

SEPTEMBER 15-16, 2010

Kansas Board of Regents

2010-2011

Gary Sherrer, Chair
Ed McKechnie, Vice Chair

Standing Committees

Academic Affairs

Dick Hedges, Chair
Janie Perkins
Mildred A. Edwards
Ed McKechnie

Fiscal Affairs and Audit

Jerry Boettcher, Chair
Dan Lykins
Christine Downey-Schmidt
Tim Emert

Retirement Plan Committee

Dan Lykins, Chair
Jerry Boettcher

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MEETING INFORMATION AND SCHEDULE

Unless noted, all meetings take place at the Curtis State Office Building (CSOB) at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612 in the meeting room indicated. Addresses for offsite meetings can be obtained by contacting the Kansas Board of Regents office at 785-296-3421.

Wednesday, September 15, 2010

Time	Committee/Activity	Location
9:00 am - 9:30 am	System Council of Chief Academic Officers	Kathy Rupp Room
9:30 am or Adjournment	Council of Chief Academic Officers	Kathy Rupp Room
10:00 am - Noon	Council of Faculty Senate Presidents	Kan-Ed Conference Room
11:00 am - Noon	Fiscal Affairs & Audit Standing Committee	Board Room
11:00 am - Noon	Council of Presidents	Suite 530
Noon - 1:15 pm	Lunch <i>Board of Regents & President Tompkins</i>	Conference Room B
Noon - 1:15 pm	Lunch <i>Council of Chief Academic Officers</i>	Kathy Rupp Room
1:30 pm	Board of Regents	Board Room
4:00 pm	Students' Advisory Committee	Kathy Rupp Room
6:00 pm	Dinner <i>Board of Regents, President Tompkins, and University CEOs</i>	Chez Yasu

Thursday, September 16, 2010

Time	Committee/Activity	Location
7:15 am	Breakfast <i>Board of Regents, President Tompkins, and Students' Advisory Committee</i>	Kathy Rupp Room
8:30 am	Board of Regents	Board Room
11:15 am	Board Pictures	Board Room
Noon	Lunch <i>Board of Regents & President Tompkins</i>	Conference Room B

MEETING AGENDA

The Kansas Board of Regents will meet in the Board Room located in the Curtis State Office Building at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612.

Wednesday, September 15, 2010

- | | | |
|---|---|--------------|
| I. Call To Order | Regent Sherrer, Chair | |
| A. <i>Approve Minutes</i> | | |
| June 23-24, 2010 Meeting | | <i>p. 8</i> |
| August 17-19, 2010 Retreat | | <i>p. 32</i> |
| II. General Reports | | |
| A. <i>Introductions</i> | | |
| B. <i>Report from the Chair</i> | Regent Sherrer, Chair | |
| C. <i>Report from the President & CEO</i> | Andy Tompkins, President & CEO | |
| III. Standing Committee Reports | | |
| A. <i>Academic Affairs</i> | Regent Hedges | |
| B. <i>Fiscal Affairs & Audit</i> | Regent Boettcher | |
| IV. Approval of Consent Agenda | | |
| A. <i>Academic Affairs</i> | Regent Hedges | |
| 1. Approve Request for Additional Degree Granting Authority for <u>Capella University</u> to offer: | Gary Alexander,
VP, Academic Affairs | <i>p. 37</i> |
| a. Doctor of Education – Reading and Literacy Specialization | | |
| b. Master of Public Administration and Master of Science in Public Safety – Joint Degree Program | | |
| 2. Approve Request for Additional Degree Granting Authority for <u>Associated Mennonite Biblical Seminary</u> to offer: | | <i>p. 38</i> |
| a. Master of Arts in Peace Studies | | |
| b. Master of Arts in Theological Studies | | |
| 3. Approve Request for Additional Degree Granting Authority for <u>Nashville Auto-Diesel College</u> to offer: | | <i>p. 38</i> |
| a. Associate of Occupational Studies in Automotive and Diesel Technology with Automotive Undercar Specialty | | |
| b. Associate of Occupational Studies Degree in Automotive and Diesel Technology with Heavy Equipment Maintenance | | |

- 4. Approve Request for Additional Degree Granting Authority for Pinnacle Career Institute, South Kansas City, MO, to offer: p. 39
 - a. Associate of Occupational Studies – Health Information Technician
 - b. Associate of Occupational Studies – Information Technology Web Programming and Information Technology Support

- 5. Approve Request for Additional Degree Granting Authority for American Public University System to offer: p. 39
 - a. Master of Arts in Legal Studies
 - b. Bachelor of Science in Criminal Justice
 - c. Bachelor of Arts in General Studies

- 6. Approve Request for Degree and Certificate Programs Submitted from Community and Technical Colleges for the following: Johnson County Community College, Railroad Signal Career Certificate (CIP 49.0208) p. 41

Blake Flanders,
VP, Workforce Development

V. Consideration of Discussion Agenda

A. Academic Affairs

- 1. Approve Request for New Degree Granting Authority for an Associate in Specialized Technology at Wyo Tech p. 43

Regent Hedges
Gary Alexander,
VP, Academic Affairs

- 2. Approve Request for New Degree Granting Authority for Regis University to offer: p. 44
 - Bachelor*
 - a. Bachelor of Science in Computer Networking
 - b. Bachelor of Science in Computer Science
 - c. Bachelor of Science in Marketing
 - d. Bachelor of Science in Accounting
 - e. Bachelor of Science in Business Administration
 - f. Bachelor of Science in Applied Science
 - Master*
 - a. Master of Education – Adult Education
 - b. Master of Non-Profit Management

- 3. Approve Request for New Degree Granting Authority for Grand Canyon University to offer: p. 45

Bachelor

- a. Bachelor of Arts Christian Studies
- b. Bachelor of Arts Communications
- c. Bachelor of Arts English Literature
- d. Bachelor of Arts History
- e. Bachelor of Arts Interdisciplinary Studies
- f. Bachelor of Science Accounting
- g. Bachelor of Science Addiction Counseling
- h. Bachelor of Science Applied Management
- i. Bachelor of Science Elementary Education with emphasis in English (non-licensure per KSDE)
- j. Bachelor of Science Elementary Education/Special Education (non-licensure per KSDE)
- k. Bachelor of Science Entrepreneurial Studies
- l. Bachelor of Science Finance and Economics
- m. Bachelor of Science Health Care Administration
- n. Bachelor of Science Health Sciences: Professional Development and Advanced Patient Care
- o. Bachelor of Science Justice Studies
- p. Bachelor of Science Marketing
- q. Bachelor of Science Medical Imaging Sciences
- r. Bachelor of Science Registered Nurse to BSN
- s. Bachelor of Science Psychology
- t. Bachelor of Science Public Safety and Emergency Management
- u. Bachelor of Science Respiratory Care
- v. Bachelor of Science Sociology
- w. Bachelor of Science Sport Management

Master

- a. Master of Arts in Christian Studies
- b. Master of Education
- c. Master of Business Administration
- d. Master of Business Administration and Master of Science in Leadership (Dual Degree)
- e. Master of Science in Accounting
- f. Master of Science in Addiction Counseling
- g. Master of Science in Criminal Justice
- h. Master of Science in Health Care Administration
- i. Master of Science in Health Care Informatics
- j. Master of Science in Leadership
- k. Master of Science in Disaster Preparedness and Executive Fire Leadership
- l. Bridge to Master Degree in Nursing
- m. Registered Nurse to Master of Science
- n. Master of Business Administration and Master of Science in Nursing Leadership in Health Care (Dual Degree)
- o. Master of Science in Professional Counseling
- p. Master of Science in Psychology
- q. Master of Public Administration

Doctoral

- a. Doctor of Education in Organizational Leadership

Advanced Certificate Program

- a. Emergency Management: Health Care
- b. Emergency Management: Public Safety

- 4. Approve Request for New Degree Granting Authority for Vatterott College, Sunset Hills, MO, Online Programs for an Associate of Occupational Studies in: p. 46
 - a. Business Management
 - b. Medical Billing & Coding
 - c. Medical Assistant

- 5. Approve Request for Respiratory Therapy Alignment p. 47
Blake Flanders, VP, Workforce Development

B. Other Matters

- 1. Adopt Foresight 2020 p. 49
Andy Tompkins, President & CEO

- 2. Discuss Legislative Initiatives p. 50
 - a. Systemwide Policy Initiatives (First Reading)
 - b. Enhancements as discussed at Board Retreat
 - c. Kansas Postsecondary Technical Education Authority – Tiered Funding Model

- 3. Approve Board’s Unified FY 2012 Budget Request p. 54
Diane Duffy, VP, Finance & Administration

- 4. Discuss Regents Appointments to the Kansas Postsecondary Technical Education Authority p. 54
Andy Tompkins, President & CEO

- 5. Appoint Member to the Washburn Board of Regents (K.S.A. 13-13a04) and Announce Other Appointments p. 54
Regent Sherrer

VI. Executive Session

Board of Regents – Personnel Matters Related to Non-Elected Personnel – CEO Salary Discussion

Thursday, September 16, 2010

VII. Reports

- A. *Introductions*
- B. *Report from Council of Presidents* Chancellor Gray-Little
- C. *Report from Council of Faculty Senate Presidents* Barbara Phipps

- D. *Report from Students' Advisory Committee* Michael Smith
 E. *Report from Classified & Support Staff Council*

VIII. Approval of Consent Agenda

- A. *Fiscal Affairs & Audit* Regent Boettcher
1. Authorize Acceptance of Property from Sedgwick County, KS - KU Eric King, Director of Facilities *p. 57*
 2. Authorize Acceptance of Property from Kansas University Endowment Association - KU *p. 57*
 3. Authorize Conveyance of Properties to the Kansas University Endowment Association Pursuant to K.S.A. 74-3254 - KU *p. 58*
 4. Amend FY 2011 Rehabilitation and Repair List - KUMC *p. 59*
 5. Amend Capital Improvement Plans - KSU *p. 59*
 6. Authorize Acceptance of Property from the K-State Foundation - KSU *p. 60*

IX. Consideration of Discussion Agenda

- A. *Academic Affairs* Regent Hedges
1. Approve Request for University of Kansas Chancellor Emeritus Gary Alexander, VP, Academic Affairs *p. 61*
 2. Approve Distance Education Plan *p. 62*
 3. Adopt Amended K.A.R. 88-24-1 to Allow GED Test to be Taken in Kansas by Non-Kansas Residents Theresa Schwartz, Associate General Counsel *p. 68*
- B. *Fiscal Affairs & Audit* Regent Boettcher
1. Approve Projects to be Funded with FY 2011 ARRA/SFSF Funds Eric King, Director of Facilities *p. 71*
 2. Adopt Bond Resolution – KUMC Clinical Research Facility – KU Julene Miller, General Counsel *p. 72*
 3. Adopt Surplus Property Policy *p. 76*
- C. *Other Matters*
1. Receive Update from the University of Kansas Concerning Athletics Chancellor Gray-Little

- | | | | |
|----|--|--|--------------|
| 2. | Adopt Policy Amendment to Establish Board of Regents Unclassified Staff Council and to Amend Order of Rotation of Council or Committee Chair | Julene Miller,
General Counsel | <i>p. 78</i> |
| 3. | Approve Memorandum of Agreement with FHSU/AAUP – FHSU | Theresa Schwartz,
Associate General Counsel | <i>p. 80</i> |
| 4. | Approve Amendment to Memorandum of Agreement with PSU/KNEA – PSU | | <i>p. 82</i> |
| 5. | Adopt the Presidential Evaluation Process and Forms | Andy Tompkins,
President & CEO | <i>p. 85</i> |
| 6. | Approve Process for Establishing Higher Education Alignment Taskforce | | |
| 7. | Act on CEO Salaries for FY 2011 | | |

X. Executive Session
Board of Regents – Matters Privileged in the Attorney/Client Relationship – Pending Litigation

XI. Adjournment

MINUTES OF PREVIOUS MEETING(S)

I. Call To Order

Regent Sherrer, Chair

A. Approve Minutes

June 23-24, 2010 Meeting
August 17-19, 2010 Retreat

KANSAS BOARD OF REGENTS

MINUTES

June 23-24, 2010

The June 23-24, 2010, 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
Ed McKechnie
Janie Perkins
Donna Shank

APPROVAL OF MINUTES

Regent Sherrer moved that the minutes of the May 19-20, 2010 meeting be approved. Following the second of Regent Lykins, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chairman Docking stated the Board of Regents received a note from the University of Texas System thanking the Board for its letter regarding the Big XII Conference. She was proud of the State of Kansas and its leaders for the way they approached the issue in a unified manner and is now looking forward to focusing on being leaders in the Big XII academically.

REPORT FROM PRESIDENT AND CEO

President Tompkins reported that he is visiting the institutions around the state. He also thanked the Board for the opportunity to work with Reggie during this transition period.

INTRODUCTIONS

Regent Hedges recognized Dr. Richard Burke, President, Dodge City Community College, and Jim Stringer, former President, Hutchinson Community College. Both men will be retiring and Regent Hedges thanked them for their years of service.

P-20 COUNCIL REPORT

Regent Downey-Schmidt reported that the P-20 Council met earlier this month. The Council received presentations on both workforce development needs and Common Core Standards. Additionally, the Council received an update from the gap analysis teams who have been working on defining the skills necessary for high school graduates to succeed in entry-level college math and English courses.

APPROVAL OF CONSENT AGENDA

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

Academic Affairs

ADDITIONAL DEGREE GRANTING AUTHORITY FOR CONCORDE CAREER COLLEGE

Approval was given to Concorde Career College to offer an Associate of Applied Science in Nursing. This degree will be offered at the Kansas City, MO campus.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR BRYAN COLLEGE

Bryan College received approval to offer an Associate of Applied Science Degree in Criminal Justice and an Associate of Applied Science in Medical Administrative Specialist.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR PINNACLE CAREER INSTITUTE

Pinnacle Career Institute received approval to offer an Associate of Applied Science in Health Information Technician. This degree will be awarded on the Lawrence campus.

DEGREE AND CERTIFICATE PROGRAMS FOR DODGE CITY COMMUNITY COLLEGE AND COLBY COMMUNITY COLLEGE

Dodge City Community College received approval to offer Electrical Transmission System Technician (CIP 46.0303) at the Technical Certificate level. The program will prepare individuals with the skills needed to support construction of the Kansas V-Plan. The College established a proposed budget of \$113,940 and will reallocate existing resources to fund the program.

Colby Community College received approval to offer an Associate of Applied Science Degree in Sustainable/Renewable Energy (CIP 14.9999) and two Technical Certificates in Sustainable/Renewable Energy and Small Wind Technology. The College has funding to support program start-up costs through grant funding, reallocation of operational funds and the pledged support of industry partners. A proposed budget of \$200,000 has been established by Colby Community College.

CONSIDERATION OF DISCUSSION AGENDA

Academic Affairs

NEW DEGREE GRANTING AUTHORITY FOR EVEREST UNIVERSITY, ORLANDO FLORIDA

Gary Alexander, Vice President for Academic Affairs, presented Everest University's request for degree granting authority for 15 degrees. The degrees will be offered on-line. Regent Docking moved to approve. Followed by a second from Regent Shank, the motion carried. The following degrees were approved:

Associate

- 1) Associate of Applied Science – Accounting
- 2) Associate of Applied Science – Applied Management
- 3) Associate of Applied Science – Business
- 4) Associate of Applied Science – Computer Information Science
- 5) Associate of Applied Science – Criminal Investigation
- 6) Associate of Applied Science – Criminal Justice
- 7) Associate of Applied Science – Medical Insurance Billing and Coding
- 8) Associate of Applied Science – Paralegal

Bachelor

- 1) Bachelor of Science – Accounting
- 2) Bachelor of Science – Applied Management
- 3) Bachelor of Science – Business
- 4) Bachelor of Science – Computer Information Science
- 5) Bachelor of Science – Criminal Justice
- 6) Bachelor of Science – Paralegal

Master

- 1) Master of Business Administration

NEW DEGREE GRANTING AUTHORITY FOR EVEREST COLLEGE, PHOENIX

Vice President Alexander reported that Everest College, Phoenix requested degree granting authority for eight (8) degrees. These degrees are attained through on-line distance education programming. Regent Hedges made a motion to approve. Following Regent Downey-Schmidt's second, the motion carried. The following degrees were approved:

Associate

- 1) Associate of Applied Science – Accounting
- 2) Associate of Applied Science – Business
- 3) Associate of Applied Science – Criminal Investigations
- 4) Associate of Applied Science – Criminal Justice

Bachelor

- 1) Bachelor of Science – Business Administration
- 2) Bachelor of Science – Business Administration Degree Completion Option
- 3) Bachelor of Science – Criminal Justice
- 4) Bachelor of Science – Criminal Justice Degree Completion Option

NEW DEGREE GRANTING AUTHORITY FOR EVEREST COLLEGE, KANSAS CITY, MO

Vice President Alexander presented Everest College's request for degree granting authority for an Associate of Applied Science in Criminal Justice. The degree will be offered at the Kansas City, Missouri campus. Regent Perkins moved to approve and Regent Boettcher seconded. The motion carried.

PERFORMANCE REPORTS

The performance reports for 2009 were reviewed by Board staff and the Board Academic Affairs Standing Committee. Following discussion, Regent Docking moved to adopt the funding recommendations. Regent Lykins seconded, and the motion carried. The recommendation as it relates to K.S.A. 74-3202d(e) and the Board's policy on performance and new state funding is as follows:

Institution	Year	Recommended Action
Allen County Community College	Year 3 of 3	Full funding
Barton Community College	Year 1 of 3	Full funding
Butler Community College	Year 3 of 3	Full funding
Cloud County Community College	Year 3 of 3	Full funding
Coffeyville Community College	Year 2 of 3	Full funding
Colby Community College	Year 2 of 3	Full funding
Cowley County Community College	Year 1 of 3	Full funding
Dodge City Community College	Year 1 of 3	Full funding
Fort Scott Community College	Year 1 of 3	Full funding
Garden City Community College	Year 3 of 3	Full funding
Highland Community College	Year 1 of 3	60% funding
Hutchinson Community College	Year 2 of 3	Full funding
Independence Community College	Year 3 of 3	Full funding
Johnson County Community College	Year 1 of 3	Full funding
Kansas City Kansas Community College	Year 2 of 3	80% funding
Labette Community College	Year 1 of 3	Full funding
Neosho County Community College	Year 1 of 3	Full funding
Pratt Community College	Year 2 of 3	Full funding
Seward Community College	Year 3 of 3	Full funding
Flint Hills Technical College	Year 2 of 3	Full funding
Manhattan Area Technical College	Year 3 of 3	Full funding
North Central Kansas Technical College	Year 2 of 3	Full funding
Northwest Kansas Technical College	Year 3 of 3	Full funding
Salina Area Technical College	Year 1 of 3	Full funding
Wichita Area Technical College	Year 1 of 3	Full funding
Washburn University	Year 2 of 3	Full funding
Washburn Institute of Technology	Year 1 of 3	Full funding
Emporia State University	Year 1 of 3	Full funding
Fort Hays State University	Year 1 of 3	Full funding
Kansas State University	Year 3 of 3	Full funding
Pittsburg State University	Year 2 of 3	Full funding
University of Kansas	Year 3 of 3	Full funding
University of Kansas Medical Center	Year 3 of 3	Full funding
Wichita State University	Year 3 of 3	Full funding

Fiscal Affairs and AuditDISTRIBUTION OF FY 2011 FEDERAL ARRA/SFSF APPROPRIATIONS TO INDIVIDUAL STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, AND WASHBURN UNIVERSITY

Regent Boettcher moved that the FY 2011 allocation of the State Fiscal Stabilization Fund (\$40 million) to the sector/institutions be the same dollar amount as the FY 2010 allocation and moved that the institutions utilize the federal agreement as a condition of receiving the funds. Following the second of Regent Docking, the motion carried.

The approved distributions are as follows:

**Kansas Board of Regents
ARRA Federal Stimulus Funding Distribution**

Institution	FY 2011 ARRA Funding Distribution
University of Kansas (including Medical Center)	\$12,853,922
Kansas State University	\$9,441,070
Wichita State University	\$3,598,974
Emporia State University	\$1,870,960
Pittsburg State University	\$2,185,266
Fort Hays State University	\$2,201,791
Subtotal State Universities	\$32,151,983
Washburn University	\$756,280
Subtotal Washburn University	\$756,280
Allen County Community College	\$251,672
Barton County Community College	\$410,376
Butler County Community College	\$711,332
Cloud County Community College	\$233,835
Coffeyville Community College	\$141,888
Colby Community College	\$151,794
Cowley County Community College	\$424,400
Dodge City Community College	\$135,650
Fort Scott Community College	\$170,377
Garden City Community College	\$141,780
Highland Community College	\$327,590
Hutchinson Community College	\$462,524
Independence Community College	\$109,776
Johnson County Community College	\$1,187,394
Kansas City Kansas Community College	\$535,724
Labette Community College	\$157,482
Neosho Community College	\$139,944
Pratt Community College	\$143,940
Seward County Community College	\$192,508
Subtotal Community Colleges	\$6,029,986

Flint Hills Technical College	\$128,711
Manhattan Technical College	\$132,935
North Central KS Technical College	\$200,546
Northwest KS Technical College	\$155,035
Salina Area Technical College	\$114,344
Wichita Area Technical College	\$330,181
Subtotal Technical Colleges	\$1,061,752

TOTAL**\$40,000,001**

DISTRIBUTION OF FY 2011 STATE APPROPRIATIONS TO INDIVIDUAL STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, AND WASHBURN UNIVERSITY

Diane Duffy, Vice President for Finance and Administration, presented the proposed distribution of the FY 2011 state appropriations to individual state universities, community colleges, technical colleges, and Washburn University. Vice President Duffy stated the overall state appropriations to postsecondary education sectors were held flat from the FY 2010 appropriations levels except for the slight adjustment (0.3%) to restore to the base the Governor's November 2009 allotment reduction. The Regents decided to vote on each distribution separately.

Note: All the motions below include the language that the Board authorizes staff to make any technical adjustments to the distributions that will be necessary once final adjustments and enrollments are known.

State University Distributions

Regent Boettcher moved to adopt the preliminary State University Distributions. Following the second of Regent Lykins, the motion carried. The following are the approved distributions:

State University Distributions (Preliminary)			
University	FY 2010 Revised State Funding	Legislative Changes	Estimated Classified Longevity Bonus Lapse
KU	\$135,601,903	\$364,262	\$0
KUMC	\$107,248,931	\$288,099	(\$143,786)
KSU	\$104,021,282	\$279,428	(\$432,425)
KSU-ESARP	\$48,998,459	\$130,820	(\$136,795)
KSU-VMC	\$9,947,893	\$27,766	(\$23,380)
WSU	\$65,831,285	\$176,840	(\$286,093)
ESU	\$31,352,716	\$84,222	(\$150,755)
PSU	\$34,024,818	\$91,399	(\$100,972)
FHSU	\$33,132,874	\$843,756	(\$113,750)
Total	\$570,160,161	\$2,286,592	(\$1,387,956)

Community College Operating Grant Distribution

Vice President Duffy stated the Community College Operating Grant’s distribution is calculated based upon statutory formula provisions. Ms. Duffy noted that this distribution could potentially be impacted by pending litigation between three community colleges and the Board. Regent Docking moved, followed by a second from Regent Hedges, to approve the preliminary Community College Operating Grant Distribution. The motion carried. The following distributions were approved:

Community College Operating Grant Distribution (Preliminary)			
Community College	FY 2010 Operating Grant	FY 2011 Operating Grant	Increase/ (Decrease)
Allen County Community College	\$4,821,833	\$4,620,281	(\$201,552)
Barton County Community College	\$7,832,039	\$7,328,336	(\$503,703)
Butler County Community College	\$12,677,360	\$14,104,893	\$1,427,533
Cloud County Community College	\$3,958,772	\$4,282,099	\$323,327
Coffeyville Community College	\$1,984,523	\$1,740,899	(\$243,624)
Colby Community College	\$2,541,064	\$2,072,201	(\$468,863)
Cowley County Community College	\$5,413,077	\$6,488,117	\$1,075,040
Dodge City Community College	\$2,225,350	\$2,479,592	\$254,242
Fort Scott Community College	\$3,112,410	\$3,170,224	\$57,814
Garden City Community College	\$2,621,285	\$2,559,826	(\$61,459)
Highland Community College	\$4,667,873	\$4,217,828	(\$450,045)
Hutchinson Community College	\$7,159,297	\$7,325,768	\$166,471
Independence Community College	\$1,828,965	\$2,011,202	\$182,237
Johnson County Community College	\$19,752,789	\$19,132,224	(\$620,565)
Kansas City Kansas Community College	\$6,782,064	\$6,717,909	(\$64,155)
Labette Community College	\$2,922,244	\$2,599,600	(\$322,644)
Neosho County Community College	\$2,440,695	\$2,546,285	\$105,590
Pratt Community College	\$2,716,183	\$2,182,951	(\$533,232)
Seward County Community College	\$1,447,384	\$1,586,367	\$138,983
Total	\$96,905,207	\$97,166,602	\$261,395

Technical College Aid for Technical Education Distribution

Vice President Duffy presented the Technical Education Authority's recommendation to distribute the FY 2011 appropriations to each technical college with the same amount of state funds it received in FY 2010. Following discussion, Regent McKechnie moved to approve the distributions. Regent Sherrer seconded and the motion carried. The Regents requested that the Technical Education Authority present a range of options for the new approach to state funding for technical education at the Board's September 2010 meeting.

The following distribution was approved:

Technical College Aid for Technical Education Distribution			
Institution	FY 2010 Funding	FY 2011 Funding	Increase/ (Decrease)
Flint Hills Technical College	\$2,283,276	\$2,289,424	\$6,148
Manhattan Area Technical College	\$2,358,343	\$2,364,693	\$6,350
North Central KS Technical College	\$3,559,194	\$3,568,777	\$9,583
Northwest KS Technical College	\$2,751,073	\$2,758,480	\$7,407
Salina Area Technical College	\$2,028,072	\$2,033,533	\$5,461
Wichita Area Technical College	\$5,862,028	\$5,877,811	\$15,783
TOTAL	\$18,841,986	\$18,892,718	\$50,732

Other Institutions Aid for Technical Education Distribution

Vice President Duffy presented the Technical Education Authority's recommendation to distribute the FY 2011 appropriation to each institution based on a three-year rolling average of enrollments. This distribution could potentially be impacted by the pending litigation. Regent Boettcher moved that the distribution be adopted. Following Regent Perkins second, the motion carried. The following distribution was adopted:

Other Institutions Aid for Technical Education Distribution (Preliminary)			
Institution	FY 2010 Funding	Estimated FY 2011 Funding	Increase/ (Decrease)
Coffeyville Community College	\$997,513	\$1,151,532	\$154,019
Highland Community College	\$1,473,856	\$1,348,939	(\$124,917)
Hutchinson Community College	\$1,227,123	\$1,177,742	(\$49,381)
Johnson County Community College	\$1,394,528	\$1,560,203	\$165,675
Kansas City Kansas Community College	\$3,072,372	\$2,952,568	(\$119,804)
Seward County Community College	\$1,664,971	\$1,484,813	(\$180,158)
Washburn University	\$2,342,553	\$2,529,895	\$187,342
TOTAL	\$12,172,916	\$12,205,692	\$32,776

Vocational Education Capital Outlay Aid Distribution

Regent Boettcher moved, followed by a second from Regent Perkins, that the preliminary distribution be adopted. The motion carried. The distributions are as followed:

Vocational Education Capital Outlay Aid Distribution (Preliminary)			
Institution	FY 2010 Funding	Estimated FY 2011 Funding	Increase/ (Decrease)
Coffeyville Community College	\$128,934	\$135,220	\$6,286
Cowley County Community College	\$197,613	\$162,485	(\$35,128)
Dodge City Community College	\$133,924	\$138,570	\$4,646
Flint Hills Technical College	\$132,196	\$130,638	(\$1,558)
Highland Community College	\$138,686	\$131,688	(\$6,998)
Hutchinson Community College	\$222,118	\$230,374	\$8,256
Johnson County Community College	\$311,685	\$312,307	\$622
Kansas City Kansas Community College	\$224,041	\$219,572	(\$4,469)
Manhattan Area Technical College	\$142,665	\$136,012	(\$6,653)
North Central Kansas Technical College	\$141,367	\$144,451	\$3,084
Northwest Kansas Technical College	\$132,155	\$127,353	(\$4,802)
Pratt Community College	\$131,655	\$133,932	\$2,277
Salina Area Technical College	\$130,133	\$126,526	(\$3,607)
Seward County Community College	\$147,782	\$134,598	(\$13,184)
Washburn University	\$135,166	\$136,644	\$1,478
Wichita Area Technical College	\$187,329	\$237,078	\$49,749
Total	\$2,637,449	\$2,637,448	

Technology Grant Distribution

Regent Boettcher moved to approve the preliminary distribution. Regent Perkins seconded and the motion carried. The following distributions were approved:

Technology Grant Distribution (Preliminary)			
Institution	FY 2010 Technology Grant	FY 2011 Technology Grant	Decrease
Allen County Community College	\$14,337	\$14,337	\$0
Barton County Community College	\$19,717	\$19,717	\$0
Butler County Community College	\$25,093	\$25,093	\$0
Cloud County Community College	\$17,027	\$17,027	\$0
Coffeyville Community College	\$17,027	\$17,027	\$0
Colby Community College	\$17,027	\$17,027	\$0
Cowley County Community College	\$19,717	\$19,717	\$0
Dodge City Community College	\$17,027	\$17,027	\$0
Fort Scott Community College	\$17,027	\$17,027	\$0
Garden City Community College	\$17,027	\$17,027	\$0
Highland Community College	\$18,821	\$18,821	\$0
Hutchinson Community College	\$25,987	\$25,987	\$0
Independence Community College	\$17,027	\$17,027	\$0
Johnson County Community College	\$39,432	\$39,432	\$0
Kansas City Community College	\$25,987	\$25,987	\$0
Labette Community College	\$14,341	\$14,341	\$0
Neosho Community College	\$17,027	\$17,027	\$0
Pratt Community College	\$12,550	\$12,550	\$0
Seward County Community College	\$17,027	\$17,027	\$0

Washburn University	\$34,052	\$34,052	\$0
TOTAL	\$403,277	\$403,277	\$0

ALLOCATION OF FY 2011 TAX CREDIT PROGRAM – STATE UNIVERSITIES AND WASHBURN UNIVERSITY

Vice President Duffy presented the proposed FY 2011 Tax Credit Allocation. The Regents asked staff to review what the restrictions are for the state universities regarding the tax credit program. Following discussion, Regent Boettcher moved to approve the allocation. Regent Perkins seconded and the motion carried. The following allocations of the tax credit were authorized:

University of Kansas	\$ 4,108,177
University of Kansas – Medical Center	1,569,255
Kansas State University	4,331,681
Wichita State University	1,477,011
Emporia State University	865,281
Pittsburg State University	989,093
Fort Hays State University	989,922
Washburn University	669,580
TOTAL	<u>\$15,000,000</u>

APPROVAL OF CONSENT AGENDA

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

Academic Affairs

MASTER OF SCIENCE IN HEALTH INFORMATICS (51.2706) – KUMC

The University of Kansas Medical Center received approval to offer a Master of Science in Health Informatics (51.2706). The program will be funded through internal reallocation.

MASTER OF SCIENCE IN INSTRUCTIONAL LEADERSHIP (13.0404) – ESU

Approval was given to Emporia State University to offer a Master of Science in Instructional Leadership (13.0404). The program will be funded through internal reallocation.

Fiscal Affairs and Audit

LEASE AGREEMENT WITH THE KU ENDOWMENT ASSOCIATION – KU

The University of Kansas received authorization to enter into a lease agreement with the KU Endowment Association for a parking lot adjacent to the Medical center parking lot #95. The Medical Center will use Parking Revenue funds to pay \$80,000 for the first year and the approximately \$3,000 in subsequent years of the lease to the KU Endowment Association.

LAND LEASE TO KANSAS WHEAT COMMISSION (KWC) FOR CONSTRUCTION OF KWC FACILITY – KSU

Kansas State University received authorization to enter into a fifty (50) year renewable lease with the Kansas Wheat Commission (KWC). The KWC will construct a KWC facility on the property identified below. At the end of the lease, KSU has the right to either accept the buildings or have the lease property restored to its original condition.

Legal Description:

A tract of land in the Southeast Quarter of Section 1, Township 10 South, Range/East of the Sixth Principal Meridian on the Kansas State University Campus, Riley County, Kansas described as follows: Beginning at a point that is N90°00'00"E 1908.00 feet from the Southwest Corner of the Southeast Quarter of said Section 1, said point of beginning being on the South Line of the Southeast Quarter of said Section 1; thence N00°00'00"E 427.00 feet; thence S90°00'00"W 60.00 feet; thence N00°00'00"E 162.00 feet; thence N90°00'00"E 228.40 feet; thence S00°00'00"W 589.00 feet to the South Line of the Southeast Quarter of said Section 1; thence S90°00'00"W 168.40 feet to the point of beginning, containing 2.50 acres. Subject to easements and restrictions of record.

ENERGY CONSERVATION CONTRACT – KSU

Authorization was given to Kansas State University to proceed with an energy performance contract with Johnson Controls. The estimated cost of the project totals \$23,388,400. Johnson Controls will guarantee that the actual amount of energy savings attributable to the energy conservation measure be not less than the cost of the energy conservation measure over the time specified including financing costs.

CONSIDERATION OF DISCUSSION AGENDA

Academic Affairs

CONCURRENT ENROLLMENT COMPLIANCE REVIEW

Vice President Alexander presented a report on concurrent enrollment compliance. In Spring 2009, postsecondary institutions were asked to provide a list of high schools involved in Concurrent Enrollment Partnership (CEP) agreements. Staff reviewed the information and concluded that the institutions participating in CEP are in compliance with board policy and are taking the necessary steps to ensure the quality of the courses offered under the program. Staff is currently working on developing a report that tracks the postsecondary success of students who have taken coursework through Concurrent Enrollment Partnerships. Following discussion, Regent Sherrer asked to receive the admission standards from each institution involved with concurrent enrollment partnerships.

BREAK

The Chairman called for a short break at 3:00 p.m. and resumed the meeting at 3:11 p.m.

SPOKEN ENGLISH LANGUAGE COMPETENCY OF FACULTY AND GRADUATE TEACHING ASSISTANTS REPORT FOR ACADEMIC YEAR 2008-2009

Vice President Alexander presented a report on spoken English language competency for faculty and graduate teaching assistants. In the 2008-2009 academic year, the state universities hired 603 faculty and 1,604 graduate teaching assistants. No faculty members were found deficient and 33 graduate teaching assistants were deemed potentially deficient in English. Those assistants either underwent successful remediation or were not placed in instructional positions. Vice President Alexander stated that all the reports submitted met the requirements of the Board policy.

POLICY AMENDMENT TO AUTHORIZE AWARDING OF HONORARY DEGREES

Regent Hedges moved to adopt the Awarding of Honorary Degrees policy. Regent Boettcher seconded and the motion carried.

The following policy was adopted:

CHAPTER IV

COORDINATION AND SUPERVISION POLICIES AND PROCEDURES ADOPTED AFTER JULY 1,
1999

14. DEGREES

~~All degrees are expected to conform to the definitions and standards of this policy by August 1, 2003.~~

The following applies to all institutions governed, supervised, or coordinated by the Board of Regents:

...

c. Standards

In order to receive and hold authorization to offer a given degree, an institution must remain open to inspection at all times and continuously satisfy each of the following standard requirements as written, except where the Office approves modification in writing.

...

(2) Curriculum.

...

(f) “Honorary degree” is a special degree that is awarded as an exceptional honor bestowed upon a person without the fulfillment of the usual requirements. ~~It is the policy of the Kansas Board of Regents that no honorary degrees shall be awarded by the State universities. State universities may award honorary degrees upon approval by the Kansas Board of Regents and only in accordance with the following:~~ (12-21-84; 4-17-87; 3-22-90; 9-16-93)

(i) Criteria

- Honorary degrees may be conferred only upon persons of notable intellectual, scholarly, professional, or creative achievement, or service to humanity. A candidate’s qualifications must be deeply grounded in a career of scholarship, research, creative activity, service to humanity or other profession consistent with the academic endeavors of the University awarding the degree.
- Honorary degrees will be awarded only to exceptional candidates. Awarding this degree need not be considered an annual occurrence.
- An honorary degree shall not be awarded for philanthropic activity or service to the University or the State of Kansas.
- An honorary degree shall not be conferred upon any faculty member, administrator, or other official associated with the University until at least five years after such individual has been separated from the institution.

- An honorary degree shall not be conferred upon any holder of a Kansas elected or appointed public office until at least five years after such individual has vacated office. Exceptions may be made by the Board.

(ii) Process

The chief executive officer of the state university shall nominate to the Board for consideration, in accordance with K.S.A. 76-716, the name of any candidate for an honorary degree at least two months before the commencement at which the degree is to be conferred. The nomination shall include such statements or materials demonstrating that the nominee's achievements and/or service are of such exceptional character as to merit the award of an honorary degree.

- (iii) At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed nomination, statement and materials individually to Regents and the President and CEO at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the nomination is to be considered. No public communication of a proposed nomination shall be made until the name is presented for consideration to the open meeting of the Board.

ACADEMIC CALENDAR – KSU

Vice President Alexander presented Kansas State University's request to revise its academic calendar. The proposed change involves moving the start date for the spring semesters to the Tuesday after the Martin Luther King Jr. holiday. Regent Boettcher moved to approve. Following a second from Regent Perkins, the motion carried.

(Calendar filed with Official Minutes)

OTHER MATTERS

Vice President Duffy provided the Board with the additional information they asked for last month during the tuition discussion. This information includes the following: 1) Analysis of Projected and Actual Tuition Revenue Increases FY 2006-FY 2010; 2) Additional Information from Wichita State University on New and Current Course Fees for the College of Health Professions; and 3) Analysis for FY 2011 Tuition Setting.

(Handout filed with Official Minutes)

EXECUTIVE SESSION

At 3:55 p.m., Regent Sherrer moved, followed by a second from Regent Boettcher, that the Board of Regents recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel, the annual CEO assessment of Chancellor Gray-Little. Participating in the executive session were members of the Board, President Tompkins, and Chancellor Gray-Little. At 4:55 p.m., the meeting returned to open session.

RECESS

Chairman Docking recessed the meeting at 4:55 p.m., to resume the following morning at 8:30 a.m.

RECONVENE

The Chairman reconvened the meeting at 8:30 a.m. on Thursday, June 24.

MEMBERS PRESENT: Jill Docking, Chairman
Gary Sherrer, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Dick Hedges
Dan Lykins
Ed McKechnie
Janie Perkins
Donna Shank

INTRODUCTIONS

President Lane introduced Emporia State University's new Student Government Vice President, Ashley McCullough. President Scott introduced Barbara McClaskey, Pittsburg State University's new Faculty Senate President, and President Beggs introduced Wichita State University's new Student Government President, Temmuz Coskun.

REPORTS

REPORT FROM COUNCIL OF PRESIDENTS

President Hammond briefed the Board on the Council of Presidents' meeting. The Council received an update on both the net price calculator and campus property insurance quotes. The Council supported the request to create a council for unclassified employees and will forward a proposed policy amendment to the Board for consideration at its September meeting. Additionally, the July 15th deadline for institutions to submit performance agreements to the Board was discussed. The Council asked the Board to delay the deadline for this year to September 1st. This delay will allow the institutions the opportunity to better align the performance agreements with the Board's strategic agenda.

Regent Sherrer moved to delay the required performance agreement submission for 2010 from July 15th to September 1st. Following the second of Regent Docking, the motion carried.

The Council of Presidents' also discussed the Board's policy on the Rotation of Council or Committee Chair. The Council recommended amending the rotation of the policy by moving Fort Hays State University to the end of the rotation. President Hammond stated that the University of Kansas will chair the Council of Presidents next year.

Regent Boettcher moved to amend the Rotation of Council or Committee Chair policy. Regent Perkins seconded and the motion carried.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Betsy Cauble presented the Council of Faculty Senate Presidents report. The Council met with Vice President Gary Alexander and discussed concurrent enrollment and the program review process.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

The Students' Advisory Committee report was presented by Michael Smith. The SAC discussed methods to become more visible and more involved on campuses. Mr. Smith stated that the SAC retreat will be held in July.

CONSIDERATION OF DISCUSSION AGENDA

Fiscal Affairs and Audit

FY 2011 TUITION AND FEE PROPOSALS FOR STATE UNIVERSITIES

Diane Duffy, Vice President for Finance and Administration, presented the FY 2011 ARRA Federal Stimulus Funding distribution for state universities. Ms. Duffy explained the difference between the same dollar amounts as FY 2010 distribution and the 2/3 deferred maintenance, 1/3 tuition mitigation distribution. Following discussion, Regent Downey-Schmidt moved to approve the same dollar amounts as FY 2010 distribution, which equates to a 60/40 split between deferred maintenance and tuition mitigation efforts. Regent Perkins seconded and the motion carried.

(Handout filed with Official Minutes)

The tuition discussion continued with the FY 2011 tuition and fee proposals for the state universities. President Lane reminded the Board that ½ of the “new” ESU Memorial Union fee was approved by the Board last year, so only ½ is really “new” this year. Chancellor Gray-Little noted that the new technology fee for KU is across the board and a component of the tuition. President Scott reminded the Board that PSU’s proposal included expanding the Gorilla Advantage program and adding a legacy tuition waiver program. The Regents discussed the proposals and made the following motions:

Regent Boettcher moved to approve the University of Kansas proposal as presented. With a second by Regent Lykins, the motion carried.

Regent Boettcher moved, followed by Regent Lykins second, that the University of Kansas compact proposal be approved as presented. The motion carried.

Regent Boettcher moved that the Kansas State University proposal be approved as presented. Followed by Regent Lykins second, the motion carried. Regent McKechnie noted his understanding that the new university wide course fees would be distributed and used at the direction of President Schulz

Regent Boettcher moved to approve Kansas State University-Salina proposal as presented. Followed by Regent Lykins second, the motion carried.

Regent Boettcher moved that the Wichita State University tuition and fee proposal be approved as presented. Regent Lykins seconded, and the motion carried.

Regent Boettcher moved to approve the tuition and fee proposal by Emporia State University as presented. With a second by Regent Lykins, the motion carried.

Regent Boettcher moved to approve Pittsburg State University proposal as presented. Regent Lykins seconded, and the motion carried.

Regent Boettcher moved, followed by a second from Regent Lykins, that the Fort Hays State University tuition and fee proposal be approved as presented. The motion carried.

Regent Boettcher moved to approve the University of Kansas Medical Center non-medical tuition and fee proposal as presented. Following Regent Lykins second, the motion carried.

A summary of tuition and fees approved are as follows:

TABLE I
STATE UNIVERSITIES' SELECTED TUITION RATES, BOARD APPROVED, JUNE 24, 2010
(TUITION ONLY, EXCLUDES REQUIRED STUDENT CAMPUS PRIVILEGE FEES AND COURSE FEES REQUIRED OF ALL STUDENTS)

FY 2011 TUITION FOR FULLTIME UNDERGRADUATE STUDENTS, PER SEMESTER									
	KU Lawrence (Standard)	KU Lawrence (Compact)	KU –Med. Non-medical	KSU	KSU-Salina	WSU	ESU	PSU	FHSU
Resident Undergraduate									
FY 2010 Approved Tuition	\$3,283.50	\$3,679.50	\$3,283.50	\$3,093.00	\$2,922.00	\$2,248.50	\$1,713.00	\$1,826.00	\$1,473.00
FY 2011 Proposed Tuition	3,583.50	3,937.50	\$3,513.00	3,186.00	\$3,009.00	\$2,361.00	\$1,807.00	\$1,934.00	\$1,517.25
Proposed \$ Increase	\$300.00	\$258.00	229.50	\$93.00	\$87.00	\$112.50	\$94.00	\$108.00	\$44.25
Proposed % Increase	9.1%	7.0%	7.0%	3.0%	3.0%	5.0%	5.5%	5.9%	3.0%
Non-resident Undergraduate									
FY 2010 Approved Tuition	\$8,625.00	\$9,663.75	\$8,625.00	\$8,446.50	\$7,980.00	\$6,265.50	\$6,315.00	\$6,088.00	\$5,549.25
FY 2011 Proposed Tuition	\$9,075.00	\$10,340.25	\$9,228.75	\$8,700.00	\$8,220.00	\$6,378.00	\$6,662.00	\$6,304.00	\$5,715.75
Proposed \$ Increase	\$450.00	\$676.50	\$603.75	\$253.50	\$240.00	\$112.50	\$347.00	\$216.00	\$166.50
Proposed % Increase	5.2%	7.0%	7.0%	3.0%	3.0%	1.8%	5.5%	3.5%	3.0%

FY 2011 TUITION FOR FULLTIME GRADUATE STUDENTS, PER SEMESTER									
	KU Lawrence	KU-Med. School	KU-Med. Non-medical	KSU	KSU-Vet. School	WSU	ESU	PSU	FHSU
Resident Graduate									
FY 2010 Approved Tuition	\$3,246.00	\$12,573.10	\$3,246.00	\$3,358.80	\$8,520.00	\$2,500.20	\$2,077.00	\$2,106.00	\$1,761.00
FY 2011 Proposed Tuition	\$3,546.00	\$13,201.75	\$3,473.40	\$3,459.60	\$8,776.00	\$2,590.20	\$2,191.00	\$2,230.00	\$1,813.80
Proposed \$ Increase	\$300.00	\$628.65	\$227.40	\$100.80	\$256.00	\$90.00	\$114.00	\$124.00	\$52.80
Proposed % Increase	9.2%	5.0%	7.0%	3.0%	3.0%	3.6%	5.5%	5.9%	3.0%
Non-resident Graduate									
FY 2010 Approved Tuition	\$7,755.00	\$22,297.20	\$7,755.00	\$7,726.80	\$20,052.00	\$7,116.00	\$6,432.00	\$5,765.00	\$5,218.20
FY 2011 Proposed Tuition	\$8,295.00	\$23,412.05	\$8,298.00	\$7,958.40	\$20,654.00	\$7,206.00	\$6,786.00	\$6,013.00	\$5,374.80
Proposed \$ Increase	\$540.00	\$1,114.85	\$543.00	\$231.60	\$602.00	\$90.00	\$354.00	\$248.00	\$156.60
Proposed % Increase	7.0%	5.0%	7.0%	3.0%	3.0%	1.3%	5.5%	4.3%	3.0%

Notes:

1. Tuition rates for full-time undergraduate students are based upon 15 credit hours (KU, KSU, WSU, and FHSU charge tuition on a per credit hour basis. ESU and PSU charge a semester rate).
2. Tuition rates for full-time graduate students are based upon 12 credit hours, except medical students (semester rate) and veterinary medical students (20 credit hours).
3. KU Compact tuition rates are for first-time, degree-seeking freshmen only. The proposed FY 11 Rates are for freshmen entering KU in Fall 2010, and would be fixed for FY 11-14.
4. See individual university proposals for rates of KU Pharm. D, Edwards; FHSU virtual college and international; and FHSU, PSU, ESU contiguous states.
5. See individual university proposals for other fee-related credit hour proposals for specific academic schools/programs.

TABLE II
STATE UNIVERSITIES' SELECTED TUITION AND REQUIRED FEE RATES, BOARD APPROVED,
(INCLUDES REQUIRED STUDENT CAMPUS PRIVILEGE FEES AND COURSE FEES REQUIRED OF ALL STUDENTS)

FY 2011 TUITION AND REQUIRED STUDENT FEES FOR FULLTIME UNDERGRADUATE STUDENTS, PER SEMESTER									
	KU Lawrence (Standard)	KU Lawrence (Compact)	KU-Med. Non-Medical	KSU	KSU-Salina	WSU	ESU	PSU	FHSU
Resident Undergraduate									
FY 2010 Approved Tuition and Fees	\$3,706.85	\$4,102.85	\$3,467.79	\$3,434.75	\$3,221.16	\$2,733.50	\$2,187.00	\$2,296.00	\$1,881.00
FY 2011 Proposed Tuition and Fees	\$4,012.45	\$4,366.45	\$3,706.26	\$3,688.00	\$3,458.16	\$2,945.00	\$2,318.00	\$2,424.00	\$1,958.25
Proposed \$ Increase	\$305.60	\$263.60	\$238.47	\$253.25	\$237.00	\$211.50	\$131.00	\$128.00	\$77.25
Proposed % Increase	8.2%	6.4%	6.9%	7.4%	7.4%	7.7%	6.0%	5.6%	4.1%
Non-resident Undergraduate									
FY 2010 Approved Tuition and Fees	\$9,048.35	\$10,087.10	\$8,809.29	\$8,788.25	\$8,279.16	\$6,750.50	\$6,789.00	\$6,558.00	\$5,957.25
FY 2011 Proposed Tuition and Fees	\$9,503.95	\$10,769.20	\$9,422.01	\$9,202.00	\$8,669.16	\$6,962.00	\$7,173.00	\$6,794.00	\$6,156.75
Proposed \$ Increase	\$455.60	\$682.10	\$612.72	\$413.75	\$390.00	\$211.50	\$384.00	\$236.00	\$199.50
Proposed % Increase	5.0%	6.8%	7.0%	4.7%	4.7%	3.1%	5.7%	3.6%	3.3%

FY 2011 TUITION AND REQUIRED FEES FOR FULLTIME GRADUATE STUDENTS, PER SEMESTER									
	KU Lawrence	KU-Med. School	KU-Med. Non-Medical	KSU	KSU-Vet. School	WSU	ESU	PSU	FHSU
Resident Graduate									
FY 2010 Approved Tuition and Fees	\$3,669.35	\$12,817.96	\$3,430.29	\$3,700.55	\$8,861.75	\$2,891.60	\$2,551.00	\$2,576.00	\$2,087.40
FY 2011 Proposed Tuition and Fees	\$3,974.95	\$13,458.28	\$3,666.66	\$3,931.60	\$9,328.00	\$3,060.80	\$2,702.00	\$2,720.00	\$2,166.60
Proposed \$ Increase	\$305.60	\$640.32	\$236.37	\$231.05	\$466.25	\$169.20	\$151.00	\$144.00	\$79.20
Proposed % Increase	8.3%	5.0%	6.9%	6.2%	5.3%	5.9%	5.9%	5.5%	3.8%
Non-resident Graduate									
FY 2010 Approved Tuition and Fees	\$8,178.35	\$22,542.06	\$7,939.29	\$8,068.55	\$20,393.75	\$7,507.40	\$6,906.00	\$6,235.00	\$5,544.60
FY 2011 Proposed Tuition and Fees	\$8,723.95	\$23,668.58	\$8,491.26	\$8,430.40	\$21,206.00	\$7,676.60	\$7,297.00	\$6,503.00	\$5,727.60
Proposed \$ Increase	\$545.60	\$1,126.52	\$551.97	\$361.85	\$812.25	\$169.20	\$391.00	\$268.00	\$183.00
Proposed % Increase	6.7%	5.0%	7.0%	4.5%	4.0%	2.3%	5.7%	4.3%	3.3%

- Notes:**
1. Tuition rates for full-time undergraduate students are based upon 15 credit hours (KU, KSU, WSU, and FHSU charge tuition on a per credit hour basis. ESU and PSU charge a semester rate).
 2. Tuition rates for full-time graduate students are based upon 12 credit hours, except medical students (semester rate) and veterinary medical students (20 credit hours).
 3. KU Compact tuition rates are for first-time, degree-seeking freshmen only. The proposed FY 11 Compact Tuition Rates are for freshmen entering KU in Fall 2010, and would be fixed for FY 11-14.
 4. See individual university proposals for rates of KU Edwards; FHSU virtual college and international; and FHSU, PSU, ESU contiguous states.
 5. See individual university proposals for other fee-related credit hour proposals for specific academic schools/programs.

BREAK

The Chairman called for a short break at 10:30 a.m. and resumed the meeting at 10:40 a.m.

BOARD MEMBER CONFLICTS OF INTEREST POLICY

General Counsel Julene Miller presented the proposed policy on Board Member Conflicts of Interest. The Board's Fiscal Affairs and Audit Standing Committee was charged with reviewing and developing a policy regarding the service of Board members on advisory and other boards affiliated with the state universities. The Committee determined the charge encompassed the Board's conflicts of interest generally and proposed the following policy. Following discussion, Regent McKechnie moved to adopt the policy. Regent Sherrer seconded and the motion carried.

The following policy was adopted:

A. THE BOARD AND ITS STAFF

1. MEMBERSHIP BOARD MEMBERS

a. Selection and Composition

There are nine members of the Board of Regents (Board), each of whom is appointed by the Governor subject to confirmation by the Senate. By law, one member shall be appointed from each Congressional district with the remaining members appointed at large. No more than five Regents may be of the same political party, no two members shall reside in the same county at the time of appointment.

b. Term of Office

Terms are staggered and are for a period of four years each, expiring on ~~December 31~~, June 30 except that a member shall continue to serve until a successor is appointed.

c. Compensation and Expenses

~~Pursuant to Kansas law, each member of the Board shall receive \$35 per day for each day of actual attendance at meetings of the Board or of subcommittees authorized by the Board. In addition, each member is allowed all actual travel and other necessary expenses while in the discharge of official duties.~~ compensation, subsistence allowances, mileage and other expenses as authorized pursuant to K.S.A. 74-3202a, 75-3212 and appropriations provisos.

d. Conflicts of Interest

The duty of loyalty requires Board members to exercise their powers and duties in the interests of the Board and its institutions as a system, and not in the Board member's own interest or in the interest of another person, an individual institution or other organization. A conflict of interest occurs when there is a divergence between a Board member's private, personal relationships or interests, or commitments to a state university or other entity, and the Board member's obligations to the Board. An apparent conflict of interest occurs when an independent observer might reasonably question whether the Board member's professional actions or decisions are determined by considerations of personal benefit, gain or advantage, or some interest other than what is best for the Board. Such interests may include, but are not limited to, employment with, ownership of or service on the board of directors of an organization that has or may have relationships with the Board or institutions governed, coordinated or regulated by the Board. A conflict of interest or the appearance of a conflict of interest depends on the situation, and not necessarily on the character or actions of the individual.

The Board of Regents acknowledges that integrity, accountability, and openness of financial relationships and other relevant interests are essential to responsible and credible administration of the State of Kansas system of higher education. A process for disclosing and considering potential conflicts, and managing any actual conflicts, enhances transparency and confidence in the Board's actions.

(1) Disclosures

- (a) Contracts or Transactions. At the time of taking office and subsequently as the need arises, any member of the Board who has a direct or indirect interest in any contract or transaction with the Board or any educational institution governed, coordinated or regulated by the Board shall disclose this interest to the Board in writing, with a copy sent to the Board President and CEO. This interest shall be set forth in the minutes of the Board, and no member of the Board having such interest shall participate on behalf of the Board in the authorization of any such contract or transaction. (K.S.A. 46-233)
- (b) Memberships and Affiliations. At the time of taking office and subsequently as the need arises, any member of the Board who is appointed to or otherwise invited to serve on the governing board of any institution coordinated or regulated by the Board, or of any affiliated corporation of any institution governed, coordinated or regulated by the Board, shall disclose this interest to the Board in writing, with a copy sent to the Board President and CEO. This interest shall be set forth in the minutes of the Board. The Board member and the Board shall make a determination regarding the permissibility of accepting or retaining such an appointment in accordance with the following guidelines:
- (i) If an independent observer, having knowledge of all the relevant circumstances, would reasonably conclude that the Board member has an actual or apparent conflict of interest in holding such a position, the Board member should not accept or retain the position;
- (ii) If, however, involvement by the Board member would bring compelling benefit to the institution, the Board may approve such involvement subject to any conditions the Board deems appropriate to assure both propriety and the appearance of propriety.
- (c) Identified Board member conflicts shall be reviewed by the Board annually at the September meeting.
- (d) Statements of Substantial Interest. All members of the Board shall file a written statement of substantial interest pursuant to K.S.A. 46-247 et seq. regarding any substantial interests within the meaning of K.S.A. 46-229 that each member may hold.

(2) Meeting Conduct

- (a) When any matter comes before the Board for discussion or action and a Board member is determined, in accordance with the above, to have an actual or apparent conflict in the matter, the Board member with the conflict shall not vote on the matter.
- (b) When any matter comes before the Board for discussion or action and a Board member is determined, in accordance with the above, to have an actual or apparent conflict in the matter, the conflicted Board member shall not participate in or attend Board discussion of the matter, unless the Board determines that it would significantly serve the interests of the Board to have the conflicted Board member explain the issue or answer questions. Any such determination and participation shall be recorded in the Board minutes.
- (3) No Private Inurement. No part of the funds of the Board or any state university shall inure to the benefit of, or be distributed to, any member of the Board, except that the Board and the state universities may make reasonable payments for expenses incurred on their behalf relating to any of their lawful purposes. The Board shall be authorized and empowered to pay Board members reasonable compensation for services rendered to or for its benefit relating to any of its lawful purposes, in accordance with subsection 1.c. of this section A.
- (4) Board members shall comply with the governmental ethics laws relating to solicitation or acceptance of gifts, meals, transportation or tickets/access to sporting events and other entertainment or activities as set forth at K.S.A. 46-237 and 46-237a.

BOND RESOLUTION – ENERGY CONSERVATION REVENUE BONDS – KSU

General Counsel Miller introduced a Resolution to authorize the Energy Conservation Projects at Kansas State University to proceed. The revenue bonds will be issued through the Kansas Development Finance Authority and will total \$23,388,400. The Kansas Corporation Commission has authorized KSU to enter into an Energy Performance Contract with Johnson Controls, Inc and the Board approved this contract on Wednesday's Consent Agenda. Regent Boettcher made a motion 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 Lykins, the motion carried.

(Resolution filed with Official Minutes)

AMENDMENTS TO STATE UNIVERSITY PURCHASING POLICY

General Counsel Miller presented the proposed amendment to the State University Purchasing policy. The proposed policy requires each university choosing to utilize the purchasing option to develop university policies and procedures addressing specific areas and submit those policies to the Board's Vice President for Finance and Administration for review. Regent Boettcher moved, followed by a second from Regent Sherrer, to adopt the policy amendments. The motion carried.

The policy was amended as followed:

B. FISCAL MANAGEMENT

10. POLICY FOR PILOT PROJECT ON PURCHASING (2006 Sess. L. Ch. 190 PURSUANT TO K.S.A. 76-769) (1-18-07)
- a. Participating State Universities –
~~The University of Kansas and Fort Hays State University are hereby designated as universities participating in the pilot project on purchases authorized by 2006 Sess. L. Ch. 190.~~
- e. Guiding Principles
 (1) Each state university ~~participating in the pilot project authorized by 2006 Sess. L. Ch. 190 choosing to utilize the provisions of K.S.A. 76-769~~ shall develop and be guided by procurement policies and procedures that:
- o Focus on the stewardship of public funds;
 - o Advance and support the mission of the institution;
 - o Promote a competitive and fair procurement environment; and
 - o Are open and transparent, including adherence to the Kansas Open Records Act.
- (2) State universities ~~participating in the pilot project~~ utilizing the provisions of K.S.A. 76-769 are encouraged to engage in cooperative purchasing opportunities with other public universities or other state agencies entities to achieve the lowest competitive price, including purchasing from current State central purchasing contracts, state travel services, and products pursuant to the Prison Made Goods Act, if it is in the best interest of the state university.
- d.b. Requirements for Policies and Procedures
 The ~~policies~~ policies and procedures developed by ~~the each~~ state university in accordance with this section participation in the pilot project shall address, at a minimum:
- (1) How the system of administration will advance and support the mission of the state university and provide increased levels of service to university students, faculty and staff as they work collectively to advance the university interest;:
 - (2) How the state university intends to promote a competitive procurement environment including a statement regarding what competitive bid limit thresholds will be utilized;:
 - (3) How notice of procurement opportunities will be provided to vendors and to the public in general;:
 - (4) The criteria to be utilized as contracts and purchase orders are awarded;:
 - (5) ~~What~~ The process will to be utilized to resolve vendor protests or requests for information, if any, that are submitted by vendors or the public in general;:
 - (6) How the state university intends to cooperate with the State and other state universities as procurement decisions are made;: and
 - (7) ~~How the state university intends to track and report cost savings, process efficiencies or issues identified as a result of this pilot project.~~
 - (8) ~~How each state university intends to involve the university's internal audit function in the review of purchasing activities.~~
 - (9) What steps are taken to ensure that all university procurement officials are guided by a purchasing code of ethics, such as the National Association of Educational Procurement Code of Ethics.
- e. ~~Each state university participating in the pilot project shall submit a report on an annual basis to the Board of Regents Office in October for approval by the Board in December that identifies:~~
- (1) ~~The amounts and kinds of expenditures made by the state universities;:~~

~~(2) What savings were achieved or costs incurred and any issues or problems that were encountered as acquisitions were made by the state universities.~~

~~(3) An overall evaluation of the efficacy of the pilot project on purchasing.~~

C. FACILITIES

12. LAND TRANSACTIONS (6-28-07)

a. Leases (Including Oil and Gas Agreements)

(1) All leases of real property shall be approved by university counsel as to form, shall be 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 law. (K.S.A. 75-3739(l), 75-3743, 75-3744, ~~and~~ 76-165, and/or 76-769(a)(6)(C))

(2) No real property owned or controlled by the ~~state~~ 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, 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.

...

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

(1) State university endowments, foundations and other related organizations 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) 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) 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) 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)

Other Matters

UPDATE FROM THE UNIVERSITY OF KANSAS CONCERNING ATHLETICS

Chancellor Gray-Little gave an update on the athletics ticketing operations for the University of Kansas. The University was first notified in December by federal investigators that there were problems with the ticketing operations, and the investigators asked KU not to launch their own review at that time. When the extent of the fraud became clearer in March, KU launched its own review. The University hired independent investigators and auditors to review the situation. Their investigation revealed the persons involved. Those individuals are no longer employed at Kansas Athletics. The investigators also made recommendations on how to address the flaws and blind spots in KU's procedures, and the University is working on implementing those recommendations, which include developing a fraud reporting hotline and a Web-based reporting system. A forensic auditor with a focus on athletics will also be hired. The Chancellor noted that KU will also enhance the transparency in its priority point-system. The Regents asked the Chancellor to provide another update to the Board at the September 2010 meeting.

(Handout filed with Official Minutes)

MEMORANDUM OF AGREEMENT BETWEEN KU AND KANSAS ASSOCIATION OF PUBLIC EMPLOYEES (KAPE), LOCAL #6403, REPRESENTING GRADUATE TEACHING ASSISTANTS

Associate General Counsel Theresa Schwartz presented the Memorandum of Agreement (MOA) between KU and the Kansas Association of Public Employees, Local #6403. Regent McKechnie moved that the MOA be approved and authorized the Chair to execute on behalf of the Board. Following the second of Regent Perkins, the motion carried.

FY 2011 BOARD CHAIR AND VICE CHAIR

Regent Shank moved that Regent Gary Sherrer be elected Chairman of the Board for FY 2011. With the second of Regent McKechnie, the motion carried.

Regent Lykins moved that Regent Ed McKechnie be nominated to serve as Vice Chairman. Following the second of Regent Downey-Schmidt, the motion carried.

Regent Sherrer presented both Regent Docking and Regent Shank with their name plates. He thanked both of them for their service to higher education and the State of Kansas.

EXECUTIVE SESSION

At 11:45 a.m., Regent Downey-Schmidt moved, followed by Regent Perkins second, that the Board of Regents recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel, the annual CEO assessment of President Schulz. Participating in the executive session were members of the Board, President Tompkins, and President Schulz. At 12:45 p.m., the meeting returned to open session.

ADJOURNMENT

The Chair adjourned the meeting at 12:45 p.m.

Andy Tompkins, President and CEO

Garry Sherrer, Chair-Elect

KANSAS BOARD OF REGENTS
MINUTES
August 17-19, 2010

The August 17, 2010, Kansas Board of Regents Retreat was called to order by Chairman Gary Sherrer at 1:00 p.m. The meeting was held at Johnson County Community College in the Regnier Center, 12345 College Boulevard, Overland Park, Kansas. Proper notice was given according to law.

MEMBERS PRESENT:

Gary Sherrer, Chairman
Ed McKechnie, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Mildred Edwards
Tim Emert
Dick Hedges
Dan Lykins
Janie Perkins

FORESIGHT 2020

President Tompkins reviewed the five strategic goals and objectives for higher education in Kansas known as Foresight 2020. The five strategic goals include: 1) Achieve alignment between the state's preK-12 and higher education systems and continue to enhance alignment between higher education institutions; 2) Achieve participation in the state's higher education system that better reflects the state's demography and more fully engages adult learners; 3) Achieve measurable improvements in persistence and completion rates for higher education institutions across the state; 4) Ensure that students earning credentials and degrees across the higher education system possess the foundational skills essential for success in work and in life; and 5) Enhance alignment between the work of the state's higher education system and the needs of the Kansas economy. The Regents made minor language and format adjustments to the five goals. Regent McKechnie introduced a sixth goal to enhance national rankings, expand research, and improve collaboration. Board staff was asked to update the five goals and develop language for a sixth goal. The updated Foresight 2020 document will be presented to the Board for consideration at the September, 2010 Board meeting.

BREAK

Chairman Sherrer called for a short break at 2:42 p.m. and resumed the meeting at 2:50 p.m.

LEGISLATIVE

The Regents discussed potential legislative initiatives for the upcoming year. These initiatives include the following systemwide strategic investments: 1) a systemwide inflationary funding request based on a 3-year rolling average of the Higher Education Price Index; 2) a request for year 4 funding of deferred maintenance; 3) a new need-based financial aid program for state university students; and 4) a systemwide workforce & economic development initiative. The Regents plan to formally consider these initiatives at the September, 2010 Board meeting.

BOARD GOALS FOR FY 2011

The Board discussed goals and items they would like to achieve or further explore during the upcoming year. Some of the items discussed include updating the format of the Board agenda, exploring options of a Board self-assessment process, and improving communication with the community and technical colleges. Following discussion, the Regents reached consensus that individual Board members should visit each of the community and technical college campuses by the end of December 2010. Additionally, the Regents decided to visit each

of the university CEOs this year. Chairman Sherrer and President Tompkins will assign each Regent to one or more campuses.

BEING AN EFFECTIVE BOARD MEMBER

David Adkins, Executive Director of The Council of State Government, gave a presentation on how to be an effective board member. Mr. Adkins spoke about establishing priorities and strategies.

AMEND AGENDA

Chairman Sherrer announced that the Wednesday's agenda would be amended to add an executive session regarding personnel matters of non-elected personnel as the second item.

RECESS

Chairman Sherrer recessed the meeting at 6:30 p.m.

RECONVENE

Chairman Sherrer reconvened the meeting at 8:20 a.m. on Wednesday, August 18.

MEMBERS PRESENT:

Gary Sherrer, Chairman
Ed McKechnie, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Mildred Edwards
Tim Emert
Dick Hedges
Dan Lykins
Janie Perkins

CONFLICT OF INTEREST

General Counsel Julene Miller reviewed the Board members' conflict of interest form. General Counsel Miller will finalize the form and send it to each of the Regents. The Regents are to fill out and return the form to the Board office before the September meeting.

EXECUTIVE SESSION

At 8:25 a.m., Regent McKechnie moved, seconded by Regent Downey-Schmidt, that the Board of Regents recess into executive session for 35 minutes to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board and President Tompkins. At 9:00 a.m., the meeting returned to open session.

DISTANCE LEARNING

Vice President Gary Alexander presented a draft Distance Education Plan. Last year the Board's Academic Affairs Standing Committee (BAASC) was charged to review and make recommendations regarding state university efforts to deliver university programs via distance education. The draft plan lays out the responsibilities of the Board and the universities. It also includes annual reporting on distance education programs. Following discussion, the Board emphasized the importance of distance learning and how critical it is to help achieve improved access to higher education for students. The Board wants staff to start gathering information on how many distance education programs already exist system wide in Kansas. Additionally, the Board wants an overview of what other states are doing.

TECHNICAL COLLEGES

Dr. Robert Edleston, President, Manhattan Area Technical College and Clark Coco, President, North Central Kansas Technical College, made comments on behalf of the public technical colleges. President Edleston spoke

about the growth in technical education and how the colleges are doing a better job of reaching more students. President Coco spoke about moving technical education forward and working with the Technical Education Authority and the Board of Regents to develop a strategic plan.

BREAK

The Chairman called for a short break at 11:00 a.m. and resumed the meeting at 11:10 a.m.

COMMUNITY COLLEGES

Representing the community colleges were President John Masterson, Allen County Community College; President Carl Heilman, Barton County Community College; President Jacqueline Vietti, Butler Community College; President Terry Calaway, Johnson County Community College; and President Duane Dunn, Seward County Community College. The presidents reviewed the community colleges' mission to increase access to higher education statewide. They noted that work is being done to increase on-line classes to reach more students and to help students transfer more easily. The presidents would like to work with the Board of Regents and the state universities to strengthen articulation agreements. Additionally, funding and the importance of communicating with the Legislature as a system were discussed.

WASHBURN UNIVERSITY

President Jerry Farley gave the Regents an overview of Washburn University. He spoke about the history, demographics, funding, and organizational structure of both Washburn University and Washburn Institute of Technology (WIT). President Farley stated that Washburn has adopted a new strategic plan and is working on improving both learner outcomes and workforce development. Additionally, President Farley reviewed successes of the law school, undergraduate programs, athletics, and WIT.

BREAK

Chairman Sherrer called for a short break at 12:35 p.m. and resumed the meeting at 1:30 p.m.

KANSAS STATE UNIVERSITY

President Schulz presented the steps Kansas State University will take in order to reach its goal to be recognized as one of the nation's top 50 public research universities by 2025. K-State will compare its current ranking against peer land-grant institutions, and to measure progress, K-State will use benchmarks commonly used to measure public research universities. These benchmarks include: 1) Research and Development; 2) Total Endowment; 3) Number of National Academy Members; 4) Number of Faculty Awards; 5) Number of Doctorates Awarded; 6) Freshman-to-Sophomore Retention Ratio; 7) Six-year Graduation Rate; and 8) Percent of Undergraduates Involved in a Formalized Research Experience.

FORT HAYS STATE UNIVERSITY

President Hammond presented the goals Fort Hays State University wants to accomplish academically. The University hopes to successfully complete the Higher Learning Commission System Appraisal and the AACSB special accreditation for its School of Business. Additionally, Fort Hays State University is working on expanding its undergraduate research experience pilot program, and is continuing its designation as a National Center of Academic Excellence for its Information Networking and Telecommunications (INT) program. President Hammond stated that if Fort Hays State University accomplishes these goals, it will set the University apart from its peer institutions.

UNIVERSITY OF KANSAS

The benchmarks to raise the national ranking for the University of Kansas were presented by Chancellor Gray-Little. KU is comparing itself to peer institutions in the following categories: 1) Federal Research Expenditures; 2) National Academies Membership; 3) Awards, Fellowships & Memberships; 4) Freshman Retention; 5) U.S. News: Academic Reputation; 6) U.S. News Best National Universities; and 7) Graduation Rate after 6 Years. Chancellor Gray-Little stated that specific targets for the benchmarks will be in place by the end of the year.

She noted that KU is currently reviewing its curriculum for general education, implementing an early warning system for freshmen, and improving its recruiting efforts.

PITTSBURG STATE UNIVERSITY

President Scott presented the goals for Pittsburg State University. He stated that PSU is measuring its success on enrollment, private giving, performance agreements, graduate placement and satisfaction, national recognitions, and student competitions and championships. The Kansas Technology Center and the Kansas Polymer Research Center set PSU apart from its peer institutions.

BREAK

The Chairman called for a short break at 3:25 p.m. and resumed the meeting at 3:30 p.m.

WICHITA STATE UNIVERSITY

President Beggs reviewed Wichita State University's mission statement and its accountability planning matrix. The matrix includes constituent groups, values, and plans for WSU. President Beggs stated that the priorities of the university include focusing on recruitment and retention, supporting the Board of Regents strategic initiative, and working more intensively toward national level recognition.

EMPORIA STATE UNIVERSITY

Emporia State University's presentation was given by President Lane. ESU is currently working on developing an integrated marketing plan to reach more students. Its goals include improving enrollment and recruitment, increasing retention by developing an early warning system, and improving graduation rates. President Lane stated that specific benchmarks for these goals will be put in place.

Regent Sherrer stated that it was important for each university to set specific benchmarks that can be measured for improvement.

ATHLETIC CORPORATIONS

Regent Sherrer asked the university CEOs about the structure of their athletic corporation boards and if there is a way to improve CEO oversight. President Schulz stated that K-State restructured its board and that it is made up of internal people who report to him. He believes transparency is the best way to improve oversight. Chancellor Gray-Little is currently reviewing the structure of KU's board. The Chancellor stated that currently the board's composition includes university stakeholders. She also noted that the athletic director is no longer chairing KU's board.

RECESS

Chairman Sherrer recessed the meeting at 5:23 p.m.

RECONVENE

Chairman Sherrer reconvened the meeting at 8:30 a.m. on Thursday, August 19.

MEMBERS PRESENT:

Gary Sherrer, Chairman
Ed McKechnie, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Mildred Edwards
Tim Emert
Dick Hedges
Dan Lykins
Janie Perkins

KANSAS BIOSCIENCE AUTHORITY

Tom Thornton, President & CEO of the Kansas Bioscience Authority (KBA), spoke about the KBA and its relationship with the Board of Regents and the state universities. Mr. Thornton stated that the KBA is ranked #5 in the nation for biotechnology and Kansas is ranked #1 in the nation in growth of critical research funding. Mr. Thornton also highlighted some projects that the KBA and the state universities collaborate on including the National Bio and Agro-Defense Facility (NBAF), the Collaborative Cancer Research Initiative, and the Eminent Scholar Program.

PRESIDENTIAL EVALUATION PROCESS

President Tompkins reviewed the Presidential Evaluation Form. Some of the recommendations to enhance the process include utilizing the multi-rater process, having the evaluation form centered on both the Board's goals and the president's proposed goals, and using an executive coach if needed. Following discussion, the Regents asked Board staff to make some adjustments to the form's language and format.

BREAK

The Chairman called for a short break at 10:10 a.m. and resumed the meeting at 10:20 a.m.

BOARD MEMBERS GOALS

The Regents were given an opportunity to share individual goals for the year.

KANSAS BOARD OF REGENTS COMMITTEES AND REPRESENTATIVES

Chairman Sherrer announced his appointments to the Board committees and the Board representatives and liaisons.

ADJOURNMENT

The Chair adjourned the meeting at 11:06 a.m.

Andy Tompkins, President and CEO

Gary Sherrer, Chair

CONSENT AGENDA

II. General Reports

A. *Introductions*

B. *Report from the Chair*

C. *Report from the President & CEO*

Regent Sherrer, Chair

Andy Tompkins President & CEO

III. Standing Committee Reports

A. *Academic Affairs*

B. *Fiscal Affairs & Audit*

Regent Hedges

Regent Boettcher

IV. Approval of Consent Agenda

A. *Academic Affairs*

Regent Hedges

**Gary Alexander,
VP, Academic Affairs**

Background for Items 1-5

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

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

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

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

1. Approve Request for Additional Degree Granting Authority for Capella University

Summary and Staff Recommendation

Staff recommends Capella University be given additional degree-granting authority for the Doctor of Education – Reading and Literacy Specialization, and for the Master of Public Administration and Master of Science in Public Safety – Joint Degree Program. These degrees are attained through online distance education programming. After a thorough review of the institution’s staff qualifications, website platform, record keeping systems, coursework, and materials, staff recommends approval.

7/19/10

Capella University is an online university with established schools in Health Care, Education, Business and Technology, Human Services, and Psychology. The University, founded in 1991, is owned by Capella Education Company, a publicly traded company. It offers bachelor, master, specialist, and doctoral degrees. It employs 1,100 administrative staff at its Minneapolis, Minnesota, headquarters and more than 1,100 faculty members throughout the country that serve more than 31,000 adult professionals.

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

2. Approve Request for Additional Degree Granting Authority for Associated Mennonite Biblical Seminary

Summary and Staff Recommendation

Staff recommends that Associated Mennonite Biblical Seminary – Great Plains Extension be given additional degree-granting authority for the Master of Arts in Peace Studies and the Master of Arts in Theological Studies. These degrees will be attained at the Newton, Kansas campus. After a thorough review of the institution's staff qualifications, facilities, record keeping systems, coursework, and materials, staff recommends approval.

7/20/2010

Associated Mennonite Biblical Seminary–Great Plains Extension is located in Newton, KS. Most Great Plains classes are held in central Kansas, with occasional classes in surrounding states. The Great Plains Extension was initially approved by KBOR in 2004. Its main campus is in Elkhart, Indiana. The school has had accredited degrees since 1958.

The Associated Mennonite Biblical Seminary is accredited by The Higher Learning Commission of the North Central Association of Colleges and Schools (HLC). This accrediting agency is recognized and approved by the United States Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval. Institutions that apply for degree granting status are reviewed according to a process and set of standards required by Section 5 of the Kansas Private and Out-of-State Postsecondary Educational Institution Act.

3. Approve Request for Additional Degree Granting Authority for Nashville Auto-Diesel College

Summary and Staff Recommendation

Staff recommends that Nashville Auto-Diesel College be given additional degree-granting authority for: (1) Associate of Occupational Studies in Automotive and Diesel Technology with Automotive Undercar Specialty (2) Associate of Occupational Studies Degree in Automotive and Diesel Technology with Heavy Equipment Maintenance. After a thorough review of the institution's staff qualifications, record keeping systems, facilities, coursework, and materials, staff recommends approval.

7/22/10

Nashville Auto-Diesel College was established in 1919, and continues to develop training standards based on the Automotive, Truck, and Collision Repair and Refinishing industries. They have been approved for training

the military since WWII and veterans since 1946. About 30 states use this school for training of the disabled through Vocational Rehabilitation.

Nashville Auto-Diesel College is accredited by the Accrediting Commission of Career Schools and Colleges of Technology. This accrediting agency is recognized and approved by the United States Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

4. Approve Request for Additional Degree Granting Authority for Pinnacle Career Institute, South Kansas City, MO

Summary and Staff Recommendation

After a thorough review of the school and its proposed degree programs, KBOR Staff recommends Pinnacle Career Institute (PCI) be given additional degree-granting authority for an Associate of Occupational Studies – Health Information Technician (2) Associate of Occupational Studies – Information Technology Web Programming and Information Technology Support. If approved, these degrees will be awarded on Pinnacle Career Institute’s South Kansas City, MO campus. KBOR staff has reviewed the coursework and outcomes and finds they meet KBOR’s standards. PCI also demonstrates they have proper facilities, equipment, materials, record keeping systems, degreed staff, and adequate space to meet the needs of students enrolled in the proposed degree program.

07/26/10

Pinnacle Career Institute started its first resident class in October, 1953 under the name of Electronics Institute, Inc. A Missouri corporation, the school operated as a subsidiary of the National School of Aeronautics, Inc. until July, 1959 in Kansas city, MO. Currently, the school has two other locations in North Kansas City, MO and Lawrence, KS. PCI is approved by the Kansas Board of Regents and contracted for training by the Missouri and Kansas Rehabilitation Commissions. Pinnacle Career Institute provides training under the Veterans Administration, Vocational Rehabilitation and Workforce Investment Act.

Pinnacle Career Institute is accredited by the Accrediting Commission of Career Schools and Colleges, a national accrediting agency recognized by the U.S. Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

5. Approve Request for Additional Degree Granting Authority for American Public University System

Summary and Staff Recommendation

KBOR Staff recommends American Public University System (APUS) be given additional degree-granting authority for a Master of Arts in Legal Studies, a Bachelor of Science in Criminal Justice and a Bachelor of Arts in General Studies. After a thorough review of the institution’s staff qualifications, on-line platforms, record keeping systems, coursework and materials, staff recommends approval.

8/25/2010

American Public University System is approved for degree granting authority. The school traces its history to 1991 with the establishment of the American Military University in Virginia. It was founded for the purpose of providing military officers an opportunity to earn advanced degrees through distance education and has extended offerings to the public. The main campus is located in Charles Town, West Virginia This system enables students to apply for admission, complete online orientation, register for courses, check degree progress and apply for graduation from the convenience of their home or office with 24/7 access to these online services.

The university serves more than 30,000 military and public service professionals with relevant distance learning programs in all 50 states and territories and in more than 125 foreign countries.

The American Public University System is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools and the Distance Education and Training Council (DETC). Both are recognized by the U.S. Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

6. Approve Request for Degree and Certificate Programs Submitted from Community and Technical Colleges for the following: Johnson County Community College, Railroad Signal Career Certificate (CIP 49.0208)

**Blake Flanders,
VP, Workforce Development**

Summary and Staff Recommendation

Each month community colleges and technical colleges submit requests for the approval of new certificate and degree programs. The Board office received one program request to be implemented in 2011. The program submitted addressed all criteria requested and has been subject to the 14 day comment period required by policy. The program was reviewed by the Technical Program and Curriculum Committee and the Postsecondary Technical Education Authority recommends approval.

8/31/10

Background

Community colleges and technical colleges submit requests for new certificate and degree programs each month utilizing forms approved by staff. Criteria addressed during the application process include, but are not limited to, the following:

- Student and employer demand for the program
- Current and projected job openings and anticipated wages
- Level of program duplication across institutions, based on Classification of Instructional Program (CIP) code, and any efforts to collaborate to provide the needed program
- Rationale for why collaboration is not a viable option and/or need for a duplicative program
- Program description and designation of required and elective courses
- Measurable program outcomes and course competencies
- Process and frequency for review of program content, level of program success, and process for addressing any areas of concern
- Any specialized accreditation required and/or available for the proposed program
- Faculty qualifications and proposed student to faculty ratio
- Description of facilities and equipment needed and available
- Projected program costs and designation of adequate resources
- Membership of a steering/advisory committee for the program
- Approval by institutional academic committee and local governing board

Description of Proposed Program

Johnson County Community College requests approval for the following new program: Railroad Signal Career Certificate (CIP 49.0208) as a Technical Certificate (16 credits).

The proposed program will prepare current and prospective employees to meet the needs mandated by the Rail Safety Improvement Act (RSIA) of 2008. RSIA has mandated that Positive Train Control (PTC) be installed by December of 2015. There are currently 11 different PTC projects in various stages of development and implementation. All of these projects and more to follow will require employees to have completed the proposed signal training. Signalmen must be proficient at designing, installing, maintaining and troubleshooting mechanical, electrical and electronic equipment as well as the computerized signal systems.

Estimated starting wages for the craft are \$17.50 to \$20.50 per hour. Based on projected retirements, the demand for signalmen in the industry will remain strong for the next five years. The college anticipates a minimum of 30 enrollments a year and will establish throughput capacity to handle up to 250 enrollments a year to meet the needs of the industry.

JCCC has worked with Burlington Northern Santa Fe Railway (BNSF) and the National Academy of Railroad Sciences (NARS) since 1988. The college has developed a “distinctive competency” in its ability to deliver occupational training in railroad operations as an institution with the railroad industry and the proposed program represents an extension of a long standing pre-existing business and industry partnership with the college.

BNSF provides the instructors for the program and compensates them for providing the instruction. In addition, BNSF has agreed to assume all expenses with the proposed program. Letters of support from the American Short Line and Regional Railroad Association and Rail America, Inc. strongly support the development of the program within NARS.

The college has identified four potential adjunct faculty for the program (employed by BNSF) with extensive experience in railroad signal systems. In addition to the requisite academic credentials, the pool of potential adjunct faculty has completed the BNSF certification program as “Master Instructors”.

No letters of comment were received regarding the proposed program.

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

Recommendation

This program was reviewed by the Technical Program and Curriculum Committee and approved during the August 26, 2010 meeting of the Postsecondary Technical Education Authority (TEA). The TEA recommends approval of this program.

DISCUSSION AGENDA

V. Consideration of Discussion Agenda

A. Academic Affairs

Regent Hedges
Gary Alexander,
 VP, Academic Affairs

Background for Items 1-4

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

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

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

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

1. Approve Request for New Degree Granting Authority for an Associate in Specialized Technology at Wyo Tech

Summary and Staff Recommendation

In accordance with KBOR policy, Wyo Tech is requesting new degree granting authority for an Associate in Specialized Technology to be offered at its Blairsville, Pennsylvania campus and Sacramento, California campus. After a thorough review of the institution’s staff qualifications, facilities, record keeping systems, coursework and materials, staff recommends approval.

07/19/2010

Wyo Tech, formerly known as Wyoming Technical Institute, focuses on college-level, career-oriented education in the automotive technology, diesel, motorcycle repair, plumbing, collision/refinishing, HVAC, and electrician career fields through the use of industry-based advisory committees. WyoTech's history began in June 1966 when 22 students from Wyoming and surrounding states started their careers in Automotive Technology in Laramie, Wyoming. Since then, WyoTech has graduated over 26,000 students from across the nation and several foreign countries.

Wyo Tech’s parent company is CCI, Corinthian College Incorporated. It was founded in 1995 and completed initial public offerings in 1999. As of June 30, 2009, it had approximately 12,500 employees in North America, including 5,200 full-time and part-time faculty members and 105,000 students.

Wyo Tech’s is accredited by the Accrediting Commission of Career Schools and Colleges, a United States Department of Education approved accrediting agency. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

2. Approve Request for New Degree Granting Authority for Regis University

Summary and Staff Recommendation

In accordance with KBOR policy, Regis University is requesting degree granting authority for 8 degrees as listed below. These degrees are attained through on-line based programming. After a thorough review of the institution’s staff qualifications, web site platform, record keeping systems, coursework, and materials, staff recommends approval.

08/05/10

Since 1877 Regis University has been Colorado’s only Jesuit University. Today it serves more than 16,000 students at its main campuses in Denver, and seven other locations throughout Colorado, plus one campus in Nevada. Online programming is also available in undergraduate, graduate and doctorate level programs.

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

The degree presented for approval are:

DEGREES
Bachelor
1. Bachelor of Science in Computer Networking
2. Bachelor of Science in Computer Science
3. Bachelor of Science in Marketing
4. Bachelor of Science in Accounting
5. Bachelor of Science in Business Administration
6. Bachelor of Science in Applied Science
Master
1. Master of Education – Adult Education
2. Master of Non-Profit Management

3. Approve Request for New Degree Granting Authority for Grand Canyon University

Summary and Staff Recommendation

In accordance with KBOR policy, Grand Canyon University is requesting degree granting authority for 21 degrees and Advanced Certificate Programs as listed below. These degrees and Advanced Certificates are attained through on-line and traditional campus based programming. After a thorough review of the institution’s staff qualifications, web site platform, record keeping systems, coursework, and materials, staff recommends approval.

08/05/10

Founded in 1949, Grand Canyon University is a private Christian university located in Phoenix, Arizona. The university offers online and campus-based Bachelor’s and Master’s and Doctoral degree programs through the Ken Blanchard College of Business, College of Education, College of Nursing, and College of Liberal Arts and Sciences and supports both traditional undergraduate students as well as the working professional.

Grand Canyon University is accredited by The Higher Learning Commission, North Central Association of Colleges and Schools, and obtained its most recent ten-year reaccreditation in 2007. This accrediting agency is recognized and approved by the United States Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

The degree presented for approval are:

DEGREES
Bachelor
1. Bachelor of Arts Christian Studies
2. Bachelor of Arts Communications
3. Bachelor of Arts English Literature
4. Bachelor of Arts History
5. Bachelor of Arts Interdisciplinary Studies
6. Bachelor of Science Accounting
7. Bachelor of Science Addiction Counseling
8. Bachelor of Science Applied Management
9. Bachelor of Science Business Administration
10. Bachelor of Science Elementary Education with emphasis in English (non-licensure per KSDE)
11. Bachelor of Science Elementary Education/Special Education (non-licensure per KSDE)
12. Bachelor of Science Entrepreneurial Studies
13. Bachelor of Science Finance and Economics
14. Bachelor of Science Health Care Administration
15. Bachelor of Science Health Sciences: Professional Development and Advanced Patient Care
16. Bachelor of Science Justice Studies
17. Bachelor of Science Marketing
18. Bachelor of Science Medical Imaging Sciences
19. Bachelor of Science Registered Nurse to BSN
20. Bachelor of Science Psychology
21. Bachelor of Science Public Safety and Emergency Management
22. Bachelor of Science Respiratory Care
23. Bachelor of Science Sociology
24. Bachelor of Science Sports Management

Master
1. Master of Arts in Christian Studies
2. Master of Education
3. Master of Business Administration
4. Master of Business Administration and Master of Science in Leadership (Dual Degree)
5. Master of Science in Accounting
6. Master of Science in Addiction Counseling
7. Master of Science in Criminal Justice
8. Master of Science in Health Care Administration
9. Master of Science in Health Care Informatics
10. Master of Science in Leadership
11. Master of Science in Disaster Preparedness and Executive Fire Leadership
12. Bridge to Master Degree in Nursing
13. Registered Nurse to Master of Science
14. Master of Business Administration and Master of Science in Nursing Leadership in Health Care (Dual Degree)
15. Master of Science in Professional Counseling
16. Master of Science in Public Health
17. Master of Science in Psychology
18. Master of Public Administration
Doctoral
1. Doctor of Education in Organizational Leadership
Advanced Certificate Programs
1. Emergency Management: Health Care
2. Emergency Management: Public Safety

4. Approve Request for New Degree Granting Authority for Vatterott College, Sunset Hills, MO

Summary and Staff Recommendation

In accordance with KBOR policy, Vatterott College, Sunset Hills, MO, Online Programs, is requesting new degree granting authority for an Associate of Occupational Studies in Business Management, Medical Billing & Coding, and Medical Assistant. After a thorough review of the institution’s staffs’ qualifications, on-line platforms, record keeping systems, coursework and materials, staff recommends approval. 8/25/2010

Vatterott College was established in 1969 and is located throughout nine states in the mid-west. Vatterott College, Sunset Hills, MO, Online Programs, is requesting new degree granting authority for multiple program offerings so it can work with the Wichita Vatterott campus to increase the programs offerings there. These new programs will better serve the needs of the Wichita population and help more Kansans receive training to enter the workforce, and/or improve their careers.

Vatterott College holds accreditation from the Accrediting Commission of Career Schools and Colleges (ACCSC), an accreditation body approved by the United States Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

5. Approve Request for Respiratory Therapy Alignment

**Blake Flanders,
VP, Workforce Development**

The TEA endorsed the proposed Respiratory Therapy Alignment as the best available solution to preserve the four objectives of the alignment process while providing colleges with maximum institutional flexibility. The TEA recommends approval of the Respiratory Therapy Alignment. 08/31/2010

Background

Program Alignment Process

Phase I

- Survey local college advisory committees
- Complete research on current programs at colleges and industry based credential options
- State business and industry recommendation
- 14 day formal comment period for college presidents

Phase II

- Curriculum meeting #1
- Administrative review #1
- 14 day formal comment period for college presidents
- Curriculum meeting #2
- Administrative review #2
- 14 day formal comment period for college presidents
- Business and industry review and endorsement
- 14 day formal comment period for college presidents

Phase III

- TEA Program/Curriculum Committee recommendation
- TEA recommendation

Board Academic Affairs Standing Committee approval

- Kansas Board of Regents approval
- Implementation

Executive Summary

The Respiratory Therapy Alignment Project includes six community and technical colleges and Washburn University. This Letter of Guidance provides a credit hour ceiling for state funding pertaining to the Associate Degree in Respiratory Therapy offered at these seven institutions.

The Letter of Guidance dated 6/7/10 was subjected to a 14-day Presidential comment period from 6/10/10 to 6/23/10. Colleges did not offer any concerns or comments indicating disagreement or discomfort. One college offered comment supporting the proposed alignment. Accordingly, staff recommends the adoption of the proposed Letter of Guidance for Respiratory Therapy dated 6/7/10.

Appeal Process

During the alignment process, a proposed program alignment will be adjusted to accommodate the needs of colleges based on presidential comments to the extent that such adjustments do not in turn create a greater amount of disagreement from other colleges in terms of the number of colleges commenting and the number of comments received. While it is our hope that we can resolve all concerns, the reality is that we may have several documented “unresolved” concerns as the proposed program alignment enters *Phase III* (formal approval). Colleges are encouraged to voice their support or objection to a proposed alignment during the TEA

Program/Curriculum Committee conference call when the proposed alignment is presented. Colleges may also voice their support or objection to a proposed alignment during the TEA meeting. ***Proposed Program Alignments will be on the discussion agenda of the TEA meetings.*** In the event a college wishes to “contest” a proposed alignment after adoption by the TEA, the college may submit a letter of objection to the proposed alignment to the Director of Technical Programs and Curriculum at the Kansas Board of Regents stating the rationale for the objection and the suggested action to resolve the objection. Colleges must submit the letter of objection no later than the day of the TEA meeting either in hardcopy or via e-mail to ensure that their objection will be included in the Board Academic Affairs Standing Committee planning process for the subsequent KBOR meeting.

Comments Regarding Respiratory Therapy Letter of Guidance:

Johnson County Community College

I am glad to see the letter of guidance in lieu of a program alignment map. I don't see anything to comment on. Our AAS degree requires a minimum of 71 credit hours inclusive of prerequisite, support and professional courses, up to a max of 76 hours depending on completion of optional (but encouraged) coursework related to the Microbiology Lab and Intro to Health Care Delivery. The other guidelines are inherent to the accreditation and licensing requirements.

Thanks for your good work.

Staff Response: We appreciate the supportive nature of your comment.

B. Other Matters

1. Adopt Foresight 2020

Andy Tompkins, President & CEO

In the spring of 2009, Reginald Robinson, President and CEO of the Board of Regents, presented five strategic questions and associated data related to issues that would directly affect the future of higher education in Kansas. After more than a year of study, Foresight 2020 emerged as a new strategic agenda for higher education in Kansas. Five strategic goals, initially characterized as “pillars”, form the foundation for this agenda.

Specific objectives were then developed to serve as the initial focus for each goal. In some instances specific dates were identified for achievement of the objectives and in other instances long term objectives were established. As certain objectives are accomplished and new data gives greater focus to achievement of the goals, additional and/or revised objectives will be proposed.

This strategic agenda and its associated objectives will now be used as the focus of performance agreements with each of the state’s public higher education institutions. Also, it will serve as the framework for creating a systematic monitoring of progress that will result in an annual report to the Board of Regents on these strategic goals.

The Board suggested a number of changes during its discussion of Foresight 2020 at the August, 2010 retreat. These changes have been incorporated into the revised Foresight 2020 document, which is attached. The staff recommends your review and approval.



FORESIGHT 2020

Presented to the Kansas Board of Regents
September, 2010

A STRATEGIC AGENDA FOR KANSAS HIGHER EDUCATION

Strategic Goal #1

Achieve alignment between the state's preK-12 and higher education systems and continue to enhance alignment between higher education institutions.

Objectives

- 1.1 By December of 2010, the Board of Regents and its staff in cooperation with the P-20 Education Council and the Kansas State Department of Education will identify gaps that currently exist between preK-12 completion and higher education preparation expectations.
- 1.2 By August of 2011, all higher education institutions will have had discussions with local preK-12 partner high schools regarding these gaps and a plan to eliminate them.
- 1.3 By June of 2011, the Board of Regents will adopt a revised set of university admissions standards designed to identify a level of high school preparation that significantly enhance student success at the state's higher education institutions.
- 1.4 During the 2010-11 academic year, the Board will create a task force to review progress on alignment of higher education institutions and charge the task force with developing recommendations for additional enhancements needed to ensure greater alignment.

Strategic Goal #2

Achieve participation in the state's higher education system that better reflects the state's demography and more fully engages adult learners.

Objectives

- 2.1 By 2020 or before, Kansas will improve levels of participation, within each higher education institution and across the system, that reflect the racial, ethnic, and economic demography of the state with a special focus on the most underrepresented students as measured by biannual progress on the baseline year of 2010.
- 2.2 By 2020 or before, Kansas will achieve "first in the nation" state status for in-state postsecondary participation among "traditional" students, which currently would require an increase from the current participation rate of 53 percent - which is third in the nation - to approximately 59 percent.
- 2.3 By 2020 or before, Kansas will achieve "top five" state status for participation of adults between the ages of 25-39 with only a high school diploma, which currently will require an increase from the current participation rate of 238 per 1000 - which is above the national average - to approximately 317 per 1000.
- 2.4 By 2020 or before, Kansas will achieve "top five" state status for participation of adults between the ages of 40-64 with only a high school diploma, which currently will require an increase from the current participation rate of 48 per 1000 - which is above the national average - to approximately 103 per 1000.

- 2.5 By 2020 or before, Kansas will achieve the national average for enrollment of those with less than a high school diploma in the state-administered Adult Basic Education (ABE) programs with an immediate goal of removing waiting lists, which will require an increase from the current enrollment of 55 per 1000 to approximately 101 per 1000.
- 2.6 By 2020 or before, Kansas will achieve the national average for enrollment of those with limited or no English language proficiency in English as a Second Language (ESL) programs, which will require an increase from 83.3 per 1000 to approximately 101 per 1000.
- 2.7 By 2020 or before, Kansas will double the percentage of Kansas ABE participants who achieve the goal of continuing on to postsecondary education after completion of their ABE programs, which will require an increase from 14 percent to 28 percent.
- 2.8 By January of 2011, the Board of Regents will develop and submit for legislative consideration a proposal that would authorize new state funding to provide need-based assistance to students at public universities.
- 2.9 By September of 2012, the Board of Regents, in cooperation with state university leaders, will develop an initiative aimed at bringing additional out-of-state students into Kansas to pursue their postsecondary studies.
- 2.10 By January of 2012, the Board of Regents will develop and submit for legislative consideration a proposal that would authorize new state funding to expand the state's Comprehensive Grant Program to provide need-based student assistance for two-year, certificate, and part-time students with an initial focus on those students who pursue studies that lead to jobs in high demand areas of the state's economy.
- 2.11 By the summer of 2012, Regents' institutions will have an approved plan to meet the Regent's policy on distance education which includes the use of alternative delivery systems to accommodate the variety of student educational needs.

Strategic Goal #3

Achieve measurable improvement in persistence and completion rates for higher education institutions across the state.

Objectives

- 3.1 By September of 2012, the Board of Regents, in cooperation with higher education institutional leaders, will develop an initiative aimed at identifying and recruiting back into the higher education system working adults who have earned substantial credit but have not finished the work necessary to earn a credential or degree.
- 3.2 By 2020 or before, Kansas will achieve a 10 percentage point increase in first-to-second year retention rates across the higher education system.

- 3.3 By 2020 or before, Kansas will achieve a 10 percentage point increase in the six-year graduation rate for public universities and the three-year graduation rate for community and technical colleges.
- 3.4 By 2020 or before, Kansas will achieve “top 10” state status for the percentage of students who have earned an associate degree or higher, which currently will require an increase from 39.2 percent to approximately 43.4 percent.

Strategic Goal #4

Ensure that students earning credentials and degrees across the higher education system possess the foundational skills essential for success in work and in life.

Objectives

- 4.1 During the 2010-11 academic year, the Board of Regents’ system-wide learner outcomes task force, in consultation with the university Chief Academic Officers, shall make recommendations regarding the identification and measurement of foundational skills (such as oral and written communication, technical and numerical literacy, critical thinking and problem-solving) which institutions will report to the Board.
- 4.2 By June of 2011, the Board of Regents will adopt a framework that enables each institution to report on the measurement of the foundational skills identified as essential to success in work and in life.
- 4.3 By September of 2012, the Board of Regents will receive its first report on the measurement of foundational skills across the higher education system.

Strategic Goal #5

Enhance alignment between the work of the state’s higher education system and the needs of the Kansas economy.

Objectives

- 5.1 By December of 2011, the Board will begin receiving an annual report on the workforce needs of the state and the number of persons educated in the higher education system to fill those needs to determine alignment and gaps.
- 5.2 By December of 2012, the Board will begin receiving an annual report on university research initiatives designed to meet the needs of the Kansas economy.
- 5.3 By 2020 or before, Kansas will achieve or exceed the regional average for percentage of credentials or degrees awarded in science, technology, engineering, and mathematics (STEM) fields.

Strategic Goal #6

Enhance the regional and national reputation of Kansas universities through aspirational initiatives.

Objectives

- 6.1** By June of 2011, Regents' universities will identify benchmarks of excellence in comparison with peer institutions and establish goals to pursue in order to increase regional, national, and/or peer rankings.
- 6.2** By June of 2012, Regents' universities, according to mission, will identify areas for expansion of research capacity and/or focus and will establish goals to pursue.
- 6.3** Regents' universities will demonstrate increased collaboration including alignment within the Kansas higher education system through a biannual report.

2. Discuss Legislative Initiatives

**Kip Peterson,
Director, Government Relations &
Communications**

a. Systemwide Policy Initiatives (First Reading)

The deadline for institutions to submit policy proposals to be considered for inclusion in the Board's 2011 legislative agenda is Friday, September 10. Proposals will be forwarded to the Regents for review shortly thereafter.

b. Enhancements as discussed at Board Retreat

At its August retreat, the Board engaged in a preliminary discussion of the following possible legislative enhancement requests for Fiscal Year 2012:

- 1) An increase in the systemwide operating grant equal to the three-year rolling average of the Higher Education Price Index (HEPI). The HEPI three-year rolling average (Fiscal Years 2008 through 2010) is 2.73%. Cost = \$20.5 million State General Fund.
- 2) Restore funding for year four of the five-year comprehensive deferred building maintenance plan which was originally approved by the Legislature but ultimately removed to help balance the State's Fiscal Year 2011 budget. Cost = \$15.75 million State General Fund (\$15 million appropriation for the state universities and \$750,000 to finance the no-interest loan program for Washburn University and the community and technical colleges).
- 3) Creation of a need-based financial aid program for those state university students who do not qualify for Pell Grants and whose family household income is below the state's median level. The program would be financed by recouping the state sales tax collected on the state university campuses and by a state university match.
- 4) Creation of a systemwide workforce and economic development initiative which would be financed through a two-for-one state-to-institution match. Cost = \$14.15 million State General Fund.

c. Kansas Postsecondary Technical Education Authority – Tiered Funding Model

**Blake Flanders,
VP, Workforce Development**

Summary and Recommendation

In June 2009, the Kansas Board of Regents adopted the concept of the tiered cost model for the funding of approved postsecondary career technical education programs. At the June 2010 meeting, the Board requested that the Postsecondary Technical Education Authority (Authority) present a range of options for the new approach to state funding for technical education at the Board's September 2010 meeting. The Board will receive the report from the Authority with final action scheduled for October.

09/15/10

Background

The Kansas Board of Regents initiated a policy discussion in 2005 about postsecondary technical education and long-standing concerns among policymakers about its governance, programs, and funding. Over the past five years, significant changes have occurred, including the creation of the Kansas Postsecondary Technical

Education Authority in 2007. Much of the Authority’s effort has been focused on aligning programs and developing a new approach to state funding for technical education.

Previously postsecondary technical education programs were delivered by institutions with a variety of governance structures that ranged from a single local school board to an elected board of trustees. Governance reform initiatives have resulted in a state system of technical and community colleges, with independent governing boards, that are accredited, or on a pathway toward accreditation, by the Higher Learning Commission.

With regard to programmatic issues, previously some programs were based on clock hours while others were based on college credit hours. Today, all career technical education programs and courses have been transitioned to college credit hours. Program reform initiatives are ongoing through a statewide alignment project to ensure state funded technical programs are consistently meeting the needs of business and industry and reducing the amount of program variability among the institutions.

The current legislated approach has been described as “patchworked” and “dysfunctional”. As the Board’s Ad Hoc Committee on the litigation concluded, “...the statutes have been pieced together over a span of 30-40 years, often at the request of individual colleges rather than as a comprehensive system...”

Statutory Charge

Kansas law requires the Authority to “(11) (A) develop and recommend to the State Board of Regents a credit hour funding distribution formula for postsecondary technical education training programs that (i) is tiered to recognize and support cost differentials in providing high-demand, high-tech training, (ii) takes into consideration target industries critical to the Kansas economy, (iii) is responsive to program growth and (iv) includes other factors and considerations as deemed necessary or advisable; and (B) establish and recommend to the State Board of Regents the rates to be used in such funding distribution formula.”

Tiered Cost Model for Funding Technical Education

The new approach for technical education funding is based on a cost model – what should it cost to deliver a technical education course? There are three main components in computing the overall cost of any technical education course: instructor costs, extraordinary costs, and support costs (instructional support costs and institutional support costs). The cost model uses a per-credit hour calculation for each component. The components are added together (instructor costs + extraordinary costs + instructional support costs + institutional support costs) to calculate a total cost per technical education course. The total cost can then be used in calculations to determine the state share of the total calculated cost and the allocation of state funding among the 26 two-year institutions delivering courses based on credit hour production and a consistent calculation of costs.

Components	Elements	Description
<u>Instructor Costs</u>	<ul style="list-style-type: none"> • Direct instructor costs • Tiered rates from CIP codes and cost study 	Program tier rates were based on an analysis of direct instructor costs as reported in the Kansas Study, a national instructor cost study conducted annually by Johnson County Community College. This study uses the classification of instructional programs (CIP) code to identify direct instructor costs (faculty salaries) for each program. These average costs are then grouped using a typical standard deviation model, creating six tiers. The rate for each tier is based on the average cost per credit hour of the programs in that tier, ranging from \$105 (tier 1) to \$223 (tier 6).

<p><u>Extraordinary Costs</u></p>	<ul style="list-style-type: none"> • Costs for specialized equipment & materials • Level rates from cost study 	<p>Technical education typically provides intensive, hands-on learning opportunities, often requiring additional supplies, materials and specialized equipment. The “extraordinary” amount is an additional per-credit value assigned to each program, based on the needs of the courses within the program. Institutions identified courses with extensive “extraordinary” costs and submitted 5 years of actual expenditure data reflecting these types of expenses. Costs based on these data were grouped. Credit hour rates fall in four levels ranging from \$0 (no extraordinary costs) to \$102 (Level C high extraordinary costs).</p>
<p><u>Support Costs</u></p> <p>Instructional</p> <p>Institutional</p>	<ul style="list-style-type: none"> • Student and academic support services • Flat Rate • Operation maintenance of physical plant, Administration • Flat Rate 	<p>This category captures costs associated with academic support and student services. The model uses data submitted by Kansas 2-year colleges and 2-year colleges in surrounding states to the Integrated Postsecondary Education Data System (IPEDS) to establish a cost for instructional support. This value is then used to establish a flat instructional support cost (21.1% x instructor costs at Tier 3) for each technical credit hour delivered.</p> <p>This category includes costs associated with administration, and operation and maintenance of the physical plant. The model uses data submitted by Kansas 2-year colleges and 2-year colleges in surrounding states to the Integrated Postsecondary Education Data System (IPEDS) to establish a cost for institutional support. This value is then used to establish a flat institutional support cost (28.2% x instructor costs at Tier 3) for each technical credit hour delivered.</p>

Policy Questions

The Authority analyzed a number of policy options relating to the new approach to technical education funding. The options included:

- How much should student tuition contribute?
- How much should the local contribution be for institutions with taxing authority?
- Which student credit hours are eligible for state support?

Restructuring

In order to transition from the old system, to the new system the Technical Education Authority determined it is necessary to:

- Establish similar appropriation line items for each sector
- Recognize current state support for both technical and academic courses

Benefits to New Approach

While mindful of the complexity of funding issues, the Authority strongly supports change and a need for a new comprehensive approach with the following benefits. The new approach will provide:

- Long-term system incentives for the increased production of a high-wage workforce
- Data driven method for funding distribution
- Uniform state funding for technical education regardless of sector
- Opportunity for strategic investments at the course level
- Improved linkage between secondary and postsecondary levels

Range of Options for the New Approach to State Funding for Technical Education

The Technical Education Authority is finalizing the report to the Board to be presented at the September 2010, Kansas Board of Regents meeting.

3. Approve Board's Unified FY 2012 Budget Request **Diane Duffy,**
VP, Finance & Administration

Summary

The Kansas Higher Education Coordination Act provides that the Kansas Board of Regents shall “serve as the representative of the public postsecondary educational system before the Governor and the Kansas Legislature.” K.S.A. 74-3202c(b)(2). This provision provides the foundation for an approach to state funding that reflects the recurring theme of maintaining a unified state budget request and a systemwide focus on requesting and advocating for increases in State General Fund appropriations for postsecondary education. Prior to the last two budget requests, the Board typically approved the budget request in June. Last year and again this year, given the significant challenges facing the state budget, the Board determined that the state’s economic landscape needed to be monitored over the summer to help inform the Board’s judgment, with the approval of the Unified Budget occurring at the September board meeting. The Board held budget discussions at its August retreat and will need to take official action at the September meeting so that the Board’s official budget document can be completed and submitted to the Governor and Legislature. Although the statutory deadline for the budget document submission is October 1, the Governor’s budget office requests the document be submitted as close to September 15 as possible. This issue paper lays out the Board’s August discussion of enhancements and other budget items for the Board’s consideration for inclusion in the FY 2012 unified budget request.

The FY 2011 Budget (Current Year)

The approved FY 2011 level of SGF financing for postsecondary education, after State Finance Council action, totaled \$753 million, only \$6 million above the FY 2006 SGF level of \$747 million. The FY 2006 level is important because this is the amount of funding necessary for Kansas to satisfy the Maintenance of Effort (MOE) requirement for the federal stimulus monies. Kansas is eligible to receive the State Fiscal Stabilization Fund/Education Stabilization Fund dollars. The FY 2011 budget followed on the heels of a FY 2010 budget that faced a precedent-setting drop in state revenues that resulted in a 12% (\$100 million dollars) base reduction in the amount of SGF appropriated for the operation of our postsecondary education system compared to the amount originally appropriated for FY 2009. The 12 percent reduction occurred over four rounds of spending cuts; the most recent was made by a Governor’s allotment memorandum of November, 2009.

The state universities, community colleges, technical colleges and Washburn University have taken a range of actions over the last two years to reduce expenditures since the recession hit in mid-FY 2009, including eliminating, laying off or holding vacant positions, eliminating classes, increasing class sizes and reducing course offerings, reducing library resources and hours of operation, reducing operating support for equipment and technology upgrades, reducing student counseling services, eliminating purchases of research and educational equipment, reducing or eliminating student labor budgets, increasing faculty teaching loads, and other actions to reduce spending.

FY 2012 SGF Forecast

State officials, along with university economists, will issue the first official consensus revenue estimate forecast in mid-November for FY 2012.

As of this writing, SGF revenues are running slightly ahead of the April official consensus revenue estimate for the current year.

In Secretary Goossen’s budget planning letter to all state agencies, he asked cabinet agencies to provide a reduced resource package of 5 percent, in addition to developing a budget request based on current services.

Unlike two budget cycles ago, Secretary Goossen did not send a letter to the Board requesting that the higher education institutions include a plan for reductions.

Other Budget Items for the Board's Consideration

In addition to the Legislative funding initiatives and technical education initiatives, Board staff is aware of the following other budget items for the Board's consideration:

- KU – Pharmacy Debt Service Payment – this project was authorized during the 2009 Legislative Session and the Legislature committed to making the annual debt service payment. The schedule calls for an increase of \$1.1 million SGF for FY 2012.
- FHSU -- KAMS -- For FY 2011, the Legislature appropriated \$ 220,669 from unobligated balances in the Southwest Kansas Access Us SGF account and \$200,000 from the EDIF to FHSU for the Kansas Academy of Math and Science for a total of \$420,669 to fund the second class for two years. The Division of Budget indicates that a request of \$200,000 should be included in order to fund the second year of the cohort that was started this year.
- Kan-Ed – Continue funding for Kan-Ed at \$10 million (all funding from the Kansas Universal Service Fund)
- Additional FY 2011 federal stimulus monies – Division of Budget, Kansas State Department of Education and KBOR staff reconciled the final federal stimulus award and there is an additional \$423,533 for Institutions of Higher Education. The Board's original plan was based on a total of \$89.6 million to be expended over FY 10 and FY 11 .Board staff will need to adjust the current year budget accordingly; and the Board needs to officially allocate this supplemental amount to the institutions. Board staff recommends the Board allocate this supplemental amount in the same manner as the allocation in June for FY 2011; with the exception that the state universities commit the entire amount of this supplemental allocation to deferred maintenance. The Board's plan called for allocating the stimulus dollars to the sectors based on each sectors share of total SGF. The Board's planned distribution to the individual state universities results in 63% of the monies for deferred maintenance projects and 37% for mitigating tuition increases.

4. **Discuss Regents Appointments to the Kansas Postsecondary Technical Education Authority**

Andy Tompkins, President & CEO

5. **Appoint Member to the Washburn Board of Regents (K.S.A. 13-13a04) and Announce Other Appointments**

Regent Sherrer

VI. Executive Session

Board of Regents – Personnel Matters Related to Non-Elected Personnel – CEO Salary Discussion

CONSENT AGENDA

VII. Reports

- | | |
|--|------------------------|
| A. <i>Introductions</i> | |
| B. <i>Report from Council of Presidents</i> | Chancellor Gray-Little |
| C. <i>Report from Council of Faculty Senate Presidents</i> | Barbara Phipps |
| D. <i>Report from Students' Advisory Committee</i> | Michael Smith |
| E. <i>Report from Classified & Support Staff Council</i> | |

VIII. Approval of Consent Agenda

- | | |
|--|--|
| A. <i>Fiscal Affairs & Audit</i> | Regent Boettcher |
| 1. Authorize Acceptance of Property from Sedgwick County, KS - KU | Eric King, Director of Facilities |

The University of Kansas requests approval to accept the transfer of property from Sedgwick County, Kansas.

Since 1976, the administrative offices of the KU School of Medicine in Wichita (KU SOM-W) have been located in the E.B. Allen Hospital which is owned by the Board of County Commissioners of Sedgwick County, Kansas (County). Since July 1980, the KU SOM-W has leased the entire building and surrounding land from the County under the terms of a 99 year lease. The terms of the lease provided, in part, that the Regents may make alterations, additions, or improvements to the leasehold as deemed proper and appropriate. The Regents also are solely responsible for maintenance and repair, normal deterioration excluded, of all buildings, appurtenances, fixed equipment, improvements, grounds and fixtures on the leasehold. The Regents are responsible for payment of all utilities.

The County proposes to transfer the property to the University and terminate the 99 year lease and the University wishes to accept the transfer. The building contains almost 99,000 gross square feet of office, classroom and patient care clinics and is in good condition. The land includes approximately 2.85 acres of green space and parking lots. The legal description of the property is as follows:

Lot 3, Block 1, KUMC Addition to Wichita, Kansas, Sedgwick County, Kansas

2. Authorize Acceptance of Property from Kansas University Endowment Association - KU

The University of Kansas requests approval to accept the transfer of property from Kansas University Endowment Association.

The KU Endowment Association owns a parking lot on approximately 0.67 acres of land adjacent to the E.B. Allen Hospital Building that houses the KU School of Medicine in Wichita. With the transfer of the Hospital Building from the County to the University, this piece of land is the only remaining parcel in this block that does not belong to the University. The University requests approval to accept the transfer of the property as described below:

Lot 2, Block 1, KUMC Addition to Wichita, Kansas, Sedgwick County, Kansas

3. Authorize Conveyance of Properties to the Kansas University Endowment Association Pursuant to K.S.A. 74-3254 - KU

In the 2007 Legislative Session, the Board sought statutory change that would allow universities to transfer properties received as a bequest from an estate to the foundation or endowment association. Friends and supporters of the University of Kansas periodically give land to the University to benefit a scholarship or other philanthropic program, unaware that the KU Endowment Association is better suited to manage and direct donated property whether the property is used in farming or oil and gas exploration. K.S.A. 74-3254 allows a regents university, with the approval of the Board of Regents, to transfer donated property to its affiliated endowment association if such a transfer would be beneficial to the intended program or support sought by the person donating the property. Any revenue generated from the property would still be used as the donor directed whether that be for scholarships, professorships, etc. The University requests approval to transfer the following mineral interests to the KU Endowment Association:

From the Richard R. and Laura Jean Von Ezdorf 1991 Family Trust for the School of Music:

- In Phillips County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells located in the Southwest Quarter (SW/4), the South Half of the Northwest Quarter (S/2 NW/4), and the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section Fourteen (14), Township Five (5) South, Range Twenty (20) West of the Sixth (6th) P. M., Phillips County, Kansas,
- In Finney County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells located in Section Thirty-Five (35), Township Twenty-Four (24) South, Range Thirty-One (31) West of the Sixth (6th) P. M., Finney County, Kansas; and, The East Half (E/2) of Section Twenty-Two (22) and the Northwest Quarter (NW/4) of Section Twenty-Seven (27), Township Twenty-Four (24) South, Range Thirty-One (31) West of the Sixth (6th) P. M., Finney County, Kansas,

From the estate of Dr. Gary Edward Gregg (2008) for the support of scholarship halls:

- In Haskell County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells situated in Section Five (5), Township Twenty-seven (27) South, Range Thirty-one (31) West of the Sixth (6th) P. M., Haskell County, Kansas,

From the estate of Dorris Carey (1986) for scholarships:

- In Marion County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells situated in Marion County, Kansas:
Pritz A Unit, East Half of the West Half and the Northeast Quarter of Section 30, Township 18, Range 5, 320 acres.
Pritz B Unit, The Southeast Quarter of Section 30, West Half of the West Half of the Northwest Quarter, West Half of the Northwest Quarter of the Southwest Quarter, South Half of the Southwest quarter, Southeast Quarter of the Northwest Quarter of the Southwest Quarter and Southwest Quarter

of Northeast Quarter of Southwest Quarter of Section 29, all in Township 18, Range 5, 320 acres.

R.W. Heise A Unit (1 and 2) West Half of Section 32, Township 18 South, Range 5, 320 acres.

R.W. Heise B Unit (1 and 2) East Half of Section 32, Township 13 South, Range 5, 320 acres.

- In Seward County, KS:
Any and all mineral rights, including but not limited to, any working interest, royalty interest, and/or overriding royalty interest owned by the Party of the First Part, in oil and gas and oil and gas wells situated in One Half of 170/2330 royalty interest in Northeast Quarter of Section 29, Township 33, Range 33.

4. Amend FY 2011 Rehabilitation and Repair List - KUMC

The University of Kansas Medical Center requests authorization to reallocate \$687,675 in Rehabilitation and Repair funds to complete the renovation and remediation of the 6th floor of the Delp (f) building. Due to asbestos abatement and mold problems, many structures and items had to be replaced including walls, flooring, ceilings, HVAC, air conditioning, and finishes. The scope of the project consists of 31 faculty offices, 6 clerical spaces, a work/file room and a conference room/library. The total estimated project cost is \$749,000 and the remaining \$61,325 will be funded by Restricted Fees Funds.

	<u>From</u>	<u>To</u>
Campus Utility Infrastructure Replacement	\$ 445,500	\$ 120,500
Campus Interior Maintenance	\$ 345,000	\$ 115,325
Campus Energy Conservation Improvements	\$ 100,000	\$ -0-
Campus Elevator Renovation & Restoration	\$ 49,000	\$ 16,000
Delp F 6 th floor Remediation project	<u>\$ -0-</u>	<u>\$ 687,675</u>
Total	\$ 939,500	\$ 939,500

5. Amend Capital Improvement Plans - KSU

- Kansas State University requests approval to modify its FY 2011 Capital Improvement Plan. The Sheep and Meat Goat Center project budget needs to be increased from \$1.5 million to \$1.8 million to meet program needs. The project is funded by a combination of private gifts and restricted fees
- Kansas State University requests approval to modify its FY 2011 and FY 2012 Capital Improvements Plans. The Justin Hall Addition, a \$5.2 million privately funded project, is part of K-State’s FY 2012 Capital Improvement Plan. Recent fund raising success facilitates an earlier start date for this important academic project so it needs to become a FY 2011 project.
- Kansas State University requests approval to modify its FY 2011 and FY 2012 Capital Improvement Plans to include a project to remove the Old Chemical Waste Landfill (OCWLF). Disposal of hazardous chemical waste or low level radioactive waste occurred at the site from the mid 1960s until 1984 consistent with regulations that were in effect at the time. K-State requested to close the landfill to further chemical waste disposal in 1984 and official closure was granted by the KDHE Bureau of Waste Management (BWM) in 1986.

K-State has been actively investigating and monitoring the OCWLF for chemical contamination of groundwater under consent agreement since 1990. Long-term groundwater monitoring indicates that the OCWLF is releasing hazardous materials to the uppermost aquifer. Investigations have shown that the contamination flows with the groundwater from the landfill towards the east and northeast outside the fenced enclosure that secures the landfill. Though none of the contamination has moved from K-State property, the waste is not stable under *Title 10 CFR 61* and closure of the disposal area in a leaking condition is not acceptable under current regulations.

Because annual costs to monitor the site now exceed \$300,000 per year and are expected to continue escalating, and because the KDHE and EPA required permanent resolution, K-State engaged a subject-matter expert to work with the KDHE and EPA to develop a plan to remove the landfill – the only permanent solution. That plan, a Corrective Measures Study (CMS), was submitted to the KDHE on June 22, 2010.

The project consists of two stages. The first stage is to build an interceptor trench and temporary treatment facility. This first stage will be completed this year and is expected to cost \$300,000. The final stage is to remove the landfill and will be completed between November 2011 and May 2012 and is expected to cost \$3.7 million. Project costs will be paid from a combination of Sponsored Research Overhead funds and bond funds.

- Kansas State University requests approval to modify its FY 2011 and FY 2012 Capital Improvements Plans. Snyder Family Stadium Improvements, a \$50 million project funded by bonds to be repaid by Athletic revenues, is part of K-State's FY 2012 Capital Improvement Plan. The program statement, currently being finalized, includes a timeline that calls for construction to begin immediately following the 2011 football season so design needs to start soon. K-State plans to use the Kansas Board of Regents State Educational Institution Project Delivery Construction Procurement Act Procedures for this project. An architect will be selected this fall so design can be completed by next summer.

6. Authorize Acceptance of Property from the K-State Foundation - KSU

Kansas State University request authority to accept a gift of 14.831 acres, legally described as “The East Half of the Southeast Quarter of the Northeast Quarter (E/2 SE/4 NE/4) of Section 34, Township 10 South, Range 7 East of the 6th PM in Riley County, Kansas, Less that portion thereof platted as the Barry Addition, Riley County KS, recorded in Plat Book K, Page 399, in the office of the Register of Deeds of Riley County, Kansas” the Barry Property, from the K-State Foundation. The agricultural property was acquired by the foundation in 2002 and has been used by Research and Extension since that time.

DISCUSSION AGENDA

IX. Consideration of Discussion Agenda

A. Academic Affairs

- 1. **Approve Request for University of Kansas Chancellor Emeritus**

Regent Hedges
Gary Alexander,
 VP, Academic Affairs

Summary and Recommendation

This item requests that the title of Chancellor Emeritus be bestowed upon former University of Kansas Chancellor Gene Budig. Staff recommends approval of this request. (08/31/10)

Background

Gene Budig served as the fourteenth Chancellor of the University of Kansas, following presidencies at Illinois State University and West Virginia University. During his thirteen years of service to KU, he presided over impressive growth of the physical campus, including construction of the Dole Human Development Center, the Adams Alumni Center, the Anschutz Science Library, the Lied Center, the Vietnam Veterans Memorial, and the Regents Center in Overland Park (now known as the Edwards Campus).

Chancellor Budig and his wife, Gretchen, have been generous donors to many areas of the university, establishing teaching professorships in the College of Liberal Arts and Science, the Department of Special Education, the School of Education, in Writing, Social Welfare, and the Libraries. In addition, they established a scholarship fund.

Staff Recommendation

In recognition of his outstanding contributions to the University of Kansas from 1980 to the present, it is recommended that the Kansas Board of Regents grant Gene Budig the title of Chancellor Emeritus.

Staff recommends approval of this recommendation.

2. Approve Distance Education Plan

Summary and Recommendation

K.S.A. 74-3202c(b)(9) directs the Kansas Board of Regents to “develop and implement a comprehensive plan for the utilization of distance learning technologies.” The attached document represents a revision of the original plan approved by the Board in January 2006. Staff recommends acceptance of the plan and the attendant revision of the definition of a distance education program. (08/31/10)

Background

SB 345 requires the Kansas Board of Regents to develop a comprehensive plan for distance education technology in Kansas. The current plan was developed in consultation with the System Council of Chief Academic Officers and was accepted by the System Council of Presidents in January 2006.

In addition, Board policy on Academic Extension states that “the Vice President for Academic Affairs of the Board shall be responsible for the development, implementation and coordination of policies and procedures that will serve to achieve an effective and efficient system of credit and noncredit academic extension instruction including distance education and off-campus face-to-face courses and programs” (Ch. II.D.6.a.).

In Fall 2009, the Board Academic Affairs Standing Committee (BAASC) was charged to revise the existing plan. To fulfill that charge, Board staff reviewed other state plans, consulted with the Council of Chief Academic Officers (COCAO), the System Council of Chief Academic Officers (SCOCAO), and campus-based distance education experts. In addition, multiple drafts of the plan were discussed with BAASC.

Proposed Distance Education Plan

The final draft of the proposed plan was shared with the full Board at its August 2010 retreat. Board members emphasized the importance of distance learning, in particular its critical role in helping provide Kansas students with greater access to higher education.

The proposed Distance Education Plan is guided by three core values: innovation, collaboration, and quality. Universities are encouraged to implement distance education technologies in innovative and effective ways that are congruent with their mission and resources. In addition, they are urged to find appropriate ways to collaborate in the use of distance education to serve the needs of their students. And, at base, all distance learning applications must maintain or enhance the quality of the institution’s educational mission. As with all teaching applications, the ultimate goal is student success.

The proposed plan incorporates the core principles of the original document, but adds elements that enable the Board to monitor campus activity in the area of distance education. Specifically, the plan:

- Requires that each campus develop a distance education plan, to be approved by the Board
- Requires annual report to the Board that will provide an inventory of distance education activity across the system
- Encourages collaboration among system institutions in the development of distance education programs
- Establishes responsibilities for both the Board and universities.

Distance Education Program

The proposed plan defines distance education as “any program in which the proportion of content delivered via distance learning is fifty percent or more.” In order to maintain consistency in Board policy, it is requested that

the current definition of distance education in Appendix F, Section 3 of the *Policy and Procedures Manual* be revised:

- g. A Distance education program is ~~a curriculum comprised entirely of distance education courses~~ one in which the proportion of content delivered via distance learning is fifty percent or more.

Staff Recommendation

Staff recommends approval of the proposed Distance Education Plan and attendant revision of the definition of a distance education program.

**KANSAS BOARD OF REGENTS
DISTANCE EDUCATION PLAN****August 2010****Background**

Distance Education is critical to the Kansas Board of Regents' goal of increasing access to postsecondary education for the citizens of Kansas, and it is the Board's expectation that the state's public colleges and universities provide students with quality distance learning options. In support of this goal, Kansas statutes stipulate that the Kansas Board of Regents will "develop and implement a comprehensive plan for the utilization of distance learning technologies" [74-3202c(b)(9)].

Distance education technologies are dramatically changing the higher education landscape in the nation and state. In order for Kansas' colleges and universities to continue offering high quality educational opportunities that promote student success in a global and knowledge-based society, it is imperative that these new technologies be creatively employed where feasible and appropriate. To serve that end, this Distance Education Plan is guided by three core values:

- 1. Innovation** in the use of distance education technologies is vital, since the technologies for mediated instruction and distance delivery remain very fluid. Understanding the effective use of these technologies in ways that improve learning and enhance teaching is increasing, but much remains to be learned. Kansas' public colleges and universities are encouraged to find the most effective ways to implement those technologies that are congruent with their respective missions and resources.
- 2. Collaboration** is implicit in the very nature of these technologies. Distance education eliminates traditional boundaries and demands that institutions find ways to collaborate in serving the needs of their students. Kansas institutions are asked to develop collaborations using distance education that are consistent with their nature and mission.
- 3. Quality** is the fundamental goal of all academic programs offered by Kansas' public colleges and universities. Any introduction of distance learning technology must contribute to the quality of the program in question and, ultimately, to the success of those students who participate in it. In both Kansas and the nation as a whole, colleges and universities are being asked to demonstrate the quality of their programs by demonstrating that their graduates have mastered the materials taught in their academic programs. Kansas' public institutions report on the quality of their programs through the KBOR program review process. In addition, *Foresight 2020*, the strategic vision for Kansas' college and university system, is intended to provide a mechanism for monitoring the quality of that system, including distance education.

In applying the growing array of distance learning technologies, it is important to recognize two competing fiscal realities: (1) quality distance learning can be a source of both revenue and savings, as new student populations are served via distance course offerings and more students are served more efficiently through the general use of education technologies; and (2) the introduction of educational technology in general, and distance education options, in particular, can be costly, given the need for hardware, software, and support for students engaged in distance learning. Given these fiscal realities, wisdom would indicate that flexibility is imperative to enable institutions to effectively and efficiently use these technologies in ways that conform to their resources and mission.

Distance Education

Distance education is defined as either an asynchronous or synchronous instructional delivery system in which faculty and students are physically separated in place or time. Teaching and learning are supported by a wide spectrum of existing and evolving media.

For purposes of reporting, any program in which the proportion of content delivered via distance learning is 50 % or more will be considered as a distance education program. These offerings will include those offered wholly online and blended or hybrid programs in which a substantial proportion of the content is delivered through mediated delivery technology to facilitate such activities as online discussions, interactive television, and limited numbers of face-to-face meetings.

Board Activity

To promote effective collaboration and strengthen awareness of distance learning opportunities in the state, the Board will do the following:

- Promote innovation in the development of distance education by system institutions.
- Require each institution to develop a distance education plan by January 2011, to be approved by the Board. Following initial Board approval, these plans will be reviewed biennially by Board staff and updated as appropriate.
- Ensure statewide awareness of distance learning opportunities available through governed, coordinated institutions, and regional organizations, e.g., Colleague-to-Colleague (C-2-C) and Summer Institute of Distance Learning and Instructional Technology (SIDLIT).
- Encourage institutions to collaborate in the delivery of distance education where such collaboration is appropriate.
- Maintain a webpage on the new KBOR website that includes links to Kansas university and college distance learning opportunities, financial information, adult learning opportunities, and best practices in distance education.

Institutional Activity

Each institution will create a Distance Education plan that is consistent with the guidelines and best practices provided by the Higher Learning Commission of the North Central Association of Colleges and Schools. These plans, which will cover current and future projections, serve as the core of the Kansas Board of Regents' Distance Education Plan. The institution's plan will specify its responsibility in each of the following categories, drawing on some or all of the criteria in each category as is appropriate to its resources and mission (adapted from *Handbook of Distance Education*, ed. M.G. Moore, 2007):

1. *Academic.* Each institution will indicate how it maintains the academic quality of its offerings, including such areas as: maintenance and documentation of academic calendars, program accreditation, licensing where required, course quality, course and program evaluation, Carnegie units, grading, admission, curriculum review, and approval processes for distance education offerings.

2. *Fiscal, Governance.* Each institution will clarify its responsibilities in such areas as the following: tuition rates, special fees, full-time equivalencies, state-mandated regulations related to funding, consortia agreements, contracts with collaborating organizations, board oversight, administration cost, and tuition disbursement.
3. *Faculty.* Each institution will make clear its responsibilities in such key areas as: compensation and workloads, design and development incentives, staff development incentives, staff development, faculty support, faculty evaluation, intellectual freedom, and union contracts.
4. *Legal.* The institution will make clear its role in such areas as: intellectual property agreements, copyright, and faculty/student/institutional liability.
5. *Student.* The institution will demonstrate its responsibility for supporting student learning at a distance in such areas as: academic advising, counseling, library services, financial aid, testing and assessment, access to resources, equipment requirements, and privacy. Other areas to consider may include: students with disabilities, expanding online offerings to more high schools, promotion, increasing graduation/completion rates, and exploring adult education options.
6. *Technical.* Each institution will demonstrate that it has sufficient technical resources to support its distance education activity in such areas as: system reliability, connectivity, technical support, instructional design support, hardware/software, and access.

Approval and Review

Campus plans will be brought to the Board for approval in spring 2011. Once approved, they will be subject to biennial review, beginning in spring 2013.

Timeline for Biennial Review

1. In the fall of the review year, KBOR staff will notify institutions that distance education plans are due for review.
2. Institutions provide plans for review no later than February 1.
3. KBOR staff reviews plans, consults with institutions and develops a report to be reviewed by the Board Academic Affairs Standing Committee and presented to the full Board at its May meeting.

Annual Report

In order to demonstrate institutional activity in providing distance education, Board staff will prepare an annual report, to be presented to the Board in January, based on information drawn from the Kansas Higher Education Data System (KSPSD; Program Inventory) and/or institutions, as appropriate. This report will include the following information:

- Number and names of programs delivered via distance education.
- Aggregate number of programs offered in individual subject matter categories, e.g., social sciences, humanities, science, math, etc.

- Number of new distance education enrollments.
- Mechanisms used to deliver the programs or sections.
- Examples of innovative strategies in the use of distance learning technologies.
- Examples of collaboration in providing distance education programs.

- 3. Adopt Amended K.A.R. 88-24-1 to Allow GED Test to be Taken in Kansas by Non-Kansas Residents (Roll Call Vote Required)** **Theresa Schwartz,
Associate General Counsel**

Summary and Staff Recommendation

K.A.R. 88-24-1 is the Kansas Board of Regents regulation that establishes who may take the General Education Diploma (GED) test at a Kansas testing center. The persons taking this test are responsible for paying the associated test fees. The proposed amendment to the regulation would eliminate the requirement that a person being tested at a Kansas testing center actually be a Kansas resident. It is anticipated that this change would allow Kansas testing of those persons who live near the Kansas border, and who may actually be taking their GED training classes in Kansas. This benefits not only the persons seeking to be tested, but also may increase the number of persons who are able to obtain GED's and result in a greater pool of qualified employees available to Kansas employers. The Board's Academic Affairs Standing Committee reviewed and approved this policy shift, and at its December 2009 meeting the Board directed staff to pursue the regulation amendment process.

Staff recommends adopting this amendment to K.A.R. 88-24-1. A Board roll-call vote is required in order to adopt amendments to this regulation.

Background

K.A.R. 88-24-1 establishes who is allowed to take the GED test in the State of Kansas. The proposed amendment, set forth in full below, would eliminate Kansas residency as a requirement and thus allow persons who do not live in Kansas to take the GED test. This change would permit Kansas testing of those persons who may live in border states and who may be taking their GED training classes in Kansas. The Board GED staff believes it will not only allow more persons to take the GED test in Kansas, but may increase the number of persons who will actually obtain GED's and perhaps then be able to find work within Kansas. Because persons taking the GED test pay a fee to do so, neither the State nor its residents will be subsidizing non-residents who take the test here in Kansas.

On December 1, 2009 the Board's Academic Affairs Standing Committee reviewed this policy shift, and recommended it be placed on the Board Agenda. The Board approved proceeding with the amendment to this regulation at its December 2009 meeting.

After first obtaining approval of the proposed amendment by the Department of Administration (reviewing for form and language) and the Attorney General's office (reviewing for legality), it was published in the Kansas Register on April 8, 2010. On May 4, 2010, Board staff met with the Legislative Joint Committee on Administrative Rules and Regulations. After discussion, the Committee had no comment. The public hearing on this regulation was conducted on June 9, 2010, and no one attended. The Board has not received any feedback or comments on this proposed amendment.

There is no anticipated economic impact on the Board office, as its duties will not expand with the promulgation of the amendment to this regulation. There is no anticipated economic impact upon other governmental agencies or entities, or Kansas citizens. Individuals who take the GED test pay a fee to the testing center giving the test. Thus, there will be a neutral economic impact upon those entities that provide the testing.

Staff Recommendation

Staff recommends approval of the proposed amendment to K.S.A. 88-24-1. Approval requires taking action by roll-call vote.

88-24-1 Eligibility to take GED test.

(a) Each applicant to take the general education development (GED) test shall meet the following requirements:

(1) ~~Be a Kansas resident at the time of submitting the application;~~

~~(2)~~ Be neither currently enrolled at nor graduated from an accredited public, private, denominational, or parochial high school in the United States or Canada; and

~~(3)~~(2) be 16 years of age or older.

(b) In addition to meeting the requirements specified in subsection (a), each applicant who is 16 or 17 years old shall meet the following requirements:

(1) Provide one of the following:

(A) Written permission from a parent or legal guardian; or

(B) written proof of legal emancipation; and

(2) provide proof of meeting one of the following requirements:

(A) Have participated in a final counseling session conducted by the school district where the applicant currently resides and signed a disclaimer pursuant to K.S.A. 72-1111(b)(2), and amendments thereto;

(B) have disenrolled from an alternative education program approved by a Kansas unified school district;

(C) have graduated or disenrolled from a program of instruction approved by the state board of education pursuant to K.S.A. 72-1111(f), and amendments thereto; or

(D) be exempt from compulsory attendance pursuant to a court order.

B. Fiscal Affairs & Audit

Regent Boettcher

1. Approve Projects to be Funded with FY 2011
ARRA/SFSF Funds

Eric King, Director of Facilities

**Allocation of State Fiscal Stabilization Funds (SFSF) for Higher Education Projects for State Universities
as Appropriated to the Kansas Board of Regents**

FY 2011 - \$18,862,730 (SFSF)

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

	<u>GSF</u>	<u>% of Total</u>
The University of Kansas	7,785,477	38.12
Kansas State University	6,105,374	29.90
Wichita State University	2,243,148	10.98
Emporia State University	1,232,601	6.04
Pittsburg State University	1,507,841	7.38
Fort Hays State University	<u>1,548,171</u>	<u>7.58</u>
	20,422,612	100.00

Priority Listing of Projects

Allocation

The University of Kansas

1. Strong Hall HVAC Improvements	\$ 2,867,000
2. Art & Design HVAC Improvements & Central Chiller	1,601,415
3. Lindley Hall HVAC and Electrical Improvements	<u>600,000</u>
	\$5,068,415

The University of Kansas Medical Center

1. Elevator Replacements (Wichita, Delp D & Delp F)	\$ 1,350,000
2. Roof Replacements (Eaton, Dykes & Delp D)	400,000
3. Mechanical/Electrical Infrastructure (Wescoe & Delp D)	<u>372,057</u>
	\$2,122,057

Kansas State University

1. Coles Hall Chiller Replacement	\$400,000
2. Campus Roof Repair/Replacement	3,489,956
3. Campus Street Milling & Overlay	250,000
4. Campus Curb & Sidewalk Replacement	250,000
5. Campus Stone Tuckpointing & Joint Caulking	<u>1,250,000</u>
	\$5,639,956

Wichita State University

1. Duerksen Hall Phase 2 HVAC Replacement	\$ 2,071,128
	\$2,071,128

Emporia State University

1. Morse Hall S.E. Piping Replacement	\$ 500,000
2. Exterior Lighting Energy Efficient Re-lamping	100,000
3. Stormont Maintenance Facility HVAC Replacement	300,000

4. Computer Center HVAC Replacement	200,000
5. P.E. Building Underground Roof Drain Replacement	<u>39,309</u>
	\$1,139,309

Pittsburg State University

1. Heckert Wells Infrastructure Upgrades	\$ 805,750
2. Hughes Hall HVAC, Masonry & Window Upgrades	<u>586,320</u>
	\$1,392,070

Fort Hays State University

1. Medium Voltage Power Distribution Improvements – Phase 2	<u>1,429,795</u>
	\$1,429,795

SUMMARY

	<u>Allocation</u>
The University of Kansas	\$7,190,472
Kansas State University	5,639,956
Wichita State University	2,071,128
Emporia State University	1,139,309
Pittsburg State University	1,392,070
Fort Hays State University	<u>1,429,795</u>
TOTAL	\$18,862,730

2. Adopt Bond Resolution – KUMC Clinical Research Facility – KU Julene Miller, General Counsel

Summary and Request

The University of Kansas requests that the Board of Regents adopt a Resolution authorizing the issuance of KDFFA Revenue Bonds in one or more series in an aggregate amount of not to exceed \$25,000,000 plus costs and reserves. The purpose of the Bonds is to finance the costs of remodeling a Clinical Research Facility in Fairway, Kansas. The bonds will be secured and debt serviced with a pledge of Johnson County Education Research Triangle sales tax funds. The sales tax revenues will also be used to operate and maintain the new building.

The Resolution further authorizes the Chair and the President and CEO to execute the Resolution, a Pledge of Revenues Agreement and various other documents relating to the security and payment of such Bonds in such form as is approved by the General Counsel to the Board and necessary to accomplish the purposes set forth in the Resolution and the issuance of the Bonds.

Background

The Kansas Development Finance Authority (KDFFA), created by the 1987 Kansas Legislature, K.S.A. 74-8901, *et seq.*, has authority to issue bonds on behalf of the State for projects authorized by the Legislature. K.S.A. Supp. 74-8905(b) provides, in part, that:

The authority may issue bonds for activities and projects of state agencies as requested by the secretary of administration. Research facilities of state educational institutions shall be subject to the provisions of this subsection (b). No bonds may be issued pursuant to this act for any activity or project of a state agency unless the activity or project either has been approved by an appropriation or other act of the legislature or has been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto.

A project to remodel a Clinical Research Facility was authorized by the Legislature in Section 119(e), Chapter 124 of the 2009 Kansas Session Laws, which provides:

In addition to the other purposes for which expenditures may be made by the university of Kansas for the moneys appropriated from any special revenue fund for fiscal year 2010 or fiscal year 2011 . . . , expenditures shall be made by the university of Kansas medical center from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2010 or for fiscal year 2011 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to remodel the KU clinical research center . . . *Provided, however,* That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for payment of principal and interest on the bonds: *And provided further,* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further,* That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A.19-5001 *et seq.*, and amendments thereto.

Pursuant to these authorizations, KDFA proposes to issue Revenue Bonds in an aggregate principal amount not to exceed \$25,000,000, plus all amounts required for costs of issuance, costs of interest on such revenue bonds during the construction of the project and any required reserves for the payment of principal and interest on such revenue bonds, for the purpose of funding a portion of the project.

The University of Kansas is asking the Board of Regents to adopt a Resolution authorizing the issuance of KDFA Revenue Bonds in one or more series in an aggregate amount of not to exceed \$25,000,000 plus costs and reserves. The purpose of the Bonds is to finance a portion of the cost of remodeling the KU Clinical Research Facility in Fairway, Kansas. The bonds will be secured and debt serviced with a pledge of Johnson County Education Research Triangle sales tax funds. The sales tax revenues will also be used to operate and maintain the new building. Based on receipts to date from the sales tax, it is projected that the JCERT tax will be more than sufficient to cover the debt service and other costs of this project. The University is not contemplating a supplemental agreement for this project at this time.

The Medical Center is renovating an office building in Fairway, Kansas to accommodate clinical trials for cancer, as a part of a University effort to achieve National Cancer Institute comprehensive cancer center designation and to house its' Heartland Institute for Clinical and Translational Research (HICTR) program. The building, which contains approximately 75,000 square feet of space, was purchased by the Hall Family Foundation and transferred to the University. The building will be completely gutted and rebuilt to provide space that supports flexibility and environmentally good/sound clinical research and construction of a new visitors' vertical transportation/education center. Due to the unique needs of individuals in clinical trial programs, new and enhanced mechanical ventilation systems are planned with higher levels of air filtration. The estimated cost of the project is \$25 million.

In conjunction with the issuance of the proposed bonds, it is necessary to authorize the execution of a Pledge of Revenues Agreement between the Board and KDFA which contains certain covenants and provisions with respect to the pledge of revenues described above, which will secure and provide for the payment of the revenue bonds. Since KDFA has and will incur expenses in relation to the issuance of the proposed bonds, and subsequent administration of the Resolution and Pledge of Revenues Agreement(s), it will be necessary to execute an Administrative Agreement to provide for reimbursement of those expenses, as well as other documents and certificates necessary to accomplish the purposes set forth in the Resolution and the issuance and delivery of the bonds.

The Board is asked to approve the Resolution (set out in full below) which approves the issuance of the bonds and authorizes the Chair and the President and CEO of the Board to execute the Pledge Agreement and Administrative Agreement in such form as is approved by the General Counsel and to execute any and all other documents and certificates necessary to accomplish the purposes of the Resolution and the issuance of the bonds. Staff recommends approval of the resolution.

RESOLUTION

A RESOLUTION OF THE KANSAS BOARD OF REGENTS APPROVING THE ISSUANCE BY THE KANSAS DEVELOPMENT FINANCE AUTHORITY OF KANSAS DEVELOPMENT FINANCE AUTHORITY SALES TAX REVENUE BONDS, (KANSAS BOARD OF REGENTS – UNIVERSITY OF KANSAS MEDICAL CENTER CLINICAL RESEARCH CENTER PROJECT) TO PROVIDE ALL OR A PORTION OF THE FUNDS NECESSARY TO RENOVATE AND EQUIP A CLINICAL RESEARCH CENTER BUILDING IN FAIRWAY, KANSAS, FOR THE UNIVERSITY OF KANSAS

MEDICAL CENTER; AUTHORIZING THE EXECUTION OF A PLEDGE OF REVENUES AGREEMENT AMONG THE KANSAS BOARD OF REGENTS, THE KANSAS DEVELOPMENT FINANCE AUTHORITY AND THE UNIVERSITY OF KANSAS WHICH CONTAINS CERTAIN COVENANTS AND PROVISIONS WITH RESPECT TO THE PLEDGE OF REVENUES DERIVED FROM A PORTION OF THE JOHNSON COUNTY EDUCATION RESEARCH TRIANGLE AUTHORITY SALES TAX, AND WHICH WILL PROVIDE FOR THE PAYMENT OF SUCH BONDS; AND AUTHORIZING THE EXECUTION OF VARIOUS OTHER DOCUMENTS RELATING TO THE SECURITY AND PAYMENT OF SUCH BONDS.

WHEREAS, the Kansas Board of Regents (the "Board") is vested under the Constitution and laws of the State of Kansas with supervision and control over the University of Kansas (the "University") including the Fairway, Kansas location of the University of Kansas Medical Center ("KUMC"), and is authorized under such laws to adopt this Resolution and perform, execute and carry out, or cause to be performed, executed and carried out, the powers, duties and obligations of the Board under this Resolution in connection with renovation and equipping of a 75,000 square foot clinical research center in Fairway, Kansas (the "Project"); and

WHEREAS, the Board has heretofore determined that it is advisable to acquire, renovate and equip the Project; and

WHEREAS, the Project has been authorized by Chapter 124, Section 119(e) of the 2009 Session Laws of Kansas (the "Act"); and

WHEREAS, the Board has adopted a requirement that state universities will fund annual maintenance, repair and rehabilitation from either gifts, existing university resources, student fees or operating revenues of said facilities and the Board has verified that the University has a plan to do so for the Project;

WHEREAS, the Act authorizes the Kansas Development Finance Authority (the "Authority"), on behalf of the Board, to issue its revenue bonds in one or more series in an aggregate principal amount that provides not more than \$25,000,000 for the payment of the costs of the Project, plus all amounts required for costs of issuance, costs of interest on such revenue bonds during the construction of the Project and any required reserves for the payment of principal and interest on such revenue bonds (the "Project Bonds"); and

WHEREAS, the Board hereby finds and determines that it is advisable that the Project Bonds be issued by the Authority on behalf of the Board pursuant to K.S.A. 74-8901 *et seq.* for the purpose of financing the Project and related costs as hereinbefore set forth; and

WHEREAS, prior to the issuance of the Project Bonds, the Authority will receive a request by the Secretary of Administration to issue the Project Bonds to finance the costs of the Project on behalf of the Board; and

WHEREAS, in conjunction with the issuance of the Project Bonds, it is necessary to authorize the execution of a Pledge of Revenues Agreement among the Board, the University and the Authority (the "Pledge Agreement"), which contains certain covenants and provisions with respect to the pledge of revenues derived from a portion of the Johnson County Education Research Triangle Authority sales tax (the "Sales Tax") authorized pursuant to K.S.A. 19-5001 *et seq.*, which will secure and provide for the payment of the Project and any Additional Bonds (collectively, the "Bonds"); and

WHEREAS, it is recognized that the Authority has and will incur additional expenses in relation to the issuance of the Project Bonds and subsequent administration and enforcement of the Pledge Agreement; and the

Board desires to reimburse the Authority for said additional expenses through the execution of an Administrative Service Fee Agreement (the "Administrative Agreement").

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

SECTION 1. The Board hereby approves the issuance of the Project Bonds by the Authority on behalf of the Board, in one or more series to finance all or a portion of the costs of the Project in an aggregate principal amount not in excess of the limitations described in the Act. The Project Bonds shall be issued substantially in the form and with the repayment terms and provisions contained in the information presented to the Board by the Authority and the University, all as may be approved by the Chair or his/her designate and the General Counsel to the Board.

SECTION 2. The Board hereby authorizes and instructs the Chair and President and CEO of the Board to execute the Pledge Agreement and the Administrative Agreement, in such form as is approved by the General Counsel to the Board and to execute any and all other documents and certificates necessary to accomplish the purposes set forth in this Resolution and the issuance of the Project Bonds.

SECTION 3. This Resolution shall be in full force and effect from and after its adoption.

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CERTIFICATE

We, the undersigned Chair and President and CEO of the Kansas Board of Regents (the "Board"), hereby certify that the foregoing Resolution was lawfully adopted by the Board at its meeting held on September 16, 2010.

KANSAS BOARD OF REGENTS

(SEAL)

By _____
Gary Sherrer, Chair

ATTEST:

By _____
Andy Tompkins, President and CEO

3. Adopt Surplus Property Policy

Summary and Staff Recommendation

At the Board's request, the 2010 Legislature amended the State Surplus Property Act to provide for an exemption for the state universities. The legislation requires the state universities to sell, trade-in or dispose of university-owned personal property in accordance with policies adopted by the Board. Accordingly, staff is recommending adoption of a surplus property policy to implement the legislation and allow state universities to dispose of personal property by means other than those required in the State Surplus Property Act.

Background

One of the Board's legislative initiatives for the 2010 Session involved an amendment to the State Surplus Property Act to allow state universities to sell university-owned personal property without having to do so in accordance with the Act's provisions. As finally enacted, the legislation requires state universities to sell, trade-in or dispose of such personal property in accordance with policies adopted by the Board. Universities may choose to either continue following the provisions of the Act, or begin following the Board policy.

In order to implement this new legislation, and thereby provide the universities with an alternative to the Act's requirements, Board staff has worked with university procurement officers to draft a new Board policy on disposition of surplus property. The policy provisions set out below have been reviewed and approved by the state university business officers.

Staff Recommendation

Staff recommends adoption of the following surplus property policy:

B. FISCAL MANAGEMENT

...

11. Authorized Disposition of Surplus Property (K.S.A. 2010 Supp. 75-6606)

a. Guiding Principals

(1) Each state university choosing to utilize the provisions of K.S.A. 75-6606(c) shall develop and be guided by policies and procedures for the disposition of surplus university property that:

- (a) Focus on the stewardship of public property;
- (b) Advance and support the mission of the institution;
- (c) Promote the reuse of surplus property at the institution;
- (d) Operate in a fair, equitable and transparent manner;
- (e) Prohibit the giving or sale of property to an individual without first complying with university policies and procedures; and
- (f) Are in full compliance with all local, state and federal laws, rules and regulations.

(2) Each state university is encouraged to engage in cooperative opportunities with the other state universities to promote the reuse of surplus property system-wide. Each state

university is also encouraged to consider sustainability practices, as surplus property is disposed.

b. Policy Requirements

The policies and procedures developed by each state university in accordance with this section shall address, at a minimum:

- (1) How notice of the planned disposal of surplus property will be provided to the general public; and
- (2) How the disposition of property and receipt of revenues will be documented and utilized.

c. Disposal Methods

The following methods are authorized for the disposition of surplus property:

- (1) Advertised fixed price;
- (2) Advertised negotiated price;
- (3) Advertised sealed bid;
- (4) Advertised public auction;
- (5) Donation to not-for-profit organizations, or individuals and entities eligible to participate in the Federal Surplus Property Program; and
- (6) Cannibalize, recycle, junkyard or trash.

C. *Other Matters*

- | | |
|--|---------------------------------------|
| 1. Receive Update from the University of Kansas Concerning Athletics | Chancellor Gray-Little |
| 2. Adopt Policy Amendment to Establish Board of Regents Unclassified Staff Council and to Amend Order of Rotation of Council or Committee Chair | Julene Miller, General Counsel |

Summary and Recommendation

Representatives from the Unclassified Professional Staff organizations at Wichita State University and the University of Kansas have asked the Board of Regents to formally establish a Board of Regents Council that would provide the Board with regular opportunities to be advised regarding issues and concerns that relate to unclassified professional staff on the state university campuses. This proposal was presented for consideration by the State University Council of Presidents (COP) during its June 2010 meeting.

Additionally, COP considered a proposal to amend Board policy to reflect the change of Council and Committee Chair rotation order that occurred last year when the President for Fort Hays State University agreed to take the Council of Presidents Chairmanship at a time when the University of Kansas' new Chancellor was just beginning her appointment.

COP recommended Board adoption of both proposals in its report to the Board on June 24, 2010.

Background

Pursuant to Board of Regents policy, a number of advisory bodies have been established to inform the Board from a variety of key institutional stakeholder perspectives. For example, the Student Advisory Committee brings critically important student perspectives to the Board. Similarly, reports from the Council of Faculty Senate Presidents serve to keep the Board attuned to the perspectives of state university faculty members.

Last fall, during the Board's Wichita State University campus visit, WSU's unclassified staff leaders asked the Board to formally establish a body that would, for unclassified professional staff, provide the Board with the distinct perspectives that current bodies already provide for students, classified/university support staff, and faculty. Since that time, the unclassified professional staff organization at the University of Kansas has also joined in this request. (Note that university support staff at KU, who are also unclassified, are already included in the Classified and University Support Staff Council and thus would not be considered as a part of this proposed new council.)

The proposal presented below uses language that generally tracks with what has been used to establish the other advisory bodies; it proposes the establishment of an Unclassified Staff Council (USC). Pursuant to the proposal, the expectation would be that leaders of the newly-established council would make a report to the Board during its September and January meetings. The objective of the proposal is to establish a formal and mutually-beneficial conduit for engagement between the Board and Unclassified Staff leaders that operates practically, reasonably, and regularly.

Additionally, the Council of Presidents has recommended an amendment to Board policy to reflect the change in the Council and Committee Chair rotation order that occurred last year. At the time, the policy provided for the University of Kansas to chair the Board's various Councils and Committees. However, because the Chancellor's appointment began in August of last year, the Council of Presidents agreed that Fort Hays State University should step into those roles instead for the 2009-2010 year. In order for the University of Kansas to

be placed back in the rotation and to ensure a full rotation before Fort Hays State University has its next turn, it is recommended that the Board policy be amended to reflect the new order.

Proposal

Adopt new subsection II.A.4.f., move old subsection II.A.4.f. to II.A.4.g. and amend as follows:

A. THE BOARD AND ITS STAFF

...

4. COUNCILS AND COMMITTEES

...

f. Unclassified Staff Council

The Unclassified Staff Council (USC) consists of the duly designated representatives from the unclassified professional staff ranks at each of the State Universities and the University of Kansas Medical Center. Because a formally designated unclassified staff organization does not exist at all of the universities, each institution shall determine how its representative to the USC will be selected. Upon invitation from the Chair of the Kansas Board of Regents, USC's role is to advise the Board of Regents regarding matters relating to unclassified staff issues and concerns. The general expectation is that USC will make a report during the Board's September and January meetings. The USC's Chair shall be from the same institution as the Chair of the Council of Presidents.

g. Rotation of Council or Committee Chair

As a general rule, committee and council chairs will rotate annually on July 1 in the following sequence: University of Kansas, ~~Fort Hays State University~~, Kansas State University, Pittsburg State University, Emporia State University, ~~and~~ Wichita State University and Fort Hays State University. Whenever rotation in such manner is impossible for a given committee or council, a chair shall be selected by general election of the members. (5-19-88)

3 Approve Memorandum of Agreement with FHSU/AAUP – FHSU

Theresa Schwartz,
Associate General Counsel

Summary and Staff Recommendation

Fort Hays State University (FHSU) proposes that the Kansas Board of Regents (KBOR) approve the negotiated contract between FHSU and the FHSU Chapter of the American Association of University Professors (FHSU-AAUP). While this is a new agreement, covering the time period July 1, 2010 through June 30, 2013, relatively few of its sections differ from those that the Board previously approved and that are currently in effect. KBOR legal staff have reviewed the proposed agreement for compliance with Board policies and applicable laws, and recommend approval of the agreement

Background

The Public Employer-Employee Relations Act (PEERA) (pursuant to which State agencies are required to meet and confer with their employees' recognized bargaining units over terms and conditions of employment) first took effect in 1972. In 1983, the Kansas Supreme Court held that, for purposes of PEERA, KBOR is the employer of university faculty as well as the appropriate governing body, and therefore "must approve any proposed agreement in order to make it binding and effective."¹ Thus, in accordance with that Act, and for many years, the Kansas Board of Regents (KBOR) has performed the role of approving agreements that have been negotiated between the University and the certified faculty representative through the meet and confer process.

Fort Hays State University (FHSU) and Fort Hays State University Chapter of the American Association of University Professors (FHSU-AAUP) have met and conferred, and have now agreed to a new three year Memorandum of Agreement (MOA or Agreement), covering the time period of July 1, 2010 to June 30, 2013. The following paragraphs describe the more substantive differences between this new MOA and the one that has been in place for the last three years.

Article I: Contract Term

In addition to updating the term of the MOA, the negotiating parties agreed to items relating to salary, travel funding, summer session and virtual college, intellectual property, merit pay distribution, and overload and supplemental pay calculation should be subject to further negotiation during the three year term of the Agreement. Previously, the only items that were mandatorily negotiable during the three year term of the Agreement were those related to salary and travel funding. The parties intend to convene a joint task force during the 2010-11 academic year to discuss and negotiate issues relating to summer session and virtual college, intellectual property, and overload and supplemental pay calculation.

Article IV: Salary

The parties agreed to an increase of 0.396% to be distributed as a promotion stipend, and an additional 0.007% for degree completion.² In addition, FHSU agreed to provide a 0.990% increase (\$500 per unit member) as a Healthcare Insurance Adjustment. Therefore, the total non-merit allocation for FY 2011 is an increase of 1.393% over the total salary pool for FY 2010.

¹ *Kansas Board of Regents and Pittsburg State University v. Pittsburg State University Chapter of KNEA and PEERB*, 233 Kan. 801, 812 (1983).

² This provides additional money to faculty members upon the completion of their terminal degree. It used to be a specific stipend amount but now is an amount negotiated between the department chair and faculty member at initial hiring (i.e. "Salary is \$42,500, but upon completion of PhD by no later than December 31, 2012, salary will become \$45,000").

Article V: Salary Generation

This article was amended to account for the change to block grant funding. The previous version of this article mandated that the parties agree to a salary generation proposal, and that the Kansas Board of Regents include the proposal in its budget request to the Legislature. The new version of the article simply requires FHSU-AAUP to submit a salary proposal by February 1, with FHSU responding by February 15.

Article XI: Reappointment, Merit and Promotion for Non-tenure Track (NTT) Faculty (new article)

The negotiating parties agreed to a new article governing non-tenure track (NTT) faculty at FHSU, who were included in the bargaining unit in 2009. This article contains provisions regarding review, reappointment, and appeal of NTT faculty. These will continue to be one year appointments and the parties agree that NTT positions do not lead to tenure. The article also creates two new faculty ranks at FHSU; Lecturer and Senior Lecturer faculty. Terms unique to these two ranks regarding promotion, review, reappointment, non-reappointment and appeal are included as well. Differences between NTT and tenured or tenure-track faculty at FHSU in areas such as workload and responsibilities and evidence of teaching, service, and scholarly excellence are also addressed.

Article XV: Phased Retirement

The negotiating parties changed the previous version of this article to include the specific criteria used in making phased retirement decisions. Provisions relating to the application and approval process were reorganized as well.

Article XXV: Furloughs or Pay Reductions (new article)

The negotiating parties agreed upon provisions relating to furloughs or pay reductions, should they become necessary due to budgetary shortfalls. The article reflects the parties' expectations that a furlough or pay reduction will only be implemented following other attempted cost cutting measures, that furloughs or reductions will be implemented in a manner to have the least possible impact on teaching faculty yet apply to all affected teaching faculty equally, and that between the two options, furloughs would be the preferred method to deal with an economic emergency over pay reductions.

Once the decision is made to require a furlough, FHSU Administration and FHSU-AAUP will meet to discuss how the furloughs for teaching faculty for both on-campus and Virtual College courses will be implemented, although FHSU maintains discretion to determine whether a furlough or pay reduction is necessary. This article also contains provisions relating to accommodating supplemental employment during a furlough or pay reduction for affected faculty, and provisions describing a furlough or pay reduction's affect on benefits, and their impact on tenure and promotion applications.

Conclusion and Recommendation

Fort Hays State University requests that the Board approve and execute the new Memorandum of Agreement, the provisions of which have been agreed to by FHSU and FHSU-AAUP through meet and confer processes. Staff has reviewed the amendments, determined their consistency with applicable laws and Board Policy, and recommends that the Board approve the new Agreement and authorize the Chair to execute the Agreement on behalf of the Board.

4. Approve Amendment to Memorandum of Agreement with PSU/KNEA – PSU

Summary and Staff Recommendation

PSU proposes that the Kansas Board of Regents approve and execute Amendments to a Memorandum of Agreement between Pittsburg State University, the Kansas Board of Regents and the Pittsburg State University chapter of the Kansas National Education Association for fiscal years 2009-2011. Staff recommends approval of the Amendments, to be executed by the Chair, with the understanding that the Board seeks funding from the Legislature in the form of a block grant for the system, rather than using the line item budget appropriation approach suggested by the salary generation provision of the agreement, and that the salary generation provision is dependent upon legislative action, and Governor approval, to generate a specific amount for a specific purpose.

Background

The Public Employer-Employee Relations Act (PEERA) (pursuant to which State agencies are required to meet and confer with their employees' recognized bargaining units over terms and conditions of employment) first took effect in 1972. Shortly thereafter, in 1974, the Kansas Public Employee Relations Board (PEERB) certified the Kansas National Education Association (KNEA) as the exclusive representative under the Act for the purpose of meeting and conferring on behalf of faculty at Pittsburg State University (PSU). For many years, the Kansas Board of Regents (KBOR) has performed the role of approving agreements that are negotiated between the University and the certified faculty representative through the meet and confer process and, in 1983, the Kansas Supreme Court held that KBOR is the employer of PSU faculty as well as the appropriate governing body for purposes of PEERA and therefore "must approve any proposed agreement in order to make it binding and effective. K.S.A. 75-4331."³

In 2008, PSU and PSU/KNEA reached a three-year Agreement, which concludes at the end of fiscal year 2011. As provided for in the Agreement, PSU and PSU/KNEA have now completed the meet and confer process over three articles and offer these agreed-to amendments to the KBOR for consideration.

IV. SALARIES (Page 4 of the current Agreement)

A. FY 2011

For the 2010-2011 academic year, it is agreed by and between the parties that those faculty salary funds for faculty included in the Meet and Confer Unit ("Unit") shall be divided in the following proportions:

³ *Kansas Board of Regents and Pittsburg State University v. Pittsburg State University Chapter of KNEA and PEERB*, 233 Kan. 801, 812 (1983).

Base Salary Total	\$13,537,092 ⁴	\$13,643,941
Sum of Adjustments	54,500	210,225 ⁵
Merit Increment Total		0
Grievance Fund		0
	<hr/>	
TOTAL	<u>\$13,591,592</u>	<u>\$13,854,166</u>
Summer Session 2011		<u>\$ 1,110,069</u>

B. Definitions

1. "Base Salary Total" is defined as the sum of previous year's salaries of all continuing unit members.
2. "Sum of Adjustments⁶" shall be defined to include promotions, corrections for historical inequities, corrections for affirmative action purposes, marketplace considerations, and merit enhancements.
3. "Merit Increment" shall be defined as the sum representing salary improvement in reward for the level of excellence of an individual's performance.
4. "Grievance Fund" shall be defined as the monies provided to process and redress salary grievances as provided herein.

V. SALARY GENERATION (page 12 of the current Agreement)

This section was not negotiable this year. Therefore, the Board of Regents acknowledges that PSU shall make the same recommendation as last year. It shall recommend as part of its fiscal year 2011 budget/block grant presentation, an increase in the unit salary base of a minimum of 7.0%. It is recognized that any recommendation is subject to legislative action and approval by the Governor.

XXVII. DURATION (page 75 of the current Agreement)

Amendments discussed herein reflect the new effective dates for Sections IV.A. and IV.B. All other sections will remain effective through June 30, 2011.

Sections IV.A. and IV.B. of this Agreement shall be effective from July 1, 2010 through June 30, 2011. All remaining portions of this Agreement shall be effective from July 1, 2008 through June 30, 2011.

If this Agreement contains any unlawful provisions, those provisions shall be deemed to be of no effect and stricken from this Agreement without affecting the binding force of the Agreement as it shall remain after omitting such provisions.

⁴ The dollar amounts that have a line through them represent the totals that were in the 2009-2010 Agreement.

⁵ Of this amount, \$49,500 shall be used to fund promotions and \$9,000 shall be distributed as follows: Each Unit member who achieved an overall annual performance appraisal rating of Exceptional from the 2008 and/or the 2009 review period shall receive a \$200 increase in overall salary for each rating of Exceptional achieved. From the remaining amount, each full-time Unit member shall receive a salary increase of \$700 and each Unit member working less than full-time will receive a pro-rated increase based on the percentage of time worked.

⁶ The 2009-2010 Agreement read: "Sum of Adjustments' shall be defined to include promotions." Prior to 2009-2010, "Sum of Adjustments" was defined as written above.

Conclusion and Recommendation

Pittsburg State University requests that the Board enter into and approve the Amendments to the Memorandum of Agreement reached through meet and confer processes. Staff has reviewed the amendments, determined their consistency with Board Policy, and recommends that the Board approve the amendments and authorize the Chair to execute the Amended Agreement on behalf of the Board, with the understanding that the Board seeks funding from the Legislature in the form of a block grant for the system, rather than using the line item budget appropriation approach suggested by the salary generation provision of the agreement, and that the salary generation provision is dependent upon legislative action and Governor approval to generate a specific amount for a specific purpose.

5. Adopt the Presidential Evaluation Process and Forms

Andy Tompkins, President & CEO

The university presidents and the president and CEO of the Board of Regents have traditionally been evaluated by the board in the months of April, May, and June. The board has expressed an interest in improving the evaluation process and as such heard from several corporate human resource professionals at the March, 2010 board meeting. Utilizing the current evaluation instruments and in consideration of the recommendations of the human resource professionals, a proposal for enhancing the process was discussed by the Board at its August, 2010 retreat. The Board recommended several changes to the proposal, which have been incorporated into the revised presidential evaluation process and forms, which is attached. Staff recommends your review and approval for use in the 2010-2011 academic year.



PRESIDENTIAL EVALUATION PROCESS

Presented to the Kansas Board of Regents
September, 2010

PROPOSAL FOR ENHANCING THE EVALUATION PROCESS

Process Recommendations

1. Continue to evaluate the university presidents in April, May, and June of each year and continue to evaluate the president and CEO of the Board in June of each year.
2. Continue to require each university president to complete a self-evaluation that is to be submitted to each member of the Board and the president and CEO of the Board at least three weeks prior to the meeting in which they are to be evaluated. Also, require that the president and CEO of the Board submit a self-evaluation to the Board at least three weeks prior to the meeting in which he/she is to be evaluated. Included in each self-evaluation should be a review of the outcomes on each of the performance categories in the evaluation instrument, a review of the outcomes of the university president's/board president and CEO's goals for the year, a review of the outcomes of initiatives to further the Board's Strategic Agenda, and a list of proposed goals for the coming year with expected outcomes.
3. Board members will then have one week in which to review the self-evaluation materials, complete the evaluation instrument, and forward their evaluations to the executive assistant to the President and CEO of the Board who will then summarize the results and send them to the Board, the president and CEO, and the respective presidents prior to the relevant Board meeting.
4. Continue to have the Board chair and vice chair visit with the university presidents and president and CEO of the Board on the Wednesday morning of the Board meeting in which they are to be evaluated.
5. Begin a practice to have a multi-rater feedback process for each president which will include representatives from students, faculty, deans, foundation, alumni, athletics, and university administrators. Also, the Governor, some legislative leaders, and key business and community leaders may be included. Each president may also submit a limited number of others for inclusion subject to approval by the Board chair.
6. This process will also be used for the president and CEO of the Board and include representatives from KBOR staff, the university, community college, and technical college presidents, university provosts and vice presidents for finance, legislative leaders, the Governor, the Commissioner of Education, business leaders, the Secretary of Commerce and Secretary of Labor, and other parties identified by the board or president and CEO and approved by the Board chair.
7. The initial multi-rater feedback process will be conducted in February of 2011 and results will be provided to the Board and to the university president or president and CEO of the Board prior to the performance review process. The results should be reflected in the self-evaluation by each president.
8. A sub-committee of the Board will be appointed by the chair and approved by the Board and include an expert in developing valid evaluation instruments. The sub-committee will be charged with determining the number and selection of persons to be surveyed as well as developing the questions to be used on the survey. A third party vendor will be employed to conduct the feedback process. Results of the feedback process shall be considered part of the university president or board president and CEO's personnel file and not subject to public disclosure. After

completing the initial process and in consideration of the results, the Board can then make a determination of the frequency that they would prefer to use this process.

9. Each university president and the president and CEO of the Board will be afforded an opportunity and encouraged to utilize an executive coach to provide personal support. The Board may also require the use of an executive coach should it feel that this is critical to the success of the president.

PROPOSED UNIVERSITY PRESIDENT EVALUATION FORM

Name: _____

Job Title: Chancellor/President

Proposed Rating Scale

3 – Consistently exceeds expectations for this category

2 – Consistently meets expectations for this category

1 – Does not meet expectations for this category

Performance Categories for Chancellor/University Presidents

Leadership Effectiveness

1

2

3

Performance indicators may include the following:

- ★ Develops a strategic vision for the university and effectively implements plans to realize that vision in a timely manner.
- ★ Keeps the institution focused on the mission and vision of the university in the midst of competing interests.
- ★ Ensures that the institutional performance agreement is aligned with Board and institutional goals and meets annual expectations for full funding.
- ★ Creates appropriate measurement tools and reports to track individual and group performance.
- ★ Assures that the institution is responsive to emerging state, national, and global workforce needs.
- ★ Takes appropriate risks in order to accomplish the goals of the organization.
- ★ Leads with integrity and ethics.
- ★ Focuses the university on academic success and learning outcomes as a central theme to institutional accountability and performance.
- ★ Encourages staff to collaborate with other institutions within the Regents' system.
- ★ Creates a positive and student-centered campus atmosphere.
- ★ Makes decisions that are in the best interests of the university.
- ★ Energizes and motivates others toward attainment of difficult goals.
- ★ Demonstrates effective succession planning for key academic and administrative role.
- ★ Selects outstanding leaders and staff and challenges as well as empowers them to utilize their expertise for the benefit of the university.

Financial Stewardship

1 2 3

Performance indicators may include the following:

- ★ Advocates on behalf of the university to ensure that financial and programmatic needs are understood and properly considered by funding sources.
- ★ Promotes policies that ensure responsible and accountable utilization of fiscal resources.
- ★ Effectively directs and administers the annual operating and capital budget processes.
- ★ Leads development efforts to maximize funding for the university.
- ★ Rigorously assures accountability in every aspect of funding.
- ★ Appropriately links financial needs and requests to university mission, vision, and goals.

Communications and Constituent Relations

1 2 3

Performance indicators may include the following:

- ★ Listens and communicates in a positive and engaging manner
- ★ Instills a strong sense of constituency focus in institutional leadership and staff.
- ★ Clearly communicates and effectively engages with the Kansas Board of Regents, university leadership, and staff in carrying out the mission, vision, goals, and values of the institution.
- ★ Ensures that internal and external communications promote a positive, consistent image for the institution and is reflective of its values.
- ★ Proactively develops and maintains relationships with a variety of constituents including the Board, faculty, staff, alumni, media, business, industry, and civic leaders, governmental officials, and leaders and staff from other academic institutions.

Progress on Board-Approved University CEO Performance Goals

1 2 3

Please provide comments on each goal based on the progress report provided by the university CEO.

Goal 1 –

Goal 2 –

Goal 3 –

Goal 4 –

Goal 5 –

Goal 6 –

Goal 7 –

Goal 8 –

Progress on Kansas Board of Regents Strategic Agenda 1 2 3

Please provide comments on each goal based on the progress report provided by the university CEO.

Goal 1 - Achieve alignment between the state’s preK-12 and higher education systems and continue to enhance alignment between higher education institutions.

Goal 2 Achieve participation in the state’s higher education system that better reflects the state’s demography and more fully engages adult learners.

Goal 3 Achieve measurable improvement in persistence and completion rates for higher education institutions across the state.

Goal 4 Ensure that students earning credentials and degrees across the higher education system possess the foundational skills essential for success in work and in life.

Goal 5 Enhance alignment between the work of the state's higher education system and the needs of the Kansas economy.

Goal 6 Enhance the regional and national reputation of Kansas universities through aspirational initiatives.

Communications and Constituent Relations

1 2 3

Performance indicators may include the following:

- ★ Clearly communicates and effectively engages with the Kansas Board of Regents, public higher education institutions, KBOR leadership and its employees in carrying out the mission, vision, and values of the organization.
- ★ Demonstrates highly effective listening and communications skills.
- ★ Instills a strong sense of constituency focus in KBOR leadership and staff.
- ★ Proactively develops relationships with all higher education academic institutions throughout the state and works to understand their individual goals and objectives. Is seen as a responsive, credible resource to these institutions.
- ★ Effectively builds relationships with other state departments, legislators and their staff, and the Governor’s office to promote the state’s higher educational needs of Kansas.
- ★ Effectively builds relationships with business and community leaders to assure their workforce development needs are defined and met through a wide range of higher education programs and services.
- ★ Works to find common ground in all relationships but never compromises the best interests of the Board and higher education system.

Financial Stewardship

1 2 3

Performance indicators may include

- ★ Effectively directs the annual unified budget request for higher education in coordination with academic institutions – assuring finances are aligned with state and Board policies.
- ★ Effectively directs and administers the annual operating budget of the agency
- ★ Is a highly effective steward of KBOR financial and human resources.
- ★ Demonstrates an understanding of the current and historical funding issues in higher education
- ★ Keeps the Kansas Board of Regents informed of agency funding needs and issues

Progress on Board-Approved Performance Goals

1 2 3

Please provide comments on each goal based on the progress report provided by the Board President and CEO.

Goal 1 –

Goal 2 –

Goal 3 –

Goal 4 –

Goal 5 –

Goal 6 –

Goal 7 –

Goal 8 –

Progress on Implementation of Kansas Board of Regents Strategic Agenda 1 2 3

Please provide comments on each goal based on the progress report provided by the Board President and CEO.

Goal 1 - Achieve alignment between the state’s preK-12 and higher education systems and continue to enhance alignment between higher education institutions.

Goal 2 Achieve participation in the state's higher education system that better reflects the state's demography and more fully engages adult learners.

Goal 3 Achieve measurable improvement in persistence and completion rates for higher education institutions across the state.

Goal 4 Ensure that students earning credentials and degrees across the higher education system possess the foundational skills essential for success in work and in life.

Goal 5 Enhance alignment between the work of the state's higher education system and the needs of the Kansas economy.

Goal 6 Enhance the regional and national reputation of Kansas universities through aspirational initiatives.

6. Approve Process for Establishing Higher Education Alignment Taskforce

7. Act on CEO Salaries for FY 2011

X. Executive Session

Board of Regents – Matters Privileged in the Attorney/Client Relationship – Pending Litigation

XI. Adjournment

AGENDA

Agenda
Fiscal Affairs and Audit Standing Committee
Wednesday, September 15, 2010
11:00am-Noon, Board Room

- I. Questions/Clarifications about the Fiscal Affairs and Audit Standing Committee Items on the Board's Agenda

- II. Other Committee Business
 1. Review KBOR Internal Audit – “Alumni Account” (private fund)
 2. Discuss Implementation of New Audit Policy (attached) with University Business Officers
 3. Receive Status Report on LPA Audit of Excess Credit Hours
 4. Review Committee Planning Document

- III. Upcoming Agenda Call -- Tuesday, October 5, Noon

b. Internal Audit Function (4-15-10)

- (1) Each state university shall have an internal audit function. The responsibility of the internal audit function is to serve the university in a manner that is consistent with the *International Professional Practices Framework (IPPF)* promulgated by the Institute of Internal Auditors. Additional resources, tools and guidance should be obtained through the Association of College and University Auditors and the Committee of Sponsoring Organizations. (10-17-96)
- (2) The purpose, authority, and responsibility of each university's internal audit function shall be defined in a formal written document (internal audit charter) that is approved by each state university's chief executive officer. The charter shall make clear the purposes of the internal audit function, specify the unrestricted scope of its work, and declare that auditors are to have no responsibility for the activities they audit. The scope of work of the internal auditors shall include review of university controlled affiliated corporations, including a review of the IRS form 990 for each such corporation, with a focus on potential conflicts of interest and transactions between the university and university controlled affiliated corporations. The charter shall endow internal auditors with the authority to fully and freely access all the university's records, properties, and personnel relevant to an audit. The charter shall provide that the auditor report directly to the university CEO on all audit matters. The charter shall clearly state that internal auditors shall report directly to the Board Fiscal Affairs and Audit Committee any situation wherein the auditor perceives a conflict of interest with or on the part of the university CEO's involvement with the subject of an audit. In addition, each state university shall include the charter in university manuals, policies, and procedures as appropriate. Each state university internal audit department shall report annually to the Board's Committee on Fiscal Affairs and Audit, summarizing the prior year's activities and audit plans for the coming year. (10-17-96; 1-16-97)
- (3) Each state university shall develop and maintain an internal audit plan. At a minimum, internal controls for the university's highest risk units, based on public funds exposure, should be assessed on a regular basis. (10-17-96; 6-24-99)
- (4) Each completed internal audit reporting material financial weaknesses or fraud shall be submitted to the President and Chief Executive Officer who shall be responsible for recommending to the Committee on Fiscal Affairs and Audit any specific audit findings which should be further reviewed by the Committee. (10-17-96; 1-18-01)

c. Non-Public Funds Management Review (4-15-10)

- (1) Each state university chief executive officer shall maintain on file at the university a current list and description of the non-public, unrestricted funds under his or her direction or that of direct subordinates.
- (2) Each state university CEO shall maintain and provide to the Board annually a list of all affiliated corporations (controlled and non-controlled) and a description of their respective governing boards and management structure.
- (3) Each state university shall annually review the roles of direct subordinates in or with such affiliated corporations for the purpose of identifying potential conflicts of interest. If appropriate and to the extent it is within the CEO's control, the university CEO shall initiate a plan to either eliminate or manage any identified actual or potential conflicts of interest and shall file the plan with the President and CEO of the Board of Regents.

(4) The President and CEO of the Board shall annually review the roles of the state university CEOs in or with all affiliated corporations for the purpose of identifying potential conflicts of interest. If appropriate, the President and CEO of the Board shall initiate a plan to either eliminate or manage any actual or potential conflicts of interest and shall submit such plans to the Board Chair and Vice-chair for approval.

(5) The Board may initiate external management reviews of the use and expenditure of non-public, unrestricted funds held by the university or an affiliated corporation of the university and under the direction of each state university CEO and each state university CEO's direct subordinates at any time, but such reviews shall be conducted no less than once every 5 years beginning fiscal year 2013. Additionally, such reviews shall be conducted when there is a change in the CEO. All such reviews shall be contracted by the Board and financed by a transfer of funds to the Board from the state university under review. The university shall request its university non-controlled affiliated corporations having non-public, unrestricted funds that are under the direction of the university CEO or the CEO's direct subordinates to cooperate in the conduct of such reviews.

(6) Each state university CEO shall request the board of directors of each university non-controlled affiliated corporation to expand the scope of its annual independent audit to include identification of actual or potential conflicts of interest involving unrestricted, non-public funds under the authority or direction of the university CEO or the CEO's direct subordinates. The state university CEO shall request that such review include an examination of fund transfers and other transactions between and among the university, its affiliated corporations, and external entities reported on statements of substantial interest forms, and that the university non-controlled affiliated corporation share a report of each such review with the President and CEO of the Board.

(7) For purposes of this section, "non-public funds" means any funds expended for the benefit of the state university but not processed through the state financial system.

AGENDA

Council of Presidents
Kansas Board of Regents Office
1000 S.W. Jackson
Topeka, KS
September 15, 2010
11:00 a.m.
Suite 530

Agenda

1. Approve minutes of June 23, 2010 meeting
2. Report from Council of Business Officers
3. Report from Council of Chief Academic Officers

MINUTES

Council of Presidents
Kansas Board of Regents
June 23, 2010
Minutes of Meeting

Members present: President Ed Hammond, Fort Hays State University
President Don Beggs, Wichita State University
Chancellor Bernadette Gray-Little, University of Kansas
President Mike Lane, Emporia State University
President Andy Tompkins, Kansas Board of Regents
President Steve Scott, Pittsburg State University
President Kirk Schulz, Kansas State University

The meeting was convened at 11:00 a.m. by President Hammond.

1. Minutes of May 19, 2010 meeting

It was moved by President Lane to approve the minutes. The motion was seconded by President Beggs and passed unanimously.

2. Report from Council of Business Officers – Mr. Mike Barnett, Vice President for Administration and Finance, FHSU

Mr. Barnett said all of the items discussed at the last COBO meeting were informational only and did not require action. Members of COBO received an update from the group working on the development of a net price calculator. The direction being taken is to leave out institution-specific information. Another progress update will be given at the September COBO meeting. Each Regents institution must have the net price calculator on its web site by October 2011.

COBO also met with the insurance broker who indicated that insurance premiums had remained constant. Mr. Barnett indicated that Board staff recommended the allocation of ARRA funds for FY 2011 in the same amounts as were allocated for the current fiscal year. It was moved by President Beggs and seconded by President Schulz to have COPS endorse this proposed allocation. The motion passed unanimously.

Members of COBO discussed the issue of cell phones and felt that each institution should have its own general counsel determine if the institution is exempt from the executive order. This would impact unclassified staff but not classified staff. While it is the opinion of the Board's general counsel that all institutions are exempt, the staff did not want to officially make this recommendation.

President Hammond asked if other proposed funds distributions needed endorsement from COPS. In particular, the system-wide tax credit was mentioned, and Mr. Barnett said this had not been discussed by COBO.

3. Report from Council of Chief Academic Officers – Dr. Larry Gould, Provost, FHSU

Dr. Gould indicated Fred Woodward of the University Press of Kansas gave a report in response to three questions that had been asked previously by COCAO. Members of COCAO passed a motion to accept the report.

COCAO reviewed eight program requests and seven informational items. They also talked about the retreat in August and at that time, will discuss whether or not to continue the videoconference meetings that took place during the current fiscal year. Dr. Gould said COCAO discussed the group's "strategic voice" and would like to meet with President Tompkins to talk about this issue.

Several other topics had been discussed by COCAO, including Foresight 2020 and the submission of performance agreements. President Hammond asked if COPS needed to make a recommendation on the latter. It was moved, seconded and unanimously agreed upon by COPS to recommend moving the submission date for institutional performance agreements from July 15 to September 1.

4. Request to create a council for unclassified employees

A recommendation pertaining to the creation of a council for unclassified employees has been made by Board staff. President Schulz moved to accept the recommendation. The motion was seconded by President Beggs and passed unanimously.

5. Council of Presidents chair rotation

After reviewing the current COPS chair rotation order as outlined in the Policy and Procedures Manual, members of COPS discussed having Chancellor Gray-Little serve as chair for FY 2011 and moving FHSU to the end of the rotation, after WSU. President Beggs made a motion, seconded by President Schulz, to accept this revised rotation order. The motion passed unanimously.

The meeting was adjourned at 11:30 a.m.

AGENDA

System Council of Chief Academic Officers

Wednesday, September 15, 2010
 9:00 a.m. – 9:30 a.m.
 Kathy Rupp Conference Room
 Curtis State Office Building
 1000 SW Jackson Street
 Topeka, Kansas

AGENDA

1. Approve Minutes of June 23, 2010

2. Discussion:
 - a. Core Outcomes Project
 - b. Teleconference/Face-to-Face Meetings

3. Other Business

SCOCAO Meeting Schedule – September 2010 – June 2011

Teleconference/Conference Call MEETING DATES	AGENDA MATERIALS DUE	FACE TO FACE MEETING DATES
September 9, 2010	August 25, 2010	September 15, 2010
October 14, 2010	September 29, 2010	
November 11, 2010	October 27, 2010	
December 9, 2010	November 23, 2010	
January 13, 2011	December 28, 2010	
February 10, 2011	January 26, 2011	
March 10, 2011	February 23, 2011	
April 14, 2011	March 30, 2011	
May 12, 2011	April 27, 2011	
June 9, 2011	May 25, 2011	June 15, 2010

MINUTES

System Council of Chief Academic Officers Minutes

**Tuesday, June 23, 2010
9:00 a.m.
Room 530
Curtis State Office Building
Topeka, KS**

The System Council of Chief Academic Officers met in Room 530 of the Curtis State Office Building, 1000 S. W. Jackson, Topeka, Kansas, at 9:00 a.m. on Tuesday, June 23, 2010.

Members Present:

Kim Krull, Cloud County Community College
Allen Rawitch, University of Kansas Medical Ctr
Larry Gould, Fort Hays State University
Tes Mehring, Emporia State University
Bill Ivy for Lynette Olson, Pittsburg State University
Nancy Tate, Washburn University

Danny Anderson, University of Kansas
April Mason, Kansas State University
Steve Loewen, Flint Hills Technical College
Alysha Johnston, Coffeyville Community College
Gary Miller, Wichita State University

Others Present:

Barbara Romzek, University of Kansas
Peggy Forester, Independence Community College

Ruth Dyer, Kansas State University

Board Staff:

Gary Alexander, KBOR; Joan Warren, KBOR; and Jacqueline Johnson, KBOR

Approve Minutes of May 13, 2010 Meeting Minutes

Tes Mehring moved and Gary Miller seconded the motion to approve the May 13, 2010 minutes as submitted. Motion carried.

Discussion:

Core Outcomes Project

In context with the Core Outcomes Project, Gary Alexander informed the Council of a Lumina grant that the Kansas Board of Regents is working on. The focus of the grant is as follows: “Indianapolis—Lumina Foundation for Education announced today that it will provide up to \$8 million in grants during the next four years to support large-scale efforts to increase degree completion among adults who have already earned some college credits.” The grant proposal will be submitted no later than July 30, 2010.

- The Core Outcomes Project is a good resource regarding various academic issues
- The University of Kansas is hosting the Project this year
 - Information regarding the meetings was distributed
 - The dates are October 11 and 12
- The Core Outcomes Report is not on the current Board web site/Board staff will check into this

Questions were asked regarding the Core Outcomes Project:

- What is the directive of the Core Outcomes Project?
- Who has authority to make decisions?

Core Outcomes Project Mission Statement

The Core Outcomes Project is an academic initiative of the Kansas Board of Regents that brings together faculty from Kansas community colleges, technical colleges, and universities for the purpose of developing core outcomes and competencies for lower-level (100-200 level) general education courses offered within the state system. The program targets only basic courses in general education where there is a reasonable likelihood of obtaining a system-wide consensus on basic skills and competencies. The program is designated in part to facilitate articulation, although it is not a formal avenue for resolving articulation issues.

Faculty in the various discipline groups work to develop outcomes and competencies for their disciplines and then report their work in a standard format, which is posted on the KBOR web page.

Discipline groups determine when their work is completed and when it should be reviewed (approximately every three years).

SCOCAO 09/19/2007

Discussion followed:

- Alignment of the high schools and postsecondary institutions is one of the issues of the P-20 Council
- Continue to talk about the positive points of the Core Outcomes Project

Concurrent Enrollment Report

Gary Alexander explained that this is a regular bi-annual report required by Board Policy. The Postsecondary data base will work on tracking students' progress as they move through the postsecondary system.

Academic Year 2010-2011 Issues

Issues for the System Council of Chief Academic Officers to pursue in the coming year were discussed.

- Excess credit issues
- Foresight 2020
- Give Andy Tompkins a copy of the position paper that the Chief Academic Officers gave to Reginald L. Robinson
- Performance Agreement Structure – alignment with Foresight 2020
- Learning Outcomes Assessment
 - Meeting goals
 - Costs associated with meeting goals
 - How to be efficient
- Prepare a paper on HLC's new policies focusing on process
- Dates for a possible retreat in September

Other Business

There being no other business the meeting adjourned at 9:30 a.m.

AGENDA

Council of Chief Academic Officers

Wednesday, September 15, 2010
9:30 a.m.

Kathy Rupp Conference Room
Reconvene Noon to 1:15 p.m.
Kathy Rupp Conference Room
1000 SW Jackson Street Suite 520
Kansas Board of Regents

AGENDA

1. Approve Minutes of June 23, 2010
2. Learner Outcomes Update
3. New Program Requests
 - a. KU – Request Approval for a Master of Art and Ph.D. in Women, Gender and Sexuality Studies (CIP 05.0207) – University of Kansas (SECOND READING)
 - b. KU – Request for a Bachelor of Science in Interdisciplinary Computing(CIP 11.0101)
4. Program Requests
 - a. KUMC – Request Approval to Organize the Preventive Medicine, Biostatistics and Health Policy and Management Programs into a School of Public Health
 - b. KSU – Request Approval to Merge the Elementary Education and Secondary Education Departments into Curriculum and Instruction
 - c. KSU – Request Approval to Change the Name of the K-State Olathe Innovation Campus to K-State Olathe
 - d. ESU – Request Approval to Change the Name of the Master of Science in Psychology from General Psychology to Experimental Psychology
5. Informational Items
 - a. PSU – Discontinuing the Harley Davidson BAS Program
6. Other Business

AGENDA MATERIALS DUE	MEETING DATES	LUNCH ROTATION
August 25, 2010	September 15, 2010	KSU
September 20,2010	October 20, 2010	PSU
October 20, 2010	November 17, 2010	ESU
November 16, 2010	December 15, 2010	WSU
December 15, 2010	January 19, 2010	KU
January 19, 2011	February 16, 2010	KUMC
February 16, 2011	March 16, 2010	Washburn U
March 23, 2011	April 20, 2010	FHSU
April 20, 2011	May 18, 2010	KSU
May 18, 2011	June 15, 2010	PSU

MINUTES

Council of Chief Academic Officers

Wednesday, June 23, 2010
9:30 a.m. – 10:00 a.m.
Reconvene at
12:00 – 1:15 p.m.
Kath Rupp Conference Room
Curtis State Office Building
1000 SW Jackson Street Suite 520
Kansas Board of Regents

MINUTES

The Council of Chief Academic Officers met, on Wednesday, June 23, 2010 in Room 530 of the Curtis State Office Building, Topeka, Kansas at 9:30 a.m. and reconvened in the Kathy Rupp Conference Room of the Kansas Board of Regents Office, Suite 520, 1000 SW Jackson, Topeka, Kansas at 12:00 p.m.

Members Present:

Larry Gould, Provost, FHSU

Danny Anderson, Interim Provost, KU

April Mason, Provost, KSU

Bill Ivy for Lynette Olson, Provost, PSU

Allen Rawitch, VCAA, KU Med Center

April Mason, Provost, KSU

Tes Mehring, Provost, ESU

Gary Miller, Provost, WSU

Nancy Tate, Interim VPAA, WU

Gary Alexander, KBOR

Barbara Romzek, Interim Sr. Vice Provost, KU

Staff Present

Jacqueline Johnson, KBOR and Joan Warren, KBOR

Approve Minutes of May 13, 2010 and Minutes of May 19, 2010

Allen Rawitch moved and April Mason seconded the motion to approve the Minutes of May 13, 2010 and May 19, 2010 as submitted. The minutes were approved by consensus.

University Press of Kansas Report

Larry Gould presented the University Press of Kansas Report to the Council.

I. What the University Press of Kansas contributes to its sponsoring institutions

- Low-cost marker of excellence for State of Kansas higher education.
- Best available source of authoritative books on Kansas for both the general public and academics.
- High-profile contributor to the scholarly communication system
- Exemplar of inter-institutional cooperation
- Publishing outlet for selected faculty

II. Key operating expense categories

	% of Operating Expenses, July-March	
	<u>FY 2009</u>	<u>FY 2010</u>
• Salaries & benefits	64%	68%
• Marketing	20%	16%
• Freelance fees	6%	5%
• Postage	4%	4%
• Travel	2%	2%
• Totals	96%	95%

Note 1: FY 2010 operating expenses were \$187,624 less than FY 2009's through the first three quarters of the fiscal year.

Note 2: Book manufacturing costs, which totaled—in the July-March period—\$375,125 in FY 2009 and \$380,734 in FY 2010, are not expensed but rather accounted for as both costs of sales and assets that are depreciated over a five-year period.

III. The financial future of the University Press of Kansas

Is there a plan for financing the press without depending upon reserves or the sponsoring institutions' "shares" of our operating budget? No, but there is a plan to continue doing more with less and thereby regularly outperform its peers financially. The press has done this for twenty-seven years, from FY 1983 to FY 2009, by operating in the black despite its below-average external support. Consequently the press has managed to accomplish the miraculous by funding its fivefold expansion, paying for its warehouse and office building, and setting aside reserves earmarked for construction, digital development, and bridge funding. Although the University Press of Kansas will continue to be a nonprofit operation, its history suggests that in the world of scholarly publishing it will manage to pursue both excellence and parsimony without harm to either.

The University Press of Kansas (UPK) funding process requires a letter from Fred Woodward to the Vice President for Academic Affairs at the Kansas Board of Regents asking for the funds to be sent to the UPK. A memorandum to the Director of Budget for the State of Kansas requesting the funds for the University Press of Kansas, as per the amount of distribution for each university, is prepared and sent by the Academic Affairs Vice President. A copy is provided to the Kansas Board of Regents Finance.

There was no discussion.

Gary Miller moved and Tes Mehring seconded the motion to accept the University Press of Kansas report. Motion carried.

Program Requests

- a. **KSU – Request Approval to Merge the Department of Elementary Education and the Department of Secondary Education into a single Department of Curriculum and Instruction**
- b. **KSU – Request Approval for Renewal of Academic Extension Specialty Program Adult Occupational and Continuing Education (CIP 13.1201)**
- c. **KU – Request Approval for Renewal of Academic Extension Specialty Program Master of Public Administration Program (CIP 44.0401)**
- d. **PSU – Request Approval for Renewal of Academic Extension Specialty Programs B.S. in Vocational Technical Education (CIP 13.1309) and M.S. in Career and Technical Education (CIP 13.1309)**
- e. **PSU – Request Approval to Change the Name of the Bachelor of Science Education degree to the Bachelor of Fine Arts with Art Education Emphasis (CIP 50.0701)**
- f. **PSU – Request Approval to Change the Name of Information Systems to Computer Information Systems**
- g. **FHSU – Request Approval to Move the Theatre program, currently in the Department of Communication Studies to the Department of Music and Change the Name of the Department of Music to the Department of Music and Theatre**

Gary Alexander presented the above listed program requests a-g.

There was no discussion.

Gary Miller moved and Tes Mehring seconded the motion to approve the program requests a – g. The motion carried.

Informational Items

- a. **PSU – Elimination of the Bachelor of Arts Sociology degree (CIP 45.1101)**
- b. **PSU – Elimination of the Second Teaching Option (13.1302), K-12 Art Teaching Certification**
- c. **PSU – Elimination of the Computational Physics and Pre-medical Emphasis in Physics (45.1101) and adding the Astrophysics and Engineering Technology Emphasis**
- d. **PSU – Public Health – A New Concentration within the Bachelor of Science in Chemistry (CIP 40.0501)**
- e. **PSU – International Teaching – A New Minor within the Early Childhood/Late Childhood K-6 and Early Childhood Unified Program (13.1202)**
- f. **PSU – Urban and Suburban Experience – A New Minor within the Early Childhood/Late Childhood K-6 and Early Childhood Unified Program (13.1202)**

Items a-f from Pittsburg State University are informational items and no action is required.

The Council discussed the how best to communicate issues to the Board of Regents and the President and CEO.

- Send to the President and CEO the paper prepared by COCAO regarding the strategic questions
- Inform the Board Academic Affairs Standing Committee and the Council of Presidents of concerns, recommendations and strengths

COCAO recessed at 9:47 a.m. until noon.

Meeting reconvened at noon in the Kathy Rupp Conference Room.

Other Business

Tilford Conference

COCAO recommended inviting President and CEO Andy Tompkins to the Tilford Conference in October at the University of Kansas.

120 Credit Hours

The request to have a minimum of 120 credit hours for degrees was tabled by the Board Academic Affairs Standing Committee.

- Uncertain if the minimum credit hours will be a part of the Legislative Post Audit Report
- There is a concern that lowering the number of credit hours from 124 to 120 along with the reduction in the number of instructional days will be perceived as lowering academic standards

There being no other business, the meeting adjourned by consensus.

Sincerely,

Larry Gould, Chair,
Vice President for Academic Affairs,
Fort Hays State University

AGENDA

Council of Faculty Senate Presidents
Kansas Board of Regents Office
1000 S.W. Jackson
Topeka, KS
September 15, 2010
Kan-Ed Conference Room

- 1) Welcome
- 2) Approve Minutes from June Meeting
- 3) Reports from each Regents Institution
- 4) Discuss COFSP Action Items for 2010-11

MINUTES

Council of Faculty Senate Presidents (COFSP)

Report to the Board of Regents
June 23, 2010

Present: Betsy Cauble (KSU), Gary Doolittle (KU Med), Dan Kulmala (sub: FHSU), Fritz Hemans (WSU), Barbara McClaskey (PSU), Joella Mehrhof (ESU)

Betsy Cauble called the meeting to order at 10 am. Joella Mehrhof served as secretary.

Gary Alexander - VP for Academic Affairs for KBOR visited with the COFSP group. Topics discussed included the following:

- The cost of tuition at the community colleges has an effect on the universities, as this affects the resources of the universities.
- The transfer of classes from the community colleges to the universities has not been a smooth process. Concurrent enrollment was discussed.
- The cost and the need for remediation classes have caused some frustration on the university campuses.
- Program review is a topic of concern on campuses. This should be a program improvement process, not just a program reduction/closure process.
- The role of research at the universities is a concern. Undergraduate education is highly emphasized, as well as time and resource consuming. Graduate programs and the research related to graduate education is often viewed as something to be completed without resources, yet still required for promotion and tenure.
- The delivery of general education was discussed. It was suggested that new delivery methods may need to be introduced.
- Assessment should be aligned to the accrediting bodies and not just another thing that needs to be collected and reported upon. There is great frustration on the university campuses about the format for needed data, as well as the timeliness of requesting data. Recent state audits showed a state of disarray in the review methods and the requested information.

The COFSP group stated the faculty members from the various campuses are uniquely positioned to share observations about issues related to academic life. The COFSP group hopes that in the upcoming year it can lend expertise to improving and preserving higher education in Kansas.

AGENDA

**Students' Advisory Committee
Kansas Board of Regents
September 15, 2010**

Kathy Rupp Conference Room

4:00 p.m. or Adjnt.	Welcome and Re-introductions Welcome Intros Recap of Retreat	Kathy Rupp Conference Room
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4:15 p.m.	Approval Agenda Minutes <ul style="list-style-type: none">• June Meeting• July Retreat
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4:30 – 5:00 p.m.	Invest in Kansas—Higher Education Regroup and Move Forward Talking Points Other New Business
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5:00 p.m. – 5:10 p.m.	Wrap-up Next Meeting: October 20, 2010
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Additional Instructions:

Please come prepared to discuss a more formal plan for moving forward with our Kansas Investment plans. Please review the minutes before the meeting so we can move into a more formal discussion of what action steps we are going to take to make these things actually happen. The initial product produced at the retreat was a magnificent start.

MINUTES

Students' Advisory Committee
Kansas Board of Regents
Meeting Agenda

June 23rd, 2010
4:00 p.m. or Adjournment
KBOR, Topeka, KS

- Call to Order
 - Meeting called to order by Vice Chair and Emporia State University Student Body President, Jonathan Rivers
- Introductions
 - The following persons were present: Temmuz Coskun WSU Student Body President, Danny Unruh KSU Student Body President, Tyler Thompson FHSU Student Body President, KBOR Legislative Assistant Jonathan Krueger, KBOR Students' Advisory Committee Assistant Joan Warren
- Approval of Minutes
 - Moved to Approve Pending Final Staff Writing
- University Repots
 - Emporia State University
 - Have Started the Hiring Process
 - Working to outline vision and goals for next year
 - Fort Hays State University
 - Discussed issues surrounding their Campus Smoking Ban
 - Kansas State University
 - Reported the new Ban on Handheld Electronics while driving in Manhattan
 - Touched on the progress of NBAF & the formulation of Student Vision Groups
 - Pittsburg State Univeristy
 - Not Present
 - University of Kansas
 - Not Present
 - Wichita State University
 - Have Hired a new Library Dean
 - Kansas State University-Salina
 - Not Present
 - Washburn University
 - Not Present
- Old Business
 - Constitutional Amendments – topic was lightly discussed, but no new ideas were given
 - Graduate Assistant Benefits Resolution – The revised work was signed by all members present
 - Travel Reimbursement Forms – Reviewed the process
- New Business
 - Appointments to Committees

- Qualified Admissions Taskforce – Kansas State University's Vice President, Annie Oliver
- Student Insurance Advisory Committee – Student Body Presidents, Temmuz Coskun of Wichita State and Danny Unruh of Kansas State University
- Wiggio – General discussion
- KBOR SAC Retreat – Agreed to set date fast and send out invitations to the Regents
- Brainstorming Session – General Discussion regarding our role as an organization and what we hope to accomplish in the next year to come
 - Maintain a consistent unified message
 - Meet with Faculty Senate Chair and Vice Chair
 - Expand our presence on the Web
 - Address the Continual issues of funding for next year
 - Hold State Representative Open Forums?
 - Build Relationships with local Representatives
 - The issue of Kansas Corp and what we want to do with that – More potential to volunteer and possibly create a volunteer chair position?
 - Working closely with Legislative Assistant Jonathan Krueger – Providing sample letters, voting guides, legislative answers to questions, etc.
- Announcements
 - There were no further announcements
- Adjournment

Minutes submitted by:

Jonathan Rivers

Vice Chair, Students' Advisory Committee

President, Emporia State University

Kansas Board of Regents
Students' Advisory Committee
Summer Retreat
Meeting Minutes
 August 2, 2010

I. Call to order

Chairman Michael Wade Smith called to order the regular meeting of the **Students' Advisory Committee (SAC)** at **10:05 AM** on **July 29, 2010**, in the **PKP room of the Memorial Union, Emporia State University**.

II. Introductions

Vice Chair and ESU Student Body President, Jonathan Rivers began introductions and roll call. The following persons were present: Michael Wade Smith KU Student Body President, Megan Ritter KU Student Body Vice – President, Temmuz Coskun WSU Student Body President, Sahar Eshghi WSU Legislative Director, Danny Unruh KSU Student Body President, Brandon Mills PSU Student Body President, Ashley McCullough ESU Student Body President, Laura Bosiljevac ESU Legislative Director, Jonathan Krueger KBOR Legislative Assistant, Whitney McGinnis ESU ASG Advisor
 Guest: Representative Don Hill, 60th District, Emporia

III. Ice Breaker

Emporia State's Student Government Whitney McGinnis facilitated a short ice breaker for all members to get a chance to get to know each other a little better

IV. Goal Session/Open Discussion

- A. President Smith opened the general discussion asking Legislative Assistant Krueger to provide advice and partial guidance to start off the goal session dialogue
 - a. Legislative Assistant Krueger provided numerous pieces of advice, placing emphasis on a few key points –
 - i. Create workable, attainable and measurable goals for this next year
 - ii. Hold a Uniform Message
 - iii. Maintain open and consistent communication with the Board
 - iv. Follow through on initiatives and plans.
- B. President Smith then called for input from members about their vision for SAC and what direction we would like to go
 - a. President Unruh called for a strong emphasis on utilizing our base to the best of our abilities
 - b. President Coskun wants a united effort between all of the Universities
 - c. Legislative Director Eshghi called for a larger student presence at Higher Education Day
 - d. President Mills feels that this body should take full advantage of this election year to put pressure on the candidates, before and after they are in office
 - e. Vice President Ritter shared that she would like a coordinated effort between students and alumni for a more powerful lobbying effort
 - f. President Rivers agreed that a united effort by all of the universities is best
- C. A broader discussion regarding overall goals were outlined and addressed
 - a. What is Our Message?
 - i. Why Higher Education benefits the Kansas Economy
 1. Possible Themes for the Year
 - a. Education is Economic Development
 - b. Education Grows Kansas

- c. Education Drives Kansas
 - b. How do we get there?
 - i. Utilizing a United & Consistent Message
 - 1. Possible Lobbying Efforts
 - a. Utilize Multimedia Options
 - i. Photograph Displays
 - ii. Video & Slide presentations/testimonials
 - b. Hold Higher Education Rallies
 - i. Read-Ins
 - ii. Community Service Project
 - iii. Hold Individual Rallies on each campus
 - c. Build Personal Connections with State Legislators
 - i. Invite them to Campus Forums/Debates
 - ii. Letters, Mailings, Phone Calls
 - iii. Attend Higher Education Caucus Luncheons
 - iv. Attend Republicans/Democrats Caucuses
 - v. Set up appointments with representatives on KBOR days
 - 2. Gather Student Support
 - a. Voter Registration Drives
 - b. Partner with School Newspapers
 - c. Formulate a Student's for Higher Education Advocacy Group
- D. President Smith opened the floor to guest speaker Representative Don Hill of the 60th District in Emporia to provide a Legislative perspective on student advocacy
 - a. Representative Hill provided numerous pieces of advice, placing emphasis on a few key points
 - i. Establish Familiarity and Rapport with Legislators
 - ii. Take advantage of time when the legislature is out of session
 - iii. Invite Legislators to campus
 - iv. Frame arguments around how higher education invests in the state, contributes to the overall quality of the state and maintains nation-wide competitiveness

V. Governing Documents

- A. The Committee reviewed the current constitution for SAC and found areas in need of revision and updating. All proposed action has yet to be voted on - Article V, §1. **Struck** Kansas State University – Salina, **added** subject line A, detailing Ex-Officio status for Washburn University and Kansas State University – Salina. Article VI, §1. Proposed **additional** sentence establishing the method for creating a Kansas Corp Representative. Article VII, §1. **Struck** subject line C, and §2. **Struck** subject line D. Article VIII, §4. **Replaced** Attendance with Proxy, and **struck** the first sentence.

VI. Adjournment

President Smith adjourned the meeting at **3:35 PM**.

Minutes submitted by:

Jonathan Rivers
 Vice Chair, Students' Advisory Committee
 President, Emporia State University

CURRENT FISCAL YEAR MEETING DATES

Fiscal Year 2011

<u>Meeting Dates</u>	<u>Agenda Material Due to Board Office</u>
August 17-19, 2010 – Retreat	
September 15-16, 2010	Noon, August 25, 2010
October 20-21, 2010	Noon, September 29, 2010
November 17-18, 2010	Noon, October 27, 2010
December 15-16, 2010	Noon, November 23, 2010
January 19,20, 2011	Noon, December 29, 2010
February 16-17, 2011	Noon, January 26, 2011
March 16-17, 2011	Noon, February 23, 2011
April 20-21, 2011	Noon, March 30,2011
May 18-19, 2011	Noon, April 27, 2011
June 15-16, 2011	Noon, May 25, 2011

TENTATIVE MEETING DATES

Fiscal Year 2012

<u>Meeting Dates</u>
August 16-18, 2011 – Retreat
September 14-15, 2011
October 19-20, 2011
November 16-17, 2011
December 14-15, 2011
January 18-19, 2012
February 15-16, 2012
March 14-15, 2012
April 18-19, 2012
May 16-17, 2012
June 27-28, 2012

COMMITTEES (2010-2011)

Gary Sherrer, Chair

Ed McKechnie, Vice Chair

Standing Committees

<u>Academic Affairs</u>	<u>Fiscal Affairs and Audit</u>	<u>Retirement Plan Committee</u>
Dick Hedges, Chair Janie Perkins Mildred A. Edwards Ed McKechnie	Jerry Boettcher, Chair Dan Lykins Christine Downey-Schmidt Tim Emert	Dan Lykins, Chair Jerry Boettcher

Board Representatives and Liaisons

Education Commission of the States	Christine Downey-Schmidt
Postsecondary Technical Education Authority	Jim Grier Jack Wempe
Kansas Bioscience Authority	Jerry Boettcher Andy Tompkins
Kansas Campus Compact	Janie Perkins
KSU Research Foundation Board	Tim Emert
Midwest Higher Education Compact (MHEC)	Gary Sherrer
P20 Education Council	Christine Downey-Schmidt Dick Hedges
Washburn University Board of Regents	Dan Lykins