSION AGENDA

A. *Fiscal Affairs and Audit*
Regent Jill Docking

Diane Duffy
Vice President for Finance and Administration

**1. CONSIDER PROPOSAL-“THE JAYHAWK GENERATIONS”
SCHOLARSHIP TUITION WAIVER PILOT PROGRAM – KU**

Summary

House Bill 2007, part of the Board’s legislative package, was passed by the Legislature and, on March 27th, was signed by the Governor. This new legislation, effective July 1, 2009, amends existing law to permit the Board of Regents to authorize the awarding of fellowships, scholarships and tuition and fee waivers to both undergraduate and graduate students. The University of Kansas seeks approval from the Board to establish “The Jayhawks Generations Tuition” program pursuant to this new legislation (see attached proposal).

Background

There are numerous tuition reduction programs in operation today, such as those for military service members and dependents, graduate teaching assistants, and certain border-state residents. The basis for these current programs fall into two primary categories: groups named in statute and policies that fall within the broad tuition setting authority of the Board. This statutory change aligns the Board’s authority to establish tuition and fees for the state universities with setting and overseeing appropriate policies regarding the provision of scholarships, fellowships, and tuition and fee waivers for persons or groups not specifically provided for by statute.

Tuition discounting or “waiving” is the forgiveness of all or part of a student’s published tuition price. Discounting can be a way to “attract” students to fill seats or maximize revenue. It can also be an effective enrollment planning and financial management tool.

Tuition revenues, whether from residents or non-residents, are very important to the state universities. As a result of legislative changes in 2001 that moved the state universities to a budgeting model of an SGF block grant and tuition ownership, the Legislature created an incentive for the Board and the universities to be very careful with the discounting and/or waiving of tuition by crediting tuition revenues to the General Fees Fund (the fund where tuition is deposited) of each state university, subject to appropriation by the Legislature, but without an expenditure limit on the fund. This approach ensures that the Board and universities exercise great care in evaluating to what extent it is in a state university’s interest to waive or discount tuition. It is in this context that the legislation was approved by the Legislature and that the University of Kansas’ Jayhawks Generations Tuition proposal is submitted.

Recommendation

Staff has reviewed the proposal and believes it captures the intent of the legislation insofar as it attempts to attract well-qualified non-resident students who have a connection to the University and the State of Kansas, and who may thus be more likely to remain in Kansas after graduation, but who may be reluctant to attend college here because of the cost of non-resident tuition. It is crafted as a pilot program for two four-year cohorts and would require evaluation and a determination that it is achieving the desired goals prior to it being made into a more permanent program. It is presented to the Board

now so that it can be offered to new students enrolling for the Fall 2009 semester, allowing for first evaluation of the program in November of this year. However, no tuition waivers will be made prior to the bill's July 1 effective date.

Staff recommends approval of the KU proposal, with the understanding that because this is a “quick start” implementation of a limited, two-year pilot, the Board will have the opportunity to review more details regarding the program and a preliminary report in November, 2009, and KU will seek approval of a more permanent plan in the Fall of 2010.

Staff has begun work on policy provisions related to the new legislation and we will use implementation of the pilot program to help guide development of the Board's policy.

**The University of Kansas
The Jayhawk Generations Scholarship
Proposal Submitted to the Kansas Board of Regents
April 6, 2009**

The University of Kansas (KU) seeks approval from the Kansas Board of Regents to establish a pilot program authorized under HB 2007: The Jayhawk Generations Scholarship. Specifically, KU requests approval for a limited, two-year pilot program designed to provide a partial waiver of out-of-state tuition for high ability students whose parents or grandparents graduated from KU. All participants in the program will pay the full cost of their education.

Statement of Purpose:

The Jayhawk Generations Scholarship is designed to increase the enrollment of nonresidents who are the children or grandchildren of KU graduates and to reconnect these families to the State of Kansas and to KU. The program improves relationships with KU alums and their alma mater, allows KU to offer a program comparable to those in surrounding states, and offsets the enrollment declines anticipated with the projected decrease of Kansas high school graduates. The intent of this program is to encourage families who have a connection with KU to return to Kansas. Data indicate that 27% of nonresident KU students remain in Kansas or the Greater Kansas Area after graduation. A significant proportion of the Jayhawks who come to Kansas under this program are likely to contribute to the local economy for years, if not decades, to come.

Eligibility Requirements:

Students who meet the following requirements are eligible to receive the partial tuition waiver offered through Jayhawk Generations Scholarship:

- New nonresident freshmen whose parent, step-parent, legal guardian, grandparent or step-grandparent graduated from KU with a bachelor, master, first professional (law, medical or pharmacy), or doctoral degree
- Meet all regular KU admission requirements and meet all deadlines, including payment of the May 1 Enrollment Deposit
- Hold a 3.25 minimum HS GPA and minimum 26 ACT Composite/1170 SAT (math and critical reading only)
- Submit the Jayhawk Generations Scholarship application form, used to verify the parent/grandparent's KU degree

- Earn a 3.25 minimum KU GPA (checked at the end of each spring semester) in order to remain eligible for this four-year (48-month) program

Partial Tuition Waiver Amounts

For the 2008-2009 academic year, a nonresident student paid \$16,272 in annual tuition; the actual cost to provide education for this student was \$12,678. The Jayhawk Generations Scholarship will make use of the difference between nonresident tuition and the actual cost of education (\$3,594) in order to establish a tiered system of partial tuition waivers for eligible students. Even with the partial tuition waiver, students receiving this scholarship still pay over 100% of the cost of their KU education, and continue to subsidize the college education of Kansans.

The partial tuition waivers are offered on a percentage basis, as follows:

- ACT score of 26-29: 12% of approved Fall 2009 nonresident tuition (for Fall 2008 the partial tuition waiver would have been \$1,952 based on 30 credit hours per year)
- ACT Score of 30 and above: 20% of approved Fall 2009 nonresident tuition (for Fall 2008 this would have been \$3,254 based on 30 credit hours per year)

Financial Impact:

The program is designed to be revenue neutral. For KU, this program creates an opportunity to generate additional revenue if it results in only modest increases in nonresident enrollment. With more significant increases in the enrollment of nonresident legacy students, the Jayhawk Generations Scholarship will generate additional tuition revenue well beyond the cost of the partial tuition waivers.

Assessment:

The first assessment of the pilot program will occur in October 2009. During the 2009-2010 academic year, the program will be used as a recruitment tool, and the second pilot assessment will take place in October 2010 in order to measure the legacy enrollment increases between Fall 2008 (without the program) and Fall 2010 (second year of program). A determination will be made after each assessment regarding possible adjustments to ensure financial sustainability.

Summary:

KU alums have voiced overwhelming support for the Jayhawk Generations Scholarship. The immediate approval of this program will allow the current cohort of newly admitted legacy freshmen to benefit beginning in Fall 2009. At a time of financial challenge for many families, this benefit may make the difference that will increase the number of high ability nonresident students who enroll at KU. For this reason, KU requests approval to implement a two-year pilot program for eligible students enrolling in Fall 2009 and Fall 2010. As the State of Kansas seeks creative ways to align our educational goals with the advancement of state workforce needs, this program is an important tool that allows KU to work for Kansas and contribute to the economic future of our state.

2. **DISCUSS DEVELOPMENTS REGARDING THE BOARD’S STATE BUDGET/ STATE FISCAL STABILIZATION FUND/TUITION PLAN FOR STATE UNIVERSITIES**

At the March Board meeting, the Board approved a plan for federal stimulus funding. The memorandum below summarizes that plan, as communicated to the Legislature.



KANSAS BOARD OF REGENTS

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MEMORANDUM

To: House Appropriations Committee Members
Senate Ways and Means Committee Members

From: Reginald L. Robinson, President and CEO

Subject: Board’s Plan Regarding Federal Stimulus Funding

Date: March 16, 2009

Introduction

On behalf of the Board of Regents, I am pleased to describe action taken by the Board last week (Thursday, March 12) regarding its plan for dollars that could be made available to support higher education in Kansas through the American Recovery and Reinvestment Act of 2009 (ARRA), in particular, the State Fiscal Stabilization Fund (SFSF) component of the ARRA. The Board believes that its plan constitutes a balanced, reasonable, and responsible approach to the difficult situation confronting the state budget, the state’s higher education system, and the people of Kansas.

The State Fiscal Stabilization Fund

The SFSF, which was enacted as a component of the ARRA earlier this year, should make available to the State of Kansas approximately \$367 million between now and the end of FY 2011, to be distributed to support both the state’s K-12 education and public higher education systems. Regarding the higher education portion of the funding, Kansas is eligible to receive SFSF dollars if state support is at least equal to what was provided in FY 2006 (\$747 million). This is the required “state maintenance of effort.”

Assuming that state funding of at least that amount is provided, SFSF funding would then be available to fill the gap between such state support and the level of state support provided in FY 2008 (\$829 million). The FY 2008 figure is applicable for SFSF analysis because, in light of the budget rescission earlier this legislative session, it is the higher level of funding between FY 2008 and FY 2009. Finally, the language of the SFSF explicitly declares that SFSF dollars should be used for such activities as facility and infrastructure maintenance and repair, and to mitigate the impact of tuition restraint.

The Principles

The Board's typical approach to the allocation of available resources is to make such an allocation in a manner that provides institutional leaders with significant flexibility regarding the use of those dollars. In this circumstance, however, the Board recognizes that these are remarkable times and that these SFSF funds provide a unique and extraordinary federal funding resource. As a result, these truly atypical circumstances require an atypical approach to the distribution of this funding. Thus, as it contemplated its plan for use of SFSF funding, the Board sought to adhere to/be cognizant of the following principles/observations:

- The Board should be responsible for allocation/distribution of the SFSF dollars.
- SFSF dollars are one-time. Minimize distribution that creates budget "cliff" in FY 2012.
- Be mindful that SFSF dollars will be subject to additional and significantly more rigorous reporting and accounting requirements than typical federal grant funding.
- In light of traumatic economic climate, do not pass the budget burden on to students and families if possible.

The Plan

Fiscal Year 2009

Given the level of state support that has been provided for the current fiscal year, we expect that approximately \$9.6 million in SFSF funding will be available. Because the state's higher education system has already taken the steps to adjust to the rescission of some 4.25% of its current year state support, the Board would allocate none of those SFSF dollars to address budget shortfalls. Instead, the Board would allocate the SFSF funds to the state's public higher education institutions (7 public universities, 19 community colleges, and 6 technical colleges), and direct that 100% of such funding be used to address deferred building maintenance projects. (A dollar breakdown is provided in Attachment A, Figure 1.)

Fiscal Year 2010

Early in the current fiscal year, recognizing that the state's revenue and budget would be under severe stress, the Kansas higher education system began to plan for the possibility that state support in FY 2010 could be as much as 7% below the approved level for FY 2009. Although our system has planned for such a reduction, there is no doubt that such cuts in state support would have a truly significant and negative impact across the state's system of public higher education. Even so, we believe that everyone must step up and do their part during these trying times; it is in that spirit that we are willing to absorb such a significant reduction in FY 2010. The amended budget that the Governor has submitted proposes state support for higher education at the level that represents the 7% reduction I have described (\$789 million). Given the workings of the SFSF, such state support would mean that \$40 million (the difference between state support and \$829 million) would be available from the SFSF.

Given those assumptions – state support at \$789 million and the availability of \$40 million of SFSF – the Board’s plan would allocate \$40 million in federal stimulus funds to the state’s public higher education institutions for deferred building maintenance projects and tuition cost mitigation. Further, if state support is provided at the \$789 million level, the Board would impose a one-year state university tuition freeze for Kansas residents. The Board would be unable to impose such a freeze if the level of state support falls below what the Governor has proposed for FY 2010. The critical elements of the Board’s plan are presented here (a dollar breakdown is provided in Attachment A, Figure 2):

- Absorb the 7% cut represented in the level of State support.
- Allocate to sectors based on share of SGF.
- Receipt of SFSF funding by coordinated institutions conditioned on commitment to federal guidelines which require that SFSF dollars are used either for maintenance or to mitigate the impact of tuition restraint.
- Impose a one-year state university tuition freeze for Kansas residents, contingent on legislative adoption of Governor’s SGF recommendation (7% level presented in GBA).
- Distribute a portion of state university share to buffer impact of tuition restraint.
- Distribute the majority of that share to state university deferred maintenance.

Conclusion

As you know, all of the state’s critical policymakers – Legislators, the Governor, state agency leaders, members of the Board of Regents, and the state’s entire higher education community, among others – are working to find ways to address the remarkably difficult economic circumstances confronting not only our state, but the entire nation and beyond. The Board believes that the approach described in this memorandum is balanced and reasonable. Pursuant to this approach, the state’s higher education community (through its absorption of a 7% budget cut) does its part to help the state deal with the challenging budget situation. In addition, the plan would direct significant resources toward addressing the higher education community’s deferred maintenance backlog – a high-priority effort that will put many Kansans back to work. In a recent study, the Docking Institute of Public Affairs noted that every \$1 million spent on deferred maintenance projects generates an economic impact of \$2.2 million in increased economic output of goods and services, \$644,500 in increased state earnings, and 19 new jobs created in Kansas. Finally, the Board believes it has outlined an approach for how the Board and the Legislature can take important steps that would enable the State to provide meaningful relief to Kansans in the form of a one-year freeze on resident tuition at our state universities.

We understand that in these challenging times it will be difficult to provide the level of state support our plan contemplates, and we know that you understand that a tuition-freeze will present significant difficulties for our state universities. We also understand that we are all in this together as we work to meet the needs of Kansans in the midst of severe economic turmoil.

Thank you for all you do for our state and for higher education.

Attachment A

Figure 1

Estimated Total Federal SFSF Available for FY 2009		\$9,600,000	
Institutional Sector	FY 2009 State General Fund Operating Appropriations	% of Total	Proportionate Share of Federal SFSF (Dedicated to Maintenance)
State Universities	\$ 646.1	80.4%	\$ 7.7
Community/Technical Colleges	\$ 145.3	18.1%	\$ 1.7
Washburn University	\$ 12.5	1.6%	\$ 0.2
Total	\$ 803.9	100.0%	\$ 9.6

Notes:

State General Fund includes line-item appropriations included in the operating grant transfer.
 Portion each sector receives of Federal SFSF is based on current percentage allocation of SGF to each sector.

Figure 2

Estimated Total Federal SFSF Available for FY 2010		\$40,000,000			
Institutional Sector	FY 2009 SGF Operating Approp.	% of Total	Proportionate Share of Federal SFSF	Federal SFSF - Tuition Mitigation/ Maintenance	Fed'l SFSF - Maintenance
State Universities	\$ 646.1	80.4%	\$ 32.2	\$ 10.7	\$ 21.5
Community/Technical Colleges	\$ 145.3	18.1%	\$ 7.2	\$ 7.2	
Washburn University	\$ 12.5	1.6%	\$ 0.6	\$ 0.6	
Total	\$ 803.9	100.0%	\$ 40.0	\$ 18.5	\$ 21.5

Notes:

State General Fund includes line-item appropriations included in the operating grant transfer.
 Portion each sector receives of Federal SFSF is based on current percentage allocation of SGF to each sector.
 Coordinated Institutions -- use \$7.8 million to mitigate tuition restraint impact/maintenance.

Julene Miller
General Counsel

3. ADOPT POLICY PROVISIONS REQUIRING STATE UNIVERSITY REPORTS ON PENDING LEGISLATIVE POST AUDITS

Summary and Staff Recommendation

Currently there is no Board policy on the handling of legislative post audits or reporting progress toward implementation of Division of Legislative Post Audit recommendations that have been accepted by the state universities. Staff recommends adoption of a policy provision that requires state universities to submit a written report detailing progress, during the immediately preceding calendar year, toward implementation of any accepted Post Audit recommendations. The recommended policy would require an annual report until such time as all recommendations have been fully implemented. Additionally, staff recommends that legislative post audits be made a standing discussion item on the Fiscal Affairs and Audit Committee's agenda.

Background

At their March meeting current Fiscal Affairs and Audit Committee members were advised, for the first time, of a legislative post audit of three state universities that was initiated in April of 2005. The audit had been completed, the report had been issued, and the universities had accepted several of the audit recommendations. For reasons that are not relevant to this discussion, the follow-up review by the Division of Legislative Post Audit did not occur until just recently.

The fact that current Board members were not aware of the pending audit prior to this recent follow-up review prompted discussion of whether and how state universities should advise the Board of approved Legislative Post Audit Committee audits, and progress made toward implementation of any Division of Legislative Post Audit recommendations that have been accepted by the university. The Board requested staff to forward a recommendation.

Staff Recommendation

Staff recommends adoption of a policy provision that requires state universities to submit an annual written report detailing progress, during the immediately preceding calendar year, toward implementation of any accepted Post Audit recommendations. Additionally, staff recommends that legislative post audits be made a standing discussion item on the Fiscal Affairs and Audit Committee's agenda.

Recommended Policy Provision

Amend Section II.G.5. of the Policy Manual to add a new paragraph c., renumber the paragraphs as appropriate, and make clarifying/technical changes to other provisions in that Section; amend Appendix C to add the new reporting requirement to the schedule.

5. INTERACTION WITH LEGISLATURE AND OTHER STATE AGENCIESa. Legislative Appearances and Committee Hearings

Legislative Committees often request ~~state university employees faculty and administrators~~ to provide expert testimony on proposed legislation, which may or may not affect the ~~Regents Board~~ and higher education. ~~Faculty and administrators~~ State university employees should make every effort to accommodate such requests, and the university shall notify the Board President and ~~Chief Executive Officer of the Board~~ CEO of the invitation so that the Board Office will be aware of such appearances.

b. Legislative Requests and Proposed Legislation (Also see Chapter B, Fiscal Management)

- (1) The Board must approve all requests made to the Legislature for funds, programs, changes in legislation and new legislation affecting the Board and ~~the Regents system~~ institutions. Requests for legislation shall be submitted to the Board for consideration and inclusion in the ~~Regents Board's~~ annual legislative proposals no later than the November meeting of the Board. Emergency situations may warrant special exceptions, but to the extent possible, no request for legislation during the ongoing legislative session will be considered after the March meeting of the Board. (5-14-87)
- (2) Once approval has been granted, all institutions are authorized to work for these requests and each institution is expected to support the entire request. Conversely, all institutions are prohibited from requesting or working for additional legislation or funds.
- (3) Legislation proposed by others than the Board may still have an effect on the operation of the ~~Regents~~ system. When proposal of such legislation is ~~proposed~~ brought to the Board's attention, it shall be the duty responsibility of the Board to make a decision as to whether the position of the ~~Board system~~ is that of support, non-support, or opposition.

c. Legislative Post Audit Reports

- (1) Each state university, upon receiving notification from the Legislative Division of Post Audit that a performance or financial audit of the university is to be conducted, shall forward such notification to the Board President and CEO. Each state university shall submit a written report to the Board, in accordance with the schedule in Appendix C, detailing progress during the preceding calendar year toward implementation of accepted Post Audit recommendations. This report shall be made on an annual basis until all accepted recommendations have been fully implemented.

(2) Discussion of pending or anticipated Legislative Post Audits shall be a standing item on the Board’s Fiscal Affairs and Audit Committee agenda.

d. Information Requests from Other State Agencies

(1) System-wide Requests: Requests to ~~Regents institutions~~ state universities for system-wide information from other state agencies or other branches of state government are expected to be transmitted through the office of the Board. ~~Regents institutions~~ State universities receiving requests directly from other state agencies or branches of state government should advise the requesting party of this policy and advise the office of the Board of the request. When time limitations do not allow sufficient time for transmission of responses through the Board office, responses may be submitted directly to the requesting party with copies to the Board office. (11-20-81)

(2) University-Specific Requests: ~~Requests~~ Responses to requests received by a state university for information related specifically to a that university should be sent directly to the requesting party, with a copy to the Board office.

d e. Attorney General Opinions

Any ~~institution~~ state university or employee of a state university seeking an opinion from the Attorney General must do so by making a request through the office of the General Counsel of the Board.

e f. ~~Commission on Kansas Governmental Standards and Conduct~~ Ethics Commission Opinions

Any ~~institution~~ state university or employee of a state university seeking an opinion from the Kansas Governmental Ethics Commission ~~on Governmental Standards and Conduct~~ should do so by making a request through the office of the General Counsel of the Board. (10-17-91)

APPENDIX C

ANNUAL REPORTING SCHEDULE

The following subject matter listings indicate routine reports to be submitted to the Board office by each ~~Regents institution~~ state university. All dates and required number of copies are subject to change for administrative efficiency. Additional reports not reflected in these listings may be required of any or all institutions.

ACADEMIC AFFAIRS:

Due

- Accreditation chart update (6-25-03)
- Progress report re Vision 2020 Nov. Agenda
- Consolidated Unclassified Report Dec. 1
- Report on Regents Distinguished Professors May 1 & Dec.1

..... Oct. 1 as specified in Section D
IPEDS/NCES reports on degrees awarded Oct. 1

FACILITIES:

Capital improvement requests (listed in a single priority numbering system
regardless of funding - 1 copy to Board office, 1 copy to each Regent) Apr. 1
Finalized capital improvement requests with 5 year plans
(5 copies to Board office) July 1
Inventory of Physical Facilities & Space Utilization (report even numbered years biennial; Table 1
annually) copies of selected pages by camp Nov. 1
Rehabilitation and Repair Projects for Institutions of Higher Education for
allocation, at December Board meeting (for following July 1 availability Dec. 1

FISCAL MANAGEMENT:

Housing occupancy report Nov. 1
Revised student fee revenue estimates Oct., Feb.,
..... as specified semi-annually
Copy of official enrollment report to
Legislative Educational Planning Commission Mar. 1, Oct. 1
Budget requests to Board (4 copies to Board office, 1 copy to each Regent) early June
..... as specified
Delegations of contracting authority (to KBOR General Counsel) July 1
Annual Operating Budget and Legislative Budget Report Sept. 15
Reports from state universities participating in the pilot project on purchasing Oct. 1
Consolidated Unclassified Report Dec. 1
Student characteristics report Nov. 15
Annual financial report Dec. 31

MISCELLANEOUS

Attrition and Graduate Report Oct. 1
Continuing Education off-campus report July 1
Legislative proposals (non-appropriations) Nov. agenda
Report on pending or completed Legislative Post Audits Dec. 31

B. *Other Matters*

Reggie Robinson
President and CEO

1. **RECEIVE UPDATE ON PITTSBURG STATE UNIVERSITY PRESIDENTIAL SEARCH**

2. **RECEIVE UPDATE ON UNIVERSITY OF KANSAS CHANCELLOR SEARCH**

IX. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected Personnel (CEO Assessment) – President Lane

X. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected Personnel and Attorney-Client Privilege

XI. ADJOURNMENT

COUNCIL OF PRESIDENTS

Kansas Board of Regents Offices
1000 S.W. Jackson
Suite 520
Topeka, Kansas

11:00 a.m.
Suite 530

AGENDA

1. Approve Minutes of March 11, 2009, Meeting
2. Report from Council of Chief Academic Officers – Gary Miller
3. Report from Council of Business Officers – Mary Herrin
4. KSU – Bachelor of Science in Wildlife and Outdoor Enterprise
5. Information Sharing

COUNCIL OF PRESIDENTS

Kansas Board of Regents

11:00 a.m.

Minutes of Meeting

March 11, 2009

Members in Attendance:

President Don Beggs, Wichita State University

President Tom Bryant, Pittsburg State University

President Ed Hammond, Fort Hays State University

Chancellor Bob Hemenway, University of Kansas

President Mike Lane, Emporia State University

President Jon Wefald, Kansas State University

1. Convened at 11 a.m.
2. **Approved** minutes of the February 11, 2009, meeting.
3. Report of the Council of Business Officers – Don Beggs for Mary Herrin
 - a. COBO met with representatives from the Division of Budget to gain an understanding of the overview of the State general fund revenues and budget. In addition, COBO members discussed funding for the stimulus package. It was agreed that information would be provided to Diane Duffy on six issues that relate to tuition increase potential for Fiscal Year 2010. Those six items were as follows:
 1. Rate increases for utilities
 2. Increases for health insurance and other fringe benefits
 3. Increases for faculty promotions and tenure
 4. Salary requirements resulting from the increase in the minimum wage
 5. Potential 1% salary increase and the related fringe benefits
 6. Under market salary adjustments classified employees
 - b. The officers were reminded that the amount of funds to be received from the State for the Faculty of Distinction program will be reduced this year because of current economic conditions.
 - c. The COBO officers determined that the waiting period for the GHI is a regulation and not a statute. Universities will be providing information on the estimated annual cost of eliminating the waiting period to Kelly Oliver.
 - d. There was a discussion about a rough draft for the business procurement card rebate sharing formula. More information will be obtained.
 - e. Eric King reported that the funding for the “shovel ready” projects would not be received.
 - f. Julene Miller reported that a draft of the Memorandum of Understanding on Delegated Purchasing Authority has recently been distributed.

4. Report from the Council of Chief Academic Officers – Don Beggs for Gary Miller
 - a. The Council of Chief Academic Officers approved a request from Kansas State University for approval of the Bachelor of Science in Wildlife and Outdoor Enterprise Management. It will be forwarded to the Council of Presidents for consideration at the April meeting.
 - b. The Council of Chief Academic Officers approved three program requests. The first two requests were from the University of Kansas. The first was a request for the approval to change the “Co-Major in International Studies” to the “Co-Major in Global and International Studies.” The second request was the approval to change the “MA in International Studies” to the “MA in Global and International Studies.” The Chief Academic Officers also approved a request from Pittsburg State University to restructure the College of Technology into five departments.
 - c. The Chief Academic Officers had a lengthy discussion concerning the five strategic questions and the involvement of the Academic Officers in discussions with CEO Reggie Robinson concerning Persistence and Learner Outcomes. Dr. Alexander indicated that CEO Robinson was continuing to work with this and did intend to include ample opportunity for discussion. The Chief Academic Officers look forward to that opportunity.
 - d. After careful review and discussion, the Chief Academic Officers decided to adjust the upcoming budget for the University Press. COCAO voted to suspend the universities’ contributions this year because of the reserve that is already in place. Final action was taken by the Chief Academic Officers.
5. Other Business
 - a. CEO Robinson led an active discussion concerning the impact of the stimulus package and its potential impact on one-time projects and tuition. After a significant discussion, the Council of Presidents **voted to recommend** the stimulus funds be used for one-time items.
 - b. There was a discussion about what institution would have responsibility for chairing standing committees during FY 2010. The fact that there is new leadership at both K-State and KU was considered and following the precedent of the past, the Council of Presidents **unanimously approved** that Fort Hays State University staff will provide leadership to these committees beginning July 1, 2009.
6. The meeting adjourned at 11:55 a.m.

**COUNCIL OF FACULTY SENATE PRESIDENTS
(COFSP)**

**AGENDA
April 15, 2009**

11:00 a.m. – 12:00 p.m., and

4:00 p.m. or Adjournment – 5:00 p.m.

1. Call to Order
2. Approval of minutes from the March 11, 2009 meeting
3. University Reports:
 - A. Emporia State University
 - B. Fort Hays State University
 - C. Kansas State University
 - D. Kansas University
 - E. Kansas University Medical Center
 - F. Pittsburg State University
 - G. Wichita State University
4. New Business
 - A. Continued discussion about the COFSP Faculty Input Survey
 - B. Discussion of suggested comments from COFSP for Question #4 of the Five Strategic questions, “Learner Outcomes”
 - C. Discussion of the Regents’ Faculty of the Year Award criteria
5. Announcements and As May Arise
6. Adjournment

**COUNCIL OF FACULTY SENATE PRESIDENTS
(COFSP)**

**Minutes
March 11, 2009**

11:00 a.m. – 12:00 p.m.
and
4:00 p.m.– 5:00 p.m.

1. Call to Order:
Chair Spurgeon called the meetings to order at 11:00 a.m. and 4:00 p.m. respectively.

2. Attending:
Fred Fairchild (KSU), Mark Johnson (PSU), Nancy Kinnersley (KU), Larry Spurgeon (WSU), Kenneth Trantham (FHSU), Karen Wambach (KUMC), Amy Sage Webb (ESU).

Guests: Gary Alexander (KBOR), Carol Russell (ESU Faculty Vice President), Debbie Soles (WSU incoming Faculty Senate President)
Approval of minutes from the February 11, 2009 meeting

3. University Reports:
 - A. Emporia State University
 - The Academic Affairs Committee is currently reviewing the University President's comments on a revised background check policy to decide how or if they wish to proceed with a revised version of the policy. Academic Affairs recently wrote and voted out of committee a low enrollment policy which is upon first reading in the full senate.
 - The Committee on Campus Governance continues to review the Faculty Senate Constitution and Bylaws, making updates that are long overdue. Their other activities include reviewing campus-wide committees and making recommendations for those committees' continuance, and efforts to review and stabilize faculty senator rotations.
 - The Faculty Affairs Committee is currently reviewing the University President's comments on a revised teaching evaluation policy to decide how or if they wish to proceed with a revised version of the policy. Revisions have attempted to streamline the policy and to make its compliance with KBOR policy more evident. Faculty Affairs is also working on a teaching load policy.
 - The results of the information security audit are now published, and the senate will begin working with the Information Technology Council to assign policy-writing to the appropriate committees.

B. Fort Hays State University

- As the FHSU campus watches the budget situation unfold, we have had two opportunities over the past month to discuss the impact of the budget. First, President Hammond in his effort to keep the campus abreast of the situation, held another campus budget forum. Secondly, the Faculty Senate held a budget discussion to discuss the impact on academia. This discussion centered on how shifting and uncertain budgets would affect the faculty's ability to provide a rich and diverse education for our students, as well as its impact on creative activity essential to academia.
- This last month, Faculty Senate has continued to work on our new instructional evaluation system. Under consideration this month is the topic of reporting results in a manner in compliance with Kansas Board of Regents policy. In the consideration and reporting of student evaluation data, efforts must be made to control for sources of bias, as demonstrated by research. Relying on peer reviewed research and experts in the field, the senate has recognized these the five areas of strong bias; 1. Required vs. elective courses, 2. Course level, 3. Academic discipline, 4. Student interest in the subject matter, and 5. Student effort to learn. In addition, the Senate recommends that our instrument recognize one additional area of suspected bias: the grade that the student expects to earn in the course. Also a topic of discussion was student concern that some faculty are not taking full advantage of available technologies. Specifically: the use, or restriction of use, of mobile computing in the classroom. Also questioned is whether faculty should be required to keep current grades on Blackboard. Many faculty keep their grades on Blackboard, so students of millennial generation are expecting instant access to this information.
- Two task forces are looking at the following items:
 - Administrator evaluation taskforce is looking at evaluation of deans and chairs by faculty. They are presently working on a policy statement and instrument. I will bring a draft to the meeting.
 - Peer and self evaluation task force is looking at the last piece of our instructional evaluation system. First meeting today, considered the scope and purpose of peer and self evaluation.

C. Kansas State University

- Kansas State has been busy working with our new President-Elect, Dr. Kirk Schulz, who will officially take office on July 1. Dr. Schulz is already involved in the transition into his Presidency, and is working with our retiring President, Dr. Jon Wefald. Dr. Schulz has already sent an e-mail type newsletter to all of the campus, and will continue to do this on a monthly or periodic basis to keep the campus informed of his thoughts and plans.
- Dr. Schulz has been back on campus twice since his appointment, meeting with various groups and individuals. He has sought input from many sources, and last week announce the search committee for a new Athletic Director. This search committee is composed of a good cross-section of faculty, staff, student and athletic representatives.
- The major interest on campus and in Faculty Senate is dealing with the budget situation and how to implement the reductions. K-State works on a decentralized basis, thus each college or unit is requested to tell how they will deal with the budget reductions in their unit. The 4.25% recall for FY2009 is defined and all units are able to handle it. The reduction for FY2010 is still not known. The Provost, Vice President for Finance and their staffs have held budget explanation and listening forums in all colleges and other units to

receive administration, faculty staff suggestions for dealing with the FY2010 budget reduction. To date, faculty has not received a composite of these recommendations.

- The Faculty Senate will receive the final revisions of the Appendix G Grievance chapter of the University Handbook for its first reading at our March Faculty Senate Meeting. Work continues on finalizing the and documents and implementation of the new General Education program for the University. A resolution is being prepared for Senate approval and forwarding to the Administration asking for implementation of "I-Tunes U" at KSU. Also coming before Faculty Senate this month are various revisions to the Administration Evaluation Policy as found in sections B123, C41 and C137 of the University Handbook.
- The Faculty Senate and its standing committees are very active. Elections for new Senate members to fill expiring terms are under way. The new Officers and Senators will take office at the end of the May Faculty Senate meeting.

D. Kansas University

- At its February 26 meeting the University Senate received an update from Provost Richard Lariviere about budget matters and the status of bills being considered by the state legislature. The senate members appreciate the openness of the dialogue regarding these matters as well as issues brought up by the members of the senate.
- A report from the task force on the handbook for faculty and other unclassified staff was presented at the February 24 Faculty Senate Executive Committee (FacEx) meeting. FacEx has reviewed the final draft of the handbook, and after endorsement by the full senate, it will be placed in the policy library. An appendix to the report includes a number of policies that the task force has identified as needing revision before being placed permanently into Code or Rules and Regulations or another site. The Task Force wis being reorganized into four subcommittees that will focus on developing new language for: 1) Faculty Rights Board procedures, 2) the Faculty Code of Rights, Responsibilities and Conduct, 3) Unclassified Staff issues, and 4) Academic Staff issues.
- At its February 24 meeting FacEx also received a report from a subcommittee of its research committee for the "Open Access Policy for University of Kansas Scholarship". Under the policy, KU faculty will grant the university a license to make published research available in an open access repository at KU. The policy is modeled on those now in effect at academic units Harvard and Stanford. If adopted, KU's would be the first university-wide policy. The research committee will meet and forward a policy to governance for consideration and endorsement before the end of the semester.
- The Calendar Committee has presented several proposals to the University Senate Executive Committee (SenEx). A new calendar for FY 2013 was approved by the University Senate on February 26. It differs from previous calendars in that the fall break has been moved from Thursday/Friday to Monday/Tuesday. Additional calendar issues discussed by SenEx include modifying the calendar so that semesters would begin on Monday or Tuesday rather than Thursday, and possibly eliminating stop day. A proposed change to the University Senate Rules and Regulations was discussed by the University Senate on February 26 and will be voted on at its next meeting. The change requires that if a take-home or online final examination is given that the due date for completion of the exam can be no sooner than the regularly scheduled exam period for that class.
- The Academic Computing and Telecommunications Committee (ACTC) recommended that KU adopt a policy that all employees are required to have access to technological

equipment in order to obtain information relevant to their job functions and perform personnel functions. Departments may either provide the equipment at the employee's work location or provide the employee time to go to another location on campus where such equipment is available for use by the employee or by all University staff. The University Senate endorsed this recommendation at its February 26 meeting.

- A code change that would add a representative of the Provost's Advising Leadership Team as an ex-officio, non-voting member of the Academic Procedures and Policies Committee (AP&P) was discussed at the February 26 meeting.

E. Kansas University Medical Center

- In the past month, the Faculty Assembly Steering Committee has been involved with several issues that were brought forward from Faculty Concerns. We held one meeting of the Faculty Assembly to discuss suggested changes to our Handbook and the Steering Committee will meet again to refine the wording of some of the changes before bringing the changes to the Faculty for a vote in March. In addition, the Faculty Assembly Steering Committee and other interested faculty met with Dr. Pam Shaw to provide input to her in relation to her role as a member of the search committee for our new Chancellor. Dr. Karen Miller, who represents KU Medical Center administration on the search committee also requested and received a list of the attributes that were given to Dr. Shaw. Members of the Faculty Assembly Steering Committee are committed to the importance of faculty governance, and we were very pleased to see that one of the attributes of a Chancellor agreed upon by the search committee was "a commitment to the traditions in academic institutions of sharing governance with faculty, staff and students; of approaching controversy constructively; and of pursuing fair process".
- A number of KU Medical Center faculty were asked to serve on an advisory committee to the Dr. Barbara Atkinson and Dr. Karen Miller regarding how to deal with State of Kansas cuts to the KU Medical Center budget. The committee includes representation from elected members of faculty governance in the Schools of Nursing, Medicine and Allied Health and the Chair of the Faculty Assembly Steering Committee. We had our first meeting on February 26 from 4-7pm. The next meeting will be held March 30 from 4-7pm.

F. Pittsburg State University

- The Faculty Senate met on February 23. The group heard a report from the Provost regarding proposed ways of handling the budget pending budget cuts. While nothing is definite yet, we have been asked to prepare for 4.2 percent cut this spring and up to 13% for next year. We are also considering numerous curricular changes as we prepare for the new catalog set to come out this fall.
- Some issues that are being investigated by Academic Affairs Committee include:
 - Coming up with a more consistent Incomplete grade policy. Right now it's all over the board and the registrar and enrollment management office would like input and advice on where that should be. The Dean of Enrollment Services has shared some sample policy statements from OSU that may give us some direction to go with.
 - Coming up with a more consistent Drop policy. Right now there is confusion on whose responsibility it is to drop a course. Many would argue the faculty is responsible for dropping the student for non attendance early on, but what about late in the semester. Others have suggested it is the student's responsibility to drop

from a course and not assume the faculty will do it. Again, some guidance has been requested. A related issue is the affect on a student's financial aid eligibility.

- Midterm grades. In a recent meeting, it was learned that some faculty never submit midterm grades, some faculty do for some classes, and some do for all. Further discussion included what is the Midterm grade for? Should it be an actual current grade at Midterm (A, B, C, D, or F) or just a pass, D, F grade. Again, the faculty have been asked to provide input as to what our standard should be.
- I have also just appointed faculty to a committee to review our university's advisement survey completed at the end of the semester each semester online by students.

G. Wichita State University

- The Faculty Senate met twice in February, on February 9 and 23. On the 23rd there was a first reading on a proposal to significantly update and revise the faculty grievance policy. This revision process has been underway since last year. The proposal includes the addition of an ombuds program and optional mediation. It also simplifies the deadlines.
- Another significant activity underway is a possible revision to the academic misconduct policies. Several years ago the student government approved an "X/F" grade policy, modeled on KSU's. The faculty senate made some changes and approved its own version. That proposal was not accepted by the administration due to concerns about due process issues. The administration appointed a task force which submitted its own proposal, which addresses a number of issues concerning academic misconduct. The faculty senate's Academic Affairs Committee is reviewing that proposal and we expect to have a first reading on its version in March.

4. New Business

A. Faculty Morale Survey

At the 11:00 a.m. meeting COFSP discussed the possibility of doing the survey that was initiated by the 2003-2004 COFSP group. It was determined that the goal of doing a survey again would be to identify factors, especially non-salary factors, that affect faculty morale and to help prioritize among them the factors of most importance to faculty as a means of better representing faculty's interests and concerns to the Board. It was determined that the survey should be re-named the COFSP Faculty Input Survey, and shortened to include fewer questions and a mechanism for reflection. Rather than open-ended questions, the questions could be revised to offer more of a gradation of concern so as to help prioritize the degree of interest or concern items might hold for faculty. Still unresolved was the question of how often to do the survey, whether annually or every two to three years. This is a question of continuity to attempt to shore up with KBOR staff. It was agreed at the 4 p.m. meeting that Amy Sage Webb would go through the 2003-04 survey and work on some of the questions, realigning them within these parameters, and then sending them to COFSP members for review prior to the next meeting.

B. Strategic planning for the future of higher education in Kansas

At the 4:00 p.m. meeting Regents' staff Gary Alexander met with COFSP to discuss issues related to strategic planning. It was suggested that greater infrastructure was needed to

ensure continuity from one COFSP group to the next, and to ensure follow-through on projects such as the survey. Alexander expressed interest in faculty's point of view on some of the strategic questions before the Regents. Alexander asked for input on question #4, learner outcomes, of the Regents Five Strategic Questions. Chair Spurgeon agreed to draft some wording for COFSP to review relative to question #4 and faculty's input regarding core skills and competencies that should be common to college graduates.

5. Announcements and As May Arise

Faculty discussed the current budget situations and planning on each campus. KU looked at graduated furloughs that would mean those with the most income would be furloughed first, and not anyone earning under \$30,000. KSU is looking seriously at furloughs. Larry Spurgeon brought up that there is a federal law that might not allow furloughing except in increments such as one week. KUMC has formed an advisory group to administration that is budget specific. Its membership is elected by various groups. KUMC has begun non-reappointments. These are 72 positions that are non-tenure track. At PSU the bargaining agreement is in its first year of a three year contract. Only salary is up for any negotiation. At FHSU the bargaining agreement is looking for a 2-3% salary increase. At ESU President Lane held a campus-wide budget information forum that outlined the various pieces of the budget picture to date, and that involved a town-hall meeting-style question and answer period.

6. Adjournment: Chair Spurgeon adjourned the meetings at 12:00 p.m. and 5:00 p.m.

Respectfully submitted,
Amy Sage Webb

Students' Advisory Committee to the Kansas Board of Regents
Meeting Agenda
April 15, 2009
4:00 p.m. or Adjournment
Topeka, KS

- I. Introductions/Guest Speakers
- II. Approval of Minutes
- III. University Reports
 - a. Emporia State University
 - b. Fort Hays State University
 - c. Kansas State University
 - d. University of Kansas
 - e. Pittsburg State University
 - f. Wichita State University
- IV. Old Business
- V. New Business
- VI. Announcements
- VII. Adjournment

April 15-16, 2009

SAC Minutes Not Available

**KANSAS BOARD OF REGENTS
MEETING DATES AND DEADLINES FOR SUBMISSION OF AGENDA ITEMS
FY 2009 – 2010**

FY 2009

Board of Regents Meeting Dates	Agenda Material Due to Board Office
August 19-21, 2008 Retreat	
September 17-18, 2008 (Topeka)	Wednesday, August 27, 2008 at noon
October 15-16, 2008 (Topeka)	Wednesday, September 24, 2008 at noon
November 19-20, 2008 (Topeka)	Wednesday, October 29, 2008 at noon
December 17-18, 2008 (Topeka)	Wednesday, November 26, 2008 at noon
January 14-15, 2009 (Topeka)	Tuesday, December 23, 2008 at noon
February 11-12, 2009 (Topeka)	Wednesday, January 21, 2009 at noon
March 11-12, 2009 (Topeka)	Wednesday, February 18, 2009 at noon
April 15-16, 2009 (Topeka)	Wednesday, March 25, 2009 at noon
May 20-21, 2009 (Topeka)	Wednesday, April 29, 2009 at noon
June 24-25, 2009 (Topeka)	Wednesday, June 3, 2009 at noon

FY 2010

Board of Regents Meeting Dates

August 25-27, 2009 Retreat
September 16-17, 2009 (Topeka)
October 14-15, 2009 (Topeka)
November 18-19, 2009 (Topeka)
December 16-17, 2009 (Topeka)
January 20-21, 2010 (Topeka)
February 17-18, 2010 (Topeka)
March 24-25, 2010 (Topeka)
April 21-22, 2010 (Topeka)
May 19-20, 2010 (Topeka)
June 23-24, 2010 (Topeka)

**KANSAS BOARD OF REGENTS COMMITTEES
2008-2009**

Donna Shank, Chair
Jill Docking, Vice Chair

STANDING COMMITTEES

Academic Affairs

Gary Sherrer, Chair
Christine Downey-Schmidt
Dick Hedges
Janie Perkins

Fiscal Affairs and Audit

Jill Docking, Chair
Jerry Boettcher
Dan Lykins
Bill Thornton

Regents Retirement Plan

Dan Lykins
Jerry Boettcher

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