

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

September 16-17, 2009

The September 16, 2009, meeting of the Kansas Board of Regents was called to order by Chairman Jill Docking at 1:30 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:**

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

#### **APPROVAL OF MINUTES**

Regent Thornton moved that the minutes of the June 24-25, 2009 meeting be approved. Following the second of Regent Lykins, the motion carried.

#### **AMEND AGENDA**

Chairman Docking announced the agenda would be amended on Thursday as follows:

- X. Executive Session – Matters Relating to Security Measures Pursuant to K.S.A. 75-3419(b)(13) – Safety and Security Measures on the State University Campus
- XI. Executive Session – Matters Privileged in the Attorney/Client Relationship – Update on University of Kansas and Pittsburg State University Management Reviews
- XII. Discuss University of Kansas and Pittsburg State University Management Reviews
- XIII. Executive Session – Matters Privileged in the Attorney/Client Relationship – Update Regarding Litigation
- XIV. Approve Execution of Agreement Regarding Gift of Property to the Department of Homeland Security
- XV. Adjournment

#### **INTRODUCTIONS**

President Beggs introduced Wade Robinson, who is the Vice President of Campus Life and University Relations for Wichita State University. President Coco of North Central Kansas Technical College introduced their new Dean of Instruction Eric Burk.

**REPORTS****REPORT FROM CHAIR**

Chairman Docking highlighted what occurred during the Board's retreat and Governor Parkinson's challenge. She noted the Board's conversations on statewide Admission Standards and the focus on independent and Legislative Post Audits for all Regent institutions. Chairman Docking spoke about the difficult time we face regarding the economy.

**REPORT FROM PRESIDENT AND CEO**

President Robinson reviewed topics considered at the Board's Retreat in August. One of the themes at the retreat was relationships. He spoke about the Board's relationships with the Kansas Bio-Science Authority, foundation and endowment leaders, and the Johnson County Research Triangle Authority. He noted that each of these relationships are important and critical to the Board.

Other topics discussed at the retreat involved the institutional representatives. One of the ongoing discussions is how important it is for higher education as a system to hone and develop its message regarding these tough economic times. He noted that message points have been developed and will continue to be refined in the coming weeks. During the retreat, institutional representatives discussed with the Board the work that is being done on their respective campuses regarding admission standards. Additionally, mechanisms are being implemented to help the Board remain informed of research priorities on campuses.

President Robinson referenced the Board had discussed Board committee appointments and the discussion about the Board committee charges at the retreat. The Board is reviewing the structure of the agenda and also received a briefing from staff on the H1N1 virus. President Robinson reiterated the importance of Governor Parkinson's charges and the opportunity his message creates for higher education.

**REPORT FROM SYSTEM COUNCIL OF PRESIDENTS**

Dr. Burke reported the System Council of Presidents met and discussed the FY 2011 budget and what would be an appropriate request to take to the Legislature. Strategies for presenting the FY 2011 budget were also discussed. SCOPs believes the system of higher education needs to present a unified approach for taking a message to the Legislature and made two recommendations to the Board regarding the budget for FY 2011.

(Recommendations Filed with Official Minutes)

**STANDING COMMITTEE REPORTS****ACADEMIC AFFAIRS**

Regent Sherrer reported the Board's Academic Affairs Standing Committee is continuing work on requests for degree granting authority during its meetings. Issues raised during their last meeting included increases in fees for private postsecondary institutions, the need to ensure quality of out-of-state programs that receive approval to establish a presence in Kansas, and the concern that schools need to collaborate and avoid unnecessary duplication. Regent Sherrer

noted that BAASC discussed program alignment and the involvement of statewide committees. BAASC reviewed performance agreements and is pleased with the quality of those agreements. He noted that the schools were very complimentary of Regent staff.

Four charges were given to BAASC by the Board. The first charge is to review effective uses of distance learning formats. BAASC will serve as the task force on this subject. There are two target times. The first is to respond to Legislative Post Audits when the Legislature returns to session. The second is to bring the Board a new policy by May. BAASC's second charge is enhancement of the program review process. Currently, the process requires improvement, and staff is continuing efforts to that end. The third charge is establishing Board policy on emeritus/emerita status for former university CEOs, which is on the agenda this month. The final task is on admissions and use of authority granted to the Regents. The Admissions Task Force will be reconvened and asked to present its recommendation to BAASC. BAASC will then present a final recommendation to the Board in June.

#### FISCAL AFFAIRS AND AUDIT

Regent Boettcher presented a report on the Fiscal Affairs and Audit Standing Committee. During its meeting, the committee reviewed the budget for the Board office for FY 2010. It reviewed an internal audit of the Alumni Council of Kansas fund. Additionally, the committee reviewed and discussed follow-up to the IT audit performed by Legislative Post Audit.

The committee reviewed a charge that was assigned to them at this meeting. The charge is to create a comprehensive policy on audits/reviews of funds under the control of university presidents and/or their designees. The committee would welcome any input from the universities on this topic. No additional charges were discussed during this meeting but will be taken up at its next meeting.

(Committee Charges Filed with Official Minutes)

#### AMEND AGENDA

Regent Sherrer moved that item 2 on the Consent agenda be moved to item 3 on the discussion agenda, with appropriate renumbering.

#### APPROVAL OF CONSENT AGENDA

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

#### Academic Affairs

#### ADDITIONAL DEGREE GRANTING AUTHORITY FOR ITT TECHNICAL INSTITUTE

Approval was given to ITT Technical Institute to offer a Bachelor of Science in Software Development Technology and an Associate of Applied Science in Software Development Technology. These degrees are to be awarded at the Wichita and Kansas City Campuses.

**CONSIDERATION OF DISCUSSION AGENDA****Academic Affairs****NEW DEGREE GRANTING AUTHORITY FOR THE UNIVERSITY OF SOUTHERN CALIFORNIA**

As reported by Vice President Gary Alexander, the University of Southern California requested degree granting authority for the following degrees in Master of Arts in Teaching: (1) Multiple subject; (2) Multiple subject with credential; (3) Single subject (Math); (4) Single Subject (Math) with credential; (5) Single subject (Science); (6) Single subject (Science) with credential; (7) Single subject (Social Studies); (8) Single subject (Social Studies) with credential; (9) Single subject (English); (10) Single subject (English) with credential.

**NEW DEGREE GRANTING AUTHORITY FOR ARKANSAS STATE UNIVERSITY**

Vice President Alexander reported that Arkansas State University requested degree granting authority for the following Master of Science Degrees: Educational Theory and Practice; Educational Leadership; Educational Curriculum and Instruction; Special Education (P-4); and Special Education (4-12). These degrees will be offered through the Internet. The school meets the Board criteria.

Discussion on both degree granting authority items followed. Regent Shank made a motion to approve both items. Following the second of Regent Perkins, the motion carried.

**APPROVAL OF DEGREE AND CERTIFICATE PROGRAMS FOR WICHITA AREA TECHNICAL COLLEGE**

Blake Flanders presented Wichita Area Technical College request for the degrees and certificate programs listed below.

**Air Conditioning Technology (CIP 47.0201)** at the Associate of Applied Science level consisting of 63 credit hours. The budget submitted showed no indication additional funding is required.

**Dental Assistant (CIP 47.0601)** at the Associate of Applied Science level consisting of 64 credit hours. No additional funding is required.

**Machining Technology (CIP 48.0501)** at the Associate of Applied Science level consisting of 64 credit hours. According to the budget submitted, no additional funding is required.

**Medical Assistant (CIP 51.0801)** at the Associate of Applied Science level consisting of 64 credit hours. The budget indicates no additional funding is required.

**Welding (CIP 48.0508)** at the Associate of Applied Science level consisting of 60 credit hours. No additional funding is required.

**Business Administration (CIP 52.0201)** at the Associate of Applied Science level consisting of 63 credits and four certificate level tracks each consisting of 43 credits. The

four certificate programs are Banking and Finance (CIP 52.0803); Operations Management & Supervision (CIP 52.0205); Six Sigma (CIP 52.0299); and Accounting (CIP 52.0302). An initial budget of \$500 has been established to fund promotional activities. All other support for this program will come from institutional general funds.

Collaboration and funding concerns were raised by the Regents regarding the new programs for Wichita Area Technical College. Following the discussion, Regent Sherrer forwarded a motion to approve the programs contingent on Board staff, Wichita Area Technical College, and Wichita State University being satisfied that concerns raised about individual courses have been appropriately resolved. Regent Docking seconded and the motion was carried.

#### ALIGNMENT OF AUTO TECHNOLOGY, AUTO COLLISION AND WELDING PROGRAMS

Vice President Flanders reviewed the process for alignment. All program alignments require Board approval. Concerns about the alignment process for the community college system were expressed. These concerns will be taken to the Technical Educational Authority at its meeting next week.

Regarding the three programs that were brought to the Board, concern was expressed with the Auto Technology program. Because of the concerns listed, Regent Shank made a motion to reject the recommendation to approve alignment and have these items resubmitted after the Technical Education Authority has reviewed further. Regent Downey-Schmit seconded and the motion was carried.

(PowerPoint Filed with Official Minutes)

#### RECESS

The Chair announced a recess at 3:40 p.m. The meeting resumed at 3:55 p.m.

#### *Fiscal Affairs and Audit*

#### FY 2011 UNIFIED STATE BUDGET REQUEST

Regent Beottcher outlined some of the budget options that may be submitted to the Governor. Following discussion, Regent Shank made a motion for the Board to submit a FY 2011 higher education budget proposal that calls for a 2.3% increase (or about \$17 million) above current funding levels. The increased funding will be used to address increasing health insurance costs, increasing utility costs, unfunded longevity bonuses, and death and disability premiums, along with increasing community and technical college enrollments. The Board will also seek an additional commitment by the State to provide for significantly increased higher education funding in the out years – FY 2012 and FY 2013. The Board will commit that increased funding to strategic growth in programming that enhances its capacity to meet the workforce development needs of the State and that advances other important strategic higher education objectives, such as increased retention and graduation rates. The increased funding necessary to make meaningful progress in these vital areas is significant. However, as the Board develops the more detailed components of its FY 2012 and 2013 proposals for enhanced funding, it will limit

itself to an approach that ultimately seeks, over the course of two years - \$50 million in 2012 and an additional \$50 million in 2013 – that additional funding that will work to bring the level of State support back up to the level of support provided to higher education in FY 2008. Regent Perkins seconded and the motion was carried.

(Handout Filed with Official Minutes)

Other Matters

REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Blake Flanders, Vice President for Workforce Development, gave an update on the Technical Education Authority activities. He reported that the Authority, along with the Board, held a funding summit to discuss funding issues with institutional leaders. The Legislature has tasked the Authority to develop a formula that is tiered to recognize program costs to target industries critical to Kansas and to encourage growth.

APPOINT MEMBER TO THE WASHBURN BOARD OF REGENTS (K.S.A 13-13a04) AND OTHER APPOINTMENTS

Regent Boettcher made a motion to appoint Regent Lykins to the Washburn Board of Regents. Following a second by Regent Perkins, the motion carried.

(Other Appointments Filed with Official Minutes)

EXECUTIVE SESSION

At 4:42 p.m. Regent Shank moved, followed by the second of Regent Boettcher that the Board of Regents recess into executive session for personnel matters related to non-elected personnel, specifically individual CEO salaries. Participating in the executive session were members of the Board and President Robinson. At 5:05 p.m. the meeting returned to open session.

RECESS

The Chairman recessed the meeting at 5:05 p.m., to resume the following morning at 9:30 a.m.

RECONVENE

The meeting was reconvened at 9:30 a.m.

MEMBERS PRESENT:

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

MEMBER ABSENT: Gary Sherrer, Vice Chairman

### **INTRODUCTIONS**

Chancellor Gray-Little introduced Dr. David Wilson, the new Dean of KU School of Medicine-Wichita.

### **REPORTS**

#### **REPORT FROM COUNCIL OF PRESIDENTS**

President Hammond briefed the Board on the Council of Presidents' meeting held the previous day. COPs received a report from the Chief Council of Business Officers and as a result COPs approved and recommended the following Board agenda items: Policy Amendments to Update State Universities Annual Reporting Schedule and Policy Amendment to Provide for Certain Credit Enhancements to Revenue Bonds Issued by KDFA. The following legislative initiatives were discussed and are to be brought before the Board next month: expansion of the pilot purchasing program, changes in travel reimbursement programs, and a legislative change that will address university funds. COPs would also like to meet with the Governor to discuss the charges given to the Board at its retreat.

The Council of Presidents recommended approval for the following three degrees: Masters of Education in Teaching for ESU; B.S. in Business Administration for KU; and Masters of Science in Education Technology for KU. Additionally, COPs would like to partner with the Board to review different structures for the Board agenda.

#### **REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS**

The Council of Faculty Senate Presidents report was given by Dr. Jeff Burnett. The three items COFSP discussed were 1) Faculty Senate Procedure, 2) Regents Faculty Award, and 3) Faculty Input Survey. COFSP wants to align with the Board to help communicate the value of higher education.

(PowerPoint Filed with Official Minutes)

#### **REPORT FROM STUDENTS' ADVISORY COMMITTEE**

Zach Gearhart briefed the Board on Students' Advisory Committee (SAC) activities. In June, Regent Docking and President Lane attended SAC retreat. Items discussed included a survey of the possible effects of the recession on students and their families and the importance of Kansas Core, which is a program that allows students from across the state to work together on community projects.

#### **REPORT FROM CLASSIFIED SUPPORT STAFF COUNCIL**

The report from the Classified Support Staff Council was given by Dennis Constance. He discussed the Council's concerns about the economy and its effects on wages and job security. The Council would like the Legislature to stay strong and support the new pay plan. It would also like to see a modest increase in salaries to cover rising healthcare costs and have the longevity bonuses maintained for existing employees. Additionally, if the budget cuts require

more action, the Council would prefer furloughs to wage or job cuts, and to have those furloughs managed by the universities rather than a legislatively imposed furlough.

### **APPROVAL OF CONSENT AGENDA**

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

#### *Fiscal Affairs and Audit*

##### **FY 2010 REHABILITATION & REPAIR LIST - KU**

Approval was given to the University of Kansas to amend its FY 2010 Rehabilitation and Repair projects to include replacement of building plumbing system at Watkins Student Health Center at an estimated cost of \$470,000. This project will be funded with the Student Health Center Facilities, Maintenance, Repair and Equipment fund.

The University of Kansas received approval to relocate KJHK to the Kansas Memorial Union at an estimated cost of \$440,000. Restricted Fees funds (\$225,000), Student Senate Student Fee funds (\$90,000), Kansas Memorial Union funds (\$40,250) and private funds (\$84,750) will fund this project.

##### **THE NINNESCAH BIOLOGICAL RESEARCH STATION – WSU**

Wichita State University received approval of final plans and specifications for the Ninnescah Biological Research Station to be built on WSU Foundation property. This WSU Foundation project has an estimated total budget of \$400,000.

##### **NEW STUDENT HEALTH CENTER BUILDING – PSU**

Pittsburg State University received acceptance of the new Student Health Center. A Substantial Completion Certificate has been issued, and in the next few weeks a Certificate of Project Completion is anticipated to be issued and signed.

##### **AGNEW HALL RAZING – FHSU**

Approval was given to Fort Hays State University to raze Agnew Hall. Costs to abate remaining asbestos containing materials, raze the existing structure and fill excavated areas are estimated at \$525,000. This project will be funded through housing reserves.

##### **FY 2010 CAPITAL IMPROVEMENT REQUESTS FOR MCMINDES HALL TOILET/BATH IMPROVEMENTS – FHSU**

Fort Hays State University was authorized to amend its FY 2010 Capital Improvement Request to include McMIndes Hall Toilet/Bath Improvements. Phase I of this project is estimated to be completed during the summer of 2010, and Phase II is estimated to be completed during the summer of 2011. The estimated project cost is \$2,400,000 which will be funded with housing reserves.

LEASE BETWEEN UNIVERSITY OF KANSAS AND UNIVERSITY OF KANSAS HOSPITAL AUTHORITY – KUMC

Approval was given to the University of Kansas to enter into a lease agreement with the University of Kansas Hospital Authority and a Sublease with the Kansas University Physicians, Inc for construction and occupation of the Medical Office Building. The initial term of the lease will be 30 years with the renewal term to be agreed upon by the parties. The base rent will be \$3,125,000 annually. The source of funding for the lease is the general support contribution from the University of Kansas Hospital Authority established in the Affiliation Agreement between the three parties.

**CONSIDERATION OF DISCUSSION AGENDA**

Academic Affairs

POLICY AMENDMENT REGARDING AWARD OF EMERITUS STATUS TO FORMER STATE UNIVERISTY CEOS

Regent Shank amended the proposed policy to read Emeritus/Emerita. Regent Hedges moved to approve the policy as amended. Following the second of Regent Perkins, the motion carried. The following changes were made:

**F. Faculty and Staff**

5. EMERITUS/EMERITA STATUS

Emeritus/Emerita status is an honorary title awarded to a retiring faculty member or administrator for extended meritorious service.

a. Chief Executive Officers

The Board of Regents may confer by resolution the title of Chancellor Emeritus/Emerita or President Emeritus/Emerita upon a former Chancellor or former President of one of the state universities. Factors to consider when awarding emeritus/emmerita status include distinguished administrative service that advances the strength, growth and integrity of the university, and outstanding contributions to the higher education system, the community and the State, as well as the length of administrative service to the university. There is no salary or emolument attached to the status.

b. Faculty and Other Administrative Officers

Each Regents institution will establish its own criteria for awarding such status to university faculty and other administrators. Emeritus/emmerita status ~~may be approved~~ requires approval by the chief executive officer of the employing institution. There is no salary or emolument attached to the status other than such privileges as the institution may wish to extend. (10-18-74; 3-20-87; 2-18-88)

Fiscal Affairs and AuditCONSTRUCTION ON STATE PROPERTY FOR THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION – KU

Eric King, Director of Facilities, introduced a University of Kansas request to construct an addition to the seating on the east side of Memorial Stadium. The estimated cost of the project is \$34 million. Kansas Athletics will be funding the project and is also responsible for the maintenance. After the project is paid off, the Department of Athletics agreed to provide the next \$40 million that is earned in this process to support academic programs on the Lawrence campus. Regent Boettcher moved, with a second by Regent Shank. The motion carried.

NAMING OF THE NEW STUDENT HEALTH CENTER – PSU

Mr. King reported that the new Student Health Center at Pittsburg State University is complete. The new center includes behavior and medical health services within a new 11,500 square foot building. The new building enhances the front of the campus and is consistent with the architectural style on campus. President Scott made the request to name the new Student Health Center after Dr. Tom Bryant. Regent Perkins so moved, with a second by Regent Hedges. The motion carried. The name of the building will be the Bryant Student Health Center.

DEFERRED MAINTENANCE PROJECTS FROM THE FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA)/STATE FISCAL STABILIZATION FUNDS

Eric King presented amendments to the FY 2010 deferred maintenance fund and asked for approval of the allocations. The Regents would like follow-up information on how many jobs these projects will create. Regent Hedges made a motion for the approval of funds, followed by a second from Regent Thornton. The motion carried.

(List of Authorized Projects Filed with Official Minutes)

EXECUTION OF AMENDED MEMORANDUM OF AGREEMENT BETWEEN FORT HAYS STATE UNIVERSITY (FHSU) AND AAUP – FHSU

Associate General Counsel Theresa Bush presented the amendments to the Memorandum of Agreement between the University, Kansas Department of Administration, Kansas Board of Regents, and the Fort Hays State University chapter of the American Association of University Professors. Staff has reviewed and recommends approval of the amended agreement. Motion to approve was made by Regent Downey-Schmidt, with a second by Regent Perkins. The motion carried.

EXECUTION OF RENEWED MEMORANDUM OF AGREEMENT BETWEEN UNIVERSITY OF KANSAS MEDICAL CENTER AND LOCAL 1290PE – KUMC

Associate General Counsel Theresa Bush presented the renewal of the Memorandum of Agreement between the Medical Center and the Public Service Employees Representatives, Local 1290 PE. The Agreement was last brought before the Board for approval in 2004. Staff has reviewed and recommends approval of the agreement. Regent Shank moved to approve followed by a second from Regent Downey-Schmidt. The motion carried.

POLICY AMENDMENTS TO UPDATE STATE UNIVERSITY ANNUAL REPORTING SCHEDULE AND RELATED POLICY SECTIONS

General Counsel Julene Miller introduced policy amendments to the Annual Reporting Schedule and related policy sections of the Board’s Policy Manual. These amendments will update and improve the arrangement of the schedule as well as update provisions in the related sections. Regent Downey-Schmidt moved to approve the policy amendments. Followed by a second from Regent Thornton, the motion carried. The following changes were made:

**APPENDIX C**

ANNUAL ROUTINE REPORTING SCHEDULE

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

<b>ACADEMIC AFFAIRS:</b>	<b><u>Due</u></b>
<del>Accreditation chart update (6-25-03)</del>	
Progress report re Vision 2020.....	Nov. Agenda
Program Review .....	May Agenda
Consolidated Unclassified Report .....	Dec. 1
Performance Reports .....	March 1
Report on Regents Distinguished Professors .....	May 1 & Dec. 1
.....	Oct. 1 as specified in Section <del>D</del> <u>II.F.4.a.(6)</u>
Performance Agreements .....	July 1
Western Kansas Partnership Program (ACCESS US).....	Aug. 1
Kansas Partnership for Faculty of Distinction.....	Sept. 1
IPEDS/NCES reports on degrees awarded .....	Oct. 1
TSE/SPEAK/TOEFL report.....	as specified in Section II.F.3.a., b., & c.
Academic extension courses/programs.....	as specified in Appendix F.4.a.(5), b.(1)
Institutional affiliations with state universities .....	as specified in Appendix H.12.

**FACILITIES:**

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

**FISCAL MANAGEMENT:**

Housing occupancy report .....	Nov. 1
Revised student fee revenue estimates .....	Oct., Feb.,

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

**MISCELLANEOUS**

Attrition and Graduate Report .....	Oct. 1
Continuing Education off-campus report .....	July 1
<u>Kansas Higher Education Enrollment Report (KHEER)</u> .....	Mar. 1, Oct. 1
Legislative proposals (non-appropriations) .....	Nov. agenda
Sustainability report.....	Nov. agenda
Report on pending or completed Legislative Post Audits .....	Dec. 31
Consolidated Unclassified Report .....	Dec. 1
Institutional Research Reports.....	as specified at: <a href="http://www.kpspsd.org/IR/common/documents/Report%20List%20for%20Academic%20Year%202010.pdf">http://www.kpspsd.org/IR/common/documents/Report%20List%20for%20Academic%20Year%202010.pdf</a>

**D. ACADEMIC AFFAIRS**

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7. INSTRUCTIONAL PROGRAM

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~~h. IPEDS (Integrated Postsecondary Education Data System)~~

~~At the time IPEDS reports are submitted to the U.S. Department of Education duplicate copies of the same are to be submitted to the Board office.~~

**B. FISCAL MANAGEMENT**

1. INSTITUTIONAL OPERATING BUDGET STATE APPROPRIATIONS

a. Unified Operating Budget Request

The official request for any new state appropriations for the state universities shall be made by the Board of Regents, pursuant to K.S.A. 74-3202c(a)(6), and amendments thereto, as a part of its unified budget for state funding of postsecondary educational institutions.

b. State University Annual Operating Budgets

(1) The fiscal year of all institutions is July 1 through June 30, and shall be designated by reference to the calendar year in which the fiscal year ends. (6-24-99)

~~b. Each year at its June meeting, the Board shall approve operating budget requests for the Regents system to be submitted to the next Session of the Legislature, based upon preliminary budget requests submitted by the institutions to the Board in a format and at a time prescribed by the Board. (6-24-99)~~

~~e. (2) The Board shall receive an annual operating budget that includes budgeted expenditures by program, source of funds and budgeted staffing and salaries by position for each program. The Board delegates to each chief executive officer the authority to appoint unclassified employees and to establish salaries for individual unclassified employees within the authorization provided by the Legislature and within general guidelines issued by the Board. (2-9-42; 3-20-70; 2-21-75; 2-19-98; 6-24-99)~~

POLICY AMENDMENT TO PROVIDE FOR CERTAIN CREDIT ENHANCEMENTS TO REVENUE BONDS ISSUED BY K DFA

General Counsel Miller presented a policy amendment related to certain credit enhancements to revenue bonds issued by K DFA. The amendment provides a process for universities to submit credit enhancement requests to the Board. Regent Docking moved to approve the policy amendment. Followed by Regent Lykins second, the motion carried. The following changes were made:

**B. FISCAL MANAGEMENT**

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7. REVENUE BONDS

Pursuant to legislative authority, the Board is authorized to issue revenue bonds on behalf of the ~~institutions under its jurisdiction~~ state universities. The Board may issue said revenue bonds directly or by using the services of the Kansas Development Finance Authority. Before endowment associations or other affiliated corporations issue bonds, when the proceeds will be used to fund construction or improvement upon Board-owned property, the ~~institution~~ state university having possession of the property shall obtain Board approval before the bond issuance process is initiated. (9-18-97)

a. Bond Counsel/Underwriter:

If the Board issues said revenue bonds directly, the Chairperson of the Board is authorized to employ bond counsel and underwriter to represent the Board in the matter of issuing such bonds. The fees, which shall be negotiated in advance, and other expenses associated with a bond issue shall be paid by the ~~institution~~ state university on whose behalf the bonds are issued. If the Kansas Development Finance Authority is used, it will provide for bond counsel and underwriter. (11-18-49; 11-18- 63; 10-19-84)

b. Pledge of Available Revenue Agreements

If the state university for which the bonds for a project are issued, in consultation with the Kansas Development Finance Authority, determines that the bonds will be more marketable with a pledge of available university revenues, or a credit enhancement in the form of a supplemental pledge or assurance of revenues other than those generated by the facility for which the revenue bonds are to be issued, the desire to utilize such a pledge or assurance shall be reported to the Board at the time of the request for approval the capital improvement, and language permitting the pledge of other available revenues for debt service purposes shall be included in the legislative proviso authorizing issuance of the bonds. Any bonds issued by the Board directly pursuant to K.S.A. 76-6a13 et seq. shall be subject to the pledge of revenue restrictions set forth in K.S.A. 76-6a15. This paragraph B.7.b. shall apply to the FY 2012 Capital Improvements request or projects submitted to the Board for approval after October 1, 2009.

RESOLUTION TO AUTHORIZE DEFEASANCE OF REVENUE BONDS – FHSU

General Counsel Miller introduced a Resolution to authorize defeasance of revenue bonds issued for housing improvements on the Fort Hays State University campus in 2003. Regent Docking moved to adopt the Resolution and allow the Board Chair and President and CEO to execute the Resolution. Regent Perkins seconded and the motion carried.

(Resolution Filed with Official Minutes)

Other MattersREPORT FROM KBOR'S KANSAS BIOSCIENCE AUTHORITY BOARD REPRESENTATIVE

Regent Thornton presented a report on the Kansas Bioscience Authority (KBA). He and President Robinson are non-voting members. They both serve on committees and Regent Thornton noted that President Beggs, President Schulz and Chancellor Gray-Little also serve on KBA's Research Advisory Board. In 2010, key areas of focus for KBA include accelerating commercialization of Bioscience in Kansas, the Kansas Bioscience Center of Innovations, and

Kansas Bioscience Eminent Scholar Program. Additionally, Regent Thornton spoke of the strong support of the National Bio and Agro-Defense Facility (NBAF).

President Robinson reported the Kansas Bioscience Authority is placing emphasis on the work of the Centers of Innovations and how KBA is proud these centers are industry led collaborations. Additionally, KBA has committed significant resources to the Kansas Cancer Finding Cures Project. President Robinson noted that KBA is actively looking for other centers like NBAF that could be brought to Kansas.

#### ACT ON CEO SALARIES FOR FY 2010

President Robinson reported the salaries of the new CEOs at Kansas State University, Pittsburg State University, and the University of Kansas were set for FY 2010 when they were hired. Action needs to be taken for FY 2010 salaries of the CEOs for Emporia State University, Fort Hays State University, and Wichita State University and the Board of Regents. Regent Downey-Schmidt moved that, in light of the difficult budget and revenue situation confronting our state, our higher education system and our universities, the FY 2010 salaries for the CEOs of Emporia State University, Fort Hays State University, and Wichita State University and the Board of Regents be frozen at their FY 2009 levels. Following Regent Shanks' second, the motion carried.

#### EXECUTIVE SESSION

At 11:07 a.m., Regent Shank moved, followed by the second of Regent Lykins that the Board recess into executive session for approximately 30 minutes to discuss matters relating to safety and security measures on the state university campuses. Participating in the executive session were members of the Board, President Robinson, General Counsel Miller, Associate General Counsel Bush, University CEOs and designated university staff. At 11:35 a.m. Regent Shank moved to extend executive session to 11:45 a.m., followed by a second by Regent Hedges. At 11:45 a.m., Regent Shank moved to extend executive session to 11:55 a.m., followed by a second by Regent Lykins.

#### EXECUTIVE SESSION

At 11:55 a.m., Regent Shank moved, followed by Regent Downey-Schmidt second that the Board of Regents recess into executive session for approximately 15 minutes to discuss matters deemed confidential in the attorney-client relationship. Participating in the executive session were members of the Board, President Robinson, General Counsel Miller, and Associate General Counsel Bush. At 12:00 p.m., the meeting returned to open session.

#### UNIVERSITY OF KANSAS AND PITTSBURG STATE UNIVERSITY MANAGEMENT REVIEWS

The Board reviewed the final management reports for the University of Kansas and Pittsburg State University. The reports reviewed matters relating to non-public accounts and provided recommendations to each university. Regent Shank moved that Chancellor Gray-Little and President Scott review the findings and recommendations presented in the reports and report back to the Board at its December 2009 meeting regarding their implementation of those recommendations. Regent Boettcher seconded and the motion carried.

**EXECUTIVE SESSION**

At 12:10 p.m., Regent Shank moved, followed by Regent Lykins second that the Board of Regents recess into executive session for approximately 10 minutes to discuss matters deemed confidential in the attorney-client relationship regarding litigation and other legal matters. Participating in the executive session were members of the Board, President Robinson, and General Counsel Miller. At 12:20, the meeting returned to open session.

**EXECUTION OF AGREEMENT REGARDING GIFT OF PROPERTY TO THE DEPARTMENT OF HOMELAND SECURITY**

Regent Boettcher moved to approve execution of an agreement with the Department of Homeland Security regarding the gift of property for NBAF purposes, and to authorize execution of such agreement by the Board Chair and President and CEO. Following a second by Regent Thornton, the motion carried.

**ADJOURNMENT**

The Chairman adjourned the meeting at 12:25 p.m.

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Reginald L. Robinson, President and CEO

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Jill S. Docking, Chair