

# **KANSAS BOARD OF REGENTS**

## **January 14-15, 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**

January 14-15, 2009  
Curtis State Office Building  
1000 S.W. Jackson, Suite 520  
Topeka, KS

**Wednesday, January 14, 2009**

- 11:00 – 12:00 noon Council of Presidents – *Suite 530*
- 11:00 – 12:00 noon Council of Faculty Senate Presidents – *Conference Room A*
- 11:30 – 12:00 noon Fiscal Affairs and Audit Committee – *Kathy Rupp Conference Room*
- 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 Adjmnt Council of Faculty Senate Presidents – *Conference Room B*
- 4:00 p.m. or Adjmnt Students' Advisory Committee – *Kathy Rupp Conference Room*
- 6:00 p.m. **Dinner – Board of Regents, President Robinson, Kansas Association of Community College Trustees and Community College Presidents** – *Ramada Inn/Parrish Hotel, Madison Room on the Lower Level, 420 E. Sixth St., Topeka, KS*

**Thursday, January 15, 2009**

- 8:30 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**  
January 14-15, 2009  
1000 S.W. Jackson, Suite 520  
Topeka, KS

**WEDNESDAY, JANUARY 14, 2009**

**I. CALL TO ORDER**

**Chairman Donna Shank**

- A. Approve Minutes/Board Meeting on December 17-18, 2008

*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. Approve Additional Degree Granting Authority for an Associate of Applied Science in Computer Science Programming for Bryan College

*Page 32*

**IV. CONSIDERATION OF DISCUSSION AGENDA**

- A. *Fiscal Affairs and Audit*  
**Regent Jill Docking**

**Diane Duffy  
Vice President for Finance and Administration**

1. Receive Report on Governor's Budget Recommendations

- 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**

- 2. Consider Additional 2009 Legislative Initiatives *Page 34*

**Reggie Robinson**  
**President and CEO**

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

**Julene Miller**  
**General Counsel**

- 4. Receive Report from Security Consultant Regarding Campus Safety at State Universities *Page 41*

**V. EXECUTIVE SESSION – Board of Regents – Matters Relating to Security Measures Pursuant to K.S.A. 75-4319(b)(13) - Safety and Security Measures on the State University Campuses**

**THURSDAY, JANUARY 15, 2009**

**VI. REPORTS**

- A. Introductions
- B. Report from Council of Presidents **President Don Beggs**
- C. Report from Council of Faculty Senate Presidents **Dr. Amy Sage Webb for**
- D. Report from Students' Advisory Committee **Dr. Larry Spurgeon**
- E. Report from Classified Support Staff Council **Lydia Peele**
- Tracey Mussa, PSU Representative**

**VII. APPROVAL OF CONSENT AGENDA**

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

**Eric King**  
**Director of Facilities**

- 1. Amend FY 2010 Capital Improvement Requests – KSU *Page 51*
- 2. Approve Purchase of Real Property/310 East Quincy Street – PSU *Page 51*
- 3. Approve Purchase of Real Property/306 East Quincy Street – PSU *Page 52*

**Theresa Bush**  
**Associate General Counsel**

4. Approve Memorandum of Agreement between KU and Public Service Employees' Local #1290PE – KU *Page 53*

### **VIII. CONSIDERATION OF DISCUSSION AGENDA**

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

1. Approve a Master of Arts in African and African-American Studies (05.0101) – KU *Page 56*
2. Approve a Bachelor of Science in Health Science (51.0000) – WSU *Page 67*
3. Approve Creation of a School of Music and School of the Arts – KU *Page 72*

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

**Eric King**  
**Director of Facilities**

1. Receive Report on State University Deferred and Annual Maintenance – Fall 2008 (Sent under Separate Cover)

**Theresa Bush**  
**Associate General Counsel**

2. Amend Policy/Clarify State Universities' Authority to Offer a Health Care Bridge to Early Retirement Benefit for Unclassified Staff *Page 77*

**Diane Duffy**  
**Vice President for Finance and Administration**

3. Discuss Development of State University Tuition Proposals

C. *Other Matters*

**Reggie Robinson  
President and CEO**

1. Receive Update on Kansas State University Presidential Search
2. Receive Update on Pittsburg State University Presidential Search
3. Receive Update on University of Kansas Chancellor Search

**IX. ADJOURNMENT**

**WEDNESDAY, JANUARY 14, 2009**

**I. CALL TO ORDER**

**Chairman Donna Shank**

- A. Approve Minutes/Board Meeting on December 14-15, 2008

**KANSAS BOARD OF REGENTS  
MINUTES  
December 17-18, 2008**

The December 17, 2008, 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  
Christine Downey-Schmidt  
Dick Hedges  
Dan Lykins  
Janie Perkins  
Gary Sherrer  
Bill Thornton

**APPROVAL OF MINUTES**

Regent Perkins moved that the minutes of the November 19-20, 2008, meeting be approved. Following the second of Regent Lykins, the motion carried.

**INTRODUCTIONS**

Sheila Frahm, Executive Director of the Kansas Association of Community College Trustees, introduced Linda Fund, who has been named to be her successor.

**REPORTS**

**REPORT FROM CHAIR**

Chairman Shank acknowledged that it has been a challenging year and the budget cuts that were implemented in 2002 when she was first named to the Board are once again an issue. In spite of the CEO retirements, budget shortfalls and the fragile economy, she reflected on the positive undertakings of members of the Board, institutional personnel, search committees, and President Robinson and Board staff.

**REPORT FROM PRESIDENT AND CEO**

President Robinson highlighted events and news of note within the past month, including presentations by Regents Shank and Sherrer to the Legislative Educational Planning Committee. Mr. Robinson attended a joint legislative meeting where he and other state agency heads were apprised of revenue

issues, and he called attention to the magnitude of the budget shortfalls. He attended the press conference announcing that Kansas State University has been identified as the location for the National Bio and Agro-Defense Facility.

Legislative Post Audit is undertaking a review of state university efficiencies and representatives met with the Council of Presidents at its meeting earlier in the day to discuss the audit. Mr. Robinson noted that another audit is underway in which Legislative Post Audit is working with state agencies to determine if savings would be possible by eliminating low priority programs. In announcing changes in the legislative leadership for 2009, Mr. Robinson introduced Representative Kevin Yoder, who will serve as Chairman of the House Appropriations Committee. He also reported that the House Higher Education Committee has been reconstituted and Representative Terrie Huntington will serve as Chair.

Federally, Mr. Robinson reported that there is an effort underway by higher education leaders to have higher education infrastructure funding included in any stimulus package proposed by President-elect Obama.

#### AMEND AGENDA

Chairman Shank announced that, time permitting, the agenda would be amended to add an executive session related to personnel matters following the Discussion Agenda.

#### APPROVAL OF CONSENT AGENDA

Regent Sherrer moved, with the second of Regent Thornton, that the Consent Agenda be approved. The motion carried. The following was approved:

##### Academic Affairs

#### COMMUNITY COLLEGE REQUEST FOR NEW DEGREE PROGRAM FOR COFFEYVILLE COMMUNITY COLLEGE FOR AN ASSOCIATE OF APPLIED SCIENCE IN FIRE SCIENCE (CIP 43.0203)

Coffeyville Community College received approval to offer a new certificate and degree program for an Associate of Applied Science in Fire Science, to be offered in the Fall 2009.

#### CONSIDERATION OF DISCUSSION AGENDA

##### Academic Affairs

#### NEW DEGREE GRANTING AUTHORITY FOR MASTERS OF DIVINITY, MASTERS OF ARTS IN CHRISTIAN EDUCATION AND BACHELOR OF ARTS IN BIBLICAL STUDIES FOR MIDWESTERN BAPTIST THEOLOGICAL SEMINARY

Regent Downey-Schmidt moved, followed by the second of Regent Perkins, that Midwestern Baptist Theological Seminary be authorized to offer a Masters of Divinity, a Masters of Arts in Christian Education, and a Bachelor of Arts in Biblical Studies. Any reference in the institution's publications or

communications to the Kansas Board of Regents should refer to the Board's issuance of a Certificate of Approval to provide instruction in the state of Kansas and Midwestern Baptist must re-apply annually for the Certificate of Approval.

### POLICY FOR APPROVAL OF PROGRAMS FOR COMMUNITY COLLEGES AND TECHNICAL COLLEGES

Vice President Blake Flanders introduced the proposal to amend the policy for approval of programs for community colleges and technical colleges by reducing the 45-day comment period for institutions to 14 days. Following extensive discussion, Regent Boettcher moved that the proposed amendments be adopted. The motion was seconded by Regent Thornton and carried. The policy language approved is as follows:

Modify Chapter IV, Section 21 of the KBOR Policy Manual as follows:

#### APPROVAL OF PROGRAMS FOR COMMUNITY COLLEGES, ~~AND TECHNICAL COLLEGES AND TECHNICAL SCHOOLS~~

Board approval is required for the establishment of new degree programs. When the Board considers the establishment of a new degree program, information regarding its need, quality, cost and means of assessment become paramount. The minimization of unnecessary program duplication is a high priority of the Kansas Board of Regents. This document outlines the policies, procedures and criteria the Board utilizes when reviewing requests for new degree programs.

Institutions must submit ~~the Program Summary Form~~ a complete program proposal to board staff ~~no less than 45 days prior to the submission of the full proposal,~~ and enter the proposed program into the Program Inventory Database. Once board staff has received a complete program proposal from an institution, the proposal will be made available in electronic form on the Kansas Board of Regents website for other institutions to view. All institutions shall be automatically notified of the proposed program by email through the Program Inventory Database. Institutions with concerns, comments or objections to the new program must state those ~~preliminary~~ concerns, comments or objections in writing to Board staff within ~~the 45~~ a 14 day time period. ~~This notification is intended to alert the initiating institution that concerns, comments or objections to approval may occur during the more formal deliberation process.~~ At that time, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by board staff and forwarded to the proposing institution for follow-up. An initiation institution is expected to communicate with other institutions filing concerns, comments or objections to minimize or eliminate the identified issues. ~~Final p~~Proposals must contain all required information including evidence that concerns, comments or objections have been addressed and be submitted in the approved format. This process shall not prevent an institution from submitting a new program proposal, but it is designed to make the approval process more transparent, improve proposals and reduce potential conflict related to unnecessary duplication.

The Board President and CEO, or designee, shall determine if each proposed program is similar to others in the state and may serve the same potential student population. A similar program is one that has a like CIP code, title, content or competencies. If the President and CEO, or designee, determines that one or more similar programs exist, the following information shall be provided by the institution.

- Whether the institution has a valid inability to offer the program collaboratively. This will be determined by geographic proximity of similar programs eligible for collaboration, the transportability of existing programs to the proposed population, and if the proposed program varies to an extent that would not allow collaboration.
- What level of interest of new students in the program is. This will be determined by the number of students interested through survey analysis, or similar process, that demonstrates student interest will support or sustain the program for an excess of three years.
- What the existing and future labor market demand for graduates of the program is and will be. This will be based on the Kansas Job Vacancy Survey and Kansas Department of Labor statistics for a specific job title. This will also be based on the number of projected students that would be required to sustain the proposed program for a minimum of three years.
- What the student enrollment levels in existing similar programs are. This will be based on the number of vacancies in currently approved programs.
- Whether student waiting lists for similar programs exist. This will be based on the number of students that cannot be accommodated in the existing programs within one year or that cannot be accommodated by expanding existing programs.
- Whether sufficient clinical sites are available (if applicable to the program) Board staff shall compile, analyze and make recommendations to the Board on the information provided. The recommendations and information provided shall be reviewed by the Board Academic Affairs Standing Committee to determine whether the program represents unnecessary program duplication before approval will be granted.

#### (1) Procedures for Approval of New Academic Programs

##### A. Time Limitations

1. ~~Notification of new program submissions must be received by staff 45 days prior to the submission of the full proposal.~~ Notification of new program submissions will include: Program name, proposed CIP code, number of credits, detailed program description, documented demand for the program at the local and state level (labor data, student interest/employer survey results), comparison to other similar programs within the region and state, a statement detailing the rationale for a duplicative program if others currently exist, and a link location where the full program proposal may be viewed electronically.

At the time of ~~the original notification~~ program submission to board staff, the institutional representative shall enter the new programs into the Program Inventory Database.

Board staff will notify all institutions of the proposed program. ~~At that time~~ Within 14 days from the date of notification, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by Board staff and forwarded to the proposing institution for follow-up. Final proposals shall contain all required information including evidence that concerns and questions have been addressed and be submitted in the approved format.

2. Programs recommended for approval normally will be presented to the Kansas Board of Regents for action within two months of receipt of a complete proposal. The institution will be informed of program approval status prior to Board action.

#### B. Criteria for Program Approval

1. The institution shall provide documentation of need at the local, regional, and State levels for the proposed new program.

2. The institution shall submit a plan for financing and providing adequate facilities for the proposed new program. An estimate of costs needed to implement and operate the program for the first two years must be included.

3. The institution shall include an outline of the proposed program of study that includes the following:

- a. Description of proposed program of study
- b. Method or type of instruction
- c. Proposed Classification of Instructional Program (CIP) code
- d. Syllabus for courses in the proposed program of study. Listing of all the courses in the proposed program of study
- e. Listing of all the courses in the proposed program of study
- f. Outcome(s) of proposed program of study
- g. Specific faculty requirements, if any
- h. Evidence that concerns, comments and objections raised by other institutions have been addressed.
- i. A review of similar programs in the state and the need for an additional program
- j. Written approval or recommendation from the institution's curriculum committee and Board of Trustees.

4. New courses or programs shall be designed to provide instruction in a manner such that the course content is directly related to program content and objectives, and is consistent with the legal limitation and responsibilities applicable to the institution.

### C. Application Procedure

(1) Institutions must complete and submit the following forms:

- CA-1 Application for New Program
- CA-1a Fiscal summary for New Programs

(2) Procedures for Approval of New Career and Technical Education Programs

#### A. Time Limitations

~~1. Notification of new program submissions must be received by staff 45 days prior to the submission of the full proposal.~~ Notification of new program submissions will include: Program name, proposed CIP code, number of credits, detailed program description, documented demand for the program at the local and state level (labor data, student interest/employer survey results), comparison to other similar programs within the region and state, a statement detailing the rationale for a duplicative program if others currently exist. A similar program is one that contains like content, competencies, title or CIP code. ,and a link location where the full program proposal may be viewed electronically.

At the time of ~~the original notification~~ program submission to board staff, the institutional representative shall enter the new programs into the Program Inventory Database.

Board staff will notify all institutions of the proposed program. ~~At that time~~ Within 14 days from the date of notification, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by Board staff and forwarded to the proposing institution for follow-up. Final proposals must contain all required information including evidence that concerns and questions have been addressed and be submitted in the approved format.

2. Programs recommended for approval normally will be presented to the Kansas Board of Regents for action within two months of receipt of a complete proposal. The institution will be informed of program approval status prior to Board action. Note: Program approval does not indicate eligibility for Perkins funds.

#### B. Criteria for Program Approval

1. The institution shall provide documentation of need at the local, regional, and State levels for the proposed new program. If the program is

duplicative, the institution shall provide justification why the program should be approved.

2. The institution shall provide evidence that the current or future labor market demand equals or exceeds the number of students surveyed who indicate intent to enroll in the technical education program.

3. The institution shall provide evidence that the proposed new program does not unnecessarily duplicate existing programs within the region or those programs affecting the region. The following evidence shall be included:

- (a) Results of studies of public and private training programs such as industrial firms, private schools, proprietary schools, and apprenticeship programs within or affecting the region;
- (b) Classification of Instructional Programs (CIP) code;
- (c) Method or type of proposed instruction;
- (d) Syllabus of courses in the proposed program;
- (e) Specify faculty requirements, if any;
- (f) Listing of all courses in the proposed program; and
- (g) Outcomes of proposed program.
- (h) Evidence that concerns, comments and issues raised by other institutions have been addressed.

4. The institution shall submit a plan for financing and providing adequate facilities for the proposed new program. An estimate of costs needed to implement and operate the program for the first two years must be included.

5. The institution shall provide documentation of the involvement of a steering committee and/or advisory council, and curriculum committee in the planning and development of the new program (names of committee members and occupational category represented shall be included). In addition, evidence of approval by the institution's Board of Trustees shall be included.

6. The institution shall include an outline of the proposed program of study.

7. New courses or programs shall be designed to provide instruction in a manner such that the course content is directly related to program content and objectives, and is consistent with the legal limitation and responsibilities applicable to the institution.

8. If external accreditation is required for the proposed program (i.e. Board of Nursing), a statement of intent to seek accreditation is to be included.

9. If a satellite or partnership with another educational institution offering the same program has been established, a statement of intent or Memorandum of Agreement is to be included.

10. A review of other similar programs being offered in the state and the reason why an additional program is needed as well as other information regarding the needs of the area for this program and its feasibility shall be included.

11. Any concern, comment or objection from other institutions will be considered by board staff and the board as a whole when determining approval.

### C. Application Procedure

Institutions must complete and submit the following forms:

- CA-1 Application for New Program
- CA-1a fiscal Summary for New Programs
- Perkins Verification Form

#### 1. Data Gathering

(a) Secure from the Department of Human Resources information on the projected job openings in the program area for the State and for your local service area. This should include projections for future openings for five and ten years.

(b) Conduct local surveys:

(1) A survey of business and industry specifically for the new program involved including needs, employment projections, and turnover.

(2) A survey of students, identifying where possible, adult interest in the particular program area and enrollment projections.

#### 2. Steering Committee

A steering committee composed of persons in the local area and program area should be selected to plan course content, length of program, type of instructor and instruction needed, objectives of the program, and desirable type of graduate produced. The written recommendations of this committee, along with the names and occupations of the committee members, should be included in the application. Upon establishment of the program, the steering

committee should become the regular advisory committee for the program.

(3) Procedures for Approval of Special Programs - Business and Industry Service Program

The purpose of this program is to allow community colleges, technical colleges, and area technical schools to design and implement training activities to meet expressed needs of Kansas business and industry. Instructional activities will be approved for a one-year period with an option for reapplication. Forms are to be submitted two (2) weeks prior to proposed date of initiation and are available on the KBOR website.

(4) Forms

All forms may be found on the Kansas Board of Regents website.

Other Matters

REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Vice President Blake Flanders updated the Board on discussion and action from the most recent meeting of the Technical Education Authority. The state budget was a discussion topic. The Authority and Board staff have been working with Wichita State University to develop brochures related to labor intelligence. Due to current economic conditions, the issue will be revisited in April. The Authority received a report from the Institute for Policy and Social Research, University of Kansas, which compares Kansas expenditures for technical education with other key states. Because technical education is defined differently from state to state, the Authority may not pursue the comparison. Discussions continue regarding a new funding approach and those discussions are led by Vice President Diane Duffy.

The Authority received a report from the Technical Education Commission and Vice President Flanders highlighted some of the recommendations, calling particular attention to the suggestion that more steps be taken to maximize technical education in Kansas. Areas proposed were 1) Include P-20 initiatives for technical education, 2) Enhance an awareness of opportunities provided by technical education, and 3) Develop long-term relationship with business and industry to address both short and long term needs. The Commission determined that it has completed its charge by bringing attention to the challenges of technical education and initiating the creation of the Postsecondary Technical Education Authority. With that in mind, the Commission does not recommend extending the Commission.

MARKETING AND AWARENESS CONTRACT

Vice President Flanders reported that the Authority is ready to move forward with parts of its marketing proposal and has \$238,000 available for the first year. The Authority has recommended immediate purchases of \$189,500, leaving \$48,500 for optional purchases during the year. Discussion followed. Regent Downey-Schmidt moved that the Technical Education

Authority be authorized to enter into a sole-source marketing agreement with Trozollo Communications Group. With the second of Regent Lykins, the motion carried.

The marketing purchases authorized were:

Strategy Research and Validation	\$35,000
Communications Plan Overview	\$ 5,000
Website Development & Hosting	\$80,000
Connection to Legacy System	\$15,000
Branding	\$ 2,500
Evaluation Tool	\$40,000
Program Management	\$12,000

OPTIONS TO IMPLEMENT ADMISSIONS TASK FORCE RECOMMENDATIONS

President Robinson initiated the discussion regarding the Admissions Task Force recommendations as summarized by Regent Sherrer in October and discussed by the Board at its November meeting. In November the Board endorsed the three categories of recommendations. Mr. Robinson noted that the recommendations in the first category fall within the Board's scope of authority, with one issue needing support from the Kansas State Department of Education, the recommendations in the second category require statutory changes to improve the current qualified admissions statute, and the third recommendation proposes to shift responsibility for setting university admissions standards from the state legislature to the Kansas Board of Regents. Following the Board's endorsement, President Robinson requested that the Board discuss the preferred approach for seeking the shift in authority for setting the standards. To facilitate the discussion, he presented two possible options: 1) Maintain current statutory admissions standards (as amended by other Task Force Recommendations), and allow state universities to request Board authorization to modify one or more of those statutory standards and 2) Sunset the admissions standards portion of statute (76-717(a) and portions of 76-717(d) and (e)) in July of 2014, and replace with Board authority to set standards beginning in academic year 2014-2015.

Extensive discussion followed. Regent Boettcher moved that option one be adopted as the strategy to pursue, with some appropriate wordsmithing. The motion was seconded by Regent Docking. President Robinson clarified that he believes the editing of option one should include the same issues that relate to lead time, there is no intent to have a piecemeal shift of authority, and the result of option two is sought, without the sunset. The motion carried.

RECESS

The Chair announced a recess at 3:05 p.m. The meeting resumed at 3:15 p.m.

STRATEGIC AGENDA FOR HIGHER EDUCATION IN KANSAS: FIVE QUESTIONS

President Robinson briefly reviewed the previous discussion of the strategic agenda and the overview of educational alignment and participation. He then moved to the section on persistence, focusing on completion and retention statistics. After presenting various charts, he identified the following recommendations: 1) Achieve first-to-second year retention rates that exceed the national average by 10 percentage points for institutions of comparable type; 2) Achieve 3-year/6-year graduation rates that exceed the national average by 10 percentage

points for institutions of comparable type; and 3) Achieve Top 10 State Status for the percentage of young adults (25-34) who have earned an Associates Degree or higher.

**EXECUTIVE SESSION**

At 4:10 p.m., Regent Docking moved, with the second of Regent Hedges, that the meeting of the Board recess into executive session for an hour to discuss personnel matters of non-elected personnel to protect the privacy interests of an employee of the Board. The motion carried. Participating in the session were members of the Board and President Robinson. The open meeting of the Board resumed at 5:10 p.m.

**TRANSITION DOCUMENTS**

Regent Sherrer moved that the Board Chair, Vice Chair, and President Robinson be authorized to develop and execute transition documents for the three state university CEOs who have announced that they will step down from those CEO positions at the end of the current fiscal year. Following the second of Regent Thornton, the motion carried.

**RECESS**

Chairman Shank recessed the meeting at 5:12 p.m., to resume the following morning.

**RECONVENE**

Chairman Shank reconvened the meeting at 8:35 a.m. on Thursday, December 18.

MEMBERS PRESENT:

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

**INTRODUCTIONS**

President Jon Wefald introduced KSU student Vincent Hofer, Girard, Kansas, who was recently name a Rhodes Scholar. Dr. Jim Hohenbary, KSU academic advisor, was also introduced.

Two state university faculty members have been honored by the Carnegie Foundation. Dr. Michael Wesch, Assistant Professor of Anthropology, KSU, was introduced by Dr. Wefald as the National Professor of the Year, as designated by Carnegie/CASE. President Don Beggs introduced Dr. Jacqui Dillon, Assistant Professor, WSU School of Music, who was chosen as the Undergraduate Teacher of the Year for Undergraduate Instruction and Mentoring.

**REPORTS****REPORT/NATIONAL BIO AND AGRO-DEFENSE FACILITY**

President Wefald reported that Kansas State University was notified on December 3, 2008, by the U.S. Department of Homeland Security, that it was selected as the site for the federal laboratory for animal health. Dignitaries joined KSU officials for a press conference on December 4. The University anticipates that the new facility will generate positions for 500 employees when fully staffed.

**REPORT FROM COUNCIL OF PRESIDENTS**

President Beggs reported that Barbara Hinton, Legislative Post Auditor, spoke to the Council of Presidents about the upcoming audit related to state university efficiency measures. Members of the Legislative Post Audit team followed-up the Council discussion by meeting with members of both the Council of Business Officers and the Council of Chief Academic Officers with more details. The first part of the audit is expected to be completed in March.

The Council of Business Officers reported discussing the following topics: Budget reduction plan, allocation model, and an early retirement incentive involving health insurance for unclassified professional employees not yet qualified for Medicare. Also reporting to COPs was the Council of Chief Academic Officers. COCAO received its annual report from Fred Woodward regarding the University Press; it established a basic score for the English language competency for faculty and Graduate Teaching Assistants; and it established a schedule for future meetings, which includes some by teleconferencing.

The Council of Presidents approved three program proposals and will forward those to the Board for consideration in January.

**REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS**

Dr. Larry Spurgeon, Chairman of the Council of Faculty Senate Presidents, reminded Board members of the COFSP theme for the year of recruitment and retention. In that vein, COFSP discussed the issue of the 60-day waiting period for health insurance for new employees, which is a drawback for recruitment. COFSP encouraged pursuing a change through the Kansas Health Policy Authority.

**REPORT FROM STUDENTS' ADVISORY COMMITTEE**

Lydia Peele, Students' Advisory Committee Chair, reported on the comments from the campus representatives. Emporia State University is looking at the set-up for College Algebra. Fort Hays State University is negotiating its book store and food service contracts. A legislative forum sponsored by Student Government, Faculty Senate, and Classified Senate was held at Kansas State University. Kansas State University has reconvened its student task force on tuition and the other universities are working on tuition as well. SAC discussed plans for State Higher Education Day, which will be held in Topeka the first week of February.

AMEND AGENDA

Chairman Shank announced that the item to amend the 2009 Capital Improvement Request at Fort Hays State University to include a soccer facility would be transferred from the Consent Agenda to the Discussion Agenda.

APPROVAL OF CONSENT AGENDA

Regent Thornton moved that the Consent Agenda be approved. Following the second of Regent Lykins, the motion carried. The following measures received approval:

*Fiscal Affairs and Audit*FY 2010 CAPITAL IMPROVEMENTS REQUEST/INCLUDE CONSTRUCTION OF 'ADVANCED EDUCATION IN GENERAL DENTISTRY (AEGD) CLINIC' - WSU

Wichita State University received approval to amend its FY 2010 Capital Improvement request to include the proposed construction of an Advanced Education in General Dentistry Clinic. An initial first phase of the project is estimated to have around 38,000 gross square feet at a cost of approximately \$6.6 million. State funds will not be used to construct the building, and the construction will be administered as a WSU Foundation project.

FY 2010 CAPITAL IMPROVEMENTS REQUEST FOR JAYHAWKER TOWERS, PHASE TWO – KU

Approval was given to the University of Kansas to amend the budget for the Jayhawker Towers Renovation, Phase Two project. The estimated cost of Phase Two is currently projected at \$6,950,000 and the project will be funded with revenue bonds issued by the Kansas Development Finance Authority and secured with a pledge of Housing System revenues.

FY 2009 REHABILITATION & REPAIR LIST/INCLUDE REPAIRS TO THE CAMBRIDGE PARKING GARAGE - KUMC

The University of Kansas Medical Center received approval to amend its FY 2009 Rehabilitation and Repair list to include repairs to the Cambridge Parking Garage. The estimated cost is \$329,086 and will be funded from KUMC Parking Funds.

FY 2010 CAPITAL IMPROVEMENTS REQUEST/INCLUDE EDWARDS CAMPUS BUILDING NO. 4 – KU

The University of Kansas received approval to amend its FY 2010 capital improvement request to include the Edwards Campus Building No. 4. The new space will support the expansion of programs primarily focused on Business, Engineering, Science, and Technology and the estimated cost is \$24,950,000. The University proposes to issue Kansas Development Finance Authority revenue bonds for this project, in addition to proceeds from a 1/8 cent sales tax through Johnson County. The bonds will be secured with a pledge of sales tax revenues available for the Edwards campus and sales tax revenues will also be used to operate and maintain the new building.

FY 2010 CAPITAL IMPROVEMENTS REQUEST/INCLUDE A CLINICAL RESEARCH CENTER IN FAIRWAY, KANSAS – KUMC

Approval was given to the University of Kansas Medical Center to renovate an office building in Fairway, Kansas, to house its Heartland Institute for Clinical and Translational Research program and accommodate clinical trials for cancer. The Hall Family Foundation will transfer the building to the University before renovation begins and the estimated cost of renovation is \$25 million. The University proposes to issue Kansas Development Finance Authority revenue bonds for this project, in addition to proceeds from a 1/8 cent sales tax through Johnson County. The bonds will be secured with a pledge of sales tax revenues available for the Edwards campus and sales tax revenues will also be used to operate and maintain the new building.

LAND TRANSACTION/ACCEPT LAND FROM THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS – KU

The University of Kansas was authorized to accept property from the Unified Government of Wyandotte County and Kansas City, Kansas, to facilitate the KU Hospital in constructing a new Medical Office Building. The land is described in the following Ordinance passed by the Unified Government on September 25, 2008:

Section 1. That the following described street in Kansas City, Kansas be and the same is hereby vacated:

The remaining portion of Cambridge Street between Olathe Boulevard and 39<sup>th</sup> Avenue also being a tract of land in the Northwest Quarter of Section 35, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Kansas City, Wyandotte County, Kansas, being more particularly described as follows; Beginning at the Southeast corner of Lot 113, as platted in MUEHLEBACH PLACE on July 17, 1913, a recorded subdivision in Book 12, at Page 26, in the Register of Deeds Office of Wyandotte County, Kansas, also being a point on the Westerly right-of-way of Cambridge Avenue as platted in said MUEHLEBACH PLACE; thence Northerly along the Westerly right-of-way of said Cambridge Avenue, also being the Easterly line of said Lot 113 and Lot 112 of said MUEHLEBACH PLACE, a distance of 170.00 feet to the Southeast corner of Lot 111 of said MUEHLEBACH PLACE; thence Easterly along the Southerly line of vacated Cambridge Avenue by Ordinance No. 52062 dated July 3, 1973, a distance of 50.00 feet to the Southwest corner of Lot 84 of said MUEHLEBACH PLACE, said point also being on the Easterly right-of-way of said Cambridge Avenue; thence Southerly along the Easterly right-of-way of said Cambridge Avenue, also being the Westerly line of Lot 83 and Lot 82 of said MUEHLEBACH PLACE, a distance of 170.00 feet to the Southwest corner of said Lot 82, also being on the Northerly right-of-way line of Olathe Blvd. as platted in said MUEHLEBACH PLACE; thence Westerly along the prolongation of the Northerly right-of-way line of said Olathe Blvd., a distance of 50.00 feet to the Point of Beginning. Containing 8,500 square feet or 0.195 acres, more or less.

Section 2. The City of Kansas City, Kansas, reserves to itself the right to, at any time after the effective date of this ordinance, reenter or permit a public utility to reenter that point of said tract of land hereby vacated for the purpose of repairing, installing, constructing, or reconstructing any public utilities, such as sewers, conduits, electric light pole line, etc. that are now or may hereafter be installed in the tract of land hereby vacated.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the WYANDOTTE COUNTY ECHO.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS 25<sup>TH</sup> DAY OF SEPTEMBER, 2008.

LAND TRANSACTION/APPROVE CERTIFICATE OF LEASE AMENDMENT NO. 4 AND AMENDMENT OF MEMORANDUM OF MASTER GROUND LEASE WITH THE KU HOSPITAL – KU

Approval was given to Certificate of Lease Amendment No. Four and Amendment of the Memorandum of Master Ground Lease with the KU Hospital. This approval permits the land from the Unified Government of Wyandotte County noted above to be added to the Master Ground Lease, thereby enabling the KU Hospital to proceed with construction of the new Medical Office Building and the roadways necessary to maintain access to the Smith Hall loading dock.

**CONSIDERATION OF DISCUSSION AGENDA**

Academic Affairs

ACCREDITATION OF THE COLLEGE OF FINE ARTS SCHOOL OF ART & DESIGN – WSU  
Regent Sherrer moved that Wichita State University be authorized to seek accreditation of its College of Fine Arts School of Art and Design. With the second of Regent Docking, the motion carried.

REVISED MISSION STATEMENT FOR KANSAS STATE UNIVERSITY

As part of updating Kansas State University's strategic plan for 2008-2012, the University proposed changes to its Mission Statement. Regent Boettcher moved, with the second of Regent Perkins, that the proposed changes be approved. The motion carried. The amended Mission Statement is as follows:

*The mission of Kansas State University is to foster excellent teaching, research, and service that develop a highly skilled and educated citizenry necessary to advancing the well-being of Kansas, the nation, and the international community. The university embraces diversity, encourages engagement and is committed to the discovery of*

knowledge, the education of undergraduate and graduate students, and improvement in the quality of life and standard of living of those we serve.

Kansas State University is a comprehensive, research, land-grant institution serving students and the people of Kansas, the nation, and the world. Since its founding in 1863, the university has evolved into a modern institution of higher education, committed to quality programs, and responsive to a rapidly changing world and the aspirations of an increasingly diverse society. Together with other major comprehensive universities, K-State shares responsibilities for developing human potential, expanding knowledge, enriching cultural expression, and extending its expertise to individuals, business, education, and government. These responsibilities are addressed through an array of undergraduate and graduate degree programs, research and creative activities, and outreach and public service programs. In addition, its land-grant mandate, based on federal and state legislation, establishes a focus to its instructional, research, and extension activities which is unique among the Regents' institutions.

Through quality teaching, the university is committed to provide all students with opportunities to develop the knowledge, understanding, and skills characteristic of an educated person. It is also pledged to prepare students for successful employment or advanced studies through a variety of disciplinary and professional degree programs. To meet these intentions, the institution dedicates itself to providing academic and extracurricular learning experiences which promote and value both excellence and cultural diversity. K-State prepares its students to be informed, productive, and responsible citizens who actively participate in advancing cultural, educational, economic, scientific, and socio-political undertakings.

Research and other creative endeavors comprise an essential component of K-State's mission. All faculty members contribute to the discovery and dissemination of new knowledge, applications, and products. These efforts, supported by public and private resources, are conducted in an atmosphere of open inquiry and academic freedom. Basic to the pursuit of this mission is the University's commitment to broad-based programs in graduate education at both the master's and doctoral levels.

Faculty, staff, and administrators share their expertise through service to the university and disciplinary organizations, via outreach, engagement, and extension-related activities. Their work provides support to numerous projects related to the goals, missions, or aspirations of the departments, colleges of the university, and to the members of the professional community. Through outreach and engagement initiatives, partnerships are established with various stakeholders to translate knowledge and basic research into applications that address public needs. These service activities are integrally related to the land-grant mission.

Extension is governed by Kansas statutes that empower elected county councils and district governing boards with authority and responsibility to assess needs and conduct a local educational program in cooperation with Kansas State University and the United States Department of Agriculture (USDA). A network of local extension professionals

and volunteers link Kansas State University faculty, the National Cooperative Extension System to the USDA which produces high-quality educational programs.

*Fiscal Affairs and Audit*

FY 2009 CAPITAL IMPROVEMENTS REQUEST/INCLUDE SOCCER FACILITY – FHSU

President Hammond briefed the Board on the request to include a new Soccer Facility in its FY 2009 Capital Improvement request. He reported that funds from the University will not exceed \$2 million and no state general fund money will be used for the University's portion of the facility. The City of Hays approved \$8 million for an adjacent City Sports Complex. Regent Perkins moved, with the second of Regent Boettcher, that FHSU be authorized to amend its FY 2009 Capital Improvement request to include the proposed soccer facility. The motion carried.

FY 2010 HOUSING AND FOOD SERVICE RATE ADJUSTMENTS SUBMITTED BY STATE UNIVERSITIES (FINAL ACTION)

Vice President Diane Duffy presented the proposed FY 2010 housing and food service rate adjustments for final action. Discussion followed regarding the percentage of increase compared to the Higher Education Price Index, the amount of reserves in housing funds, as well as revenue bond covenant requirements.

Regent Downey-Schmidt moved that the requested housing and food service rates for the University of Kansas be approved. Following the second of Regent Lykins, the motion carried.

A motion was made by Regent Hedges, with the second of Regent Lykins, to approve the housing and food service rates requested by Kansas State University. The motion carried.

A motion was made by Regent Thornton to approve the housing and food service rates requested by Wichita State University. Following the second of Regent Perkins, the motion carried.

Regent Boettcher moved that the housing and food service rate proposal from Emporia State University be approved. With the second of Regent Thornton, the motion carried.

Regent Downey-Schmidt moved, followed by the second of Regent Lykins, that the housing and food service rates proposed by Pittsburg State University be approved. The motion carried.

A motion was made by Regent Boettcher to approve the housing and food service rates proposed by Fort Hays State University. Following the second of Regent Hedges, the motion carried.

(Complete Listing of Adjustments Filed with Official Minutes)

RECESS

Chairman Shank announced a recess at 10:40 a.m. The meeting resumed at 10:50 a.m.

REPORT ON PILOT PURCHASING PROJECTS – KU and FHSU

Following legislative action in 2006, the University of Kansas and Fort Hays State University, were designated by the Board to participate in a pilot project for three years, which exempted the

two universities from certain state purchasing requirements such as statewide purchasing contracts, state travel services, and the Prison Made Goods Act. University representatives reported on the benefits and savings experienced through this pilot project.

Mr. Barry Swanson, Director of Purchasing, University of Kansas, stated that the pilot program has provided flexibility to purchase outside the state system, negotiate more effectively and take advantage of buying consortia opportunities. He estimated that savings in FY 2008 were \$784,000 and he expects that to be greater in FY 2009. In addition to monetary savings, he reported a savings of time to process transactions. The pilot project has been successful for the University and Mr. Swanson recommended pursuing legislation to make the authority permanent and applicable to all state universities.

Mr. Mike Barnett, Vice President for Administration and Finance, Fort Hays State University, also reported a positive experience. He estimated that FHSU saved approximately \$24,000 the first year. He expressed support for seeking legislation to make the statute permanent.

Dr. Richard Lariviere, Provost, University of Kansas, expanded on the benefits to the University with an example of how savings were used to meet new needs and thereby reinvested in the University.

ALLOCATION OF FY 2010 REHABILITATION AND REPAIR APPROPRIATION – Systemwide  
 The FY 2009 allocation for Rehabilitation and Repair appropriations was presented by Eric King, Director of Facilities. He expects that \$15,000,000 will be available from the Education Building Fund and a formula for adjusted gross square feet was used to recommend the percentage of funds available to each institution. Regent Hedges moved that the project list for the FY 2010 rehabilitation and repair appropriation be approved. With the second of Regent Boettcher, the motion carried. The following summary reflects the authorized totals:

***FY 2010 - \$15,000,000 (EBF)***

Adjusted gross square feet (mission-critical buildings only):

	<u>GSF</u>	<u>% of Total</u>
The University of Kansas	5,488,301	26.87
The University of Kansas Medical Center	2,297,176	11.25
Kansas State University	6,105,374	29.90
Wichita State University	2,243,148	10.98
Emporia State University	1,232,601	6.04
Pittsburg State University	1,507,841	7.38
Fort Hays State University	<u>1,548,171</u>	<u>7.58</u>
	20,422,612	100.00

(Priority List of Projects by Institution Filed with Official Minutes)

### FACULTY OF DISTINCTION POLICY

General Counsel Julene Miller proposed a policy amendment related to the Kansas Partnership for Faculty of Distinction to bring the Board's policy in compliance with legislation enacted in 2008. The legislation increased the \$5 million threshold of the program incrementally over a three year period to \$6 million in fiscal year 2009, \$7 million in fiscal year 2010, and \$8 million in fiscal year 2011 and each fiscal year thereafter.

Regent Perkins moved that the policy amendments be adopted. Following the second of Regent Sherrer, the motion carried. The amended policy is as follows:

### **Appendix I**

#### **PROCEDURES FOR THE KANSAS PARTNERSHIP FOR FACULTY OF DISTINCTION PROGRAM**

The Chief Executive Officer of the Kansas Board of Regents (hereinafter referred to as the Chief Executive Officer) is responsible for administering the following procedures. In addition to the procedures set out in the statute, the following procedures provide clarification and guidance for eligible institutions:

- a. "Endowed professorship" means the position of a professor of the faculty of or a full-time faculty member employed by an eligible educational institution.
- b. For purposes of this program, "Joint donors" will be considered to be related or associated if they have expressed a mutual commitment to furthering the purposes of this program through their joint gift. The institution will be responsible for demonstrating that such a relationship exists between or among joint donors.
- c. In the case of a joint donation, support for an endowed professorship must come from persons or groups ~~which~~ that share "common characteristics or similarities such that the joint monetary donation conforms with the purposes of the program." For example, an appropriate funding raising activity would be for a college of engineering to solicit funds, especially major gifts, from engineering college alumni to support an endowed professorship in engineering. Alternatively, an example that would not conform to the intent of the "common characteristics and similarities" standards of the program would be for the institution to seek donations from all university alumni to support an endowed professorship in engineering. In regard to clarification about "common characteristics or similarities" of joint donors, institutions may seek advice from Board staff prior to initiating a fundraising campaign.
- d. The chancellor, president, director or other chief executive officer of an eligible educational institution shall notify the Chief Executive Officer ~~of the Board of Regents~~ of the receipt of each qualifying gift. Such notification will be in a format determined by the Chief Executive Officer. Such notification will minimally include: the name of the account of the faculty position to be endowed by the gift, the amount of the gift received, and the date the gift was received. The Chief Executive Officer will determine if the gift qualifies for certification under the program. No gift

will be certified until the threshold amount of cash, as per statute for each type of institution, is on deposit with the institution's endowment association. If the gift qualifies for certification under the program and has been deposited in cash with the endowment association, the Chief Executive Officer will certify to the Director of Accounts and Reports the amount and date of receipt of the qualifying gift and the appropriate professorship account to which it applies.

Only qualified cash gifts from qualified donors may be used to meet the minimum threshold required for establishment of the endowed professorship. An institution may receive non-cash gifts for an endowed professorship, but such non-cash gifts must be converted to cash and on deposit with the institution's endowment association before they are eligible for certification under the program.

~~e. Section 2(d) of the bill states: "No moneys committed or pledged to be given to an endowment association prior to the effective date of this act shall be included as part of any qualifying gift under the program, notwithstanding the date when such moneys were actually received by the endowment association." This statement means that if an eligible institution has received a legally enforceable commitment to give cash or the equivalent of cash for an endowed professorship prior to the effective date of this act, such endowed professorship is not eligible for participation in this program.~~

f. Institutions may add new gifts to a certified endowed professorship, as long as the new donations are made by the same single donor or entity or by a member of the same class of joint donors. Only qualified new gifts may be used to increase the total amount of the certified endowed professorship account that is eligible for the state earnings equivalent award.

~~g. f.~~ The Chief Executive Officer will certify receipt of each addition to an original qualifying gift (certified endowed professorship), provided that the addition meets or exceeds at least 20 percent of the institution's minimum threshold for a qualifying gift and the addition satisfies all other requirements for certification. The chancellor, president, director or other chief executive officer of an eligible educational institution shall notify the Chief Executive Officer ~~of the Board of Regents~~ of the receipt of each addition to a previously certified gift. Such notification will be in a format determined by the Chief Executive Officer.

~~h. g.~~ In accordance with statutory provisions, the Director of Accounts and Reports shall transfer from the state general fund the amount determined to be the earnings equivalent award for such qualifying gift. The Chief Executive Officer will certify no later than June 30 of each year the endowed professorships at all institutions. Prior to June 30 of each year, the Chief Executive Officer will produce a report listing all certified endowed professorships and request the chief executive officer of each eligible institution, as applicable, to verify the accuracy of such report for her/his institution.

If at any time the Board receives notification of on July 1 of any fiscal year the total of all transfers from the state general fund for the receipt of new qualifying gifts or additions to qualifying gifts, which in aggregate, would cause the maximum of \$5,000,000 in earnings equivalents awards to be exceeded, for qualifying gifts is equal to or greater than the applicable maximum stated in K.S.A. 76-775 and amendments thereto, no new qualifying gifts or additions to qualifying gifts will be

certified by the Board during that fiscal year. If on July 1 of the subsequent year the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts is less than the applicable maximum, the Board will certify any new qualifying gifts or additions to gifts in the following manner. If for any reason the Board should need to accept qualifying gifts after the maximum total amount of new gifts per year for all or any individual institution has been reached, the date received by the ~~qualifying endowment association~~ Board shall determine the order in which gifts shall be certified. For example, the earnings equivalent award maximum in any one fiscal year 2009 would be reached at \$100,000,000 in qualifying gifts, if the rate of return were 56%.

i. h. The Chief Executive Officer shall prepare and distribute to each eligible institution a semi-annual report showing the accumulated amount of gifts that have been certified for all eligible institutions.

j. i. On or before September 1 of each year, each eligible institution that has established one or more certified endowed professorships will file a report on a form provided by the Chief Executive Officer. Such report will specify how funds (from the State General Fund earnings equivalent awards and from the endowment association's earnings) were expended to support the endowed professorship(s) for the previous state fiscal year. The Chief Executive Officer may request other information from the institutions to improve the program or report on its effectiveness to the Board of Regents or other interested parties.

### Other Matters

#### REPORT ON UNIVERSITY EFFICIENCY MEASURES – KSU

President Wefald shared the efficiency efforts underway at Kansas State University in the areas of tactical, leveraged, evidential and forced/negative categories. Among the tactical efficiencies, he called attention to sustainability, conserving energy, and reducing water usage. He estimated that KSU will leverage \$185 million of State General Fund appropriations into \$732 million in direct expenditures as leveraged measures. Dr. Wefald pointed to faculty productivity to identify evidential efficiencies and noted infrastructure issues among the negative aspects. In closing, he noted the efficiency of KSU in restoring the damage done by the June 2008 tornado in 65 days.

(Hard Copy Filed with Official Minutes)

#### REPORT ON UNIVERSITY EFFICIENCY MEASURES - KU

The University of Kansas report on efficiencies was given by Chancellor Hemenway. He called attention to the Information Services realignment, which enhanced service and infrastructure areas. The University saved \$9 million through cost-cutting measures while participating in the pilot purchasing project, energy conservation, and library acquisitions. Other areas contributing to cost savings were improved insurance coverage, logistics for dining services, and the faculty/staff newsletter now being made available on-line, as opposed to a printed copy. The Chancellor identified some of the areas of research, which have brought research dollars to benefit the University.

(PowerPoint Filed with Official Minutes)

UPDATE/KANSAS STATE UNIVERSITY PRESIDENTIAL SEARCH

President Robinson reported the KSU search is reviewing candidate credentials and considering candidates.

UPDATE/PITTSBURG STATE UNIVERSITY PRESIDENTIAL SEARCH

The Pittsburg State University Search Committee has met three times and Mr. Robinson shared a Leadership Profile document for the Board's consideration. Regent Hedges moved that the document be approved. Following the second of Regent Docking, the motion carried. The statement is as follows:

**President – Pittsburg State University**  
**THE ROLE OF THE PRESIDENT**

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The President of Pittsburg State University has overall responsibility for ensuring the fulfillment of the university's mission, for assuring the highest standards of academic quality and fiscal integrity, for maintaining and developing the strategic relationships essential for the university's success, and for leading efforts to maximize the university's access to resources. The President of Pittsburg State University is appointed by and reports to the Kansas Board of Regents. In the current organizational structure, the following positions report to the President of Pittsburg State University and are members of the President's Council:

- Provost and Vice President for Academic Affairs
- Vice President for Administration and Campus Life
- Vice President for University Advancement
- Director of Intercollegiate Athletics
- General Counsel
- Assistant to the President
- Administrative Assistant to the President
- Director of Public Relations (ex-officio member)

**PREFERRED QUALITIES AND QUALIFICATIONS**

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The new President of Pittsburg State University will be an exceptional and talented leader, dedicated to and passionate about public higher education and the impact that institutions can have on society as a whole. The President of Pittsburg State University is expected to serve as an active participant in the community, a model of citizenship, and a strong advocate for the university's values of academic quality, access, concern for its people, and student success. The President must also possess well-honed administrative and management skills in order to lead effectively a complex, multi-faceted organization that is facing an array of complex challenges and opportunities. The President must be able to foster an inclusive and supportive environment for gathering input from the internal and external communities while moving the university forward. PSU is proud of its sense of community, spirit, kindness and warmth and respectfully humble about the leadership role it plays in supporting the region's well-being. The President must be able to forge highly effective, productive relationships with a broad range of people, groups, organizations and entities. Strong educational credentials including an advanced degree and a broad understanding and appreciation of academic life including teaching, scholarship and service are essential, with an earned doctorate highly preferred.

In addition, the President will demonstrate:

- Capacity to establish a compelling vision for the university and develop support and engagement amongst a broad community;
- A servant leadership philosophy - respectful, willing to engage multiple constituencies in decision-making, and always placing the institution and students first;
- An understanding of the advantages and challenges facing a regional, public, master's comprehensive university in contemporary society, and how to capitalize on the strengths of its people and programs;
- A track record of effective institutional advancement efforts, and a willingness to be an active participant in fund-raising activities of all types;
- The ability to communicate the university's mission, values and role in the community in an engaging and compelling manner;
- An understanding of and ability to articulate the value and potential inherent in a diverse community;
- Successful, positive experience with and/or support of the collective bargaining process;
- The ability and desire to maintain a high level of visibility and involvement with student life through attendance at student, cultural, athletic and social events;
- Experience with shared governance;
- An understanding of the role of the president in working with an affiliated foundation board, coupled with the ability to support board education and development;
- The ability to lead and model productive recruitment, retention and engagement of faculty, staff and students from diverse backgrounds;
- Understanding of public institutions of higher learning;
- Transparency as a personal value, being both open-hearted and open-minded, approachable and inclusive;
- A willingness to make difficult decisions;
- Political savvy and sensitivity, with a keen understanding of the need for public and political support for the institution, as well as the institution's connections with the community.

#### UNIVERSITY OF KANSAS CHANCELLOR SEARCH

A University of Kansas Search Process document was submitted for Board consideration. President Robinson noted that the timeline noted in the first paragraph is slightly different than for the KSU and PSU search. Regent Perkins moved, with the second of Regent Boettcher, that the process document be approved. The motion carried. The process adopted is as follows:

#### **University of Kansas Chancellor Search Process**

Outlined below are the key elements of the process that will guide the Kansas Board of Regents' search for a new Chancellor at the University of Kansas. The expectation is that a new Chancellor will be designated no later than Fall 2009, to assume the Chancellorship at the University of Kansas as soon as reasonably practicable thereafter.

1. **Appointment of Search Committee Chair.** The Chair of the Kansas Board of Regents shall appoint the Search Committee Chair, who shall be responsible for leading the process that produces the three to five candidates for Board consideration.
2. **Appointment of Search Committee.** Upon the joint recommendation of the KBOR Chair, KBOR Vice Chair, Search Committee Chair, and the KBOR President/CEO, the Board will appoint a Committee that includes approximately 15 members, with a diverse array of representatives from the following university and community constituencies: faculty, staff, alumni/endowment, students, Board of Regents, the local/regional community, and the broader state community. The recommendation shall identify prospective Committee Members and describe the process used for determining those who are recommended for Search Committee membership. The expectation is that the Board will appoint the Committee in January, either during its regularly scheduled meeting or during a special meeting called for that purpose.
3. **Search Committee Charge.** Concurrent with its appointment of the Search Committee, the Board shall adopt a “Charge” that will guide the Committee’s work. The Committee’s ultimate responsibility is to recommend for Board consideration, the three to five most well-qualified candidates it has identified for the position of Chancellor at the University of Kansas.
4. **“Statement of Leadership Characteristics.”** Early in its work, the Committee shall develop and propose for Board approval, a “Statement of Leadership Characteristics”/position description that will describe the key characteristics that are being sought in the person selected to serve as the next KU Chancellor.
5. **Use of Executive Search Firm.** An executive search firm will be engaged to provide consultation and assistance to the Committee and the Board in the conduct of this search for the next KU Chancellor. The Board Chair, Board Vice Chair, and Search Committee Chair shall, with the assistance of the KBOR President/CEO, select the Executive Search Firm to conduct this work.

## **ADJOURNMENT**

Chairman Shank adjourned the meeting at 12:10 p.m.

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Reginald L. Robinson, President and CEO

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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. APPROVE ADDITIONAL DEGREE GRANTING AUTHORITY FOR AN ASSOCIATE OF APPLIED SCIENCE IN COMPUTER SCIENCE PROGRAMMING FOR BRYAN COLLEGE**

**Summary and Staff Recommendation**

*KBOR Staff recommends that Bryan College be given additional degree-granting authority for an Associate of Applied Science in Computer Science Programming.*

*Bryan College has qualified staff, appropriate facilities, equipment, materials, record keeping systems, and adequate space to meet the needs of students enrolled in the proposed degree program. All findings and examination of curriculum and outcomes indicate the Associate of Applied Science degree in Computer Science Programming meets KBOR standards. If approved, this degree will be awarded at their Topeka campus.*

*12/10/2008*

**Background**

Bryan College has previously been approved for degree granting authority by the Kansas Board of Regents. There are two other degree granting campuses located in Springfield, Mo and Rogers, AR. Bryan College has been in existence since 1982 and is accredited by the Accrediting Council for Independent Colleges and Schools (ACICS), a nationally recognized accrediting agency by the United States Department of Education. 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 and non-degree granting approval on its campuses.

**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 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.

**Comments**

Any reference in the institution's publications or communications to the Kansas Board of Regents should refer to the Board's issuance of a Certificate of Approval stating that the school is approved to provide instruction in the state of Kansas. Each school must re-apply annually for its Certificate of Approval.

**IV. CONSIDERATION OF DISCUSSION AGENDA**

A. *Fiscal Affairs and Audit*  
**Regent Jill Docking**

**Diane Duffy**  
**Vice President for Finance and Administration**

**1. RECEIVE REPORT ON GOVERNOR'S BUDGET RECOMMENDATIONS**

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**

**2. CONSIDER ADDITIONAL 2009 LEGISLATIVE INITIATIVES**

**Summary and Staff Recommendation**

*Subsequent to the Board's annual consideration of and action on its 2009 legislative package, two additional items have been brought forth by individual institutions. Both KU and FHSU have recommended that the Board seek to extend and expand the pilot purchasing project, a report of which was given to the Board at its December 2008 meeting. Additionally, FHSU requests the Board's consideration of legislation that would allow any state university to partner with a wind developer to obtain wind energy generated on property owned by the institution for use in campus operations.*

**Authorize State Universities to Partner with Wind Energy Developer**

**Background**

The below proposed legislative changes would allow Regent's Universities to partner with a wind developer in order to obtain wind energy generated on property owned by the institution for use in campus operations.

The first set of proposed amendments is to the statutory provisions regarding retail electric suppliers. The changes would exempt a wind energy developer from being classified as a retail electric supplier, thereby allowing the developer to sell wind-generated electricity to Regent's institutions. Currently, only utilities with a franchise for the given area can sell energy.

The second proposed amendment is to the legislation governing zoning regulations and their applicability to state agencies. The proposal is to amend this statute to exempt this type of wind generation facility, built on property belonging to Regent's institutions, from such regulations.

The proposed changes are in italics.

**Proposed Amendments****66-1,170****Chapter 66.--PUBLIC UTILITIES****Article 1.--POWERS OF STATE CORPORATION COMMISSION****66-1,170. Definitions.** As used in this act:

- (a) "Distribution line" means an electric line used to furnish retail electric service, including any line from a distribution substation to an electric consuming facility; but such term does not include a transmission facility used for the bulk transfer of energy even if such energy is reduced in voltage and used as station power.
- (b) "Electric consuming facility" means any entity which utilizes electric energy from a central station service.
- (c) "Commission" means the state corporation commission of the state of Kansas.
- (d) "Retail electric supplier" means any person, firm, corporation, municipality, association or cooperative corporation engaged in the furnishing of retail electric service. *"Retail electric supplier" does not include any person, firm, corporation, municipality, association or cooperative corporation that furnishes wind-generated electricity to a state educational institution, pursuant to an agreement with such institution, approved by the Kansas Board of Regents in accordance with the provisions of K.S.A. 66-1172(b), under which the institution will purchase or otherwise obtain wind-generated electricity originating on property owned by the institution to supply power to the campus of such institution for its operations.*
- (e) "Certified territory" means an electric service territory certified to a retail electric supplier pursuant to this act.
- (f) "Existing distribution line" means a distribution line which is in existence on the effective date of this act, and which is being or has been used as such.
- (g) "Single certified service territory" means that service area in which only one retail electric supplier has been granted a service certificate by the commission.
- (h) "Dual certified service territory" means that service area where more than one retail electric supplier has been granted a service certificate by the commission.
- (i) "Station power" means electric energy used for operating equipment necessary for the process of generating electricity at any generating plant owned by a utility or a generating plant specified in subsection (e) of K.S.A. 66-104, and amendments thereto, and placed in use on or after January 1, 2002, whether such electrical energy is generated at such generating plant or provided through the adjacent transformation and transmission interconnect, but does not include electric energy used for heating, lighting, air conditioning and office needs of the buildings at a generating plant site.
- (j) *"State educational institution" means those institutions identified in K.S.A. 76-711.*
- (k) *"Wind generation facility" means an electrical generation facility comprised of at least one wind turbine and accessory facilities, including but not limited to: power lines, transformers, substations, and meteorological towers that operate by converting the kinetic energy of wind into electrical energy.*
- (l) *"Wind-generated electricity" means electricity generated by a wind generation facility.*

**History:** L. 1976, ch. 284, § 1; L. 2002, ch. 161, §1; May 23.

**66-1,171. Declaration of public policy.** It is hereby declared to be the public policy of this state to:

- (a) encourage the orderly development of retail electric service;
- (b) avoid wasteful duplication of facilities for the distribution of electricity;
- (c) avoid unnecessary encumbrance of the landscape of the state;
- (d) prevent waste of materials and natural resources;
- (e) facilitate the public *efficiency*, convenience and necessity;
- (f) minimize disputes between retail electric suppliers which may result in inconvenience, diminished efficiency and higher costs in serving the consumer; and
- (g) *encourage the energy independence and efficiency of state educational institutions, including the exploration and implementation of arrangements, the long-term purpose of which is to stabilize or reduce the institution's energy costs and to allow it to purchase for its own use electricity originating from wind generation facilities located on property owned by the institution.*

**History:** L. 1976, ch. 284, § 2; July 1.

**66-1,172. Division of state into exclusive electric service territories; certification of territories by commission; right to serve existing customers.**

- (a) Subject to the provisions of this act, the corporation commission shall cause the state to be divided into electric service territories. Within each such territory, only one retail electric supplier shall provide retail electric service, and any such territory established for a retail electric supplier pursuant to this section shall be certified to such retail electric supplier by the commission and such area shall be provided retail electric service exclusively by such supplier. Each retail electric supplier shall continue to have the right to serve all customers being served by it on the effective date of this act, except that such suppliers, by agreement approved by the commission, may otherwise provide for electric service to such customers.
- (b) *Nothing in this statute shall prevent a state educational institution from entering into an agreement with any person, firm, corporation, municipality, association, or cooperative corporation, whereby the institution purchases or obtains wind-generated electricity originating from wind generation facilities located on property owned by the educational institution; provided, however, that any such agreement must be approved by the Kansas Board of Regents only after an investigation by the Board which finds that the agreement will have the long-term effect of stabilizing or reducing the institution's annual electricity cost.*

**History:** L. 1976, ch. 284, § 3; L. 1978, ch. 270, §1; L. 1986, ch. 249, § 1; L. 1987, ch. 257, § 1; April 23.

**66-1,173. Rights and responsibilities of suppliers; exceptions.**

Every retail electric supplier shall have the exclusive right and responsibility to furnish retail electric service to all electric consuming facilities located within its certified territory, and shall not furnish, make available, render or extend its retail electric service to a consumer for use in electric consuming facilities located within the certified territory of another retail electric supplier except that:

- (a) Any retail electric supplier, with the approval of the commission, may extend distribution or transmission facilities through the certified territory of another retail electric supplier, if such extension is necessary for such supplier to connect with any of its facilities or those of others to serve consumers within its own certified territory; and
- (b) *Neither station power nor wind-generated electricity shall be deemed to be retail electric service for the purposes of this act.*

**History:** L. 1976, ch. 284, §4; L. 2002, ch. 161, § 2; May 23.

**66-1,175. Agreements between retail electric suppliers authorized; commission approval required.**

Notwithstanding the exclusive right of retail electric suppliers to provide service within the certified territories established pursuant to this act *subject to the exception created in this act for wind generation facilities located on property owned by state educational institutions*, a retail electric supplier may enter into an agreement with another retail electric supplier for the establishment of boundaries between territories other than the boundaries established pursuant to this act or providing electric service to electric consuming facilities as between such retail electric suppliers. Any agreement entered into pursuant to this section shall be subject to approval by the corporation commission. If so approved, the commission shall issue certificates accordingly.

**History:** L. 1976, ch. 284, §6; July 1.

**75-3741c****Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES****Article 37.--DEPARTMENT OF ADMINISTRATION****75-3741c. Same; exemption from local building codes, permits and fees and certain zoning fees; use of other political subdivision code review or inspection services.**

(a) No state capital improvement project for the construction, reconstruction, remodeling, improvement, repair or maintenance of any building or facility for use by one or more state agencies, shall be subject to any building permit requirement or building code of any county, township, district, city or other political subdivision of this state or fees charged therefore. No project shall be subject to any inspection requirement or any requirement to obtain any permit, license or other instrument of approval for the project which is imposed by any city, township, district, city or other political subdivision of this state, except that such project shall be subject to reasonable inspections for the sole purpose of allowing members of the police and fire departments and other public emergency services personnel to become familiar with the project. As used in this section "building code" means any building code and includes any plumbing code, electrical wiring code, gas piping code or similar code. This act shall apply to all capital improvement projects in existence prior to the effective date of this act and to those commenced on or after the effective date.

(b) Notwithstanding the provisions of subsection (a), the secretary of administration, with the concurrence of the state agency that owns the property, may request that the city, township, county or other political subdivision in which a state capital improvement project is located provide code review or inspection services required by this section or K.S.A. 75-1262, and amendments thereto. The city, township, county or other political subdivision shall be compensated for such services from funds appropriated for the project or available therefore. The amount of such compensation shall be based on the fee schedule established by the city, county, township or other political subdivisions.

(c) State capital improvement projects shall be exempt from the payment of fees relating to local zoning ordinances and resolutions, but the state shall reimburse a political subdivision for any related publication expenses incurred by the political subdivision.

(d) *No state educational institution, as defined by K.S.A. 76-711, which has entered into an agreement with any third party in order to purchase or obtain wind-generated electricity as authorized by K.S.A. 66-1,170 et. seq. and amendments thereto, shall be subject to any land use regulations, restrictions, moratoriums, or any other ordinances of like effect issued by any city, township, district or other political subdivision of this state prior to a wind generation facility being erected on the property of the state educational institution. This exemption only applies in the event that any such agreement is approved by the Kansas Board of Regents upon an investigation which finds that such facility will have the long-term*

*effect of stabilizing or reducing the institution's energy costs and allowing the institution to purchase or obtain for its own use wind-generated electricity originating from property owned by the institution. For the purposes of this section, "wind generation facility" shall have the meaning ascribed to by K.S.A. 66-1,170(k).*

**History:** L. 1983, ch. 270, § 1; L. 2003, ch. 92, § 2; Apr. 24.

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## **Extend and Expand Pilot Purchasing Project**

### **Background**

During the 2006 legislative session, S.B. 52 (K.S.A. 76-769) was enacted authorizing a pilot project for state universities' purchasing systems. The original bill, requested by the Board of Regents, was part of the Board's legislative package. The purpose of the pilot is to exempt participating state universities from certain state purchasing requirements (statewide purchasing contracts, state travel services, and the Prison Made Goods Act) to determine whether purchasing policies tailored to the university are more efficacious.

The Board designated the University of Kansas and Fort Hays State University as the state universities participating in the pilot project at its June, 2006 meeting. The pilot project commenced June 1, 2007 and will be in effect until June 30, 2010. The statute requires the Board of Regents to submit a report to the Legislature annually regarding the activities of the participating universities, including any new or amended Board policies; amounts and kinds of expenditures by the participating universities; and information regarding any savings experienced and any issues or problems encountered. Similarly, the State Director of Purchasing is required to make a report on the impact of the pilot on the Department of Administration's system of purchasing.

The Board's policy requires each participating university to develop a plan for a system of administration for the acquisition of supplies, materials, equipment, goods, property, articles, products and services. Further, each university is to develop and maintain written policies and procedures to implement the plan and report to the board annually on the following:

- (1) The amounts and kinds of expenditures made by the state universities.
- (2) What savings were achieved or costs incurred and any issues or problems that were encountered as acquisitions were made by the state universities.
- (3) An overall evaluation of the efficacy of the pilot purchasing project.

Pursuant to Board policy, the University of Kansas and Fort Hays State University presented reports to the Board at its December, 2008 meeting. KU reported that in FY 2008, a conservative estimate of the amount saved is \$780,000. Using the savings percentages achieved in FY 2008 and applying them to a full fiscal year KU indicates the minimum savings that will be achieved in FY 2009 is \$1,076,606. Administrative savings of \$13,500 have been achieved as well, as demonstrated by the decreased processing times. Fort Hays State University reported that the pilot program is beneficial, and although

the direct dollars saved were modest (\$24,000), the time savings alone are sufficient to warrant continuing and expanding the program to other universities.

The Board was encouraged by the reports and expressed interest in pursuing legislation that would extend the program to the other state universities and expand the authority to include the procurement of professional services.

Board staff and representatives from KU and FHSU are scheduled to meet on January 7, 2009, with officials from the Department of Administration, including the State Director of Purchasing to exchange information about the impact of the pilot on the pilot state universities and the Department of Administration's system of purchasing and the necessary next steps to extend the authority to the other state universities and to expand the authority to include the procurement of professional services.

### **Proposed Amendments**

Based on the results of this meeting, a determination will be made about whether legislation is needed and, if so, the form and content of an amendment. If legislation is needed, below is a preliminary KBOR staff draft that would be used to seeking comment and feedback from state university personnel and the Department of Administration.

#### **76-769. ~~Pilot project~~, Acquisition of goods and services for certain state educational institutions; duties and functions of state board of regents and director of purchases; guidelines, exemptions and limitations; reports to legislature.**

(a) ~~With regard to the acquisition of supplies, materials, equipment, goods, property, articles, products or services, a pilot project shall be conducted by the state board of regents in accordance with the provisions of this section. The state board of regents shall select not more than two of the state educational institutions, as defined by K.S.A. 76-711, and amendments thereto, to be the pilot universities in accordance with this section. The state board of regents shall select one of the following state educational institutions to be a pilot university: Emporia state university, Fort Hays state university or Pittsburg state university. The state board of regents may select one of the following state educational institutions to be a pilot university: Kansas state university, Wichita state university or the university of Kansas. If the state board of regents does not select Kansas state university, Wichita state university or the university of Kansas to be a pilot university, then the state board of regents shall select a second one of the following state educational institutions to be a pilot university: Emporia state university, Fort Hays state university or Pittsburg state university. During the period from June 1, 2007, through June 30, 2010:~~

(1) ~~The acquisition of any supplies, materials, equipment, goods, property or services for the pilot universities~~ state educational institutions, as defined by K.S.A. 76-711, and amendments thereto, shall be in accordance with policies adopted by the state board of regents and no such acquisition ~~during such period~~ shall be subject to any statewide purchasing contract or other contract that is entered into under the provisions of K.S.A. 75-3737a through 75-3744 and amendments thereto or any rules and regulations or policies adopted thereunder and that requires any state agency to make any such acquisition under any such contract, but nothing herein shall be construed as limiting the ~~pilot universities~~ state educational institutions from using contracts established by the director of purchases;

(2) the acquisition of any travel services for the ~~pilot universities~~ state educational institutions shall be in accordance with policies adopted by the state board of regents and no such acquisition ~~during such period~~ shall be subject to any statewide travel services contract or other travel services contract that is entered into under the provisions of K.S.A. 75-3737a through 75-3744 and amendments thereto or any rules and regulations or policies adopted thereunder and that requires any state agency to acquire travel services under any such contract; ~~and~~

(3) the acquisition of any articles or products produced by inmates in the custody of the secretary of corrections that may be required for the ~~pilot universities~~ state educational institutions shall be in accordance with policies adopted by the state board of regents and no such acquisition ~~during such period~~ shall be subject to the provisions of the prison-made goods act of Kansas requiring any such acquisition to be made from the secretary of corrections as provided in K.S.A. 75-5273 through 75-5282 and amendments thereto, or any rules and regulations or policies adopted thereunder; and

(4) the acquisition of any professional services for the state educational institutions shall be in accordance with policies adopted by the state board of regents and no such acquisition shall be subject to any statewide professional services contract or other professional services contract that is entered into under the provisions of K.S.A. 75-37,130 through 75-37,135 and amendments thereto or any rules and regulations or policies adopted thereunder and that requires any state agency to acquire professional services under any such contract, but nothing herein shall be construed as limiting the state educational institutions from using contracts established by the director of purchases.

(b) The state board of regents shall submit a report to the legislature at the beginning of the regular session in ~~2007, 2008, 2009 and~~ 2010 and thereafter regarding the activities of the ~~pilot universities~~ state educational institutions under the provisions of subsection (a). Each such report shall include any new or amended policies adopted by the state board of regents for implementation of such activities, the amounts and kinds of expenditures by the ~~pilot universities~~ state educational institutions for activities under each paragraph of subsection (a), and shall include information regarding any savings experienced and any issues or problems encountered for all such acquisitions for the ~~pilot universities~~ state educational institutions under the provisions of subsection (a).

(c) The director of purchases shall submit a report to the legislature at the beginning of the regular session in ~~2007, 2008, 2009 and~~ 2010 and thereafter regarding the impact of the ~~pilot project conducted pursuant to implementation of~~ subsection (a) on the purchasing system of the department of administration and on the purchases and purchasing activities of state agencies other than ~~pilot universities~~ state educational institutions, including information regarding amounts and kinds of expenditures by such other state agencies and regarding other issues or problems encountered as a result of the ~~pilot project~~ implementation of subsection (a).

**History:** L. 2006, ch. 190, § 1; July 1.

**Reggie Robinson**  
**President and CEO**

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

**Julene Miller**  
**General Counsel**

**4. RECEIVE REPORT FROM SECURITY CONSULTANT REGARDING  
CAMPUS SAFETY AT STATE UNIVERSITIES**

**Background**

At its January 2008 meeting, the Board directed staff to hire a consultant with campus security expertise to review the Board’s Checklist for Crisis Management and each state university’s campus security plans, procedures and protocols. The Board desired a professional assessment of the adequacy of the Checklist and plans juxtaposed against any nationally recognized “best practices” in the area of higher education campus safety and security with a particular emphasis on violence. A competitive bid process for this service was completed and a contract awarded in October of 2008 to Margolis, Healy & Associates, LLC, a professional services firm specializing in higher education safety and security.

Margolis, Healy & Associates will be represented at the January Board meeting by Dr. Gary J. Margolis and Mr. Steven J. Healy who, together with the rest of their project team, have been actively involved in gathering relevant documentation from the Board Office and the Universities, synthesizing it, applying their own checklist methodology to the existing plans, and formulating recommendations for improvements to those plans.

Dr. Margolis, a managing partner of the firm, has more than a decade of higher education public safety experience as the Chief of Police at the University of Vermont. He presently serves as a Commissioner for the Commission on Accreditation for Law Enforcement Agencies (CALEA) and is an active member of the International Association of Campus Law Enforcement Administrators (IACLEA). He is often called upon by the U.S. Department of Justice and U.S. Department of Homeland Security as a campus security expert and is a much sought after speaker, consultant, educator, expert witness and trainer on campus safety and security, emergency response and recovery planning and preventing violence against women crimes on campuses.

Mr. Steven Healy, also a managing partner, has been the Director of Public Safety at Princeton University since 2003, where he leads the University’s safety, security and law enforcement programs. He is the immediate past president of IACLEA and is noted as a Clery Act expert. As President of IACLEA, Mr. Healy contributed significantly to the national dialogue about campus safety and security in the aftermath of the tragic shooting at Virginia Tech University in April of 2007. In May of 2007, he was invited to testify before the House of Representatives Committee on Education and Labor on the topic of “Best Practices for Keeping America’s Campuses Safe.” Currently, Mr. Healy is leading an IACLEA special panel reviewing post-Virginia Tech challenges and concerns for the higher education community and, at the request of the U.S. Department of Education, he was asked to serve on a special

working group developing emergency management planning guidelines for the higher education community.

Mr. Healy and Dr. Margolis are the lead authors of IACLEA’s Blueprint for Safer Campuses: An Overview of the Virginia Tech Tragedy and Implications for Campus Safety, a roadmap for campus safety and security that outlines the guiding principles for campus safety and security worldwide.

**MARGOLIS, HEALY & ASSOCIATES, LLC**  
**KANSAS BOARD OF REGENTS**  
**CRISIS MANAGEMENT SAFETY & SECURITY PLAN REVIEW**  
**EXECUTIVE SUMMARY<sup>1</sup>**

## **INTRODUCTION**

The Kansas Board of Regents is responsible for assuring the quality of public post-secondary education in the State of Kansas and serves as the governing board for six state universities and the coordinating board for 19 community colleges, six technical colleges and one municipal university.

Immediately following the rampage shooting incident at Virginia Tech on April 16, 2007, the Kansas Board of Regents directed the six state university CEOs, and encouraged the other public institutions of higher education in the State, to begin reviewing their campus safety and security plans in light of that tragic event. All of the state universities have acted to install and implement new communications equipment and software allowing them to “mass-mail” emergency notices to campus community members via text messages, pop-up e-mails, voice-mails, public announcements or other means. All universities have re-considered their employee background check policies, weapons policies, and are implementing the new concealed carry posting requirements under the Kansas Personal and Family Protection Act.

In 2008, the Kansas Board of Regents approved a Checklist for Crisis Management. The checklist is intended to provide guidance to the state universities in crisis preparation and management planning, and addresses a wide range of emergency management topics, including appointment of a crisis management team, prevention and intervention, assessment, crisis response and post-event actions. The Board of Regents believes that a review of the Checklist for Crisis Management, and what the state universities have done in response thereto, is now appropriate.

Each of the six state university campuses is unique in terms of its enrollment, physical size, geographic location within the state, age and condition of facilities, etc. For these reasons “one size does not fit all” when it comes to campus security planning; the use of cookie cutter security plan templates has been avoided.

The scope of work for this project is a review of the KBOR Crisis Management Checklist and those policies addressing violent criminal episodes at each of the six state universities and the Medical Center.

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<sup>1</sup> This Executive Summary is intended to provide information regarding the scope of the project. MH&A’s full report contains findings and recommendations but is closed pursuant to K.S.A. 45-221(a)(45), as disclosure would pose a substantial likelihood of revealing security measures that protect persons.

Margolis, Healy & Associates (MH&A) examined the existing policies, tools, and their implementation measured against nationwide best and promising practices to prevent and respond to violent criminal episodes on campus. The review focused on processes rather than environmental design, condition of the physical plant/facilities, and physical security measures implemented at the institutions. MH&A assessed the following universities:

1. Emporia State University
2. Fort Hays State University
3. Kansas State University
4. Pittsburg State University
5. University of Kansas (including the Medical Center)
6. Wichita State University

MH&A examined whether each plan employs best practices in the area of preventing and responding to violent criminal episodes, and emergency response and recovery planning. Where appropriate, we recommended modifications to mitigate risk of crises occurring and enhance response to critical incidents. We gave consideration to security protocols specific to preventing and mitigating violence, as well as issues and policies specific to university campuses, such as the Clery Act and Family Educational Rights and Privacy Act (FERPA) compliance. Our reports are reviewed by a higher education attorney to ensure compliance with applicable procedural and substantive law. In accordance with the Board of Regents's wishes, our synthesis is an iterative process considering factors such as degree of risk, practicality, cost, disruption of campus life and the educational mission and goals of the Board and each of the six state universities and medical center.

Our methodology included a review of existing standard operating procedures, protocols and policies regarding campus safety and security with a specific focus on violent criminal episodes. The assessment included reviews of campus threat assessment systems and policies; workplace violence prevention policies; emergency response and recovery plans, policies, procedures, and protocols; policies and plans that direct campus police or security in their response to violent criminal episodes.

Although we began our assessment focused on a review of the KBOR Crisis Checklist, it soon became apparent that such a review would be redundant given our examination of the areas under consideration using our own checklists, which are more complex and thorough. Using MH&A's assessment questions, the Board can advance and evolve its Crisis Checklist, if so desired.

## **SUMMARY**

### **Emergency Response & Recovery Plans**

Margolis, Healy & Associates has developed through experience, research and evaluation a review process for higher education emergency response and recovery plans (also referred to as Emergency Operations Plans). We evaluate institutional plans and their approach to emergency management in light of their (1) Administrative Framework; (2) Response Framework; (3) Related Incident Action Plans and Memorandum of Understanding; and (4) adherence to applicable state and federal laws. We seek to ensure that plans have the right teams in the right places to address the various levels of an emergency (defined appropriately), and that they provide direction to communicate effectively with those who need to know and who are involved. We encourage and promote an "all hazards" approach to

emergency management at institutions of higher education and provide our reviews in the context of the Federal

Emergency Management Agency's 4 Phases of Emergency Management (prevention-mitigation; preparedness; response; and recovery).

Our services were carried out with deference and respect to the considerable amount of effort staff at the institutions dedicated to emergency response and recovery prevention, preparedness, response and recovery. It is evident that each institution, without exception, is committed to improving their emergency preparedness and safety and security vulnerability assessment processes. We believe that the implementation of the recommendations described herein will significantly improve the stable platform of response capacity each institution has developed. We appreciate the inherent challenges of emergency response and recovery planning given limited resources and the constant tug from daily operational imperatives.

### **Violence Prevention Policies and Procedures**

The assessment of the violence prevention policies and procedures considered the capacity that each institution has developed to respond to the risk of targeted violence, primarily perpetrated by community members. In doing so, we considered current best practices in campus threat assessment and workplace violence prevention.

It is important to note that while the field of threat assessment and management is not new, institutions of higher education have been slow to embrace identified best practices that have been successfully implemented in other areas. As early as 2000, when the Federal Bureau of Investigation (FBI) published its study entitled "The School Shooter: A Threat Assessment Perspective<sup>2</sup>," there have been constant calls for educational institutions to consider implementing threat assessment as one tool for reducing the likelihood of targeted violence. In May 2002, following a series of rampage shootings in the United States that included the Columbine High School attack, the U.S Department of Education and the U.S Secret Service published their landmark study: *The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States*<sup>3</sup>. This report, and its companion document *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School*<sup>4</sup>. Together, these three (3) documents establish both the theoretical and pragmatic foundation for threat assessment and management in educational settings. The studies not only shattered misperceptions about those who carry out rampage attacks, they also recommended a process for identifying, assessing, and managing students who may pose a threat of targeted violence.

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<sup>2</sup> The School Shooter: A Threat Assessment Perspective, Mary Ellen O'Toole, PhD, Supervisory Special Agent Federal Bureau of Investigation, 2000

<sup>3</sup> The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States, United States Secret Service and the United States Department of Education, May 2002, Bryan Vossekuil, Robert A. Fein, Ph.D., Marisa Reddy, Ph.D., Randy Borum, Psy.D, William Modzeleski

<sup>4</sup> Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, United States Secret Service and the United States Department of Education, May 2002, Bryan Vossekuil, Robert A. Fein, Ph.D., Marisa Reddy, Ph.D., Randy Borum, Psy.D, William Modzeleski

Many institutions of higher education have significant experience with the basic concepts of early intervention and management of threats, as most have established policies to address incidents of workplace violence. We have not universally, however, used these same concepts for evaluating threats from our students.

Following the tragic events at Virginia Tech and subsequent reports about the tragedy that highlight what was known or should have been known about the assailant Cho Seung-Hui, the call for institutions to implement threat assessment and management processes has become louder. In his testimony before the U.S. Senate Committee on Homeland Security and Governmental Affairs one week after the tragedy at Virginia Tech, MH&A Managing Partner Steven J. Healy (testifying in his role as IACLEA President) outlined a 4-Point Risk Management Strategy to enhance campus safety and security. Point 2 of the strategy called for associations to “engage with...federal partners and individual campuses to create a model for multi-disciplinary assessment teams, a structure and a methodology for getting help for those who need help and removing those who pose risk. This process is widely used in K-12 schools and on many campuses.”<sup>5</sup>

Best practice in campus threat assessment and workplace violence indicate that campuses can decrease their risk of violence through a comprehensive approach involving the policies, procedures, and training efforts in three core areas:

- I. Campus/Workplace Violence Policies;
- II. Multi-Disciplinary Threat Assessment and Management Teams; and,
- III. Training and Awareness Processes for Employees and Students.

As outlined above, while these best practices have been widely researched and successfully implemented at K-12 schools and some institutions of higher education, the college and university community has been slow to implement the protocols. These best practices can be summarized as followed:

- Institutions must develop the capacity to identify and evaluate available or knowable information that might indicate that an individual poses a risk of violence or disruption;
- Institutions should inform campus community members of its policies for threat assessment and management, including ensuring members know what they are expected to do if they are concerned about an individual;
- Institutions should establish a Multidisciplinary Campus Threat Assessment Team and designate a threat assessment coordinator. The team constitutes an experienced, knowledgeable group that reviews threats, consults with outside experts, and provides recommendations and advice to the coordinator. The coordinator's specific responsibilities

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<sup>5</sup> Testimony of Steven J. Healy, President, International Association of Campus Law Enforcement Administrators (IACLEA), U.S. Senate Committee on Homeland Security and Governmental Affairs, April 23, 2007

include arranging an initial assessment when a threat is received; conducting or overseeing an evaluation after the person of concern is identified; managing the group assessment process; developing and refining the threat management system; monitoring intervention; establishing liaison with outside parties as needed; and maintaining consistency and continuity in the campuses threat response procedures.

Not until the recently published Handbook for Campus Threat Assessment (MH&A collaborators Drs. Randazzo and Deisinger are lead authors) has there been a sole source resource for guiding an institution's threat assessment and management planning. This handbook serves as the foundation for the review of the institutional policies.

In reviewing the policies in place, we focused on the three core areas above. For these three areas, we assessed whether the institution's existing policies, as provided to Margolis, Healy & Associates (MH&A), meet the current best practice standard. For areas where we could not find policies, or portions thereof, that met the standard, we note components that should be added. As stated in the Introduction, this was not intended to be a compliance assessment; rather, the recommendations are set forth as a blueprint for policies in those areas.

#### **ABOUT THE FIRM**

Margolis, Healy & Associates, LLC, is a professional services firm specializing in higher education safety and security. Our focus includes, but is not limited to, campus facility security assessments; crisis response training and policy development; strategic security plan development; behavioral threat assessment team development and case-by-case threat assessment consultation; campus public safety management studies and assessment centers; litigation consultation; security technology audits; Clery Act documentation audits; and campus public safety arming studies & deployment strategy development. In January 2008, after more than 15 years each of providing consulting services to clients in the education, public and private sectors, Dr. Gary J. Margolis and Mr. Steven J. Healy merged their practices, Margolis & Associates, LLC and Strategic Security Consulting, LLC, into Margolis, Healy & Associates, LLC. Their combined experience has quickly catapulted MH&A into one of the leading professional services firms for safety and security needs at universities, colleges and K-12 school systems.

Our team of professionals brings a diverse set of skills and expertise to client institutions ranging from large public universities to private institutions, community colleges and K-12 school districts. Dr. Margolis, Mr. Healy and their team have personally managed or been intimately involved with scores of critical incidents on college campuses ranging from violent crime to natural disasters (including the 9/11 tragedy and its impact on the schools in NYC). We have first-hand experience in crisis response and recovery planning and operations at institutions of higher education.

MH&A has developed a unique, proprietary methodology for evaluating safety and security needs at institutions of higher education and K-12 school systems based years of educational campus safety and security experience, reflection and evaluation. Our combined experience base of more than 200 years managing crisis and developing crisis management plans and training at institutions of higher education makes us uniquely qualified to assist the Board of Regents.

Mr. Healy and Dr. Margolis are the lead authors of the International Association of Campus Law Enforcement Administrator's Blueprint for Safer Campuses: An Overview of the Virginia Tech Tragedy and Implications for Campus Safety. This document, unveiled at a press conference sponsored by the Woodrow Wilson School at Princeton University on April 18, 2008, is a roadmap for campus safety and security. The Blueprint for Safer Campuses outlines the guiding principles for campus safety and security worldwide.

Shortly after the Virginia Tech incident, the President of The National Association of Attorneys General (NAAG), Georgia Attorney General Thurbert Baker, determined to establish an ad hoc Task Force on School and Campus Safety (Task Force) to consider what had transpired since the issuance of the previous NAAG report in 1999, including the incident at Virginia Tech, and issue a report making updated recommendations regarding the prevention of, and response to, violence in schools and on college campuses. Mr. Healy participated in the development of this report, The National Association of Attorneys General Task Force on School and Campus Safety.

Margolis, Healy & Associates was recently awarded a US Department of Justice, Community Oriented Policing Services (COPS) Office competitive grant to develop and deliver the national behavioral threat assessment curriculum for universities and colleges. MH&A will deliver this curriculum at seminars throughout the United States starting in the Fall 2009. We have been featured speakers for the National Association of College & University Attorneys; The American Council on Education; The National Association of College & University Business Officers; The American College Personnel Association; The International Association of Campus Law Enforcement Administrators; The International Association of Chiefs of Police; University Risk Management & Insurance Association; and numerous other higher education professional association

Margolis, Healy & Associates, LLC is a minority and veteran-owned small business.

### **MH&A Team Assigned to this Engagement**

#### ***Dr. Gary J. Margolis, Managing Partner (Secret Clearance)***

Dr. Gary J. Margolis has more than a decade of higher education public safety experience as the Chief of Police at the University of Vermont, and more than eighteen years in policing. Under his leadership, UVM Police Services is a twice internationally accredited police agency through the Commission on Accreditation for Law Enforcement Agencies (CALEA) for whom Dr. Margolis is a Commissioner. He has faculty appointments at the University of Vermont where he teaches masters and doctoral students in the College of Education & Social Services; and Norwich University in Northfield, VT where he teaches organizational development and police administration in the Masters of Justice Administration Program. He is a Past General Chair of the University & College Section of the International Association of Chiefs of Police, the oldest and largest police association in the world, and a former member of the association's executive committee. Dr. Margolis is an active member of the International Association of Campus Law Enforcement Administrators as a member of the Government Relations Committee and Chair of the Education Committee. He is often called upon by the US Department of Justice and US Department of Homeland Security as a campus security expert. He is a much sought after speaker, consultant, educator, expert witness, and trainer on campus safety and security; security technology application; emergency response & recovery planning; and preventing violence against women crimes on campuses. Prior to his role as the Chief of Police at UVM, Dr. Margolis was a training administrator

at the Vermont Police Academy, responsible for the basic and in-service training of Vermont's police officers. He has a Masters Degree in Education and a Doctor of Education in Educational Leadership and Policy Studies from the University of Vermont. Dr. Margolis is a graduate of the Harvard University Kennedy School of Government Executive Education Program on Crisis Management and, in early 2008, traveled to Israel as an invited guest of the Israeli Government to study terrorism and share his expertise with the Israeli National Police and Israeli Defense Forces. In 2008, Dr. Margolis was a featured speaker and panelist on emergency response and recovery at the annual meetings of the National Association of College and University Attorneys (NACUA); the National Association of College and University Business Officers (NACUBO); and the National Association of Campus Auxiliary Services (NACAS).

***Steven J. Healy, Managing Partner***

Steven Healy has been the Director of Public Safety at Princeton University since 2003, where he leads the University's safety, security, and law enforcement programs. He is also a Past President of the International Association of Campus Law Enforcement Administrators (IACLEA). Mr. Healy has served as a member of the IACLEA Government Relations Committee for 12 years, and is noted as a Clery Act expert. As President of IACLEA, Steven contributed significantly to the national dialogue about campus safety and security in the aftermath of the tragic rampage-shooting incident at Virginia Tech University in April 2007. He has appeared on numerous news programs and talk shows including CNN with Lou Dobbs, ABC Nightly News, CBS, the Fox Network, MSNBC, and National Public Radio. He testified before the Senate Committee on Homeland Security and Governmental Affairs on the topic of "Security on America's Campuses." In May 2007, he was invited to testify before the House of Representatives Committee on Education and Labor on the topic of "Best Practices for Keeping America's Campuses Safe." Steven was recently named one of the "Top 25 Most Influential People in the Security Industry" by Security Magazine. In December 2007, he completed his term as the chairperson of the National Center for Campus Public Safety Advisory Board. In that role, Mr. Healy was responsible for leading the development of a strategic plan and framework for the National Center for Campus Public Safety. In February 2008, Mr. Healy was a featured presenter in a Plenary Session at the ACE Annual Meeting, addressing issues of "Campus Security, Response and Recovery in a New Era." Prior to Princeton, Mr. Healy was the Chief of Police at Wellesley College in Wellesley, MA. He also served as Director of Operations at the Department of Public Safety at Syracuse University. During his tenure at Wellesley College, Mr. Healy was the IACLEA Regional Director for the North Atlantic Region and President of the Massachusetts Association of Campus Law Enforcement Administrators. Mr. Healy is a 1984 graduate of the United States Air Force Academy. He spent 10 years on active duty with the United States Air Force as Security Police Officer. From 1992 to 1995, Mr. Healy was the Operations Officer for the 95th Security Police Squadron at Edwards Air Force Base. Mr. Healy is a frequent speaker at national conferences and seminars on issues related to campus safety and security. He serves as a subject-matter expert for the U. S Departments of Education and Justice. At the request of the U.S Department of Education, he was asked to serve on a special working group developing emergency management planning guidelines for the higher education community. He is IACLEA's representative to the NACUBO "National Campus Safety and Security Project" and to EDUCAUSE's "The IT Role in Campus Safety" project. In 2008, Mr. Healy was a featured speaker and panelist with Dr. Margolis on emergency response and recovery at the annual meeting of the National Association of College and University Business Officers (NACUBO). Mr. Healy was also recently selected to serve on a Department of Education/U.S Secret Service/Federal Bureau of Investigations (FBI) special project reviewing "Targeted Violence" at institutions of higher education.

Margolis, Healy & Associates, LLC has created a “dream team” to provide the highest level of service to our clients. They assist in the execution of projects and delivery of services in accordance with their professional standing and our prerequisite skills. MH&A works with only the best and brightest colleagues to ensure that we exceed our client’s expectations, and we select our associates carefully based on their experiences, qualifications, and reputations.

***Dr. Marisa R. Randazzo (Threat Assessment Resources International)***

Dr. Marisa R. Randazzo is a national expert on threat assessment and targeted violence. Before joining the private sector, Dr. Randazzo served for ten years with the U.S. Secret Service as the agency's Chief Research Psychologist. She directed all Secret Service research on school shootings, insider threats, stalking, and other types of targeted violence, including the landmark federal study of school shootings that was conducted jointly by the U.S. Secret Service and U.S. Department of Education. Dr. Randazzo is an accomplished presenter and instructor on threat assessment investigations, having trained over 10,000 law enforcement, intelligence, and security professionals throughout the United States, Canada, and the European Union. Her research is used in the federal, state, and local law enforcement communities and has been credited in the media with preventing planned attacks. Dr. Randazzo served as a Senior Expert with Business Intelligence Advisors, Inc., where she provided high-net worth families, corporations, and schools with investigative consultation on individual threat cases and training on threat assessment, bomb threat assessment, and the detection of deception. She also provided training on abduction prevention and escape tactics for children of high-net worth families, their caregivers, and protective details. Dr. Randazzo has testified before Congress and has been interviewed by major television, radio, and print news outlets, including 60 Minutes, the Today Show, 48 Hours, Dateline NBC, MSNBC, the New York Times, and National Public Radio. She has published numerous articles on threat assessment and violence prevention and currently serves on the editorial board of the Journal of Threat Assessment. She has also published under her maiden name, Marisa Reddy. Dr. Randazzo received a Ph.D. and Master's degree from Princeton University in Social Psychology, and a B.A. in Psychology and Religion from Williams College. In 2005, Dr. Randazzo was named by Williams College as a Bicentennial Medalist for her work in preventing violence.

***Dr. Gene Deisinger (Deisinger Consulting)***

Gene Deisinger, Ph.D., earned his doctorate in counseling psychology from Iowa State University. He is a licensed psychologist, a certified health service provider in psychology, and a certified peace officer. Dr. Deisinger is a national expert on threat assessment at institutions of higher education. He serves as the Commander of the Special Operations Unit with the Iowa State University Police Division. The ISU Police Division is accredited, and designated as a flagship agency, by the Commission on Accreditation for Law Enforcement Agencies (CALEA). In his role, Dr. Deisinger is responsible for assessing and managing threats against persons, managing and conducting criminal investigations, managing dignitary protection services, and providing crisis intervention & negotiation services for several Story County law enforcement agencies. Dr. Deisinger has extensive training and experience in the assessment and management of situations involving potential violence. He has completed advanced training with some of the world’s leading experts in threat management and protective services. Dr. Deisinger serves as the Commander of the multi-agency Story County Hostage/ Crisis Negotiation team. He has taught numerous courses on hostage/crisis negotiation and assisted in the instruction of hostage negotiation courses taught through the Federal Bureau of Investigation. In addition to his duties at Iowa State

University, Dr. Deisinger provides operational support and training for several local, state, and federal law enforcement agencies. He serves as a Special Deputy United States Marshal with the FBI Joint Terrorism Task Force.

### **In Collaboration With**

#### ***Jeffrey J. Nolan, Esq. (Dinse, Knapp & McAndrew, PC) (In Collaboration)***

Margolis, Healy & Associates, LLC collaborates for the benefit of our clients with Jeffrey J. Nolan, a partner with the law firm Dinse, Knapp & McAndrew, P.C.. Mr. Nolan brings a wealth of legal knowledge and experience to our projects as a higher education attorney. His practice focuses on representing employers and institutions of higher education in employment and student-related matters in civil litigation and administrative proceedings; advising employers and institutions of higher education on the resolution and legal implications of employment and student-related issues on a day-to-day basis; and assisting employers and institutions of higher education in the development and implementation of appropriate policies, handbooks and training programs. Through his collaboration with MH&A, Mr. Nolan specializes in emergency response and recovery policy development and reviews MH&A draft and final reports before submission to clients. More information about Mr. Nolan and his higher education-related practice is available at [www.Margolis-Healy.com](http://www.Margolis-Healy.com) and [www.dinse.com](http://www.dinse.com).

### **V. EXECUTIVE SESSION – Board of Regents – Matters Relating to Security Measures Pursuant to K.S.A. 75-4319(b)(13) - Safety and Security Measures on the State University Campuses**

**THURSDAY, JANUARY 15, 2009**

**VI. REPORTS**

- A. Introductions
- B. Report from Council of Presidents **President Don Beggs**
- C. Report from Council of Faculty Senate Presidents **Dr. Amy Sage Webb for**
- Dr. Larry Spurgeon**
- D. Report from Students' Advisory Committee **Lydia Peele**
- E. Report from Classified Support Staff Council **Tracey Mussa, PSU Representative**

**VII. APPROVAL OF CONSENT AGENDA**

- A. *Fiscal Affairs and Audit* **Diane Duffy**  
**Regent Jill Docking** **Vice President for Finance and Administration**
- Eric King**  
**Director of Facilities**

1. **AMEND FY 2010 CAPITAL IMPROVEMENT REQUESTS – KSU**  
 Kansas State University requests authorization to amend its FY 2010 capital improvements plan to include a \$1.5 million sheep and meat goat facility. The project includes a core facility of approximately 11,160 square feet plus 14 animal sheds and pens. A new facility is needed on the main campus to meet the need for modern, functional facilities and because the existing sheep unit was located on land recently sold to the KSU Foundation. The new facility will meet the needs of academic programs, extension programs and research programs for the Department of Animal Sciences and Industry. The project will be financed by restricted fees from the sale of property to the KSU Foundation and from private funds on deposit at the KSU Foundation. Consistent with Board policy, operating and maintenance costs associated with the addition will be funded from existing College of Agriculture resources.
  
2. **APPROVE PURCHASE OF REAL PROPERTY/310 EAST QUINCY STREET – 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 bond proceeds which will be issued in FY 2009. Parking Improvement bonds were approved at the March 2008 Board of Regents meeting. Purchase price is to be negotiated at no more than \$68,500 as supported by two separate appraisals. Final acquisition is contingent upon Board staff approval and is expected to occur during February, 2009.

Jeffery D. and Katherine Clair Sweetser – 310 East Quincy Street, Pittsburg, KS.

Legal Description: Lot three (3) in Mellette’s Addition to the City of Pittsburg, Crawford County, Kansas, according to the recorded plat thereof.

**3. APPROVE PURCHASE OF REAL PROPERTY/306 EAST QUINCY STREET – 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 bond proceeds which will be issued in FY 2009. Parking Improvement bonds were approved at the March 2008 Board of Regents meeting. Purchase price is to be negotiated at no more than \$105,000 as supported by two separate appraisals. Final acquisition is contingent upon Board staff approval and is expected to occur no later than May 15, 2009.

Jay D. and Elizabeth D. Armstrong – 306 East Quincy Street, Pittsburg, KS.

Legal Description: Lot four (4) and five (5) in Mellette’s Addition to the City of Pittsburg, Crawford County, Kansas, according to the recorded plat thereof.

#### 4. APPROVE MEMORANDUM OF AGREEMENT BETWEEN KU AND PUBLIC SERVICE EMPLOYEES' LOCAL #1290PE – KU

##### Summary and Staff Recommendation

*The University of Kansas proposes that the Kansas Board of Regents approve the Memorandum of Agreement (MOA) negotiated between the University of Kansas, Kansas Department of Administration, Kansas Board of Regents and the Laborers' International Union of North America Public Service Employees' Local Union #1290PE. The Board approved a prior version of this MOA in June 2007, but the Union reopened the MOA for negotiations this past May. Staff recommends approval of the agreement and authorizing the Chair to sign on behalf of the Board.*

##### Background

This Memorandum of Agreement (MOA) involves approximately 400 skilled craft, service and maintenance workers at the University of Kansas who are represented by the Laborers' International Union of North America Public Service Employees Local #1290PE (hereafter Union or Local #1290PE)<sup>6</sup>. The existing MOA between the parties was approved by the Board in June 2007. In April 2008, the Union provided notice of its desire to open the existing MOA for negotiation. The University and Union representatives participated in meet and confer sessions from May 28, 2008 through December 3, 2008 at which time the University provided the Union with a package proposal to resolve all issues that remained unresolved to date in the negotiations. On December 15, 2008, the Union representative notified the University that its membership had voted to accept the University's package offer, thus bringing to a close the parties' negotiations.<sup>7</sup>

Before the negotiated and agreed upon modifications to the parties' Memorandum of Agreement can be implemented, the MOA requires the approval by the Secretary of Administration, which has been obtained, and approval of the Board.

The following discussion outlines the changes to the existing MOA negotiated between the parties in the course of their meet and confer sessions, and which have been ratified by the Union membership. The amendments include the following:

1. Article I – Recognition: Local Union #1290PE (Public Service Employees) replaced Local Union #1132 as the certified bargaining unit representative for the designated skilled trade and maintenance service workers at the University.
2. Article IV – Wages:

<sup>6</sup> The 2007 MOA was with Local #1132. However, due to internal Union reorganization, the certified bargaining group recognized by the Public Employee Employer Relations Board (PERB) is now known as Local #1290PE. It is the same Union group which has always represented the skilled trade and maintenance service workers at the University; it has just been renamed.

<sup>7</sup> In July 2005 the KBOR approved the University's (Lawrence campus) classified staff's withdrawal from the state classified service and their conversion to unclassified employees known as "university support staff." See K.S.A. 2007 Supp. 76-715a.

- a) Wages may be opened for meet and confer negotiations on an annual basis if timely notice is given by the party requesting opening of the wages article.
  - b) For fiscal year 2009, union members in job titles identified in the 2008 State of Kansas market survey as being 10% or more below market will receive a one-time salary market adjustment to bring them up to the minimum hourly rate designated by the State of Kansas, to be effective 12/28/08.
  - c) In order to bring salary negotiations into line with the University's and Regents budget cycle, notice to reopen the wages provision for meet and confer sessions must be given by January 1 of the year preceding the fiscal year in which the increase is proposed to be effective, and any proposed amendment must be ratified by May 15 of that year.
3. Article VI - Section on Call-In, Call-back, Stand-by:
- a) The minimum hourly rate of pay for stand-by was increased from \$1 per hour to \$2 per hour.
  - b) Call-in/Call-back minimum pay was increased from two hours to three hours.
  - c) If an employee remains responsible for emergency response during the performance of call-in/call-back duties, the employee will continue to receive stand-by pay in addition to pay for the performance of work as the result of being called-in/called-back.
4. Article XI – Benefits – The MOA states that the benefits programs available are those offered by the State, it lists the website for the KHPA, and recognizes that benefits may change.
5. Article XIV – Length of Service (Seniority): The manner in which the University will calculate scores for purposes of determining order of displacement in the event of layoffs has been detailed within the MOA.
6. Article XV – Probation:
- a) The initial probationary period for an employee may be extended for a maximum of three months with written notice to the employee provided prior to the end of the original six month probationary period.
  - b) Employees who are unsuccessful in completing their promotional probationary period may seek assistance from Human Resources and Equal Opportunity in identifying and applying for other positions.
7. Article XX – Grievance Procedure:
- a) The grievance procedure includes a labor-management committee consisting of five members serving in two-year rotating terms. Two members will be chosen by the Union, two by the University, and one by lottery.
  - b) The labor-management committee will make a recommendation to the Director of Human Resources who is free to accept or reject the recommendation.
8. Article XXI – Employee Evaluation and Appeal:
- a) Only an unsatisfactory employee evaluation may be appealed.
  - b) If an employee evaluation appeal is delivered to the appointing authority (or designee) a written confirmation of receipt will be provided to the employee.

9. Article XII – Orientation: This provision was added to recognize the University’s established procedure for new employee orientation. It also provides that the University will make available to employees attending orientation any written materials from the Union that the University and Union have mutually agreed on.
10. Article XIII – Parking: A provision discussing parking was added and reflects that the University’s parking is self-funded through fees which are generated by the user’s purchase of parking passes and directs the union membership to the website for parking and transit.
11. Article XXIV – Discipline: For Disciplinary Action Hearing Board Appeals involving union employees, the Provost will appoint one union member to the Disciplinary Action Hearing Board that hears the appeal.
12. Article XXVI – Policy and Procedures: The University agrees to provide notice and copies of any major changes to policies to the Union before they occur and to meet and confer on any changes in terms and conditions of employment prior to their implementation.
13. Article XXVIII – Duration and Termination: The MOA will be effective for a period of 3 years through July 1, 2012.

**Proposed Action:**

The University of Kansas recommends that the Board approve the new MOA containing, as outlined above, the terms that have been negotiated and agreed on in the course of the meet and confer sessions conducted between the University and the Union. Staff concurs and recommends the Board approve the new Memorandum of Agreement and authorize the Chair to execute the Agreement on behalf of the Board.

**VIII. CONSIDERATION OF DISCUSSION AGENDA**

A. *Academic Affairs*  
**Regent Gary Sherrer**

**Dr. Gary Alexander**  
**Vice President for Academic Affairs**

**1. APPROVE A MASTER OF ARTS IN AFRICAN AND AFRICAN-AMERICAN STUDIES (05.0101) – KU**

**Summary and Recommendation**

*Universities may apply for approval of new academic programs following the guidelines of Appendix G in the Kansas Board of Regents Policies and Procedures Manual. The University of Kansas has submitted an application for approval of a Master of Art in African and African-American Studies (05.0101). The proposing academic unit has responded to all of the requirements of the program approval process. No other institution has programs utilizing this Classification of Instructional Program (CIP) code. The program will be funded through internal reallocation. Board staff concurs with the Council of Presidents and the Council of Chief Academic Officers in recommending approval.* *12/19/08*

**Background**

<u>Criteria</u>	<u>Program Summary</u>
1. Program Identification	M.A. in African and African-American Studies (CIP 05.0101)
2. Academic Unit	African and African-American Studies
3. Program Description	<p>The mission of the Department of African and African-American Studies is precisely to educate students to function in a multicultural environment and a world that is an increasingly complex and diverse global community. In pursuing this goal, the department contributes in vital ways to the institution’s general education requirements, providing undergraduates throughout the College as well as in other schools with courses through which they can deepen their knowledge and enrich their understanding of the history, culture and experience of African people in Africa as well as the peoples of African descent in the Americas. Its undergraduate major recognizes the centrality of Africans to the initial establishment of these United States and the continuing significance of their descendants to the nation’s social, cultural, political, economic and spiritual growth and vigor. The department teaches these realities as integral to the American experience. The major also seeks to impart a sound knowledge of Africa and its diaspora in the Americas as a necessary specialized preparation for effective leadership and service domestically and internationally. The Department of African and African-American Studies takes pride in this program that is designed and is appropriate for all students at KU without reference to race, ethnicity, gender or national origin.</p> <p>The proposed Master of Arts program will take this preparation to a level that is at once deeper and more comprehensive, more complex and sophisticated, equipping qualified students to be effective in</p>

	<p>circumstances that may be culturally challenging domestically or abroad.</p> <p>Concentrated training and education will expose students to African and African-American cultures and experiences from several perspectives. The program will thus provide a broad basis for understanding the variety of issues and concerns relating to the African continent and the diaspora, essential knowledge for all Americans who may aspire to work in any field with an international reach. It will be similarly instructive in respect of African Americans in the United States. This expanded and specialized basis for interpreting and understanding the historical, cultural and contemporary realities of African people in Africa and their descendants in the Americas, including their relatedness, gives this program a unique position in preparing KU students to function with dignity and effectiveness at the highest levels in our multicultural environment and the larger global community. It will also prepare students for more advanced studies, should they wish to pursue them.</p>
<p>4. Demand/Need for the Program</p>	<p>Along with the enhanced profile of African and African-American studies at KU over the past several years there has also been a gradual increase of interest in this field of study. This has been notably evident in the social sciences, particularly anthropology, linguistics, history and political science; and in the professional schools, particularly Education, Journalism, and Architecture &amp; Urban Design. There are many indicators of this, but among the most readily available and reliable is the production of M.A. theses and Ph.D. dissertations on African and African-American topics. In the absence of a graduate program dedicated to these studies, students have had to be satisfied with the next best arrangement, namely, a degree in Special Studies, or a degree in another department with as much concentration as may be permitted and available on African and/or African-American subject matter. Between 1980 and 1995, 123 such M.A. theses and Ph.D. dissertations were successfully defended in twenty-three departments and two interdisciplinary programs.</p> <p>A formal survey was conducted specifically to investigate student need for a graduate level program in African and African-American studies. Questionnaires were distributed very widely across campus among students who were either enrolled in African and African-American Studies courses or taking such courses cross-listed in other departments. Two hundred and eighty-eight questionnaires were returned, a response rate of 34%. Of these respondents, 85% supported the establishment of such a graduate program, providing thoughtful, informed and clearly articulated reasons. Numerous students were mindful of the fact that the KU undergraduate program in African and African-American Studies is the only one of its kind in the State of Kansas and one of the leading undergraduate programs in the country. Some commented on the need to expand the current course offerings in the Department, one student remarking that available classes allow one to touch only the tip of the iceberg.</p>
<p>5. Comparative /Locational Advantage</p>	<p>There are no programs offering the M.A. degree in African and African-American Studies in Kansas, the former Big Eight universities, nor the present Big 12. There are also no such programs in other institutions in</p>

	<p>the states thus represented. The University of Denver, Colorado, has an “African Area Concentration” whose “general approach is political economy.” The University of Iowa, Iowa City, Iowa, has graduate degrees in “traditional disciplines with an Africa concentration.” Moreover, African studies is a separate entity from African-American studies at the University of Iowa. Therefore, the University of Kansas has a unique opportunity to create the only joint, African and African-American studies, graduate program in the region.</p>
6. Curriculum	<p>Students must take a minimum of 33 graduate-level credit hours in approved courses with African and/or African-American content in accordance with the concentration chosen.</p> <p>18 credit hours shall be in <u>required</u> courses and 15 credit hours shall be in <u>elective</u> courses.</p> <p>Students, regardless of concentration, will take 4 core courses (an introduction to African-American Studies, an introduction to African Studies, a research methods course, and a seminar).</p> <p>Students will fulfill a language/research skills requirement in accordance with the concentration chosen.</p>
7. Faculty Profile	<p>The program faculty consists of two categories: (1) Core Faculty, and (2) Adjunct Faculty. The core faculty consists of faculty budgeted in the Department whose academic specializations are most appropriate to the new degree program. The adjunct faculty are fifty-five faculty members in related disciplines who are normally outside the Department budget but devote some proportion of their scholarship and teaching to the proposed program.</p> <p>There are currently ten faculty members who will teach in the AAAS MA program. Shawn Alexander, Assistant Professor of African and African-American Studies; Courtesy Assistant Professor of History (Ph.D. University of Massachusetts, Amherst, 2004); Anthony Bolden, Associate Professor African and African-American Studies (Ph.D. Louisiana State University, 1998); Abdelmajid Hannoum, Assistant Professor of African and African-American Studies and Anthropology (Ph.D. University of Sorbonne, 1991, Ph.D. Princeton University, 1996); Randal M. Jelks, Associate Professor of African and African-American Studies and American Studies (Ph.D. Michigan State University, 1999); Elizabeth MacGonagle, Associate Professor of African and African-American Studies and History (Ph.D. Michigan State University, 2001); Beverly Mack, Professor of African and African-American Studies (Ph.D. University of Wisconsin-Madison, 1981); Garth Myers, Professor of African and African-American Studies and Geography (Ph.D. UCLA, 1993); Naima Omar, Associate Professor of African and African-American Studies (Ph.D. University of Texas, 1999); Dorothy Pennington, Associate Professor of African and African-American Studies and Communications (Ph.D. University of Kansas,</p>

	<p>1974); Gitti Salami, Assistant Professor of African and African-American Studies and Art History (Ph.D. University of Iowa, 2005); Peter Ukpokodu, Professor of African and African-American Studies; Courtesy Professor of Theatre and Film (Ph.D. University of Kansas, 1985).</p> <p>An additional core faculty with specialty in KiSwahili is being recruited to join the Department in the Fall of 2009 when the M.A. program is scheduled to begin.</p>
<p>8. Student Profile</p>	<p>A diverse pool of potential student applicants is anticipated. The results of the student survey already referred to indicate a large number of students who will have completed an undergraduate degree at the University of Kansas. These applicants can be expected, as indicated by the survey, to come from a wide range of disciplines and professional studies programs across the undergraduate curriculum. Based on their responses regarding course work at the undergraduate level, most, if not all, of them will have taken at least one course in African studies or African-American studies associated with their area of academic concentration. There will also be students drawn from other Regents and other institutions in and from outside the state. Some will have substantial undergraduate preparation in the specific or cognate fields; others, as a consequence of the limited options available to them as undergraduate students, may not have this. As is accepted practice, applicants without sufficient preparation will be expected to demonstrate knowledge and competence in subjects and courses deemed to be prerequisites. The program will also extend a warm welcome to non-traditional students, whose greater maturity and in many cases related life experiences make such persons excellent graduate students. The international focus of the program’s African and Caribbean components will surely attract an additional pool of candidates who will have completed degrees from outside the region or nation. Overall, it is anticipated that the program will attract a cosmopolitan pool of students, including those who have ethnic ties with the program components, as well as those whose intellectual and professional interests alone will provide the basis of their interest and motivation.</p>
<p>9. Academic Support</p>	<p><i>The following supportive services are currently in place and would be available for students in the program.</i></p> <p><b><u>Library Services:</u></b> To support African and African-American Studies at the University of Kansas, the library acquires materials from a broad range of subjects as appropriate for interdisciplinary research in area and ethnic studies programs. Materials that are collected encompass most of the scholarly disciplines in the social sciences and the humanities, as well as a few of the physical sciences. They include, but are not restricted to, languages and linguistics, art, literature, history, political science, religious studies, geography, anthropology, philosophy, economics, and human biology.</p>

	<p><b>Computing services:</b> available at the University Computer Center, the KU libraries, and through academic programs, among others. No additional computing resources will be required to support the proposed program.</p> <p><b>Financial assistance:</b> available through the Office of Student Financial Aid, Student Employment Service, and assistantships from grants. Graduate teaching assistantships are also available.</p> <p><b>Advisory services:</b> 1. The Graduate Studies Advisor (see section on Program Governance) will determine that each student fulfills graduate requirements. 2. A faculty mentor will be assigned to each student in the program. The faculty mentor will guide the student regarding the development of an integrated course of study, selection of courses, research topics, professional opportunities and further graduate studies. A student will retain the same faculty mentor throughout the duration of his/her study in the M.A. program.</p> <p><b>General resources:</b> Student Organizations and Leadership Development services will be available and an orientation will be provided to students. The Center for Teaching Excellence provides orientation for teaching assistants while the Hall Center for the Humanities is a resource for grants and research.</p> <p>The above services shall be of sufficient volume and quality to support the program effectively.</p>
<p>10. Facilities and Equipment</p>	<p>Anticipated facilities required for the proposed M.A. program in African and African-American Studies already exist. The program does not require a new building; it will share classrooms, lecture halls, language laboratories, computer rooms and libraries as do other programs in the College and the University of Kansas.</p> <p>New equipment required would be restricted to normal office requirements such as file cabinets, tables and chairs, telephones and computers.</p>
<p>11. Program Review, Assessment, Accreditation</p>	<p>The Department will review and assess the M.A. program chiefly in the following manner.</p> <p>a. Teaching evaluation will be predicated on two sets of materials: 1) Student evaluations submitted for all courses in the program; 2) Faculty portfolios, containing teaching plans, course materials, and peer evaluations, submitted at the conclusion of every academic year. The evaluation committee in the Department of African &amp; African-American Studies will examine student evaluations and faculty portfolios at the end of every academic year and work with individual faculty to assure the quality and effectiveness of courses in the program.</p> <p>b. Track degree, job placement and career choice of graduates of the program. The Department will also compare this information with other institutions throughout the country offering similar programs to that of</p>

	<p>the African and African-American Studies M.A.</p> <p>c. Faculty scholarship will be evaluated not only by the regular processes of review established by the Department, the College, and the University for tenure and/or promotion but also by the chair and the program’s evaluation committee in considering salary and/or promotion. In addition, faculty will be subject to outside evaluations of their scholarship during the mandatory program review.</p> <p>d. The standards for evaluating will be set forth in the Criteria and Procedures for Faculty Performance Evaluation and Bylaws of the Department of African and African-American Studies.</p> <p>e. The Center for Teaching Excellence will be used to enhance the quality of our program.</p> <p>f. The Program will adhere to the College, University and Regents' review programs.</p>																																										
<p>12. Costs, Financing</p>	<table border="1"> <thead> <tr> <th></th> <th><u>Salaries</u></th> <th><u>OOE</u></th> <th><u>Equipment</u></th> <th><u>Other</u></th> <th><u>TOTAL</u></th> </tr> </thead> <tbody> <tr> <td>Year 1</td> <td>\$6,250</td> <td>\$1,500</td> <td>0</td> <td>0</td> <td>\$7,750</td> </tr> <tr> <td></td> <td colspan="5">(0.25 USS Administrative Associate)</td> </tr> <tr> <td>Year 2</td> <td>\$12,875</td> <td>\$1,750</td> <td>0</td> <td>0</td> <td>\$14,625</td> </tr> <tr> <td></td> <td colspan="5">(0.50 USS Administrative Associate)</td> </tr> <tr> <td>Year 3</td> <td>\$19,892</td> <td>\$2,000</td> <td>0</td> <td>0</td> <td>\$21,892</td> </tr> <tr> <td></td> <td colspan="5">(0.75 USS Administrative Associate)</td> </tr> </tbody> </table> <p>* Increases in College and Liberal Arts &amp; Sciences funding in Year 2 and Year 3 are contingent on the successful attainment of enrollment targets by the program.</p>		<u>Salaries</u>	<u>OOE</u>	<u>Equipment</u>	<u>Other</u>	<u>TOTAL</u>	Year 1	\$6,250	\$1,500	0	0	\$7,750		(0.25 USS Administrative Associate)					Year 2	\$12,875	\$1,750	0	0	\$14,625		(0.50 USS Administrative Associate)					Year 3	\$19,892	\$2,000	0	0	\$21,892		(0.75 USS Administrative Associate)				
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**CURRICULUM OUTLINE  
NEW DEGREE PROPOSALS  
Kansas Board of Regents**

**Identify the new degree:**

M.A. African and African-American Studies

**II. Provide courses required for each student in the major:**

	<b>Course Name &amp; Number</b>		<b>Credit Hours</b>
<b>Core Courses</b>	AAAS 801: Introduction to Africana Studies: African American	3	
	AAAS 802: Introduction to Africana Studies: African	3	
	AAAS 803: Research Methods in Africana Studies	3	
	AAAS 804: Seminar in Africana Studies	3	
<b>Electives</b>	Each student is required to take five approved electives (For a list of electives see the attached pages)		15
<b>Research</b>	AAAS 899: Thesis		6
<b>Total</b>			<b>33</b>

**Approved African-American Studies Concentration Electives Outside of the Department**

ABSC 606 Special Projects in the Community  
 ABSC 692 Practicum in Community Leadership and Development  
 ABSC 703 Community Psychology  
 ANTH 512 Ethnohistory:  
 ANTH 670 Contemporary American Culture  
 ANTH 775 Seminar in Cultural Anthropology  
 AMS 576 Cultural Geography of the United States (Same as GEOG 576) AMS  
 579 Geography of American Foodways  
 AMS 580 American Art  
 AMS 629 Sociology of Sport (Same as SOC 629) AMS 694  
 Directed Readings  
 AMS 696 Studies In:  
 AMS 737 Music in America  
 AMS 805 American Pluralism: Race, Ethnicity and Religion in American Life  
 COMS 534 Interpersonal Communications in Organizations  
 COMS 647 Issues in Intercultural Communication  
 ECON 515 Income Distribution and Inequality  
 ECON 530 American Economic Development  
 ECON 534 Economic History of the Caribbean Region  
 ECON 540 Recent American Economic History  
 ECON 595 Regional Economics  
 ECON 675 Introduction to Welfare Economics  
 ECON 761 Public Sector: Urban and Regional Finance  
 ECON 866 Selected Problems in American Economic History  
 EN GL 574 African-American Literature  
 ENGL 590 Studies In: Black Writing in Kansas (Same as AM 5 696, AAAS 520)  
 ENGL 632 Comparative Black Literature  
 ENGL 679 American Poetry of the 20th Century  
 ENGL 971 Seminar in African-American Literature and Culture  
 ENGL 974 Seminar in Literatures of Africa and the African Diaspora  
 GEOG 571 Topics in Cultural Geography  
 GEOG 575 Geography of Population  
 GEOG 752 Topics in Urban/Economic Geography  
 GEOG 771 Topics in Cultural Geography  
 GEOG 772 Problems in Political Geography  
 GEOG 802 Urban Geographic Information Systems  
 HAIT 500 Directed Studies in Haitian Language and Literature  
 HAIT 501 Directed Studies in Haitian Culture  
 HAIT 700 Investigation and Conference  
 POLS 513 Power in American Communities  
 POLS 519 Community Development  
 POLS 614 Urban Politics  
 POLS 616 Interest Group Politics  
 POLS 619 Topics in American Politics:  
 POLS 623 The Politics of Social Policy  
 HIST 510 Topics In:  
 HIST 531 History of American Women: 1879 to Present  
 HIST 616 Contemporary American, 1841 to Present (Same as AAAS 520)  
 HIST 631 The Contemporary Afro-American Experience  
 HIST 651 History of American Business  
 HIST 696 Seminar In:  
 HIST 853 Research Seminar: The Atlantic World in the Early Modern Period

HA 707 Directed Readings  
 HA 712 Directed Museum Study  
 HWC 600 Biography of the City  
 MUSC 744 Readings in Jazz and American Popular Music  
 PHIL 595 Philosophy and Race  
 REL 504 Millenarian Movements  
 REL 531 Studies in Christianity  
 REL 532 Studies in Islam  
 REL 602 Special Topics in Religion  
 REL 771 Religious Movements and Social Change  
 REL 875 Topics in Religion and Society  
 SOC 522 American Racial and Ethnic Relations  
 SOC 570 Social Conflict  
 SOC 571 Collective Behavior  
 SOC 573 Sociology of Violence  
 SOC 621 Cross-Cultural Sociology  
 SOC 626 Religion and Society  
 SOC 671 Social Movements  
 TH&F 702 Graduate Seminar in:  
 TH&F 703 Readings in Dramatic Literature  
 TH&F 529 Race and the American Theatre  
 WS 560 Race, Gender and Post-Colonial Discourse

**Approved African Studies Concentration Electives Outside of the Department**

ANTH 501 The Anthropology of Violence (Same as ANTH 775)  
 ANTH 501 Peoples of North Africa and the Middle East (Same as ANTH 775)  
 ECON 587 Economic Development of Africa  
 ECON 582 Economic Growth and Development  
 ECON 604 International Trade  
 ENGL 526 African Literature  
 ENGL 974 Seminar in Literatures of Africa and the African Diaspora  
 GEOG 771 Topics in Cultural Geography  
 GEOG 726 Remote Sensing of Environment  
 GEOG 990 Seminar in Regional Geography  
 HA 898 Graduate Seminar: Contemporary Transnational Artists  
 HIST 509 Multinational Corporations (Same as AAAS 520)  
 HIST 510 Topics in African History  
 HIST 561 World Natural Resources Use in the 19th and 20th Centuries  
 HIST 574 Slavery in the New World (Same as AAAS 574)  
 HIST 681 Topics in Third World History  
 HIST 582 Nationalism and Revolution in the Third World  
 HIST 600 West African History  
 HIST 800 Readings in: West African History  
 JOUR 502 International Journalism  
 LING 791  
 MUSC 560  
 PHIL 595  
 POLS 661 (Same as AAAS 520)  
 POLS 689  
 POLS 850  
 REL 602  
 REL 775 (Same as AAAS 520)

SOC 522

SOC 531

SOC 533

SOC 535

TH&F 702 Graduate Seminar in:

TH&F 826 Seminar in African Theatre

Topics in Linguistics

Music in World Cultures

Philosophy and Race

Politics of the Middle East

Topics in International Relations Comparative Politics

Ancient Egyptian Culture and Religion Revivalism and Reform in Islam American Racial and Ethnic

Relations Third World Social Change Industrialization in Developing Nations Women of the Third

World

**IMPLEMENTATION YEAR**  
FY 2010

Fiscal Summary for Proposed Academic Programs

Institution: University of Kansas – Lawrence

Proposed Program: M.A. African and African-American Studies

<b>Part I. Anticipated Enrollment</b>	Implementation Year		Year 2		Year 3	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
A. Full-time, Part-time Headcount:	10	0	15	0	20	0
B. Total SCH taken by all students in program	150		225		275	
<b>Part II. Program Cost Projection</b>						
A. In <u>implementation</u> year one, list all identifiable General Use costs to the academic unit(s) and how they will be funded. In subsequent years, please include only the additional amount budgeted.						
	Implementation Year	Year 2		Year 3		
<u>Base Budget</u> Salaries	6,250	12,875		19,892		
OOE	1,500	1,750		2,000		
Total	7,750	14,625		21,892		

Indicate source and amount of funds if other than internal reallocation:

College funds for Salaries ((\$24,000))

Approved: \_\_\_\_\_

## 2. APPROVE A BACHELOR OF SCIENCE IN HEALTH SCIENCE (51.0000) – WSU

### Summary and Recommendation

*Universities may apply for approval of new academic programs following the guidelines of Appendix G in the Kansas Board of Regents Policies and Procedures Manual. Wichita State University has submitted an application for approval of a Bachelor of Science in Health Science (51.0000). The proposing academic unit has responded to all of the requirements of the program approval process. No other institution has programs utilizing this Classification of Instructional Program (CIP) code. The program will be funded through internal reallocation. Board staff concurs with the Council of Presidents and the Council of Chief Academic Officers in recommending approval.*

*12/19/08*

### Background

Criteria	Program Summary
1. Program Identification CIP	B.S. in Health Science 51.0000
2. Academic Unit	Department of Public Health Sciences
3. Program Description	The B.S. in Health Science Degree at Wichita State University will attract students: • Pursuing positions in the health care sector as pharmaceutical and hospital sales representatives, specialists in insurance companies, research assistants, etc. • Needing an undergraduate degree for entry into a graduate professional degree program offered in the College of Health Professions or other college/university requiring such a degree. • Desiring a general degree in the health field, and/or preprofessional health interest.
4. Demand/Need for the Program	Fueling the need for health science majors has its roots in the fact that health care positions will grow significantly over the next 10 years, which is driven by the aging population, longer longevity, and technological advancements. According to the 2008 <i>U.S. Bureau of Labor Statistic's Occupational Outlook Handbook (2006-2016)</i> , health science profession positions will grow anywhere from 7% to more than 27% over the next 10 years (Pages 4-5).
5. Comparative/Locational Advantage	Among the six major KBOR universities, none offered an undergraduate major in the health sciences. Among local four year institutions surveyed (Baker University, Bethany College, Bethel College, Friends University, Newman University, McPherson College, Southwestern College, and the University of Phoenix), only Friends University and Bethany College offer a major in the health sciences.
6. Curriculum	124 hour degree, with a 49 hour health science major (Pages 7-13). See appendix B for curriculum outline and appendix D for practica experiences.
7. Faculty Profile	Five full-time core faculty, each with a related graduate degree and several adjunct faculty available to offer new program (Pages 14-15). See appendix A for letters of support and appendix C for faculty CVs.
8. Student Profile	Freshman status (or transfer admission) meeting university admission guidelines (Pages 6-7).

9. Academic Support	Existing academic support in the College and University is adequate in terms of supporting the new program (Page 16).
10. Facilities and Equipment	No new space or equipment (other than routine enhancement and replacement) will be required (Page 16).
11. Program Review, Assessment, Accreditation	A clear process will be in place and will remain in place that evaluates student learning and program outcomes on several levels. Accreditation is not available for the general health science discipline (Pages 17-18).
12. Costs, Financing	Funding for the core faculty and operation of the program are adequately covered through existing GU allocations in Public Health Sciences. Additional funds in the amount of \$9,000 will be needed to cover instruction each semester, necessary to teach and supervise students enrolled in the practica. Funding for this need will be reallocated from internal sources. See appendix E for fiscal summary.

**Wichita State University  
College of Health Professions**

**B.S. in HEALTH SCIENCE (PROPOSED)±  
CURRICULUM OUTLINE AND ACADEMIC CHECKSHEET**

Student Name \_\_\_\_\_ WSU ID \_\_\_\_\_ Date \_\_\_\_\_

<b>Basic Skills (12 hours - required "C" or better)</b>	<b>Grade/Hrs</b>
Engl 101      English Composition I (3)	_____
Engl 102      English Composition II (3)	_____
Comm 111      Public Speaking (3)	_____
Math 111      College Algebra (3)	_____
<b>Humanities &amp; Fine Arts (12 hours)</b>	
(Fine Arts) _____	_____
(Intro. course) _____	_____
(Intro. course) _____	_____
*(Further Study/Issues) _____	_____
<b>Social &amp; Behavioral Sciences (9 hours)</b>	
(Intro. course) _____	_____
(Intro. course) _____	_____
*(Further Study/Issues) _____	_____
<b>Mathematics &amp; Natural Sciences (9 hours)</b>	
(Intro. course) _____	_____
(Intro. course) _____	_____
*(Further Study/Issues) _____	_____
	(42 hrs.)

\*One of these courses must be selected from the Issues and Perspectives category.

**Program Mathematics & Natural Science Electives** (select a minimum of 14 hours)  
General Education courses from this area may also be used to meet GEP requirements.

Biol 106	The Human Organism (3)	_____
Biol 107	Human Organism Lab (1)	_____
Biol 210	General Biology I (4)	_____
Biol 211	General Biology II (4)	_____
Biol 220	Introduction to Microbiology (4)	_____
**Biol 223	Human Anatomy & Physiology (5)	_____
Biol 33	General Microbiology (5)	_____
**Chem 103	Introductory Chemistry (5)	_____
**Chem 211	General Chemistry I (5)	_____
Chem 212	General Chemistry II (5)	_____
Chem 531	Organic Chemistry I (5)	_____
Geol 102	Earth Science & Environment (4)	_____
Geol 111	General Geology (4)	_____
Geol 30	Energy Resources & Environment (3)	_____
Phys 111	Intro to Physics (4)	_____
Phys 131	Physics for Health Sciences (3)	_____
Phys 21	General College Physics I (5)	_____
Phys 214	General College Physics II (5)	_____
+Stat 37	Elementary Statistics (3)	_____
		(_ hrs.)

±Pending approval by WSU and Kansas Board of Regents

\*\*Human Anatomy & Physiology plus one semester of college chemistry are prerequisite to HS 301 and HS 400.

+ State 370 and HS 400 are prerequisites for HS 6XX (Evidence-Based Methods and Practices)

Over 4



IMPLEMENTATION YEAR FY 2009 Fiscal  
Summary for Proposed Academic Programs

Institution: Wichita State University Proposed Program: B.S. in Health Science

<b>Part I Anticipated Enrollment</b>	Implementation Year		Year 2		Year 3	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
A. Full-time, Part-time Headcount:	25 (15 cr. hr./sem)	10 (6 cr. hr./sem)	30 (15 cr. hr./sem)	15 (6 cr. hr./sem)	35(15 cr. hr./sem)	20 (6 cr. hr./sem)
B. Total SCH taken by all students in program	435/semester		540/semester		645/semester	
<b>Part II. Program Cost Projection</b>						
A. In implementation year one, list all identifiable General Use costs to the academic unit(s) and how they will be funded. In subsequent years, please include only the additional amount budgeted.						
	Fall, Implementation Year	Year 2		Year 3		
Costs: Salaries/Benefits	476,457 *(+ 18,000)**	18,000**		18,000**		
OOE	14,720					
Total	491,177					

Indicate source and amount of funds if other than internal reallocation:

\* Funding from PHS program budget (FY 2008 amount).

\*\* Adjunct faculty budget (funding reallocated from internal sources) for fall and spring each year.

Approved by: Peter Cohen, Dean, College of Health Professions

Revised: September 2003

### 3. APPROVE CREATION OF A SCHOOL OF MUSIC AND SCHOOL OF THE ARTS – KU

#### Summary and Recommendation

*Policy requires Board approval prior to creating a new school. The University of Kansas is requesting approval to create two new schools – a School of Music and a School of the Arts. The university staff has submitted a memo and spreadsheet that provides justification for the creation of a new School of Music and that details the realignment. After careful review of both documents, staff concurs with the Council of Presidents and the Council of Chief Academic Officers in recommending approval. 12/31/08*

#### Background

In the spring of 2008 the University of Kansas conducted a nation-wide search for a Dean of the School of Fine Arts. The search proved to be unsuccessful. The administration determined that it was time for the university to examine the current administrative structure for programs in the arts. The university staff gathered input from a task force of faculty, staff, students, alumni, members of the donor community, and professionals in various fields. Based on that input, the university's administration submitted the attached reconfiguration for Board review and approval. It is anticipated that the reconfiguration will become effective in FY 2010.

#### Overview of the Plan

Currently the School of Fine Arts (SFA) includes the Departments of: Music, Design, Art, and Music and Dance. All musical arts degree programs will be housed in a new School of Music. All other programs currently in the School of Fine Arts will be realigned within either the School of Architecture and Urban Planning or the College of Liberal Arts and Sciences (CLAS).

Specifically, the following changes will occur:

- The new School of Music will continue the existing programs and will administer the undergraduate and graduate programs in music under the direction of a dean.
- A new School of the Arts will be created within CLAS and will house the Department of Art, the Department of Dance, and the Department of Theatre and Film. The Department of Art will offer the same undergraduate and graduate degrees as in the current SFA, as well as those degree programs within the current Department of Design that have a close affinity to those in art. The dance degree programs and faculty currently within the SFA's Department of Music and Dance will form the Department of Dance.
- The Department of Design will be housed in the School of Architecture and Urban Planning. This department will offer the undergraduate and graduate degrees associated with interior design, industrial design, visual communication, photomedia, and design management.

Chapter 2, Section 2, subsection 7d2a of the Board Policy Manual, New Academic Units and Academic Programs states:

(2) Actions Requiring Approval by the Board: The following types of actions require approval by COCAO, COPS and the Board of Regents:

- (a) New schools, departments, and those institutes and centers requiring new state funding. (11-16-00)

- (b) New degree programs.
- (c) Extension of an approved degree program to a higher degree level, e.g., Associate Degree to Bachelor's Degree.
- (d) New major under an existing degree name.

The university anticipates minor disruptions to students, faculty, and staff as the transition occurs. All changes will be funded through internal reallocation and an ultimate cost saving is anticipated. All students in current degree programs will be able to complete their program of study.

The full plan and spreadsheet are attached. Staff recommends approval of the request.



TO: Dr. Gary Alexander, Vice President for Academic Affairs,  
Kansas Board of Regents

FROM: Richard W. Lariviere, Provost and Executive Vice Chancellor

DATE: October 14, 2008

RE: Reorganization Plan for the School of Fine Arts at the University of Kansas

Last spring we conducted a nation-wide, but ultimately unsuccessful, search for a Dean of the School of Fine Arts. The challenges we faced in that search indicated to me that it was time for the University of Kansas to examine our current administrative structure for programs in the arts. With input from a task force of interested faculty, staff, students and alumni, from faculty and staff in the School, from members of the donor community, from professionals in various fields, as well as from deans and faculty from related programs, we have identified the reconfiguration outlined here for the Board of Regents' review. I am confident that this reconfiguration will strengthen collaboration across major academic units, ensure a vibrant place for the arts at the University of Kansas, and strengthen all academic units involved.

Two overarching goals guided our decisions: (1) providing for our students a 21<sup>st</sup> century approach to the study of the arts that (2) would lay the foundation for increasing academic and artistic accomplishment at KU over the next ten to twenty years.

**Overview:** The School of Fine Arts will become the School of Music, encompassing all musical arts degree programs. All other programs currently in the School of Fine Arts will be realigned within either the School of Architecture and Urban Planning or the College of Liberal Arts and Sciences as described below:

1. The School of Music will organize the various programs in music under the direction of a dean. The music faculty constitute the largest group within the current School of Fine Arts. This adjustment will allow the School of Music to prosper with a stand-alone identity comparable to similar programs at peer institutions. This school will administer the undergraduate and graduate programs in music. The newly formed School will continue the many programs that welcome students from across the University—programs that include instrumental and vocal lessons, ensembles, bands, vocal groups and orchestras. The School will also continue offering instruction and performance opportunities to those outside of KU through a variety of camps, workshops and teacher education programs.
2. The client-centered programs within the SFA Department of Design will constitute a Department of Design that reports to the School of Architecture and Urban Planning. This realignment draws upon the shared affinities between Design and Architecture, reflecting the client-oriented world that students will encounter upon graduation. In addition, architecture and design increasingly rely on shared technologies in the creation and illustration of a variety of projects. This department will offer

the undergraduate and graduate degrees associated with interior design, industrial design, visual communication, photomedia, and design management.

3. The SFA Department of Art, a new Department of Dance, and the Department of Theatre and Film in the College of Liberal Arts and Sciences (CLAS) will be organized to form a School of the Arts within the College. The Department of Art will offer the same undergraduate and graduate degrees as in the SFA, as well as those degree programs within the current Department of Design that have a close affinity to those in art. The dance degree programs and faculty currently within the SFA's Department of Music and Dance will form the Department of Dance in this plan. The School of the Arts will report to a divisional associate dean, as do other major academic divisions in the College such as the Humanities, the Social Sciences, or the Natural Sciences and Mathematics. This realignment underscores the strong alliance between the Arts and the Humanities and provides opportunities for bringing experiences in the arts closer to students throughout College. At the same time, the establishment of a School of the Arts within the College couples the distinct roles played by artists and performers with the interpretive roles played by critics, scholars, and historians within the Humanities.

In addition to its pedagogical strengths, this realignment plan is cost-effective and can be implemented with negligible disruption to students, faculty, and staff. All changes outlined here will be supported through internal budget reallocations and will not require additional funding. The realignment of departments within their respective Schools or College will require minimal relocation of individual faculty and staff, and no reductions in staff positions. Degree programs will be moved intact within the new structural alignments to protect the integrity of those programs for current students. All students in current degree programs will be able to complete their program of study and we expect these changes to be of benefit to all future students. The attached table identifies the approved degree programs as they will be aligned under the new configuration described here. With the endorsement of the Board of Regents, this reconfiguration will take effect at the start of FY 2010 (July 1, 2009).

In summary, I am excited by the spirit of dialogue that gave rise to this new configuration for the fine arts at the University of Kansas. It was a thoughtful, consultative process that resulted in a plan that proactively seeks to serve the needs and interests of present and future students and faculty and that ensures a privileged place for the arts throughout the University of Kansas

**Reorganization Plan for the School of Fine Arts at the University of Kansas**

<b>College or School</b>	<b>Department</b>	<b>Degree Name</b>	<b>CIP Code</b>	<b>Level</b>
School of the Arts, CLAS	Art	Art	50.0702	BACH
School of the Arts, CLAS	Art	Art	50.0702	BACH
School of the Arts, CLAS	Art	Art	50.0702	MAST
School of the Arts, CLAS	Art	Design	50.0401	BACH
School of the Arts, CLAS	Art	Design	50.0401	BACH
School of the Arts, CLAS	Art	Design	50.0401	MAST
School of the Arts, CLAS	Art	Visual Arts Education	13.1302	BACH
School of the Arts, CLAS	Art	Visual Arts Education	13.1302	MAST
School of the Arts, CLAS	Dance	Dance	50.0301	BACH
School of the Arts, CLAS	Dance	Dance	50.0301	BACH
School of the Arts, CLAS	Theatre and Film	Theatre and Film	50.0501	BACH
School of the Arts, CLAS	Theatre and Film	Theatre and Film	50.0501	BACH
School of the Arts, CLAS	Theatre and Film	Theatre and Film	50.0501	MAST
School of the Arts, CLAS	Theatre and Film	Theatre and Film	50.0501	DOC
School of Architecture and Urban Planning	Design	Design	50.0401	BACH
School of Architecture and Urban Planning	Design	Design Management	50.0499	MAST
School of Architecture and Urban Planning	Design	Interaction Design	50.0404	MAST
School of Music	Music and Dance	Music	50.0901	BACH
School of Music	Music and Dance	Music	50.0901	BACH
School of Music	Music and Dance	Music	50.0901	BACH
School of Music	Music and Dance	Music	50.0901	MAST
School of Music	Music and Dance	Music	50.0901	DOC
School of Music	Music and Dance	Music	50.0901	DOC
School of Music	Music and Dance	Music Education	13.1312	BACH
School of Music	Music and Dance	Music Education	13.1312	MAST
School of Music	Music and Dance	Music Education	13.1312	DOC
School of Music	Music and Dance	Music Therapy	51.2305	BACH
School of Music	Music and Dance	Music Therapy	51.2305	MAST

<sup>1</sup>BFA in Design within the School for the Arts in CLAS includes concentrations in Ceramics, Metalsmithing & Jewelry, Scenography, Textile Design, Theatre Design, Visual Arts Education

<sup>2</sup>MFA in Design within the School for the Arts in CLAS includes concentrations in Ceramics, Metalsmithing & Jewelry, Scenography, Textile Design

<sup>3</sup>BFA in Design within the School of Architecture and Urban Planning includes concentrations in Graphic Design, Illustration, Industrial Design, Interior Design, Photomedia

B. *Fiscal Affairs and Audit*  
**Regent Jill Docking**

**Diane Duffy**  
**Vice President for Finance and Administration**

**Eric King**  
**Director of Facilities**

- 1. RECEIVE REPORT ON STATE UNIVERSITY DEFERRED AND ANNUAL MAINTENANCE – FALL 2008** (Sent under Separate Cover)

**Theresa Bush**  
**Associate General Counsel**

- 2. AMEND POLICY/CLARIFY STATE UNIVERSITIES' AUTHORITY TO OFFER A HEALTH CARE BRIDGE TO EARLY RETIREMENT BENEFIT FOR UNCLASSIFIED STAFF**

#### **Summary and Staff Recommendation**

*The state universities desire the flexibility to offer appropriate employees an early retirement incentive that would cover the cost of the employee's State health insurance plan for a period of time after retirement. The Council of Presidents and Council of Business Officers recommend a policy amendment to authorize state university CEOs to offer a health care bridge early retirement incentive.*

#### **Background**

Some time ago, Kansas State University looked into the possibility of offering a “limited health care bridge” to certain of its employees who would be ready and willing to retire but for the cost of health care between the time of retirement and the time they would be eligible for Medicare health care benefits. Legal staff at Kansas State determined that this could be done and drafted a proposed policy outlining the parameters of such a program – that it would be voluntary on the part of the University as well as the employee; that the amount of benefit would coincide with the cost of the employee's State health insurance benefit; that the benefit would be paid out as a lump sum payment upon retirement; etc.

Kansas State's proposal was shared with the Council of Business Officers, who then requested their advisory committee on retirement and benefits (ACORB) to research the possibility of developing a system-wide employee health insurance bridge program for both classified and unclassified staff. ACORB reviewed the Kansas State proposal and offered several recommendations, including the following:

- ACORB does not recommend implementing such a program for classified employees. First, if the payments are considered “compensation,” civil service pay plan restrictions prohibit increasing compensation. Second, if the payments were considered “bonuses,” there is currently a Governor's moratorium on bonuses which are limited to no more than \$1,000.

- The proposal should be examined with sensitivity to age discrimination, as we have concerns whether ending the benefit at age 65 would violate the Age Discrimination in Employment Act. ACORB recommends legal review of this issue.
- The early retirement incentive should be paid in one lump sum and not spread over multiple fiscal years; otherwise the individual would have to retain some type of employment relationship with the university in order to receive compensation.
- The lump sum payment should be equal to the premium for the health insurance coverage the employee has (single or dependent coverage) for a maximum of 36 months or until the employee turns age 65, whichever occurs first. If the spouse or other dependent becomes Medicare eligible, or if the dependent will turn age 23 during the 36 month period, the lump sum payment calculation should take that into account.
- Parallels to the Phased Retirement contract should be incorporated
- The lump sum amount should be “grossed-up” to take into account employee fringes.

Based on ACORB’s recommendation that the proposal be sensitive to age discrimination issues, the Council of Business Officers requested that legal staff for the Board review the proposal for this purpose. It was determined that a health care bridge could legally be accomplished, provided the amount of benefit was not set, and did not diminish, based solely on the age of the employee.

Because all the business officers were interested in the option of offering such a benefit on their own campus and some were uncertain of their authority to do so absent Board approval, the Council requested that a Board policy be adopted and legal staff for the Board began drafting policy language.

The Council of Business Officers forwarded the concept of developing an early retirement incentive in the form of a health care bridge and the proposed Board policy amendment to the Council of Presidents for consideration. COPs approved the recommendation at its December 17, 2008 meeting.

### **Policy Amendment**

Amend Section II.F.17.c. to include the following, and renumber current Section II.F.17.c. to II.F.17.d:

c. Limited Retirement Health Care Bridge

The purpose of the Limited Retirement Health Care Bridge Program is to provide a mechanism whereby state universities may assist unclassified professional employees who desire to retire before they become eligible to qualify for Medicare by contributing to the cost of the employee’s health care coverage.

(1) Eligibility.

(A) Participation in the Limited Retirement Health Care Bridge Program is a privilege, not a right, and is strictly voluntary. The university CEO or the CEO’s designee and the employee must all agree that it is in the best interest of both the university and the employee for the employee to participate in the Program; this decision will be made on a

case-by-case basis taking the employee's appointment or job responsibilities, the timing of the request and other pertinent factors into consideration.

(B) Only unclassified professional employees at the state universities who have completed at least 10 years of full-time service shall be eligible for participation in the program upon reaching 55 years of age.

(C) Employees participating in Phased Retirement pursuant to K.S.A. 2007 Supp. 76-746, as amended, and K.A.R. 88-12-1 through 8, as amended, are not eligible to participate in the Limited Retirement Health Care Bridge Program.

(2) Procedure.

(A) Each unclassified employee meeting the eligibility conditions of this policy provision who desires to participate in the Limited Health Care Benefits Program must submit, within six months of the employee's proposed retirement date, a written request to retire and to participate in this program to the employee's department/unit head or academic dean.

(B) If the request is approved by the university CEO or the CEO's designee, the university attorney shall draft an agreement between the university and the employee providing for payment of a specified lump-sum amount upon retirement, calculated in accordance with subsection c.(3).

(C) The agreement shall be signed by the employee and the university CEO or the CEO's designee.

(D) Limited Retirement Health Care Bridge payments shall be paid as a payroll expense and will be subject to employee fringe benefit requirements, including taxes.

(3) Amount of Benefit. The lump sum payment shall be an amount negotiated between the university and eligible employee that is not more than the sum of 1) three times the maximum annual retiree direct bill medical plan premium for an employee, spouse and children under the State Health Care Benefits Program during the year the request for retirement and is submitted, and 2) the amount necessary to cover the employee fringe benefits costs associated with the benefit amount. In no event shall the benefit amount be based solely on the age of the participant such that it would be a violation of the Age Discrimination in Employment Act.

**Diane Duffy**  
**Vice President for Finance and Administration**

**3. DISCUSS DEVELOPMENT OF STATE UNIVERSITY TUITION PROPOSALS**

C. *Other Matters*

**Reggie Robinson**  
**President and CEO**

1. **RECEIVE UPDATE ON KANSAS STATE UNIVERSITY PRESIDENTIAL SEARCH**
2. **RECEIVE UPDATE ON PITTSBURG STATE UNIVERSITY PRESIDENTIAL SEARCH**
3. **RECEIVE UPDATE ON UNIVERSITY OF KANSAS CHANCELLOR SEARCH**

**IX. ADJOURNMENT**

January 14-15, 2009

**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 December 17, 2008, Meeting
2. Report from Council of Business Officers – Mary Herrin
3. Report from Council of Chief Academic Officers – Gary Miller
4. Other Business

## **COUNCIL OF PRESIDENTS**

Kansas Board of Regents

11:40 a.m.

Minutes of Meeting

December 17, 2008

Members in attendance:

President Don Beggs, Wichita State University

President Tom Bryant, Pittsburg State University

President Ed Hammond, Fort Hays State University

President Bob Hemenway, University of Kansas

President Mike Lane, Emporia State University

President Jon Wefald, Kansas State University

1. At the suggestion of President Robinson, Barb Hinton, Legislative Post Auditor for the State of Kansas, was invited to meet with the Chancellor and Presidents to discuss the upcoming State Universities Efficiency Audit. She conducted the discussion and asked for feedback. There was a good interaction among the individuals. It was agreed that following the Council of Presidents meeting, Barbara Hinton and her staff would meet with representatives of the Business Officers and Academic Officers of the universities to have further discussions concerning the planned Efficiency Audit.
2. Convened at 11:40 a.m.
3. Approved minutes of the November 19, 2008, meeting.
4. Report of the Council of Business Officers – Mary Herrin
  - a. The Council of Business Officers met on December 3 and discussed budget reduction plans for the individual campuses. Ideas were shared and information was exchanged concerning the plans for the different campuses.
  - b. There was a continued discussion among the Business Officers and Diane Duffy concerning the hiring of the consultant for the Kansas Board of Regents allocation model.
  - c. At the request of the Business Officers and as a result of discussion at the November Council of Presidents meeting, a proposed policy of a limited health care bridge was presented to the Council of Presidents. The Business Officers believe that this is a viable alternative that should be available for discussion with individuals who wish to retire before they become eligible to qualify for Medicare. A proposed policy has been endorsed by the Business Officers and will be presented to the Kansas Board of Regents in their January meeting.
5. Report of the Council of Chief Academic Officers – Gary Miller
  - a. Fred Woodward gave a report on the University Press of Kansas. It was a very impressive presentation, and although there are significant economic issues in the future with all presses, it is clear that under the leadership of Fred Woodward an outstanding university press exists, and he and his team continue to plan for the future.

- b. The Council of Chief Academic Officers, working with the Kansas Board of Regents staff, established a minimum score of 22 for the Test of English as a Foreign Language Internet Based Test. This minimum score will be reviewed on an annual basis by the Chief Academic Officers and the Board staff.
  - c. The Council of Chief Academic Officers will begin teleconferencing in January in order to reduce expenses and time away from campuses while fulfilling the responsibilities as the Council of Chief Academic Officers.
  - d. The Council of Presidents **approved** the following recommendations from the Chief Academic Officers:
    - a. KU – Request Approval of a Master of Art in African and African American Studies (05.0101)
    - b. WSU – Request Approval of a Bachelor of Science in Health Science (51.0000)
    - c. KU – Request Approval to create a School of Music and the School of Arts at the University of Kansas Summary and Recommendation
6. The meeting adjourned at 11:55 a.m.

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

**AGENDA  
January 14, 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 December 17, 2008 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 of the 60-day waiting period for health insurance coverage for state employees
  - B. Continued discussion of faculty recruitment and retention issues
  - C. Discussion of ideas for strategic planning
5. Announcements and As May Arise
6. Adjournment

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

**MINUTES  
December 17, 2008**

11:00 a.m. – 12:00 p.m., and

1. Call to Order: Chair Spurgeon called the meetings to order at 11 am.
2. Approval of minutes from the November 19, 2008 meeting. Approved by consensus.
3. University Reports:
  - A. Emporia State University
    - The Academic Affairs Committee successfully passed two information security policies in the full Senate (clear desk /clear screen and policy on mobile computing devices). AAC is currently working on the university's interim background check policy, the main point of discussion about which is the degree to which procedures ought to be part of the policy. The committee recently passed a resolution in the full Senate regarding ESU's process of separating procedures from policies in the University Policy Manual (previously University Policy and Procedures Manual). The committee is also compiling and convening the curricular review panel to handle a curricular review case.
    - The Committee on Campus Governance is facilitating reviews of administrators slated for review this year on a rotating 3-year cycle. They are also notifying campus-wide committees who will be reviewed in the spring. COCG is drafting a bill that will correct inconsistencies in wording and grammatical errors in the Faculty Senate Constitution and Bylaws. The committee has also finished a bill to change wording in sections of our Constitution and Bylaws. One area being examined is wording that allows for voting by secret ballot in the case of legislation vetoed by the University President. The proposed change is to allow for no instances of secret ballot voting. The other wording being examined allows for the suspension of the Senate's bylaws with a two-thirds majority vote. The proposed change would make this three quarters. The committee's discussion centers around the need for a Senate to suspend bylaws in some situations, but to make it harder to do, stressing the extraordinary nature of circumstances in which this would be done (campus-wide emergency, for example). The bill proffering these changes will come to the full Senate in January.
    - The Faculty Affairs Committee continues to grapple with the interrelated complexities of policy changes related to the university's policy on student evaluation of faculty's teaching. Issues of discussion are not limited to but include the following: Ensuring clear and consistent compliance with KBOR policy across all departments, colleges, and schools. Ensuring departments, colleges, and schools' rights to evaluation practices germane to their areas, while at the same time achieving areas of consistency in practice campus-wide. Protecting evaluation information (of which student ratings are only a part), and distinguishing between formative (for faculty improvement) and summative

(performance review ratings) evaluation. A web-based seminar on faculty evaluation, which included ideas for the handling of student teaching ratings as part of overall evaluation was recently hosted on campus. Faculty in all areas of the College of Liberal Arts and Sciences and a few faculty in the Teachers College are also pilot-testing the IDEA instrument across a range of courses. The Faculty Affairs Committee is also handling a grievance, the process of which has brought to light a number of needed policy clarifications in the university's grievance policy. These will likely come forward from FAC in bill form in the spring semester.

B. Fort Hays State University

- There were several points of discussion at our December meeting. First and foremost on everyone's mind is the budget. Our president has announced that FY2010 budget(s) will be cut by approximately 6%. This means that each department / academic unit must find ways to reduce their own budget by this amount. There is some latitude to allow units to increase efficiency as part of their budget cut.
- We also discussed what should and should not be reported on an instructional evaluation report. The discussion became centered on what constituted norm referencing and what sources of bias should be controlled for. This matter was referred back to university affairs.
- We also began the process of considering chair and dean evaluations. The goal is to have a systematic, and constructive feedback mechanism for the improvement of administration.

C. Kansas State University

The Kansas State University Faculty Senate is currently working on the following initiatives and tasks:

- Endorsed the new Kansas State 2008-2012 University Strategic Plan.
- Completed appointment of Faculty Workload Task Force, but has not met yet.
- FS Leadership Council meets monthly with President Wefald and his staff.
- FS Leadership Council meets monthly with Provost Nellis and his staff.
- FS Leadership Council has recommended halting some Administrative level position searches and retaining current interim appointments due to budget concerns.
- Dean searches in progress for College of Architecture, and College of Arts and Sciences.
- FS President serving on major university budget committee.
- FS Academic Affairs Committee continuing review and work on proposed General Education plan.
- FS Faculty Affairs Committee continues work on revisions to University Handbook Appendix G: General Grievance Board Policy and Hearing Procedures
- FS Committee on Technology continues work on proposed new and updated technology policies.
- FS Committee on University Planning reviewing Appendix B, Financial Exigency Procedures and working with new Sustainability Taskforce.
- Statewide Sustainability Conference scheduled January 20, 2009 at K-State.

C. Kansas University

- The Faculty Rights, Privileges, and Responsibilities committee (FRPR) is studying the university's use of non-tenure track and unclassified staff in teaching positions. The way these positions are defined and the expectations for the persons employed therein vary greatly from one unit to another. The Office of Institutional Research and Planning (OIRP) is gathering data for the committee.
- The Faculty Senate Executive Committee (FacEx) met with representatives of KU Athletics to discuss the development of a policy and process for Distribution of season tickets for football. FacEx set up a committee to develop such a plan. It is anticipated that the committee will complete its work by early February.

D. Kansas University Medical Center

- Karen Wambach and Susan Carlson met with the EVC this month. She and Dr. Karen Miller (Dean of the Schools of Nursing and Allied Health) have agreed to a Town Hall meeting scheduled for January 20, 2008. Wambach and Carlson have asked faculty to send questions to them and they will present them to the Drs. Atkinson and Miller and to the faculty in advance.
- The Faculty Assembly Steering Committee met this month and is discussing how to implement suggestions from faculty - an issue brought forth from Faculty Concerns - so that faculty can feel free to raise questions of import to them. We are also discussing several changes to the Handbook that will likely come to a vote early in 2009. The changes if agreed upon, would restore certain language in our Handbook that relate to faculty governance.

E. Pittsburg State University

- An issue was brought to the Faculty Senate by the Student Senate Academic Affairs Director asking us to encourage faculty to provide feedback for students by way of Angel and the Angel Gradebook. In response, the provost wrote a letter to faculty this week encouraging them to provide feedback in a timely and efficient manner and to use IT whenever suitable with the course being taught. The university's Teaching Learning Center will host workshops in the spring on Angel Gradebook and different ways it can be used.
- The Crisis Team continues to meet. As many of you may have heard, PSU had a bomb threat on our campus just prior to last month's KBOR meeting. The team reviewed policies and procedures as to how it was handled. Just last week, we tested our text messaging alert system that went out to 5300 people either by cell phone text or by email. Just under 200 messages failed, mostly due to cell phones turned off or errant email addresses. The group continues to work with improving the system.
- The Presidential Search at PSU is moving along. We held community member meetings this week to get a better idea of what the community desires in a president. The committee will meet this Tuesday to finalize and adopt the presidential characteristics before forwarding to the KBOR this week for their consideration. All in all there approximately 15 different group sessions averaging 20-30 participants each, ranging from faculty, to administration, to classified staff, students, alumni, and community members.

G. Wichita State University

- The WSU Faculty Senate did not meet in November.

4. New Business

**Discussion of budget procedures on campuses.**

FHSU: Summer school will meet, but will go to 4 day work/class week. There is a soft hiring freeze.

KUMC: There will be a town hall meeting in January. There is some concern about possible furloughs. Some colleges on campus are allowing departments to make budget decisions. There are concerns of rule changes during hard times, setting precedent, and not changing back.

PSU: There are concerns about the use of Arrowhead Stadium for one of the football games, and how it affects the local community by loss of revenue for that weekend.

KSU: There is a soft hiring freeze, especially for state funded position and positions with need. Also, they are saving money by not doing administrator searches, and instead using interim administrators. How do we keep engaged during process? Do have a mechanism to appoint administrators with waiver? We do not want this to be the norm. There will be Budget Forums after January.

**Discussion of legislative post audit concerns.**

The legislative post audit is looking at teaching loads, and is using the University of Maryland efficiency system as a model. Departments need to be more efficient and/or bring in more SCH. Credit hours vs. contact hours discussed. What defines work load? KSU has appointed a workload task force to define this.

**KU search:**

KUMC: Some faculty would like to have elected representatives on the search committee. The consensus of COFSP is that there will be faculty representatives on the search committee, and that KUMC needs to be heard and a part of the search. For the KSU search, Fred was asked to submit a list of faculty to serve on presidential search committee. A list of 20 faculty members was generated and then discussed with leadership group. Committee structure: endowment, community, faculty, students, classified, alumni,

**Discussion of 60-day waiting period for health insurance coverage:**

Larry Spurgeon provided an update on the gathering of information on the state regulation. He contacted KBOR staff with inquiries about the background of this regulation. He sent President Robinson an email with a request for information. Nancy Kinnersley obtained information from KU's research into this issue. We have heard that perhaps KHPA is actively considering the change. We will hold off on a resolution for now, but our plan is to submit a written request to the Fiscal Affairs committee, requesting the regents to support a change to the regulation.

5. Announcements and As May Arise: **No new business**

6. Adjournment: **The meeting adjourned at 12:00 p.m.**

**Students' Advisory Committee to the Kansas Board of Regents**  
**Meeting Agenda**  
**December 14, 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
  - a. Discuss SAC interaction with KBOR
  - b. Review Higher Education Day information
- V. New Business
  - a. Potential KS Corps project implementation
- VI. Announcements
- VII. Adjournment

## **Students' Advisory Committee to the Kansas Board of Regents**

### **Meeting Agenda December 17th, 2008 Topeka, KS**

*Meeting Called to Order by President Peele at 3:16pm*

- I. Introductions
- II. Approval of Minutes  
*Moved President Blaufuss , seconded President Hughes*
- III. University Reports
  - a. Emporia State University- *ESU is addressing its campaigning regulations. Also addressing general education concerns and its "computer aided algebra courses". ESU ASG is also discussing the high textbook prices.*
  - b. Fort Hays State University- *The student athletic fee failed by 21 votes. Looking at the contracting bids for their bookstore.*
  - c. Kansas State University- *K-State organized a legislative forum that was held on campus. Faculty evaluations are ongoing. A survey for the Student Health Center is being issued. Reconvening tuition taskforce.*
  - d. Pittsburg State University- *First semester allocations are being concluded. Presidential search is ongoing. The use of tasers by university police is being discussed. Student/Faculty Code is being discussed in regards to professors processing grades.*
  - e. Wichita State University- *Wichita State University is holding off on plans to renovate its student union due to the inability to fundraise in this economic climate and the unwillingness to ask students to pay such a high amount through student fees. The taskforce reviewing the Sunflower student newspaper has submitted its recommendations.*
- IV. Old Business
  - a. *Planning of Higher Education Day- The date of SAC's annual Higher Education Day will be February 3<sup>rd</sup>. SAC will plan legislator assignments through e-mail and begin to put together a packet of issues for Higher Education Day.*
  - b. *SAC Interaction with KBOR- The SAC discussed ways of enhancing the relationship between SAC and the KBOR.*
- V. New Business
  - a. *Reports- The Student Advisory Committee has agreed to submit university reports before SAC's meeting.*
- VI. Announcements
- VII. Adjournment  
*Moved President Penner, seconded President Blaufuss*

*Meeting adjourned 4:24pm*

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

***FY 2009***

<b>Board of Regents Meeting Dates</b>	<b>Agenda Material Due to Board Office</b>
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)

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2008-2009**

Donna Shank, Chair  
Jill Docking, Vice Chair

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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

**BOARD REPRESENTATIVES AND LIAISONS**

Education Commission of the States  
KBOR Technical Education Authority  
Kansas Bioscience Authority  
Kansas Campus Compact  
Kansas Technical College &  
Vocational School Commission  
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Midwest Higher Education Compact  
P20 Education Council  
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Jim Grier, Jack Wempe  
Bill Thornton, Reggie Robinson  
Janie Perkins  
  
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Dan Lykins  
Donna Shank  
Christine Downey-Schmidt, Dick Hedges  
Jim Grier  
Dan Lykins