

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

December 20, 2017

The December 20, 2017, meeting of the Kansas Board of Regents was called to order by Chair Dave Murfin at 1:30 p.m. The meeting was held in the Board Office located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT:                    Dave Murfin, Chair  
  Dennis Mullin, Vice Chair  
  Joe Bain  
  Shane Bangerter  
  Ann Brandau-Murguia  
  Bill Feuerborn  
  Zoe Newton  
  Helen Van Etten

MEMBER ABSENT:                    Daniel Thomas

### **APPROVAL OF MINUTES**

Regent Feuerborn moved that the minutes of the November 1-3, 2017 special meeting and November 15, 2017 regular meeting be approved. Following the second of Regent Van Etten, the motion carried.

### **GENERAL REPORTS**

#### **REPORT FROM CHAIR**

Chair Murfin welcomed Dr. Mason to her first official Board meeting as the new President of Fort Hays State University. He thanked President Bardo for hosting the Board meeting and campus visit last month. He noted during the campus visit the Board toured the student veterans' center, the Shocker Support Locker and several new buildings on the Innovation Campus. The Regents also had the opportunity to meet with students who are participating in WSU's applied learning model. Chair Murfin thanked all the participants involved with the campus visit. Chair Murfin also reported that he participated in the fall commencement ceremonies at Wichita State and Pittsburg State. He congratulated all the graduates and their families.

#### **AMEND AGENDA**

Chair Murfin asked to amend the agenda to move items one through six on the Fiscal Affairs and Audit discussion agenda to the end of the discussion agenda, following the Other Matters section. He noted he will recuse himself from the discussion of and action on these items because he has a direct interest in an entity that has entered into contracts or transactions with Wichita State University or its affiliates in relation to these agenda items. Chair Murfin stated that Regent Mullin agreed to chair that portion of the meeting. Regent Bangerter moved to amend the agenda as described by Regent Murfin. Regent Van Etten seconded, and the motion carried.

### REPORT FROM PRESIDENT AND CEO

President Flanders reported that this week he delivered testimony to the Legislative Budget Committee on the efficiencies that have been captured across the higher education system and to the Special Committee on a Comprehensive Response to the School Finance Decision on how an 18 percent budget reduction would affect higher education. He announced that the Board has a new billboard, located near Junction City, advertising college credit for military experience and training. He stated that the Concurrent Enrollment Taskforce has met over the last several months to gather information on how concurrent enrollment is implemented across the state. The Taskforce plans to meet on January 8 to determine what recommendations will be included in the report that will be delivered to the Legislature. President Flanders also reported that he is working with the three research university CEOs (as directed by the Board last month) to gather information on faculty evaluation and on the level of external funding awarded for research at the universities. He noted that the standard is not going to be the same systemwide because each university has its own unique mission. The three research universities will present recommendations on these issues to the Board at an upcoming meeting.

### REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Krull presented the System Council of Presidents' report. The Council received an update from the System Council of Chief Academic Officers on the *Get AHEAD* initiative and moving associate degrees to 60 credit hours, which would align with the 120 credit hour baccalaureate degree initiative. Pat George, President and CEO of Valley Hope, presented information to the Council on the services, training, and employment opportunities that Valley Hope provides. He also highlighted Valley Hope's loan forgiveness program for nurses. The Council also discussed mergers and affiliations because nationally there are several states that are pursuing paths to consolidate institutions.

### REPORT FROM COUNCIL OF PRESIDENTS

President Myers presented the Council of Presidents' report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Government Relations Officers, Council of Chief Student Affairs Officers, and the University Support Staff Council. The Academic Officers reviewed programs and approved changes to several degree titles. The Business Officers reviewed a draft Board policy on Crowdfunding. The policy will apply to any individual associated with a state university but not endowments or foundations because they have their own policies. The Council of Presidents did not have any amendments to the policy, which will be forwarded to the Fiscal Affairs and Audit Standing Committee for review. The Business Officers also discussed the new European Union General Data Protection Regulation, which has new rules for protecting personal data collected for or about citizens of the EU. The new regulations will take effect in 2018 and will impact both private and public entities. The Government Relations Officers reviewed the new federal tax bill and the upcoming legislative session. The Student Affairs Officers are looking at ways to simplify the state university student application process, and the Support Staff Council is creating a staff morale survey. Regent Newton asked Board staff to provide her with more information on how the new EU regulations impact the universities.

The Council of Presidents received an overview of Emporia State University's request to lower its tuition for certain online graduate programs. President Scott gave an update on the Health

Insurance Taskforce, and Chancellor Girod reported that KU is looking at adjusting its scholarships and tuition waivers for out-of-state students. The University hopes the adjustment will attract more students to offset the drop in tuition revenue from lowering the rates.

#### AMEND AGENDA

Chair Murfin amended the agenda to make the Update on the Kansas Department of Education the next agenda item.

#### UPDATE ON THE KANSAS DEPARTMENT OF EDUCATION

Randy Watson, Kansas Commissioner of Education, presented an update on the Kansas State Board of Education's new vision, *Kansans CAN*. After gathering information from Kansas communities, the Board of Education adopted *Kansans CAN* which defines a successful Kansas high school graduate as having the academic preparation, cognitive preparation, technical skills, employability skills and civic engagement to be successful in postsecondary education or the workforce without the need for remediation. The outcomes that the Board of Education adopted to measure progress include: 1) Social emotional growth, 2) Kindergarten readiness, 3) Individual plan of study, 4) High school graduation rates, and 5) Postsecondary completion. Commissioner Watson reviewed the data on high school graduation rates and postsecondary progress over the last five years. The current high school graduation rate is 87 percent, but the goal for the Board of Education is 95 percent. Commissioner Watson reported that over the last three years, graduation rates in all categories (all students, free and reduced lunch, English language learners, and student with disabilities) saw slight growth. He also noted that outcome metrics can be tracked by individual school districts in the Kansas Report Card, which is online.

Commissioner Watson also gave an update on the Kansas Department of Education's (KSDE) *Kansans CAN* School Redesign Project. Kansas school districts were invited to apply to become one of seven districts to redesign one elementary school and one secondary school around the five outcomes listed in the *Kansans CAN* vision. Each district that applied had to have the support of their local school board, their faculty and their local Kansas National Education Association. The seven school districts that were chosen for the *Kansans CAN* School Redesign (known as the Mercury 7 districts) are Wellington USD 535, Olathe USD 233, Coffeyville USD 445, Twin Valley USD 240, Liberal USD 480, McPherson USD 418, and Stockton USD 271. These school districts will work with KSDE on the elements of the redesign and serve as demonstration sites for others in Kansas to study and visit. The new school designs are slated to launch in the 2018-2019 school year. Commissioner Watson noted the KSDE created the Gemini Project for those school districts who wanted to take part in the redesign process but were not selected as one of the seven. These school districts will collaborate with the Mercury 7 districts.

(PowerPoint filed with Official Minutes)

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The Faculty Senate Presidents' report was presented by Brian Lindshield. The Council continues to discuss the process for implementing the 120 credit hour degree initiative and the guidelines for implementing the Credit for Prior Learning policy. The Council also discussed alternative math pathways.

### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Jack Ayres presented the Students' Advisory Committee report. The Committee discussed its higher education day at the Statehouse and its legislative priorities. Since the students only have a limited amount of time to meet with legislators on their higher education day, the Committee decided to prioritize the importance of higher education funding. The Committee also discussed the testimony that was presented to the interim legislative committee assigned to develop a response to the school finance court ruling on the impact of an 18 percent budget reduction to several state agencies. The Committee believes that a reduction in higher education funding will be harmful to college students and are looking at ways to communicate this message to the Kansas Supreme Court. Regent Bangerter suggested the Committee explore the possibility of filing an amicus brief.

### REPORT FROM THE COMMUNITY COLLEGES

President Krull thanked the Board for including the community colleges in the concurrent enrollment and strategic planning discussions.

### REPORT FROM THE TECHNICAL COLLEGES

President Schears presented the report for the technical colleges. The technical colleges continue to discuss the need to align core funding with established system goals. He noted success should be measured by the number of individuals graduating with a credential and not by the number of students enrolled in a class. President Schears also thanked the Board for including technical colleges in the strategic planning discussion and noted that the college presidents look forward to the January Board dinner.

### BREAK

The Chair called for a break at 2:50 p.m. and resumed the meeting at 3:05 p.m.

### REPORT FROM THE UNIVERSITY CEOS

Chancellor Girod acknowledged three faculty members who were named as fellows of the American Association to the Advancement of Science: Susan Lunte, Distinguished Professor of Chemistry & Pharmaceutical Chemistry; A. Townsend Peterson, Distinguished Professor of Ecology & Evolutionary Biology; and Franklin Tao, Associate Professor of Chemical & Petroleum Engineering and Chemistry. The National Academy of Inventors named Cory Berkland, Distinguished Professor in the Departments of Pharmaceutical Chemistry and Chemical & Petroleum Engineering, as a fellow. The Chancellor noted Dr. Berkland is the fourth KU professor to earn this honor. Chancellor Girod reported that KU is ranked number five in the Military Times 2018 "Best for Vets" list and the University has a top ranked female tennis player.

President Garrett reported that earlier this month Emporia State University hosted *Code Like a Girl*, which allowed middle school girls to learn about coding. It also served as an opportunity for teacher education students to teach rudimentary coding skills. ESU also hosted a robotics competition that had over 340 grade school and high school participants, and an Educators Rising Conference that had 275 Kansas high school students attend. This Conference allows young Kansans to learn about a career in education. President Garrett also reported that Erik Gratton, an ESU graduate, is playing the lead character, Buddy, in the touring production of "Elf the Musical."

President Myers reported that Kansas State University has been working on improving diversity and inclusion on campus. He announced that KSU hired a new Associate Vice President for Student Life of Diversity and Multicultural Student Affairs, Adrian Rodriguez, and a new Chief Diversity and Inclusion Officer, Bryan Samuel. The Chief Diversity and Inclusion Officer will report directly to the President and is responsible for all diversity and inclusion efforts on campus. President Myers also reported that KSU hired Huron Consulting to review the University's current enrollment practices and assist the University in developing a plan for enhancing enrollment. The work will take place over 16 weeks and the consulting firm will present recommendations at the end of the spring semester. Additionally, President Myers noted that the University continues to work on its new budgeting model, which will be phased into practice beginning in July 2018.

President Scott announced that Pittsburg State University wrapped up its semester with over 500 students graduating. He thanked Chair Murfin for attending the graduation ceremony. President Scott reported that Moody's evaluated PSU's existing revenue bonds (\$31 million) and noted that despite a national downward rating outlook, Moody's rating for PSU remained unchanged. He also noted that PSU had a good review from the Higher Learning Commission with no deficiencies reported, and stated that PSU is preparing for the Legislative Division of Post Audit's IT security audit.

President Bardo reported that Wichita State University is partnering with the city to work on diversity and inclusion outreach within the neighborhoods surrounding the campus. He noted that WSU has increased its external grant and contract funding over the last several years from \$55 million to \$90 million. The University's goal is to reach \$100 million in FY 2018. President Bardo announced that the affiliation between Wichita Area Technical College (WATC) and Wichita State University was approved by the Higher Learning Commission. WATC will officially become the WSU Campus of Applied Sciences and Technology. President Bardo also reported that WSU's freshman class is larger than in previous years, and he anticipates continued growth in freshman enrollment next year. Additionally, he noted that the University's Division of Student Affairs formed a support group to help first generation students acclimate to the campus.

President Mason announced that Fort Hays State University is partnering with Seward County Community College on 15 degree programs. One of the outreach programs is a Bachelor of Social Work, which will be launched this spring for students in Liberal. FHSU is also partnering with the Manhattan Area Vet Center to promote access to care for veterans in Hays and the surrounding area. She also announced that the University received \$1 million to be used for student scholarships from the Bob and Patricia Schmidt estate. Additionally, President Mason reported that the Robbins College of Business and Entrepreneurship hosted *Kansas Startup 2017*, which brings people together to share ideas and learn about startups, and the University opened three new facilities this year: the Center for Applied Technology and Sculpture, Victor E. Village, and Tiger Village.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Bangerter reported that the Board Academic Affairs Standing Committee reviewed the academic items on today's Board agenda and approved the performance reports for AY 2016,

which will be on the Board's January agenda for consideration. The Committee received the qualified admissions annual report that details the number and percent of exceptions the state universities made to the minimum admission standards. He noted the Board is required by statute to submit the qualified admissions report to the Legislature. The Committee also received an update from the Transfer and Articulation Council. The Council approved three additional courses for systemwide transfer. These three courses will be placed on the Board's January agenda for consideration.

#### FISCAL AFFAIRS AND AUDIT

Regent Mullin presented the Board Fiscal Affairs and Audit Standing Committee report. The Committee reviewed the fiscal items on today's Board agenda, including the state university housing and dining rate adjustments and the proposed method of distributing the Educational Building Fund. The Committee received accountability reports on the state's major investments for Kansas State University's Global Food Solutions and Veterinary Medical Center and Wichita State University's Kansas Aviation Research and Technology Growth Initiative. The Committee also discussed what information should be included when the universities present their annual financial reports to the Committee.

#### GOVERNANCE

Regent Murfin reported that the Governance Committee received a staff update on the strategic planning process and heard, in executive session, security updates from Emporia State University and Wichita State University.

#### APPROVAL OF CONSENT AGENDA

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

#### *Academic Affairs*

##### BACHELOR OF SCIENCE IN HOMELAND SECURITY – WSU

Wichita State University received approval to offer a Bachelor of Science in Homeland Security. The program will be delivered online and totals 120 credit hours. Two new faculty will be hired and existing funds will be used to cover the costs.

#### *Fiscal Affairs & Audit*

##### TRANSFER OF PROPERTY FROM UNIVERSITY OF KANSAS TO KANSAS UNIVERSITY ENDOWMENT ASSOCIATION – KU

The University of Kansas received authorization to approve the settlement agreement of the Harry C. Witter Revocable Trust and Carol J. Witter Trust and transfer the ownership of the University's interest of the property to the University of Kansas Endowment Association. The following land will be transferred:

#### **LEGAL DESCRIPTIONS**

##### **Tract A-1**

The West Half of the Northeast Quarter of Section 34, Township 21 South, Range 1 West of the 6<sup>th</sup> P.M., McPherson County, Kansas.

**Tract A-2**

The North Half of the Northeast Quarter of Section 12, Township 21 South, Range 2 West of the 6<sup>th</sup> P.M., McPherson County, Kansas.

**Tract B**

The Southwest Quarter of Section 26, Township 19 South, Range 1 West of the 6<sup>th</sup> P.M., McPherson County, Kansas.

**Tract C**

One-Fifth royalty interest under the Northwest Quarter of Section 31, Township 19 South, Range 1 West of the 6<sup>th</sup> P.M., McPherson County, Kansas.

AMENDMENTS TO FY 2018 CAPITAL IMPROVEMENT PLAN AND PROGRAM STATEMENT FOR HALE LIBRARY FIRST FLOOR RENOVATION – KSU

Kansas State University received approval to amend its FY 2018 Capital Improvement Plan to include the first floor renovation project in Hale Library. The project cost is estimated at \$5.7 million, which will be funded with private gifts. The program statement for this project was also accepted.

TRANSFER OF PROPERTIES FROM KSU FOUNDATION TO KANSAS STATE UNIVERSITY – KSU

Kansas State University received approval to accept ownership of the Library Annex located at 5980 Corporate Drive, Manhattan, Kansas from the KSU Foundation. The lease has expired and is paid in full. The following property will be transferred:

**Legal Description:**

All of Lot Five (5), in Manhattan Corporate Technology Park, Unit 2, City of Manhattan, Riley County, Kansas; Subject to restrictions and covenants of record

Kansas State University received approval to accept ownership of property referred to as Rogers Land from the KSU Foundation. The lease has been paid in full. The following property will be transferred:

**Legal Description:**

A tract of land in the West Half (W1/2) of Section Thirty-six (36), Township Nine (9) South, Range Seven (7) East of the Sixth Principal Meridian, Riley County, Kansas, described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 36, being Corner 1, marked by a limestone; thence North 00°12'40" East 231.00 feet along the West line of the Northwest Quarter of said Section 36 to Corner 2, marked by a 1/2" rebar; thence South 50°28'14" East 362.31 feet to the North line of the Southwest Quarter of said Section 36 and Corner 3, marked by a 1/2" rebar; thence North 89°55'07" East 685.28 feet along the North line of the Southwest Quarter of said Section 36 to the Northwest corner of the Charles R. Murphy and Barbara Murphy tract recorded in Book 552, Page 474 in the Riley

County Register of Deeds Office and Corner 4, marked by a 1/2" rebar; thence South 00°04'53" East 287.10 feet to the Southwest corner of the said Murphy tract and Corner 5, marked by a 1/2" rebar; thence North 89°55'07" East 132.00 feet to the Southeast corner of the said Murphy tract and Corner 6, marked by a 1/2" rebar; thence North 00°04'53" West 287.10 feet to the Northeast corner of the said Murphy tract, the North line of the Southwest Quarter of said Section 36, and Corner 7, marked by a 1/2" rebar; thence North 89°55'07" East 468.84 feet along the North line of the Southwest Quarter of said Section 36 to Corner 8, marked by a 1/2" rebar; thence South 02°55'07" West 660.00 feet to Corner 9, marked by a 1/2" rebar; thence South 05°28'39" West 662.71 feet to the Northwest corner of Lot 87, Sam N. Rogers Fourth Subdivision (Replatted 07/05/1983 as the Northwest corner of Lot 87A, Replat of Lot No. 87, Sam N. Rogers Fourth Subdivision), Riley County, Kansas, and Corner 10, marked by a 1/2" rebar; thence North 00°05'03" West 524.38 feet to the Northeast corner of the Sam N. Rogers Fourth Subdivision and Corner 11, marked by a 1/2" rebar; thence South 89°39'57" West 460.00 feet to the Northwest corner of the Sam N. Rogers Fourth Subdivision and Corner 12, marked by a 1/2" rebar; thence North 00°30'29" East 60.09 feet to the Northeast corner of the Sam N. Rogers Second Subdivision and Corner 13, marked by a 1/2" rebar; thence South 89°55'10" West 60.24 feet to the Southeast corner of Lot 80, Sam N. Rogers Third Subdivision and Corner 14, marked by a 1/2" rebar; thence North 58°24'59" West 283.61 feet to the Northwest corner of Lot 80, Sam N. Rogers Third Subdivision and Corner 15, marked by a 1/2" rebar; thence South 89°40'47" West 701.70 feet to the Northwest corner of the Sam N. Rogers Third Subdivision and Corner 16, marked by a 1/2" rebar; thence North 00°33'44" West 590.85 feet to the point of beginning.

AND

Lot Eighty (80), Sam N. Rogers Third Subdivision, Riley County, Kansas.

Other Matters

APPOINTMENTS TO THE MIDWEST STEM CELL ADVISORY BOARD

Dr. Joseph McGuirk, representing the University of Kansas, and Dr. Frank Blecha, representing Kansas State University, were appointed to the Midwest Stem Cell Therapy Center Advisory Board. Dr. McGuirk and Dr. Blecha will each serve a three-year term, which will expire on June 30, 2020.

CONSIDERATION OF DISCUSSION AGENDA

Presentation

FACULTY CAREER DEVELOPMENT BOARD THEME

President Scott, Provost Cordle and Interim Provost Briggs presented information on faculty workload, the number of tenured and tenure-track faculty, and the promotion and career path of faculty at the regional universities. At Pittsburg State University, there are 170 tenured faculty and 78 pre-tenured faculty. The University operates within the terms of the PSU/Kansas National Education Association contract, which states that faculty teaching exclusively credit hour courses cannot exceed 24 credit hours per year. President Scott noted that the average faculty workload at PSU is 13 credit hours a semester. He also stated that pre-tenure track faculty go through an orientation and are assigned a mentor as they move through the process.

At Emporia State University, there are 247 full-time instructional faculty that include instructors (not eligible for tenure), assistant professors (tenure-track), associate professors (tenured), and professors (tenured). The University over the last ten years has increased the number of assistant professors but has reduced the number of associate professors. These numbers indicated that ESU is not retaining as many assistant professors through the tenure and promotion path. Provost Cordle noted that ESU will need to be more competitive with salaries in order to reverse this trend. Provost Cordle also reviewed the timeline and criteria for tenure and promotion and noted that the average faculty workload at ESU is 12 credit hours per semester.

At Fort Hays State University, there are 85 tenure-track faculty and 145 tenured faculty. Faculty workload includes 12 credit hours per semester (60 percent of time teaching), 20 percent scholarship, and 20 percent service. Like the other two universities, FHSU has resources available to help faculty through the tenure and promotional process including individual consultations and training sessions. Interim Provost Briggs noted that over the past ten years, 93 percent of faculty have been awarded tenure.

(PowerPoints filed with Official Minutes)

#### Academic Affairs

#### DISTINGUISHED PROFESSOR COMPREHENSIVE PERFORMANCE EVALUATION REPORTS – KU AND WSU

Jean Redeker, Vice President for Academic Affairs, stated that the Kansas Legislature appropriates funds to the Board to be used for the Regents' Distinguished Professorship. The University of Kansas, Kansas State University, and Wichita State University each have one distinguished professorship position that receives \$21,000 annually. Board policy established the criteria for nominating a Distinguished Professor as well as the reporting requirements. She noted that a comprehensive performance evaluation of the Distinguished Professor takes place every five years.

The University of Kansas requested that Dr. Blake Peterson continue to serve as a Regents' Distinguished Professor and Wichita State University requested that Dr. Kenneth Kriz continue to serve as a Regents' Distinguished Professor. Regent Van Etten moved to approve, and Regent Mullin seconded. The motion carried.

#### AMENDMENTS TO POLICY ON APPROVAL OF PROGRAMS FOR COMMUNITY COLLEGES, TECHNICAL COLLEGES AND WASHBURN INSTITUTE OF TECHNOLOGY

Regent Bangerter stated that the Board received information at the retreat about the proposed amendments to the Approval of Programs for Community Colleges, Technical Colleges and Washburn Institute of Technology policy. Regent Bangerter moved to approve the amendments. Regent Newton seconded, and the motion carried. The following policy amendments were adopted:

- 5 APPROVAL OF PROGRAMS FOR COMMUNITY COLLEGES, TECHNICAL COLLEGES AND WASHBURN INSTITUTE OF TECHNOLOGY

- a In accordance with the Higher Education Act requirement that the Board coordinate educational programs, courses of instruction, and program and course locations, Board approval is required for the establishment of new degree and technical certificate programs. When the Board considers the establishment of new degree and certificate programs, information regarding its need, quality, cost and means of assessment become paramount. The minimization of unnecessary program duplication is a high priority of the Kansas Board of Regents. This document outlines the policies, procedures and criteria the Board utilizes when reviewing requests for new degree and certificate programs.
- b Institutions must submit a complete program proposal to board staff, and enter the proposed program into the Kansas Higher Education Data System (KHEDS). Once Board staff has received a complete program proposal from an institution, the proposal will be made available in electronic form on the Kansas Board of Regents website for other institutions to view. All institutions shall be notified of the proposed program by email. Institutions with concerns, comments or objections to the new program must state those concerns, comments or objections in writing to Board ~~Staff~~ staff within a ~~44~~ 10-day time period. At that time, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by board staff and forwarded to the proposing institution for follow-up. The proposing institution is expected to communicate with other institutions filing concerns, comments or objections to minimize or eliminate the identified issues. Final proposals must contain all required information including evidence that concerns, comments or objections have been addressed and be submitted in the approved format. This process shall not prevent an institution from submitting a new program proposal, but it is designed to make the approval process more transparent, improve proposals and reduce potential conflict related to unnecessary duplication.
- c The Board President and Chief Executive Officer, or designee, shall determine if each proposed program is similar to others in the state and may serve the same potential student population. A similar program is one that has a like CIP code, title, content or competencies. If the President and Chief Executive Officer, or designee, determines that one or more similar programs exist, the following information shall be provided by the institution.
  - i Whether the institution has a valid inability to offer the program collaboratively. This will be determined by geographic proximity of similar programs eligible for collaboration, the transportability of existing programs to the proposed population, and if the proposed program varies to an extent that would not allow collaboration.
  - ii ~~The level of interest of new students in the program. This will be determined by the number of students interested through survey analysis, or similar process that demonstrates student interest will support or sustain the program for an excess of three years.~~
  - iii The existing and future labor market demand for graduates of the program. This will be based on the ~~Kansas Job Vacancy Survey and Kansas Department of Labor statistics for a specific job title. This will also be based on the number of projected students that would be required to sustain the proposed program for a minimum of three years~~ Kansas Department of Labor's "Long Term Occupational Outlook" report for a specific Standard Occupational Classification code.
  - iv ~~Student enrollment levels in existing similar programs. This will be based on the number of vacancies in currently approved programs.~~
  - v ~~Whether student waiting lists for similar programs exist. This will be based on the number of students that cannot be accommodated in the existing programs within one year or that cannot be accommodated by expanding existing programs.~~
  - vi Whether sufficient clinical sites are available (if applicable to the program)

- d Board staff shall compile, analyze and make recommendations to the Board on the information provided. The recommendations and information provided shall be reviewed by the Kansas Postsecondary Technical Education Authority ~~and the Board Academic Affairs Standing Committee~~ to determine whether the program represents unnecessary program duplication before approval will be granted.

i Procedures for Program Approval

(1) Time Limitations

- (a) Notification of new program submissions will include: Program name, proposed CIP code, number of credits, and a link to where the full program proposal may be viewed electronically.

At the time of program submission to board staff, the institutional representative shall enter the new programs into KHEDS.

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

- (b) Completed proposals for technical degree and certificate programs are reviewed by the Kansas Postsecondary Technical Education Authority (Authority). Proposals recommended for approval by the Authority are forwarded to the Kansas Board of Regents for final approval.

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

(2) Criteria for Program Approval

- (a) The institution shall provide documentation of need at the local, regional, and State levels for the proposed new program. Documentation shall include labor data regarding employment trends, projected job openings, specific support from local business/industry and student enrollment projections. If the program is duplicative, the institution shall provide justification why the program should be approved.

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

- (c) The institution shall include an outline of the proposed program of study that includes the following:

- Description of proposed program of study
- Method or type of instruction
- Proposed Classification of Instructional Program (CIP) code
- Syllabus for courses in the proposed program of study
- Listing of all the courses in the proposed program of study
- Outcome(s) of proposed program of study

Specific faculty requirements, if any  
 Evidence that concerns, comments and objections raised by other institutions have been addressed.  
 A review of similar programs in the state and the need for an additional program  
 Written approval from the institution's curriculum committee and Board of Trustees.

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

(e) The institution shall provide documentation of the involvement of a steering committee and/or advisory council, comprised of local representatives from business and industry and the program area, and curriculum committee in the planning and development of a new technical program (names of committee members and occupational category represented shall be included).

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

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

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

(i) Any concern, comment or objection from other institutions will be considered by Board staff and the Board as a whole when determining approval.

### (3) Application Procedure

Institutions must complete and submit the following forms:

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

#### ii Procedures for Approval of Special Programs - Business and Industry Service Program

The purpose of this program is to allow community colleges, technical colleges, and the Washburn Institute of Technology to design and implement training activities to meet expressed needs of Kansas business and industry. Instructional activities will be approved for a one-year period with an option for reapplication. Forms to be submitted are available on the Kansas Board of Regents website.

### Fiscal Affairs and Audit

#### ALLOCATION OF FY 2019 EDUCATIONAL BUILDING FUND APPROPRIATION – SYSTEM

Elaine Frisbie, Vice President for Finance and Administration, presented a proposed procedural change in how the state universities receive funding for rehabilitation and repair projects and the proposed Educational Building Fund (EBF) allocation for FY 2019. In previous years, the Board approved EBF dollars that were assigned to specific rehabilitation and repair projects at the state

university campuses. Because the funds were tied to specific projects, any changes to the project list requires Board approval. Under the proposed process change, the Board will approve the amount of EBF dollars that each university will receive but not the specific projects that the dollars will support. The Board will instead receive an annual report from the universities on how the funds were used. This change will give the universities more flexibility to re-allocate funds to the highest priority project. Vice President Frisbie noted that the Board will still allocate the EBF dollars in the same manner as in the past based on the adjusted gross square feet of eligible buildings. Vice President Frisbie stated for FY 2019 there is \$42,000,000 in the EBF that is available for the Board to allocate to the state universities. Regent Murguia moved to approve the change in process and the EBF allocation to each state university as listed below. Regent Feuerborn seconded, and the motion carried.

**Allocation of Funds for Rehabilitation and Repair Projects for Institutions of Higher Education as Appropriated to the Kansas Board of Regents  
FY 2019 - \$42,000,000 (EBF)**

Adjusted gross square feet (EBF-Eligible Buildings Only):

	<u>Gross Sq. Feet</u>	<u>% of Total</u>	<u>Allocation</u>
The University of Kansas	5,488,301	26.87	\$11,285,400
The University of Kansas Medical Center	2,297,176	11.25	4,725,000
Kansas State University	6,105,374	29.90	12,558,000
Wichita State University	2,243,148	10.98	4,611,600
Emporia State University	1,232,601	6.04	2,536,800
Pittsburg State University	1,507,841	7.38	3,099,600
Fort Hays State University	<u>1,548,171</u>	<u>7.58</u>	<u>3,183,600</u>
<b>Total</b>	<b>20,422,612</b>	<b>100.00</b>	<b>\$42,000,000</b>

MODIFY TUITION AND FEES – ESU

President Garrett presented Emporia State University's request to lower the tuition and fee charged to the following online masters programs: 1) Masters of Business Administration (MBA), 2) Masters of Accountancy (MACC), 3) Masters of Educational Administration, and 4) Masters of Curriculum and Instruction. President Garrett stated that the proposed rate changes are based on market research over the last several months, and she believes these changes will make these programs more accessible and affordable, which should increase enrollment in these programs. Regent Bangerter moved to approve, and Regent Bain seconded. The motion carried. The following rate changes will take effect January 1, 2018:

<b>On-line Program</b>	<b>Current Resident Graduate Rate*</b>	<b>Current Non-Resident Graduate Rate*</b>	<b>Proposed Graduate Rate* ^</b>
MBA	\$360.25	\$487.00	\$350.00
MACC	\$360.25	\$487.00	\$350.00
MS in Educational Administration	\$357.25	\$484.00	\$312.00
MS in Curriculum & Instruction	\$357.25	\$484.00	\$312.00

*\* Rates include tuition, distance education fee, technology fee, and ITV fee, and, in the case of the MBA and MACC, the School of Business course fee.*

*^ Resident and non-resident students would pay the same rate.*

AMENDMENTS TO THE ADULT EDUCATION FUNDING FORMULA AND AMENDMENTS TO THE WORKFORCE INVESTMENT OPPORTUNITY ACT (WIOA) COMBINED STATE PLAN FOR KANSAS

Regent Mullin moved to approve the amendments to the adult education funding formula and the Workforce Investment Opportunity Act Combined State Plan for Kansas. Regent Van Etten seconded, and the motion carried.

Governance

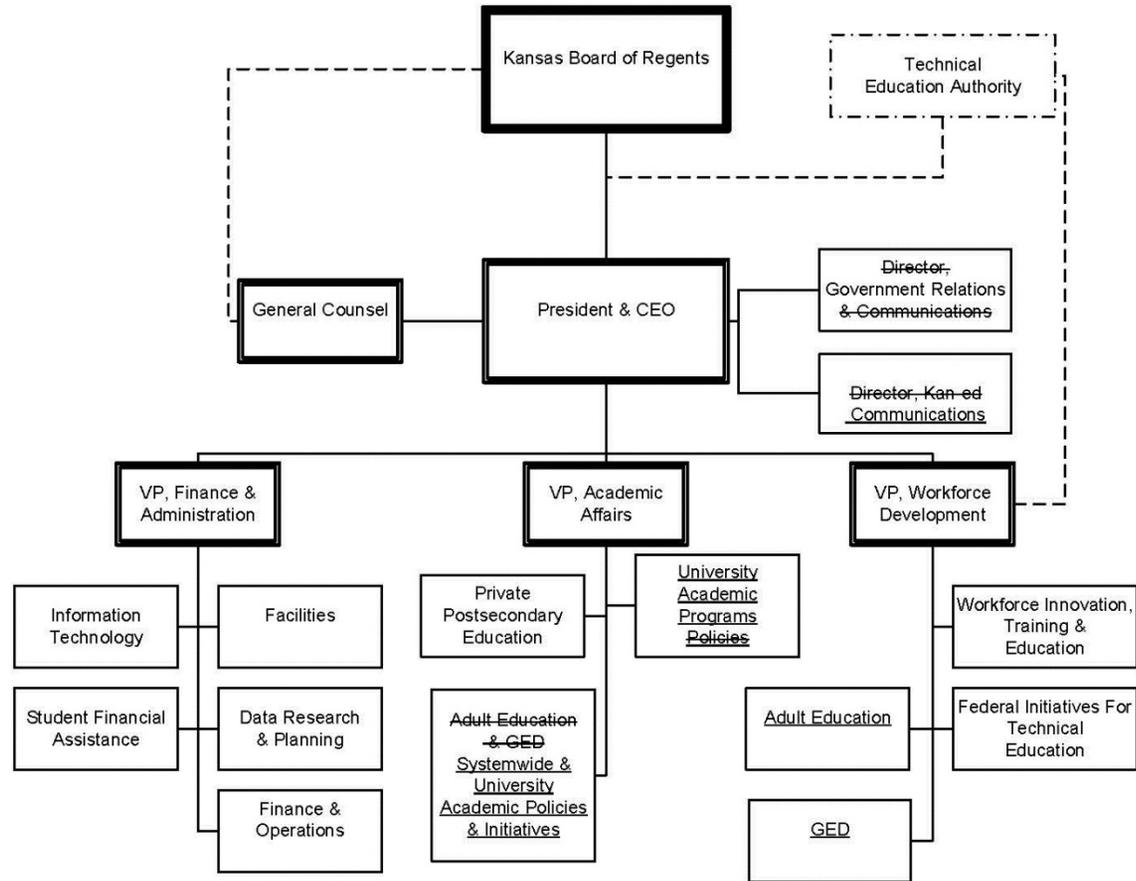
AMENDMENTS TO UPDATE AND CLARIFY OFFICE OPERATIONS AND HONORARY DEGREE POLICIES

General Counsel Julene Miller presented amendments to the following Board policies: Board Office Organization Chart, Kan-Ed Act, Councils and Committees – University Support Staff Council, State Appropriations – Unified State Appropriation Request, and Degrees – Honorary Degree. The amendments to the Organization Chart, University Support Staff Council, Unified State Appropriation Request, and the removal of the Kan-Ed Act update the policies to reflect current practices. The amendments to the Honorary Degree policy are being proposed based on the Board’s desire to have more time to review nominations, which was discussed at the August retreat. The amendments also include language that clarifies what the universities should include in the nomination letter. Regent Bangerter moved to approve, and Regent Van Etten seconded. The motion carried. The following policy changes were adopted:

**B BOARD OFFICE STAFF AND OFFICE OPERATIONS**

**2. BOARD OFFICE STAFF**

a. See the following organization chart:



~~5. KAN ED ACT~~

~~The KAN ED Act was originally enacted in 2001 to provide for a broadband technology based network to which schools, libraries and hospitals may connect for broadband Internet access and intranet access for distance learning. The Legislature assigned to the Kansas Board of Regents responsibility for contracting for the creation, operation, and maintenance of the KAN ED network as well as for creation of a plan to ensure that schools, libraries and hospitals have quality, affordable access to the Internet and distance learning. In 2012, the Legislature enacted House Bill 2390 requiring the transition of schools, libraries and hospitals having a direct KAN ED connection to a commercially provided broadband internet connection. Pursuant to that bill, the Board is now responsible only to provide a program to facilitate the use of broadband technology based video communication for distance learning and telemedicine by schools, libraries and hospitals.~~

**A. BOARD MEMBERS AND BOARD OPERATIONS**

...

**4. COUNCILS AND COMMITTEES**

...

f. ~~Classified and~~ University Support Staff Council

The ~~Classified and~~ University Support Staff Council consists of the duly elected representatives from the ~~Classified Staff (or University Support Staff)~~ Council at each of the state universities and the University of Kansas Medical Center. The role of the ~~Classified and~~ University Support Staff Council is to advise the Board of Regents regarding matters relating to ~~classified staff/~~university support staff issues and concerns. The general expectation is that Classified and Support Staff Council reports to the Board shall be made during the Board's September and January meetings. The ~~Classified and~~ University Support Staff Council chair shall be from the same institution as the chair of the Council of Presidents.

**D FISCAL MANAGEMENT AND BUSINESS ADMINISTRATION**

...

**2 STATE APPROPRIATIONS**

## a Unified State Appropriation Request

- i The official request for any new state appropriations for the state universities shall be made by the Board of Regents, pursuant to K.S.A. 74-3202c(a)(6), and amendments thereto, as a part of its unified appropriation request for state funding of postsecondary educational institutions.
- ii The Board shall hold a budget workshop ~~in July~~ of each year with the purpose of conducting an in-depth review of the appropriation requests from the state universities to aid the Board in determining the submissions to be included in the Board of Regents' unified state appropriation request to the Governor and Legislature. Board staff, in consultation with the Fiscal Affairs and Audit Committee, shall annually provide the state universities with guidance and a uniform format for the materials prepared for the Regents.

## b State University Annual Operating Budgets

- i The fiscal year of all institutions is July 1 through June 30, and shall be designated by reference to the calendar year in which the fiscal year ends.
- ii The Board shall receive an annual operating budget that includes budgeted expenditures by program, source of funds and budgeted staffing and salaries by position for each program. The Board delegates to each chief executive officer the authority to appoint unclassified employees and to establish salaries for

individual unclassified employees within the authorization provided by the Legislature and within general guidelines issued by the Board.

### CHAPTER III: COORDINATION

#### A. ACADEMIC AFFAIRS

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#### 9. DEGREES

...

##### b. Standards

...

##### ii. Curriculum

...

(6) "Honorary degree" is a degree that is awarded as an exceptional honor bestowed upon a person without the fulfillment of the usual requirements. State universities may award honorary degrees upon approval by the Kansas Board of Regents and only in accordance with the following:

##### (a) Criteria

(i) 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.

(ii) Honorary degrees will be awarded only to exceptional candidates. Awarding this degree need not be considered an annual occurrence.

(iii) An honorary degree shall not be awarded for philanthropic activity or service to the University or the State of Kansas.

(iv) 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.

(v) 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.

##### (b) 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 or other event at which the degree is to be conferred. The nomination shall include such statements or materials demonstrating that:

(i) the nominee's achievements and/or service are of such exceptional character as to merit the award of an honorary degree.

(ii) the honorary degree is not sought to recognize the nominee's philanthropic activity or service to the University or the State of Kansas.

(iii) the nominee has not been a faculty member, administrator, or other official associated with the University, or has been separated at least five years from the institution.

(iv) the nominee has not held a Kansas elected or appointed public office for at least five years.

(c) 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 Chief Executive

Officer ~~at the same time~~ at least four weeks before 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. No candidate for nomination shall be promised an honorary degree before the Board has acted on the nomination.

### Other Matters

#### NAMING OF BUILDING – KU

Chancellor Girod recommended that the Memorial Stadium at the University of Kansas be named in honor of David Booth. He noted the stadium was built to commemorate the 130 students and alumni who died during World War I and that renaming the stadium will give KU the opportunity to rededicate the memorial aspect of it. Regent Murguia moved to approve. Regent Feuerborn seconded, and the motion carried. The facility will be named the David Booth Kansas Memorial Stadium.

#### NON-BUDGETARY LEGISLATIVE ITEMS

Matt Casey, Director of Government Relations, reported last month the Board reviewed the proposed non-budgetary legislative items on the Private Postsecondary fee renewal and the unification of statutes related to performance based budgeting and performance agreements. Regent Murguia moved to approve. Following a second by Regent Mullin, the motion carried.

### Fiscal Affairs and Audit

Chair Murfin announced that as stated previously he is recusing himself and leaving the room for the last six items. Regent Mullin will serve as Chair for this portion of the agenda.

#### AGREEMENT BETWEEN KANSAS BOARD OF REGENTS AND MWCB, LLC FOR PARTNERSHIP BUILDING #2 – WSU

General Counsel Julene Miller presented the agreement between the Kansas Board of Regents (KBOR) and MWCB, LLC for Wichita State University's Partnership Building #2. WSU's Partnership Building #2 (located at 1860 N. Weatshocker Dr., Wichita, Kansas) was constructed on two parcels of land owned by the Kansas Board of Regents and WSU. The Board of Regents and WSU are parties to a ground lease dated May 23, 2017 for the parcel owned by KBOR; in turn, WSU and Wichita State Innovation Alliance, Inc. ("WSIA") are parties to a ground lease dated May 23, 2017 for the parcel owned by KBOR and the parcel owned by WSU. General Counsel Miller stated that WSIA as a sub-landlord, and MWCB as a subtenant, are parties to a ground sublease for the property dated May 23, 2017. She noted that MWCB constructed the Partnership Building #2 on the property and now wants to secure a leasehold mortgage and security agreement encumbering MWCB's leasehold interest in the property under the sublease through CrossFirst Bank. Since the Board is the landowner of a portion of the property, the Bank requests that the Board of Regents confirm that WSU is in compliance with the terms and conditions of the KBOR ground lease, and to consent to MWCB, LLC's grant of MWCB's leasehold rights and interest in the sublease, but not on the Board of Regents' fee interest in its portion of the property. The consent will be drafted as a Landlord Estoppel, Non-Disturbance and Recognition Agreement, and may contain the following additional acknowledgments and agreements for and on behalf of CrossFirst Bank, the lender:

1. That the KBOR ground lease has not been assigned, pledged, transferred, sold or encumbered, nor has KBOR mortgaged its interest in the KBOR ground lease or its interest in the Property;
2. No third party has any option or preferential right arising out of an agreement with KBOR to purchase all or any part of KBOR's portion of the Property;
3. KBOR's rights to amend, modify, terminate, cancel, accept the surrender of or permit the subordination of the KBOR ground lease or the KBOR property would be restricted;
4. Subject to the rights of KBOR pursuant to the terms of the KBOR ground lease, the loan may contain provisions for an assignment of MWCB's share of net proceeds from available insurance coverage or from any award or other compensation resulting from a total or partial taking of the premises by condemnation except that in no event shall such rights affect or impair KBOR's entitlement to attorney's fees and any other amounts owed by MWCB; and
5. Nothing in the Agreement would preclude KBOR from conveying KBOR's portion of the Property to WSU or seeking legislation that would allow KBOR to do so.

Regent Bangerter moved to approve, and Regent Murguia seconded. The motion carried.

PURCHASE OF THE WSU WEST CAMPUS REAL PROPERTY AND ALL IMPROVEMENTS FROM CABER WEST CAMPUS LLC – WSU

Nelda Henning, Director of Facilities, presented Wichita State University's request to purchase from Caber West Campus LLC the property located at 3801 N. Walker, Maize, Kansas (known as the WSU West Campus Branch). WSU will purchase the property for \$100 and will continue to pay for the ongoing operation and maintenance costs. Regent Bangerter moved to approve, and Regent Murguia seconded. The motion carried. The following property was acquired:

- (a) The real estate located in Sedgwick County, Kansas, to wit: Block 4, Lot 13, Wyn-Wood Addition to the City of Maize, Sedgwick County, Kansas, said real property constituting the "Land" as referred to in said Lease; and
- (b) All buildings, improvements, machinery and equipment now or hereafter constructed, located or installed on the Land pursuant to the Lease, together with any substitutions or replacements therefor and any "Project Additions" as referred to in the Lease.

BUILDING LEASE RELATED TO PRIVATE HOUSING AGREEMENT – WSU

Director Henning presented Wichita State University's request to enter into a second building lease with The Flats of Kansas, LLC for the use, occupancy and subleasing of the housing property located at 4105 E. Mike Oatman Dr., Wichita, KS 67208. The new lease will commence on June 1, 2018, which is when the existing building lease expires. Regent Murguia moved to approve. Regent Bangerter seconded, and the motion carried.

AMENDMENT TO GROUND LEASE – WSU

Director Henning introduced Wichita State University's request to amend The Flats ground lease between WSU and Wichita State Alliance, Inc. and the ground sublease between Wichita State Alliance, Inc. and The Flats of Kansas, LLC, to expand the building site. The amended lease will include the following: 1) redefine the definition of "Building Site" to include the phase 2 property, 2) have construction completion dates for all tenant improvements constructed on the site, and 3) clarify the property may, at The Flats of Kansas, LLC's (the tenant) discretion, be utilized for on-campus student housing and related programs. Director Henning noted that WSU also requests approval to execute and file all necessary memoranda and addenda to the original building lease as required by local taxing authorities that do not result in any material change to the terms. Regent Bain moved to approve, and Regent Murguia seconded. The motion carried.

NON-BUDGETARY LEGISLATIVE PROPOSAL TO TRANSFER PROPERTY FROM THE STATE OF KANSAS AND THE KANSAS BOARD OF REGENTS TO WICHITA STATE UNIVERSITY

Director Casey presented WSU's request to seek legislative authorization to transfer certain state-owned property from the State of Kansas and the Kansas Board of Regents to Wichita State University. He noted this request was presented to the Board for first read last month. Regent Bain moved to approve. Regent Feuerborn seconded, and the motion carried.

FY 2019 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSALS SUBMITTED BY STATE UNIVERSITIES

Vice President Frisbie presented the proposed FY 2019 housing and food service rate adjustments for the state universities. These were presented to the Board last month for first read. Regent Bain moved to approve. Following a second by Regent Murguia, the motion carried.

(Housing and Food Service Rates filed with Official Minutes)

ADJOURNMENT

Regent Mullin adjourned the meeting at 5:00 p.m.

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Blake Flanders, President and CEO

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David Murfin, Chair