

KANSAS BOARD OF REGENTS
MINUTES
February 17-18, 2010

The February 17, 2010, meeting of the Kansas Board of Regents was called to order by Chairman Jill Docking at 1:31 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
 Donna Shank

MEMBER ABSENT: Janie Perkins

APPROVAL OF MINUTES

Regent Sherrer moved that the minutes of the January 20-21, 2010 meeting be approved. Following the second of Regent Lykins, the motion carried.

INTRODUCTIONS

Allen Rawitch from the University of Kansas Medical Center introduced Amber Messmer, the President of the Graduate Student Council. Ms. Messmer invited the Regents to attend the Capitol Graduate Research Summit to be held on Thursday, March 25, 2010.

AMEND AGENDA

Chairman Docking announced that the agenda would be amended to move the report from the Students' Advisory Committee from Thursday to Wednesday after the report from the Council of Faculty Senate Presidents. Additionally, an Executive Session regarding matters deemed confidential in the attorney-client relationship was added to Wednesday's discussion agenda under new section C, *Other Matters*.

GENERAL REPORTS

REPORT FROM CHAIR

Regent Docking reported that she attended the Technical Education Authority's Process Management Committee meeting, which was held in Wichita on February 3, 2010. She announced that Governor Parkinson has appointed Ed McKechnie to the Board of Regents to fill the vacancy created by Bill Thornton's resignation. Mr. McKechnie's confirmation hearing is scheduled for Tuesday, February 23, 2010. Regent Docking also announced that President Robinson is resigning, effective at the end of the fiscal year.

REPORT FROM PRESIDENT AND CEO

President Robinson reported that he and five of the university CEOs attended the State Legislative Higher Education Caucus. Its members include legislators who are concerned about and are supportive of higher education. President Robinson also attended a Kansas Bioscience Authority (KBA) meeting and stated that Regent Boettcher will give a report on the KBA meeting later in the agenda.

REPORT FROM COUNCIL OF PRESIDENTS

President Hammond briefed the Board on the Council of Presidents' meeting. The Council received reports from the Council of Business Officers and the Council of Chief Academic Officers. The Council of Business Officers reported on the campus property insurance, the health insurance rate, and their meeting with the State Budget Director. The Council of Chief Academic Officers updated COPs on the distance learning policy, program review, and the University Press of Kansas.

The Council of Presidents discussed the Governor's policy on cell phone usage. The University attorneys and the Board's General Council are working on how the universities might implement the policy. COPs also discussed the facilities policy, which is on the Board's agenda today, and the fiscal management reviews/audits policy. Additionally, the Board's budget message was discussed.

At the January Board meeting, the Board asked the Council of Presidents to present its recommendations on the sale of tobacco products on the campuses of the universities. President Hammond reported that by July 1, 2010 no tobacco products will be sold on any state university campus. The Board directed the Council to develop a policy that bans the on-campus sale of tobacco products and then present the proposed policy to the Board for consideration at a future meeting.

The Council of Presidents voted to reappoint President Hammond as its representative on the Regents Retirement Plan Committee.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The Council of Faculty Senate Presidents report was given by Dr. Jeff Burnett. The Council discussed the faculty senate legislation for Spring 2010 and ways to coordinate with the students and university presidents on spreading the Board's budgetary message. Faculty members at the institutions are sending letters to the local chamber of commerce, legislators, and private citizens. The Council wants to distribute a fact sheet on the higher education budget cuts and is gathering information from the Regents, presidents, and students.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Zach Gearhart briefed the Board on the Students' Advisory Committee activities. The SAC members met with state legislators to discuss higher education issues at the annual State Higher Education Day. Mr. Gearhart reported that each student government adopted a Resolution concerning the support of funding for higher education. The SAC members are also working with their local chambers of commerce and their university president to distribute the Board's message. Additionally, Mr. Gearhart reported that the SAC is participating in a Kansas Corps project at the Ronald McDonald House later in the day.

STANDING COMMITTEE AND OTHER REPORTS**Academic Affairs**

Regent Sherrer reported the Boards Academic Affairs Standing Committee (BAASC) is working with the Council of Chief Academic Officers on the distance education plan and the new admission standards.

Fiscal Affairs and Audit

Regent Boettcher briefed the Board regarding the Fiscal Affairs and Audit Standing Committee meeting. The Committee discussed the Board's Facilities Policy and made one minor change, which will be presented during the Board's Discussion Agenda today. The Committee also reviewed the proposed management reviews/audits policy.

P-20 Council

Regent Downey-Schmidt briefed the Board about the P-20 Council meeting that was held earlier in the week. The results of a study that compared math and English standards of Kansas to the common core standards, which are relevant broad standards across the nation, were reviewed by the Council. The study concluded that the standards were aligned. The next step was to establish whether the common standards are aligned with higher education. A survey was conducted at higher education institutions in Kansas that concluded there are concerns that students have not mastered math and English skills before entering higher education.

The Council continues to review the following three gaps: 1) preschool to K-12; 2) K-12 to postsecondary education; and 3) postsecondary education to workforce. The Council gave recommendations to the Governor on the preschool initiative. The next step is to develop a plan for moving the gap analysis forward on K-12, higher education and workforce. Regent Downey-Schmidt also reported the P-20 Council submitted the Race to the Top Grant Proposal, which is part of the federal stimulus package. Forty states including Kansas submitted applications for Phase 1. Kansas requested \$466 million.

Kansas Bioscience Authority

Regent Boettcher reported on the Kansas Bioscience Authority (KBA) meeting. The KBA received a report on the status of three Bioscience Centers of Innovations. It discussed the possibility of establishing another center focused on animal health and discussed how it can help the University of Kansas obtain the designation as a national cancer center. He also reported the President Obama's proposed FY 2011 budget included a \$40 million appropriation for the National Bio- and Agro-Defense Facility (NBAF).

APPROVAL OF CONSENT AGENDA

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

*Fiscal Affairs and Audit*FY 2010 CAPITAL IMPROVEMENTS PLAN REGARDING MODIFICATIONS TO BRAMLAGE COLISEUM AND BILL SNYDER FAMILY STADIUM – KSU

Kansas State University received approval to amend its FY 2010 Capital Improvements Plan regarding modifications to Bramlage Coliseum and Bill Snyder Family Stadium. The modified scope of work will focus on the \$20 million indoor basketball training facility and the \$2.1 million restroom project on the upper deck of the east stadium of Bill Snyder Family Stadium. The projects will be financed by revenue bonds to be repaid from athletics revenue and private gift fund. All additional utilities, custodial, routine, and special maintenance costs associated with the projects will be paid by the Department of intercollegiate Athletics.

FY 2010 CAPITAL IMPROVEMENTS PLAN REGARDING RENOVATIONS OF OLD MEMORIAL STADIUM – KSU

Approval was given to Kansas State University to include in its FY 2010 Capital Improvements Plan a \$17 million privately funded renovation of the East side of the old Memorial Stadium. Previously, \$10 million was approved to renovate both the East and West sides of the stadium, but during programming it became apparent this amount was insufficient to complete both projects. The East side project will be supported by private funds on deposit with the KSU Foundation, and the West side project will remain a component of K-State's 5-year deferred maintenance plan.

HVAC EQUIPMENT BID PACKAGE FOR MEMORIAL STUDENT UNION REMODEL & ADDITION – ESU

Emporia State University received approval to issue an early bid package for selected air handling equipment items for the Memorial Student Union remodel and addition. The equipment will cost approximately \$800,000 and will be funded by the Memorial Student Union's "cash on hand." Future maintenance and operations will be the responsibility of the Memorial Student Union. The final construction documents for the Memorial Student Union remodel and addition will be presented to the Board at its March 2010 meeting.

FINAL PLANS AND SPECIFICATIONS FOR THE PARKING FACILITY NO. 4 PROJECT – KUMC

The University of Kansas Medical Center received approval of final plans and specifications for Parking Facility No. 4. The facility will be constructed on the current surface parking lot at Cambridge and Olathe Boulevard. It will provide parking for the new medical office building that is being constructed by the KU Hospital Authority. The project budget is \$9,100,000 which will be funded by parking revenue and bonds issued by the Kansas Development Finance Authority.

AMENDMENT OF LEASE AGREEMENT WITH THE KU ENDOWMENT ASSOCIATION FOR THE SUPPORT SERVICES FACILITY – KUMC

The University of Kansas received authorization to amend a lease agreement with the KU Endowment Association for the Support Services building at the Medical Center. The amended lease includes \$2.1 million in deferred maintenance for parking lot resurfacing (\$850,000), roof replacement (\$750,000), HVAC system replacement (\$310,000), and interior repairs (\$190,000). With the current payment of \$660,000 per year, the additional \$2.1 million will extend the lease to 2018. Upon completion of the lease, the building will be transferred to the Medical Center. Funds that are currently budgeted for the lease payment will maintain the building once it is transferred.

CLINICAL RESEARCH CENTER REMODELING PROJECT DEMOLITION BID PACKAGE – KU

Approval was given to the University of Kansas for interior demolition work in the facility at 4350 Shawnee Mission Parkway in Fairway, Kansas. This is the first phase of the project to renovate the facility to house the Clinical Research Center. The estimated cost of the project is \$550,000, and it will be funded with Johnson County Educational Research Triangle Authority (JCERTA) funds.

AMENDED ARCHITECTURAL PROGRAM FOR THE PHARMACY AND STANDARDIZED PATIENT TRAINING PROJECT – KU

The University of Kansas received approval to amend the architectural program for the Pharmacy and Standardized Patient Training project at the KU School of Medicine-Wichita Campus. Due to favorable construction bids, the University has sufficient funds in the approved project budget to finish the remaining 8,500 square feet shelled space in the Center for Primary Care building. The estimated cost of the project is \$850,000.

PURCHASE OF REAL PROPERTY AT 1603 S. ELM, PITTSBURG, KS – PSU

Pittsburg State University received authorization to proceed with the requisite procedures provided by K.S.A. 75-3043a relative to the purchase of real property located at 1603 S. Elm, Pittsburg, Kansas. The property will be converted to campus parking, and the purchase will be financed from parking bond proceeds that were issued in FY09. The purchase price is to be negotiated at no more than \$275,000 as supported by appraisal. Final acquisition is contingent upon board staff approval and is expected to occur during FY10.

The legal description of the properties follows:

The South one-half of Lot Number Thirteen (13) and the West Forty (40) feet of the South one-half of Lot Number Eleven (11) in Block Number Seven (7) in Broadway Park Addition to the City of Pittsburg, Crawford County, Kansas, according to the recorded Plat thereof.

CONSIDERATION OF DISCUSSION AGENDA*Academic Affairs***ADOPT AMENDMENT TO INTELLECTUAL PROPERTY POLICY**

General Counsel Miller presented the amendment to the Board's Intellectual Property Policy, noting that it is a clarification rather than a substantive change. Regent Sherrer moved to approve the policy. Following the second of Regent Docking, the motion carried.

The following changes were made:

b. Patent and Copyrightable Software Policy

Patents obtained on inventions or the ownership of copyrightable software with an actual or projected market value in excess of \$10,000 annually resulting from institutionally sponsored research shall be retained by the institution or may be assigned to an organization (hereinafter called the Organization) independent of the institution and created for the purpose of obtaining patents on inventions, receiving gifts, administering or disposing of such patents, and promoting research and the development of intellectual property at the institution by every proper means. The following regulations shall be followed with respect to inventions or software: (10-19-00)

- (1) Anyone who conceives an invention or who develops copyrightable software that is not included in mediated courseware resulting from a research project sponsored by the institution shall report the matter to the appropriate research administrator at the institution, who will recommend whether or not to forward it to the Organization. (10-19-00)
- (2) If the institution or the Organization decides that the invention does not warrant patenting, the inventor is free to patent it. In such case, however, the institution does not relinquish its right to publish any of the data obtained in the research project. If the institution or the Organization decides not to further the use of the copyrightable software, it shall assign the rights therein to the creator(s).
- (3) When any revenue is obtained by or on behalf of the institution from the development or assignment of any patent or from royalties, license fees or other charges based on any patent or copyrightable software, not less than twenty-five (25) percent of revenues shall be paid to the inventor(s) or creator(s). Revenue sharing shall begin only after the institution recoups costs as set forth in this policy.
- (4) The remainder of any revenue mentioned in Paragraph 3 shall be used to sponsor further research and research-related activities in the institution. The institution may agree that the Organization may retain a portion of the funds.

- (5) In case of cooperative research sponsored in part by an outside corporation or individual, a written contract shall be made between the institution and the cooperating agency. This contract should include a statement of policy substantially equivalent to that outlined below:

“It is agreed by the parties to this contract that all results of experimental work, including inventions, carried on under the direction of the scientific staff of the institution, belong to the institution and to the public and shall be used and controlled so as to produce the greatest benefit to the public. It is understood and agreed that if patentable inventions or copyrightable software grow out of the investigation and such inventions or software have commercial value, the cooperating agency shall receive preferential consideration as a prospective licensee, with a view to compensating said cooperating agency in part for the assistance rendered in the investigation.”

“It is further agreed that the name of the institution shall not be used by the cooperating agency in any advertisement, whether with regard to the cooperative agreement or any other related matter.”

- (6) In case of a research project where it is proposed that all costs including overhead, salary of investigator, reasonable rent on the use of equipment, etc., are to be paid by an outside party, ~~the outside party and~~ the institution shall negotiate with the outside party the appropriate assignment disposition of all any resulting patent or copyrightable software rights prior to the provision of any funding by the outside party. “Appropriate disposition” shall include an option to negotiate a license to any resulting intellectual property. The institution shall reserve ~~the~~ a royalty-free right to publish all data of fundamental value to science and technology and to use the patent or copyrightable software rights for teaching, research or other educational and academic purposes.
- (7) Changes in the above policies may be made by the institution to conform to the requirements of the United States Government when contracting with the United States Government or a Federal Government Agency.

Fiscal Affairs and Audit

ADOPT AMENDMENT TO APPENDIX C TO REQUIRE ANNUAL REPORTING OF CAMPUS SAFETY AND SECURITY STATUS

General Counsel Miller presented the amendment to Appendix C of the Board’s Policy Manual. The amendment requires state universities to report campus safety and security status to the Fiscal Affairs and Audit Committee in November each year.

The following changes were made:

Appendix C

ROUTINE REPORTING SCHEDULE (9-17-09)

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.

Due

ACADEMIC AFFAIRS:

Program Review	May Agenda
Performance Reports	March 1
Report on Regents Distinguished Professors.....	May 1 & Dec. 1
.....	Oct. 1 as specified in Section II.F.4.a.(6)
Performance Agreements.....	July 1
Western Kansas Partnership Program (ACCESS US).....	Aug. 1
Kansas Partnership for Faculty of Distinction.....	Sept. 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 (1 copy to Board office, 1 copy to each Regent)	Apr. 1
Inventory of Physical Facilities & Space Utilization (report even numbered years biennial; Table 1	
annually) copies of selected pages by campuses	Nov. 1
<u>Campus safety and security summary status report (to Committee on Fiscal Affairs and Audit)</u>	<u>Nov. 1</u>
Rehabilitation and Repair Projects for Institutions of Higher Education for allocation, at December Board meeting (for following July 1 availability).....	Dec. 1

FISCAL MANAGEMENT:

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
Annual financial report.....	Dec. 31

MISCELLANEOUS

Attrition and Graduate Report	Oct. 1
Kansas Higher Education Enrollment Report (KHEER).....	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 Reports..... Dec. 1
 Institutional Research Reports..... as specified at:
<http://www.kpspsd.org/IR/common/documents/Report%20List%20for%20Academic%20Year%202010.pdf>

ADOPT AMENDMENTS TO UPDATE AND CLARIFY FACILITIES POLICY

General Counsel Miller presented the proposed amendment to the Board’s Facilities Policy. Following discussion and additional amendments, Regent Shank made a motion to approve the policy as amended. Regent Lykins seconded and the motion carried.

Below is the amended Facilities Policy:

C. FACILITIES

1. PROJECT PLANNING (K.S.A. 76-7,103 and 76-7,105)

- a. Each state university shall maintain a Campus Master Plan that documents concepts and guiding principles for future land use and development of campus facilities and infrastructure.
- b. New Campus Master Plans, or significant modifications to existing Campus Master Plans, shall
 - (1) address deferred maintenance needs;
 - (2) include a plan to ensure compliance with space utilization standards established by the Board; and
 - (3) be submitted to the Board for approval.

2. SUMMARY OF APPROVAL REQUIREMENTS

	<u>Board of Regents</u>	<u>Building Committee</u>	<u>Full Legislature</u>	<u>Program Statement required?</u>	<u>Execution process (architect/contractor)</u>
<u>Capital Improvements > \$750,000</u>					
<u>Endowment/Foundation/Research</u>	<u>approve</u>	<u>advise</u>		<u>yes</u>	<u>Campus</u>
<u>State General Fund</u>	<u>approve</u>	<u>advise</u>	<u>approve (418)</u>	<u>yes</u>	<u>State selection/bid</u>
<u>All Other Non-State Funds</u>	<u>approve</u>	<u>advise</u>		<u>yes</u>	<u>K.S.A. 76-7,125 et seq (SB 9)</u>
<u>Revenue Bonds</u>	<u>approve</u>	<u>advise</u>	<u>approve (418)</u>	<u>yes</u>	<u>State selection/bid</u>
<u>Federal Grants</u>	<u>approve</u>	<u>advise</u>		<u>yes</u>	<u>K.S.A. 76-7,125 et seq (SB 9)</u>
<u>Educational Building Fund</u>	<u>approve</u>	<u>advise</u>	<u>***¹</u>	<u>yes</u>	<u>State selection/bid</u>

¹ If new project or major renovation.

<u>Rehabilitation and Repair Projects</u> ²					
<u>Endowment/Foundation/Research</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>Campus</u>
<u>State General Fund/EBF</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>State selection/bid</u>
<u>All Other Non-State Funds</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>K.S.A. 76-7,125 et seq (SB 9)</u>
<u>Federal Grants</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>K.S.A. 76-7,125 et seq (SB 9)</u>
<u>Deferred Maintenance Projects</u>					
<u>Infrastructure Maintenance Funds</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>State selection/bid</u>
<u>University Interest</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>K.S.A. 76-7,125 et seq (SB 9)</u>
<u>Tax Credits</u>	<u>approve</u>	<u>advise</u>		<u>no</u>	<u>State selection/bid</u>
<u>Energy Performance Contracting</u>	<u>approve</u>	<u>advise</u>			<u>K.S.A. 75-37,111 through 37,114 and 75-37,125</u>
<u>Building Razing</u>	<u>approve</u>	<u>advise</u> ³			

3. CAPITAL IMPROVEMENT PROJECTS

a. Definitions

(1) Capital improvement projects are those the costs for which exceed \$750,000, regardless of funding source, including new buildings, remodeling or alterations, annual maintenance, and utility projects. Deferred maintenance projects are governed by subsection 4., below.

(2) Educational Building Fund, or EBF, means the fund created pursuant to K.S.A. 76-6b01 et seq. and funded by the annual mill levy authorized by Article 6, Section 6 of the Kansas Constitution. Moneys in the EBF may only be expended as authorized by K.S.A. 76-6b02.

b. Process

(1) Initial Request: ~~The~~ Each state university shall include initial concept requests for authorization of a capital improvement projects and its funding are received by the Board through with the university's legislative requests five year plan submitted to the Board for consideration on April 1 of each year. Capital improvements are generally defined as projects exceeding \$750,000 and include new buildings, major remodelings/alterations or significant utility projects. Each project that will require the services of an architect and/or engineer shall have a written architectural program statement included with the request. The request shall identify each anticipated source of funding for the project. For improvements that include new space for which private moneys are to finance at least 51% of the cost, the request shall include a plan for paying the annual maintenance and operation costs for the project from either private funds or existing university resources. (K.S.A. 76-790) For improvements that include new space for which private moneys are to finance less than 51% of the cost, the request shall include a plan for paying annual maintenance and operation costs that identifies the resources to be used for such costs. Such annual maintenance and operation costs plans shall be included in the program statement and will adhere to standards prescribed by

² Projects < \$500,000 require only Director's approval.

³ Not required by law.

~~the Board's Director of Facilities. The Board will determine the projects to be submitted to the Governor and the Legislature. The Each request, as approved by the Board, is then submitted in the format determined by the State Budget Director and shall be filed with the appropriate state offices on or before July 1 in the format determined by the State Budget Director. An institution~~ Each state university is prohibited from pursuing gubernatorial or legislative approval of any project not previously approved by the Board. (6-24-99; 10-19-06)

(2) Amendments: Amendments to the current year capital improvements project list may be submitted to the Board at times other than those specified above. Once approved, each university shall be responsible for ensuring that appropriate legislative approvals are obtained, including advising the Joint Committee on Building Construction.

(3) Licensed Professional Consultants: The design and construction administration for all new buildings and major renovations on state property shall be performed by ~~associate architects~~ licensed professional consultants retained in accordance with Kansas statutes. A written program for each building project shall be submitted and approved by the Board and by the Legislature or legislative building committee as set forth in Section 2, before such services are obtained. (9-19-69; 10-19-06)

~~(2)-(4) Architectural Program Statements:~~ Minimum requirements for architectural program statements include introductions, ~~space projections, space summaries, space descriptions,~~ project budgets, and project schedules. For new construction or major renovations the program statement must also include space projections, space summaries, space descriptions, a discussion of the impact the additional space will have on overall campus space, and new buildings operating costs and the proposed source of funding for such operating costs (or a statement that such will not be requested). Additional information that the institutions deem necessary may be included. (6-24-99)

~~(3) (5) Preliminary Design Development Plans:~~ Following Legislative and Board approval of a specific capital improvement project, ~~preliminary design development~~ plans for a building or project and the location of the new building shall be submitted to the President and ~~Chief Executive Officer~~ CEO for review and approval before final plans are prepared. The President and CEO, upon the recommendation of the Director of Facilities, may approve said preliminary design development plans for the Board. (7-22-49; 10-21-83; 9-19-91)

~~(4) Final Plans and Specifications:~~ Final plans and specifications of a project must be submitted for Board approval.

~~(5) Construction Contracts:~~ Board approval of construction contracts is required if there are federal funds involved in the financing of a project.

c. Funding

(1) Funding Sources: ~~for Buildings and Construction Projects~~ Capital improvement projects may be ~~provided paid for from General Revenue~~ state general funds, tuition, educational building funds, revenue bond proceeds (in accordance with Section II.B. of this Policy Manual), restricted fees, research overhead funds and other resources as approved by the Board.

Capital improvement projects that are also approved deferred maintenance projects may be paid for in whole or in part by tuition interest earnings, contributions received pursuant to the postsecondary educational institution tax credit program (K.S.A. 79-32,261), and other funds earmarked by the Board or Legislature for the purpose of addressing deferred maintenance.

(2) Federal Grant Requests: All institutional requests for federal grants for capital improvements shall be submitted to the Board President and CEO of Regents for review and approval before the request is submitted to the appropriate federal agency. (6-23-88);

(3) *Private Funds*: No capital improvement project which is funded in part or totally from private funds may proceed to signature of contract unless and until all private funds have been deposited in an account for the use of the project or a letter of credit has been received by the Board President and ~~Chief Executive Officer~~ CEO that guarantees the availability of the funds necessary to complete the project.

(4) *Fund Raising: Notification* ~~In addition to the project approval required in subsection 3.b.1. of this section, notification~~ of all capital improvement projects to be funded in part or in whole from private resources must be submitted to the Board's President and CEO before fund raising efforts are publicly announced. (9-16-04)

d. Annual Maintenance

Beginning with projects initiated after January, 2007, and except as otherwise specifically provided for by law or approved by the Board, state universities shall not seek new state general funds to finance annual maintenance and operation costs for any new capital improvement project.

2. 4. REPAIR & REHABILITATION & REPAIR PROJECTS

a. Definition

Rehabilitation and repair projects are those projects that cost \$750,000 or less, including new buildings, remodeling or alterations, annual maintenance, or utility projects. Deferred maintenance projects are governed by subsection 5., below.

b. Process-Funding

~~Repair and rehabilitation projects are generally defined as routine maintenance or minor remodeling not exceeding \$750,000.~~ The Board receives an annual line item appropriation from the Educational Building Fund for rehabilitation and repair projects. This appropriation is allocated by the Board to the ~~institutions under its control~~ state universities pursuant to an "adjusted square footage" formula, which factors in gross square footage, building age and complexity of the physical plant.

Additionally, the universities may provide funds for rehabilitation and repair projects from state general fund revenues, tuition, restricted fees, research overhead funds and other resources as approved by the Board. (6-24-99; 10-19-06)

Rehabilitation and repair projects that are also approved deferred maintenance projects may be paid for in whole or in part by tuition interest earnings, contributions received pursuant to the postsecondary educational institution tax credit program (79-32,261), and other funds earmarked by the Board or Legislature for the purpose of addressing deferred maintenance.

b. c. Process

~~The Regents institutions~~ state universities are authorized by the Board and the Legislature to proceed with rehabilitation and repair projects on a fiscal year basis. Upon request of the university with concurrence of the Board's Director of Facilities, the President and ~~Chief Executive Officer~~ CEO has the authority to revise such authorizations during the fiscal year; provided, however, that any project requiring expenditures of ~~\$250,000~~ \$500,000 or more must be considered by the Board. (6-24-99)

5. 2007 STATE EDUCATIONAL INSTITUTION LONG-TERM INFRASTRUCTURE MAINTENANCE PROGRAM

a. Definitions (K.S.A. 76-7,102)

(1) Deferred maintenance projects are those projects involving the maintenance, construction or rehabilitation of any one or more of the following:

- (a) a building located at a state educational institution;
 - (b) any utility system and other infrastructure relating to such building;
 - (c) any life-safety upgrade to such building; or
 - (d) any improvements necessary to be made to such building in order to comply with the requirements of the Americans with Disabilities Act or other federal or state law.
 - (2) Deferred maintenance projects shall not include:
 - (a) construction of new buildings;
 - (b) the maintenance, repair, reconstruction or rehabilitation of any building used as an athletic facility, residential housing or other auxilliary that does not directly support the delivery of academic pursuits; or
 - (c) the maintenance, repair, reconstruction or rehabilitation of the residence of the president or chancellor of a state university.
- (3) 2007 State educational institution long-term infrastructure maintenance program refers to K.S.A. 76-7,101 through 76-7,107, and amendments thereto. This program was enacted by the Legislature in 2007 to address funding for state university deferred maintenance projects and provides for demand transfers by the Director of Accounts and Reports from the state general fund to the infrastructure maintenance fund in fiscal years 2009, 2010, 2011 and 2012. The 2007 Legislature also enacted a tax credit program (K.S.A. 79-32,261) and expanded availability of university interest earnings (K.S.A. 76-719(c), (d), (e)) to assist with funding deferred maintenance projects.
- b. Process (K.S.A. 76-7,103 and 76-7,105)
- (1) Each state university shall maintain a list of deferred maintenance projects that have been approved by the Board. The list shall prioritize the most critical deferred maintenance projects and reflect the deficiencies identified in the Board's 2007 or subsequent deferred maintenance studies. The listed projects shall not:
 - (a) provide for additional space requirements;
 - (b) reflect new program requirements or changes of use; or
 - (c) include exceptional levels of finish, equipment or other similar enhancements.
 - (2) Requests for changes to the Board approved list of deferred maintenance projects shall be submitted to the Board for consideration and approval. Each request for a change shall include justification for adding the project as one of the university's priority deferred maintenance needs. The state universities are authorized by the Board and the Legislature to proceed with deferred maintenance projects on a fiscal year basis. Upon request of the university with concurrence of the Board's Director of Facilities, the President and CEO has the authority to revise such authorizations during the fiscal year; provided, however, that any project change requiring expenditures of \$500,000 or more requires Board approval.
 - (3) Each state university shall provide quarterly status and expenditures reports to the Board. The report shall include information showing the progress made during the reporting period to reduce the university's deferred maintenance backlog as identified in the university's Board approved deferred maintenance projects list, and information showing the effect that the expenditures have had on the campus of the university. The original estimate for each project shall remain constant, however actual expenditures shall also be shown.
 - (4) Each state university, in coordination with the Board office, shall advise and consult with the Joint Committee on State Building Construction before expending any moneys from the Infrastructure Maintenance Fund, or from any account of accounts of the Infrastructure Maintenance Fund of the university.

- (5) Each state university, in coordination with the Board office, shall advise and consult with the Joint Committee on State Building Construction before expending any moneys received by the university as a contribution that qualifies as an income tax credit pursuant to the postsecondary educational institution tax credit program.
- (6) Any project in excess of \$750,000 must have a written program statement. Design development plans for the project must be submitted to the Board for approval.

c. Funding (K.S.A. 76-7,103, 76-7,104, 76-719(c), (d), (e) and 79-32,261)

Allocations of funds from the Infrastructure Maintenance Fund will be based on a maintenance allocation formula that factors gross square footage, building age, and complexity of each university's physical plant. Such funds, as well as funds in each state university's deferred maintenance support fund, may be used only to help finance Board approved deferred maintenance projects on the state university's list. Projects that exceed the strict scope of the deferred maintenance initiative due to program changes, additional space requirements, and expectations for exceptional levels of finish, equipment, etc. will require other funding sources above and beyond the state-provided deferred maintenance pool of funding.

6. ENERGY CONSERVATION MEASURES (K.S.A. 2009 Supp. 75-37,125)

a. Definition

Energy conservation measure means an energy study, audit, improvement or equipment which is designed to provide energy and operational cost savings at least equivalent to the amount expended by the participating state university for such energy study, audit, improvement or equipment over a period of not more than 30 years after the date such improvement or equipment is installed or becomes operational.

b. Process

(1) When an energy conservation measure is to be financed with revenue bond proceeds pursuant to K.S.A. 2009 74-8960, the applicable processes for approval of and issuance of revenue bonds shall be followed.

(2) When an energy conservation measure is to be financed by means other than with revenue bond proceeds pursuant to K.S.A. 2009 74-8960, the provisions of K.S.A. 2009 Supp. 75-37,125 and any other applicable statutory provisions shall be followed and the project shall be presented to the Board for approval prior to entering into any contract, lease-purchase agreement or other financing arrangement.

7. OBSOLETE BUILDINGS (K.S.A. 76-7,108)

Each state university shall evaluate all buildings in the university's inventory to determine if any building is obsolete. If a building is found to be obsolete, the state university shall request approval of the Board to retire the building from service and shall make a recommendation to the Board regarding the prudence of razing the building. Such recommendations shall include all pertinent information such as a justification statement, costs and funding source(s), environmental issues and anticipated use of the vacated property.

3.8. INSPECTIONS

a. State Fire Marshal

Except as provided in this subsection, an annual inspection of all buildings at institutions under the jurisdiction of the Board each state university shall be made by the State Fire Marshal with copies of the inspection report to be sent to the institution university. Within 30 days of receipt, the institution-state university shall provide a written summary of the State Fire Marshal's annual inspection report and the institution's university's response thereto to the President and Chief Executive Officer CEO of the Board; provided, however, that any notice of citation, potential sanction, violation, cease and desist order or hazard

requiring follow up by the ~~institution~~ state university shall be immediately reported to the President and CEO. (9-27-57; 6-27-91)

In lieu of the State Fire Marshal conducted inspection provided above, a state university may enter into a memorandum of agreement with the State Fire Marshal pursuant to the State Fire Marshal Commissioned Inspector Act, K.S.A. 31-701 et seq. Annual inspections conducted by a university commissioned inspector shall be performed in accordance with the Act and the university's memorandum of agreement.

b. Department of Administration

Each state university shall obtain such Department of Administration inspections for new construction or renovation as are required by Chapter 7, Section 5 of the Department's 2009 Building Design and Construction Manual, as amended.

c. Boiler and Other Inspections Required by Law

Each state university shall provide for such boiler and other inspections as are required by law. (K.S.A. 44-913 et seq.)

4-9. NAMING OF BUILDINGS

a. Authority for Naming

The naming of any state university building is the province of the Board of Regents. The authority to re-name or remove the name of any state university building also resides in the Board. Any documentation used by any state university or affiliate corporation of any state university for fund raising purposes shall clearly state that proposed names are subject to Board action, and shall reserve to the Board the right to remove any name bestowed upon a facility. Possible reasons for removal of a name include, but are not limited to, circumstances causing damage to the reputation of the university, change of law regarding naming authority, or if the building is razed or given over to a new use.

b. Criteria

(1) Generally, buildings are named for distinguished individuals who have made extraordinary contributions of a scholarly, professional, or public service nature related to the university's mission.

(2) In some cases, buildings may be named for major donors to the construction of the building.

(3) Before forwarding a name to the Board for consideration, the state university shall undertake a thorough degree of due diligence to avoid commercial influence or conflict of interest.

(4) Buildings will not be named for sitting presidents, chancellors or Board members.

c. Process

~~Buildings shall be named by the Board upon the recommendation of the~~ The chief executive officer of the ~~Regents institution and the committee of the whole considering items related to facilities~~ state university shall recommend an appropriate name to the Board for consideration. At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed name and a brief narrative ~~shall be sent~~ individually to Regents and the President and ~~Chief Executive Officer~~ CEO at least one week prior to at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the name is to be considered. No public communication of a proposed name shall be made until the name is presented for consideration to the open meeting of the ~~Committee~~ Board. (2-18-83) (6-24-99)

~~5.10.~~ PRIVATE HOUSING (6-28-07)

Unless directly authorized to do so by the Board, state universities shall not do any of the following:

- (1) enter into agreements, written or verbal or implied relating to private housing;
- (2) give preference to any owner or operator of private housing;
- (3) guarantee occupancy in or payments for private housing; or
- (4) provide public funds for the supervision, maintenance or operation of private housing. (6-24-99)

~~6.11.~~ REPORTS DUE

A listing of required submittals and their respective due dates is included in Appendix C and incorporated herein.

7.12. LAND TRANSACTIONS (6-28-07)

a. Leases (Including Oil and Gas Agreements)

(1) All leases of real property ~~must~~ shall be approved by ~~either Board or~~ university counsel as to form, ~~and shall be approved by~~ submitted to the Board for approval in accordance with paragraph (4) of this subsection, and shall be submitted to other state agencies for approval where required by statute law. (K.S.A. 75-3739(1), 75-3743, ~~and~~ 75-3744, and 76-165)

(2) No real property owned or controlled by the state of Kansas shall be leased unless a notice of intention to lease said property has been published at least thirty days prior to execution of any documents; provided, however, that this requirement shall not be imposed on leases with another state agency or a political subdivision. (K.S.A. 75- 430a(d)).

(3) No lease of land for the production of oil, gas or other minerals shall be for a period of more than ten years and so long as oil, gas or other minerals are produced in paying quantities thereon, ~~and~~ shall be awarded only upon competitive bids pursuant to K.S.A. 76-165, and shall retain to the state a royalty interest of not less than one-eighth part of all oil, gas or other minerals produced. When a state university leases land for the production of oil, gas, sand, gravel or any other mineral, the university shall provide information to the state geological survey in accordance with K.S.A. 76-323b. (K.S.A. 76-164 through 76-168)

(4) State university leases of state-owned property to third parties not associated with the state university may be executed by the state university's chief executive officer without Board approval unless

(a) the lease involves construction on state property;

(b) the lease is an oil, gas or mineral lease covered by K.S.A. 76-165;

(c) the lease is for a term of more than 10 years; or

(d) the lease is for an amount in excess of \$25,000 per year.

(5) Leases with state university endowments, foundations, and other related organizations are governed by subsection ~~(e)~~, below.

b. Easements

(1) The state universities' chief executive officers, shall act on behalf of the Board in granting or conveying right-of-way easements across any land under the custody and control of the Board. Easements may be granted with or without receiving consideration therefore, and may permit use of the land for purposes of access, convenience or necessity and such other right-of-way purposes as are customarily related to such easements. (K.S.A. 74-3264 and 75-2131)

(2) Easement documents ~~must~~ shall be submitted to the Attorney General for approval as to form (K.S.A. 74-3264 and 75-2131). (6-27-96)

c. Sale of Real Property

(1) Following receipt of the appraisals required by law, All any sales of real property owned or controlled by the Board of Regents or a state university must be approved by the Board of Regents and authorized by the legislature and approved by the Board of Regents following receipt of appraisals. Such legislative authorization includes K.S.A. 74-3254 may serve as pre-authorization by the legislature to dispose of certain devises. (K.S.A. 75-3043a and 74-3254) (10-19-06)

(2) No real property owned or controlled by the Board of Regents or a state university shall be sold unless a notice of intention to sell said property has been published at least thirty days prior to execution of any documents. (K.S.A. 75-430a(d))

(3) No real property owned or controlled by the Board of Regents or a state university shall be sold, and no transaction for the sale of such property shall be closed, until the property has been ~~appraised as required by law.~~ (K.S.A. 75-3043a) surveyed as required by law. (K.S.A. 75-6611)

(4) Sales of real property to state university endowments, foundations, and other related entities are governed by subsection ~~(e)~~ below.

d. Acquisition of Real Property

(1) The Board of Regents may acquire real property necessary to properly maintain and carry on a state university or the business thereof. ~~All purchases of real property must be authorized by the Legislature and approved by the Board of Regents~~ (K.S.A. 76-147)

(2) State universities shall submit a description of all properties which they desire to purchase, or otherwise acquire, to the Board for approval. Such description shall include a legal description of the property, anticipated use and the estimated cost of purchase and any cost relating to the razing or renovating and maintaining such property.

(3) No real property shall be purchased by the Board of Regents or a state university until the property has been appraised as required by law. (K.S.A. 75-3043a or 76-147) Prior to purchase, a warranty deed and ~~favorable~~ environmental assessment will be required. Exceptions to the requirement for a warranty deed may be made by the Board President and CEO. (10-19-06)

(4) Each state university shall record all deeds to real estate acquired, and any other instruments relating to the acquisition required by law to be recorded, with the register of deeds of the county where the real estate is located. All original instruments relating to land acquisitions shall be maintained in the Board office. (K.S.A. 75-3516)

(5) Acquisition of real property from state university endowments, foundations, and other related organizations are governed by subsection ~~(e)~~ below.

e. Real Property Transactions with State University Endowments, Foundations and Other Related Organizations

(1) State university endowments, foundations and other related organizations, ~~including the Wichita State University Board of Trustees~~, are organized under the laws of the State of Kansas and exist to support the state universities. While state law and organizational charters typically impose upon these related organizations special responsibilities for the administration of property received by the organizations, this policy shall establish the basis for all real property transactions described herein between all related organizations, the state universities and the Board. For purposes of this subsection e., the term "related organizations" includes all state university affiliated corporations as defined in Section II.G.6. of this Policy Manual

(a) ~~Sale and Transfer of Ownership~~: The approval of the Board of Regents shall be required prior to the acceptance by a state university of any gift of property from any related organization.

(b) In the event any related organization desires to sell to the Board or the university properties held by the related organization as a result of purchase, or a gift or devise which conveyed unrestricted and unqualified fee to the related organization, the purchase price shall not be more than the highest appraised value as determined by two independent real estate appraisers. (K.S.A. 76-147)

(c) ~~Real Estate Trades~~: Where trades of real property between the state and any related organization may benefit the state university and disposal of the state property has been approved by the Legislature, the Board of Regents may authorize the state university to negotiate a trade of the realty. The valuation of the related organization's property shall be determined in the same manner as that of state properties. (K.S.A. 75-3043a or 76-147)

(d) ~~Leasing~~: Leases of real property by the state universities from any related organizations shall be subject to the approval of the Board and to the following limitations:

(i) If the related organization holds properties in unrestricted accounts for which no remuneration is required under its fiduciary responsibility, or if the property is held on the basis of a gift or devise which so permits, the related organization may make the property available to the state university on a no-fee basis.

(ii) Any occupancy by the state university shall be subject to a written agreement.

(iii) For properties held by any related organization as investments for eventual development by the state university, the rental cost shall not exceed an amount calculated to amortize the investment, or the market value in a case where the state university seeks to occupy a property previously leased by the related organization on a private or commercial basis.

(e) State university transfers of real property received by devise to the state university's endowment or foundation in accordance with K.S.A. 2009 Supp.74-3254 shall be subject to approval by the Board and any conditions imposed by the testator.

(2) Construction of Buildings: When any related organization constructs a building on the organization's property for the state university's use and at the request of the state university, the state university is authorized to enter into lease agreements on an amortizing basis, subject to the advance approval of the Board of Regents. (6-28-90)

(3) Issuing Bonds: In the event any related organization proposes or is requested to issue bonds and the proceeds will be used to fund construction or improvement upon Board owned property, the state university having possession of the property shall obtain Board approval of the project before the bond issuance process is initiated. (9-18-97)

G. GENERAL POLICY

6. AFFILIATED CORPORATIONS

- a. Affiliated corporations are incorporated entities, whether controlled or non-controlled by the university, which that are funded solely or primarily by monies other than state funds and whose the purpose of which is to enhance or support the mission and activities of ~~the institution~~ a state university. Affiliated corporations include, but are not limited to, alumni associations, incorporated student unions, ~~boards of trustees~~ Wichita State University Board of Trustees, endowment associations and athletic corporations.
- b. ~~Institutions~~ State universities shall not increase state funding for the operation of affiliated corporations beyond normal program maintenance increases without prior approval of the Board. (3-16-64; 2-15-85; 12-20-90)

ADOPT REFUNDING BOND RESOLUTION – FERRELL LIBRARY – KSU

General Counsel Miller introduced a refunding bond Resolution for Kansas State University. In 1995, Kansas State University was issued revenue bonds to pay a portion of the costs of the Farrell Library Expansion Project. Due to current economic conditions the Kansas Development Finance Authority has advised that an opportunity exists to achieve present value interest savings by refunding all or a portion of the Series 1995K bonds. A total of \$150,000 could be saved, which will be passed along to the students through a reduction in the student fees assigned to the repayment of this debt. Regent Boettcher moved to adopt the Resolution and to authorize the Chair and the President and CEO to execute the Resolution and related bond documents. Following the second of Regent Hedges, the motion carried.

(Resolution filed with Official Minutes)

EXECUTIVE SESSION

At 3:10 p.m., Regent Sherrer moved, followed by the second of Regent Lykins, that the Board recess into executive session for 30 minutes to receive legal advice from the Board's General Counsel regarding pending litigation and other legal matters. Participating in the executive session were members of the Board, President Robinson, General Counsel Miller, Associate General Counsel Schwartz, Blake Flanders, and Diane Duffy. At 3:40 p.m., the Board resumed its open session and Regent Sherrer moved to extend the executive session for 20 minutes. Followed by a second from Regent Shank, the motion carried. The meeting returned to open session at 4:00 p.m.

RECESS

Chairman Docking recessed the meeting at 4:00 p.m., to resume the following morning.

RECONVENE

Chairman Docking reconvened the meeting at 8:30 a.m. on Thursday, February 18.

MEMBERS PRESENT:

Jill Docking, Chairman
Gary Sherrer, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Dick Hedges

Dan Lykins
Janie Perkins
Donna Shank

INTRODUCTIONS

Todd Carter the Director of Research and Assessment at Seward County Community College was introduced by Dr. Duanne Dunn. Mr. Carter gave a presentation on the National Institutes of Health Bridges to the Baccalaureate Program. This program is a partnership between Dodge City Community College, Garden City Community College, Seward County Community College, and Kansas State University. It allows students who are enrolled in biomedical sciences at the community colleges to transition to Kansas State University to complete a bachelor degree. Mr. Carter listed the benefits the students receive at the community college and at the university. He also showed examples of students who have successfully completed the program.

(PowerPoint filed with Official Minutes)

APPROVAL OF CONSENT AGENDA

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

Academic Affairs

ADDITIONAL DEGREE GRANTING AUTHORITY FOR CAPELLA UNIVERSITY

Capella University received approval to offer a Master of Science in Career Counseling (MS): General Career Counseling. This degree is attained through online distance education programming.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR BROWN MACKIE COLLEGE

Brown Mackie College received approval to offer an Associate of Applied Science in Bioscience Laboratory Technology. This degree will be awarded at the Salina and Overland Park Campuses.

APPROVAL FOR DEGREE AND CERTIFICATE PROGRAMS FOR FORT SCOTT COMMUNITY COLLEGE

Fort Scott Community College received approval to offer a Certificate in Masonry (CIP 46.0101). The program will serve the needs of Southeast Kansas, Northeast Oklahoma and Southwest Missouri for brick, block and stone masons. Twenty-five area business and construction companies have pledged to support the program with donations of equipment and materials. The start-up costs will be funded by the Community Based Jobs Training Grant awarded to Fort Scott Community College by the U.S. Department of Labor. Tuition and fees will fund the ongoing program costs beyond year one.

CONSIDERATION OF DISCUSSION AGENDA*Academic Affairs***ADULT EDUCATION ANNUAL REPORT**

Dianne Glass, Director of Adult Education, presented her annual report to the Board. She stated that 17 community colleges, 2 technical colleges, 9 USDs, and 2 community based organizations provide services for adult education. Some of the services include basic literacy skills, GED preparation, and transition to postsecondary education. Ms. Glass provided statistical information on the demographic of adult learners served and broke down the challenges Kansas Adult Education faces. Additionally, Ms. Glass presented the following goals the Board's division of Adult Education would like to achieve by FY 2015: 1) to increase the number of participants served in adult education programs by 50% from FY 2009 to FY 2015; 2) to increase the number of GED recipients by 50% from 2008 to 2015; 3) to increase the number of adult education participants who transition to postsecondary education or training by 200% from FY 2009 to FY 2015; and 4) to increase the number of adult education participants who achieve a Kansas WorkReady! certificate by more than 1000% from FY 2009 to FY 2015.

Ms. Glass gave an update on the Next Step project and the KAN-GO initiative. The Next Step project is a two-year competitive grant that was received in September 2007. The grant created a partnership among the KBOR Adult Education, seven community colleges and the University of Kansas Center for Research on Learning. The adult education programs from this partnership have increased the number of participants entering postsecondary education by 50% from FY 2007 to FY 2009. The KAN-GO initiative is a result of incentive funding awarded to Adult Education and WIA Title IB programs for meeting their negotiated outcomes. The funding will be used to increase the number of adult education participants who transition from obtaining a GED to entering postsecondary technical education programs. Ten adult education programs are partnering with nine community and technical colleges and local Kansas Workforce Center to design and implement the programs.

(PowerPoint filed with Official Minutes)

*Other Matters***REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY**

Blake Flanders, Vice President for Workforce Development, briefed the Board on the last Technical Education Authority (TEA) meeting. The TEA is working on a new funding model for technical education. Institutional leaders have asked the TEA to go slow as it makes a recommendation to the Board for the implementation of new funding distributions. The TEA brought the following motion to the Board for consideration: In light of the current state budget environment, implementation of the technical education tiered cost model be deferred for a least one year or until FY 2012. Following discussion it was clarified that the implementation date would be pushed back and not the completion date. Additionally, Bill Quattlebaum, Vice Chair of the TEA, and Mark Conway spoke to the Board about the importance of technical education and the importance of developing skilled workers for Kansas.

RECESS

The Chairman called for a recess at 10:09 a.m. and resumed the meeting at 10:25 a.m.

LEGISLATIVE UPDATE

A status report on the Board of Regents legislative initiatives was provided by President Robinson. Those initiatives include: SB 2895 – Multi-Year Kan-ed Funding; SB 485 – Private & Out-of-State Postsecondary Institutions; HB 2414 – FHSU Land Sale; HB 2415 – State University Surplus Property; HB 2433 – State University Purchasing Pilot project; and HB 2446 – State University Investment Statutes Update.

President Robinson reported on two bills that were not part of the Board's legislative packet. Those bills were SB 416 – Eliminate Statement of Substantial Interest Requirement for State University Faculty and SB 548 – Technical College Taxing Authority. The Board discussed its position on the Technical College Taxing Authority legislation, and decided its position is that the Board needs to have more details and discussions with the stakeholders before it makes a decision on whether to support the proposed legislation.

(PowerPoint filed with Official Minutes)

STRATEGIC AGENDA FOR HIGHER EDUCATION IN KANSAS

A presentation for Foresight 2020: A Strategic Agenda for Higher Education in Kansas was given by President Robinson. Foresight 2020 sets goals and objectives to improve the quality and effectiveness of the postsecondary educational system in Kansas. It is constructed around the following five pillar: 1) Educational System Alignment; 2) Robust Participation in the Higher Education System; 3) Increased Persistence and Credential Production; 4) Sharp Focus on Learner Outcomes; and 5) Alignment with the Kansas Economy. If this document is adopted by the Board, it can be used as a mechanism for retaining focus on the objectives that are important for the State of Kansas, while also leaving space for institutions to pursue initiatives and objectives that are institutionally-driven.

Pillar one is to Achieve the Alignment of the State's K-12 Education and Higher Education Systems. President Robinson summarized why this pillar is important and stated that it is difficult to identify meaningful data that can be used as measurement on this issue. The objectives for this pillar includes (1) adopting a set of state university admissions standards by June 2011, that will send clear messages to the state's high school students about the level of preparation required to achieve success at institutions within the state university system, and (2) working with the Kansas P-20 Education Council to identify and eliminate the gaps that currently exist between the K-12 completion and postsecondary preparation expectations. The Regents would like to see a timeline for completion and ways to measure the results for the objectives. There were also questions regarding the role of the P-20 Council.

Pillar two is to Achieve Participation in the State's Higher Education System that is Increasingly Robust, Reflects the Demography of the State, and More Fully Engages Adult Learners. President Robinson reviewed the importance of this pillar, and went over the objectives and the challenges Kansas faces to achieve the objectives. The Foresight 2020 document sets a timeline of January 2012 for the Board to develop and submit for legislative consideration a proposal that

would authorize new state funding to expand the state's Comprehensive Grant Program. This aid could target students who pursue studies that lead to jobs in high-demand areas of the state's economy. Additionally, by September 2012, the Board can initiate a program called "Kansas: It's a Great Place to Learn!" This program will use the Board's newly-acquired tuition waiver authority to bring additional out-of-state students into Kansas for postsecondary studies. Following discussion, the Regents would like to add an income demographic to the pillar that can be measured by using financial aid to establish the student's income level based on the family background.

Pillars three through five will be presented at the Board's March meeting.

(PowerPoint filed with Official Minutes)

ADJOURNMENT

The Chairman adjourned the meeting at 11:34 a.m.

Reginald L. Robinson, President and CEO

Jill S. Docking, Chair