

KANSAS BOARD OF REGENTS

MINUTES

February 20-21, 2019

The February 20, 2019, meeting of the Kansas Board of Regents was called to order by Chair Dennis Mullin at 12:50 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:

- Dennis Mullin, Chair
- Shane Bangerter, Vice Chair
- Ann Brandau-Murguia
- Bill Feuerborn
- Mark Hutton
- Dave Murfin
- Daniel Thomas
- Allen Schmidt
- Helen Van Etten

EXECUTIVE SESSION

At 12:50 p.m., Regent Bangerter moved, followed by the second of Regent Feuerborn, to recess into executive session in the Kathy Rupp Conference Room for 30 minutes to discuss matters deemed confidential in the attorney-client relationship. The subject of this executive session was to receive an update on pending litigation and the purpose was to protect the attorney-client privilege. Participating in the executive session were members of the Board, President Flanders, General Counsel Julene Miller, Kansas State University's Associate General Counsel Pete Paukstelis, and Alysia Starkey, Interim CEO and Dean for Kansas State Polytechnic Campus. At 1:20 p.m., the meeting returned to open session.

BREAK

The Chair called for a break at 1:20 p.m. and resumed the meeting at 1:30 p.m. in the Board Room.

APPROVAL OF MINUTES

Regent Bangerter moved that the minutes of the January 16, 2019 regular meeting and the February 4, 2019 special meeting be approved. Following the second of Regent Schmidt, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Mullin thanked everyone for their continued efforts in advocating for the higher education system. He believes that having a unified message and the increased presence at the Statehouse by the CEOs and their staff is making an impact. The Chair reported he sent a letter last week to all legislators outlining the importance of restoring funding to higher education and highlighting the efforts the institutions have made to reduce costs. He thanked all the institutions for sharing the letter with their campus constituents and alumni. Chair Mullin also reported that he and the

other Board members are looking forward to their dinner with the two-year college presidents and the chairs of the boards of trustees.

REPORT FROM PRESIDENT AND CEO

President Flanders reported last March he visited with the Council of Faculty Senate Presidents about creating or updating the campus policies addressing consensual relationships. Each campus submitted updated policies to the Board Office in December, which were reviewed by staff. President Flanders stated Board staff will continue to work with one campus on its draft policy, but otherwise the submitted policies addressed the concerns. He thanked the faculty for their efforts on this matter. President Flanders announced Governor Kelly formed an Education Council last month. Regent Thomas, Regent Van Etten, and President Flanders will serve on the Council along with other representatives from K-12, higher education, and business and industry. He noted the Council will be looking at ways to help improve Kansas schools, enhance the state's workforce, and stimulate the state's economic growth. President Flanders reported that in response to the requests of community and technical college leadership, data collections at the Board Office were evaluated by a committee and out of that process, several collections were identified to either be eliminated or merged. President Flanders noted the Board Office will continue to seek new ways to improve the system's collections. Additionally, President Flanders reported the process of developing the next strategic plan continues to move forward. The plan will focus on how higher education helps Kansas families, businesses, and the state's economic prosperity. President Flanders noted in March, he will provide the System Council of Presidents and the Council of Presidents an outline structure of the plan. He will be seeking feedback on system-level metrics as well as asking the CEOs to help identify high impact practices that can be implemented at a system or sector level. These high impact practices will help the institutions make progress on the metrics.

REPORT FROM COUNCIL OF PRESIDENTS

President Scott presented the Council of Presidents' report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, and Council of Government Relations Officers. The Academic Officers reviewed new program requests, approved the proposed amendments to the Credit by Exam policy, received an update on the progress of the qualified admission's process review, and discussed the Board's goal centered around service areas. The Business Officers reported the universities are moving forward with purchasing cyber security insurance and noted that they were able to keep the cost for the universities down by negotiating as a system. The insurance will cover up to \$10 million in claims each year, and each university will pay a portion of the premium. The Business Officers, along with the university human resource officers, presented a proposed parental leave policy. The draft policy contains many of the provisions of Governor Colyer's Executive Order but also addresses positions that are unique to a university campus. The Business Officers reported that if this policy is implemented, the total estimated cost for all the universities is approximately \$250,000 per year. It was noted this number is based on several cost scenarios and will fluctuate from year to year. President Scott reported the Council of Presidents approved the proposed policy with a few minor changes and forwarded it to the Board Fiscal Affairs and Audit Standing Committee for consideration. The Government Relations Officers then presented a legislative update, and the Council of Presidents discussed the proposed sports betting legislation.

The Council of Presidents approved Emporia State University's request to offer a Master of Science in Athletic Training and the University of Kansas's request to offer a Bachelor of Applied Science in Exercise Science. These programs will be forwarded to the Board for consideration. The Council continued its discussion on service areas and noted there will be different perspectives coming to the Board on this topic. The Council also received an update on the Board's new strategic planning process and timeline.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The report of the Council of Faculty Senate Presidents' meeting was presented by Clifford Morris. The Council reviewed the proposed amendments to the Credit by Exam policy and discussed International Baccalaureate credit as part of the Credit by Exam policy. The Council continued its discussion on the proposed changes to the policy definition of a baccalaureate degree policy and met with the Students' Advisory Committee Chair, Kyle Frank, to discuss ways the faculty and students can work together on the open educational resources initiative.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Kyle Frank reported 75 college students attended the students' higher education day at the Statehouse last week. Students met with legislators to advocate for more funding for higher education, textbook affordability, and legislation on affirmative consent. At its meeting today, the Committee discussed the takeaways of higher education days and its open educational resources (OER) initiative. As reported earlier, Committee members met with the Council of Faculty Senate Presidents and the university provosts to discuss ways to expand OER use in the system. The Committee believes the next step is to form an OER taskforce that would be able to collect information and present recommendations for consideration.

REPORT FROM THE UNIVERSITY CEOs

President Mason reported the Department of Social Work at Fort Hays State University is expanding its Bachelor of Social Work outreach program in western Kansas after it received a \$95,000 grant from the Hansen Foundation. The Department partners with community colleges to give students the option to complete their bachelor's degree locally by taking evening and online classes offered through Fort Hays. President Mason noted by having this local option at the community colleges, students are able to stay and work in their communities after earning their bachelor's degree. President Mason reported the University is participating in a project aimed at helping prevent youth from entering the criminal justice system. Over the next two years, project members will work with rural western counties to collect data and provide analysis in fostering collaborative support of youth and families. President Mason also announced *U.S. News & World Report* ranked 58 bachelor's degree programs offered through the University's Virtual College as best in Kansas.

Acting President Muma reported Wichita State University's Teacher Apprentice Program allows paraeducators a pathway to complete their degree to become a Teacher of Record without leaving their local school district position. This program is now being utilized in 53 school districts. Acting President Muma noted the program has enrolled 430 students since it began three years ago. So far, 72 students have received Teacher of Record status and were hired by Kansas school districts, and it is anticipated another 50 students will graduate this spring. Acting President Muma reported the University's I-35 recruitment strategy is working with enrollment from these regions

growing from 262 students in 2015 to 749 students last fall. He noted WSU Tech is also working on out-of-state recruitment efforts in the same key markets along I-35. Last fall, WSU Tech launched the Wichita Promise Move scholarship program, funded through a grant from the Wichita Community Foundation, that was used to recruit students to Wichita. Acting President Muma noted after receiving training, all 50 students received a job offer, and because of this success, WSU Tech is launching a second round of this scholarship. Acting President Muma also announced that Dr. Sheree Utash, President of WSU Tech, was selected as a member of the American Workforce Policy Advisory Board.

President Scott reported the university CEOs continue to meet with legislators both at the Statehouse and in their local regions. He stated earlier this month the universities testified before the House Appropriations Committee and noted the universities appreciated this opportunity because testifying in front of this Committee does not occur every year. President Scott thanked the Board and the Chair for their continued advocacy efforts. He believes the system is making progress and noted the House Higher Education Budget Committee recently recommended adding an additional \$10 million on top of the Governor's recommendation of \$9 million to the system. Additionally, President Scott reported 106 school districts will be attending Pittsburg State University's Teacher Interview Day and 150 companies will be participating in the University's Career Day.

President Myers reported recent data collected by Kansas State University shows that 96 percent of its graduates are either employed or are seeking additional education after graduating from the University. The average starting salary of a KSU graduate is \$45,000, and he noted 59 percent stay in Kansas after graduation. President Myers announced KSU's College of Business Administration is one of the few Colleges in the United States to hold accreditation by the Association to Advance Collegiate Schools of Business (AACSB International) for all of its business and accounting programs. He also reported KSU researchers are working on prediction models to establish where the long-horned tick, also known as the East Asian tick, could spread in North America. This is an invasive species that is known to transmit diseases to cattle and humans. President Myers also noted he and the other CEOs continue to meet with business leaders along with legislators in efforts to increase advocacy for the system.

Chancellor Girod announced Simon Atkinson was selected to lead the University of Kansas Office of Research as the new Vice Chancellor and will join the campus in July. The KU Edwards Campus "Degree in 3" partnerships have expanded to include high school students in USD 232 (De Soto). This program allows students to earn college credits in high school, complete an associate's degree from Johnson County Community College one year after graduating high school and complete a KU Edwards Campus bachelor's degree two years later. The Chancellor also reported the KU swimming and diving team was selected as the third-best Scholar All-America Team by the College Swimming and Diving Coaches Association of America. The honor was based on the team's fall grade point average (3.69 GPA).

President Garrett reported Kaylie Rahe, a senior elementary education major, won an emerging leader award at the National Professional Development School in Atlanta, and Hewleek McKoy, an Emporia State University theatre student, was selected to attend the Open Jar Institute in New York this summer. Last week the University hosted the 25th annual Sonia Kovalevsky

Mathematics Day. High school women who are interested in STEM fields participate in this event to learn more about mathematics-based occupations. President Garrett also provided a handout that she has been sharing with legislators that contains information about the University.

Chair Mullin thanked the CEOs for continuing to meet with legislators and business leaders. He noted the next step will be to follow-up on his letter to the Legislature with a letter from business leaders.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Murguia reported the Board Academic Affairs Standing Committee reviewed all the academic items on the Board agenda. The Committee approved the proposed amendments to the Expedited Program policy and the Naming of Academic Units policy. Both these policies will be forwarded to the Board for consideration next month. The proposed amendments to the definition of baccalaureate degree policy were discussed. The Committee will continue its review of these amendments at its next meeting.

FISCAL AFFAIRS AND AUDIT

Regent Feuerborn presented the Fiscal Affairs and Audit Standing Committee report. The Committee discussed the facilities reports, which are on the Board's agenda, and asked staff to include in future reports more distinctions for the different types of buildings. Jeff Hunter with the University of Kansas gave an overview of the Composite Financial Index (CFI) data that the universities report on annually. The CFI is a benchmarking tool used across higher education and is fed by four ratios. The ratios help the Board understand how well the universities can repay their obligations and how they deploy resources. Next month the Committee will hear from Jim MacMurray with KDFA on how the bond rating agencies use the CFI information. The Committee also received information on how to read the universities' financial reports from Mike Barnett, and then three universities presented their current year budget reports. The Council of Presidents, through the Business Officers, presented a proposed policy on paid parental leave. The Committee will discuss the proposed policy on its March agenda call.

GOVERNANCE

Regent Mullin presented the Governance Committee report. President Flanders updated the Committee on the progress of developing a new strategic plan for the system. The Committee discussed and approved the proposed amendments to the Naming of Buildings policy, Naming of Academic Units policy, and Expedited Academic Programs policy. These policies will be placed on the Board's March agenda for consideration. The Committee also discussed proposed changes to the definition of a baccalaureate degree policy and the new policy on universities leasing space in developer-owned buildings on state or university property. The Committee will continue its review of these policies. The Committee also received an update from Board staff on the Board's goal regarding service areas.

APPROVAL OF CONSENT AGENDA

Regent Van Etten moved, with the second of Regent Thomas, that the Consent Agenda be approved. The motion carried.

Academic AffairsNEW DEGREE GRANTING AUTHORITY FOR CALIFORNIA COAST UNIVERSITY AND THE LOS ANGELES FILM SCHOOL

California Coast University and The Los Angeles Film School were granted approval to receive a Certificate of Approval to operate in Kansas with degree granting authority.

Fiscal Affairs & AuditDISTRIBUTION OF STATE FUNDS FOR NURSING INITIATIVE GRANT

The remaining funding in the FY 2019 Nursing Initiative Grant (\$93,526.36) was awarded to the below institutions. These funds will be used by the institutions to support nursing faculty professional development.

Institution Name	Amount
Cloud County Community College	\$9,502.76
Fort Hays State University	\$12,950.00
Hesston College	\$13,338.00
Johnson County Community College	\$5,500.00
University of Kansas	\$21,118.00
Labette Community College	\$4,525.00
Manhattan Area Technical College	\$9,029.00
MidAmerica Nazarene University	\$600.00
Pittsburg State University	\$3,023.60
Washburn University	\$13,940.00
Total	\$93,526.36

PROPERTY FROM UNIVERSITY FOUNDATION – ESU

Emporia State University received authorization to accept a gift of land from the Emporia State University Foundation. The acquired lot will complete the land section where Schallenkamp Residence Hall is being constructed. The legal description of the property is as follows:

1219 Highland Street, Emporia, KS, Legal Description:

A tract of land in the PERLEY'S ADDN, S10, T19S, R11E, ACRES 0.1, S50 N100 E100 LT 4.

The property is located on the east perimeter of the Emporia State University campus.

Other Matters

UPDATED RESOLUTION TRANSFERRING BOARD'S AUTHORITY TO EXERCISE MANAGEMENT CONTROL OVER SECURITY OF CERTAIN KANSAS STATE UNIVERSITY RELATED CLASSIFIED INFORMATION TO A SECURITY EXECUTIVE COMMITTEE

The updated Resolution transferring the Board's authority to exercise management control over security of certain classified information to a Security Executive Committee at Kansas State University was approved. The Resolution added new University staff and the Board President and CEO to the Committee and updated the members of the Board by listing Regent Hutton and Regent Schmidt.

(Resolution filed with Official Minutes)

UPDATED RESOLUTION TRANSFERRING BOARD'S AUTHORITY TO EXERCISE MANAGEMENT CONTROL OVER SECURITY OF CERTAIN UNIVERSITY OF KANSAS RELATED CLASSIFIED INFORMATION TO A SECURITY EXECUTIVE COMMITTEE

The updated Resolution transferring the Board's authority to exercise management control over security of certain classified information to a Security Executive Committee at the University of Kansas was approved. The Resolution added new University staff and the Board President and CEO to the Committee and updated the members of the Board by listing Regent Hutton and Regent Schmidt.

(Resolution filed with Official Minutes)

BREAK

The Chair called for a break at 2:31 p.m. and resumed the meeting at 2:40 p.m.

AMEND AGENDA

Regent Feuerborn moved to amend the agenda to make the Legislative Update the next item on the agenda. Regent Murguia seconded, and the motion carried.

CONSIDERATION OF DISCUSSION AGENDA

Other Matters

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, presented a legislative update. Earlier this week the House Higher Education Budget Committee recommended adding \$10 million above the Governor's recommendation to the higher education budget, which would mean a total of \$19 million for the system. This recommendation will be reviewed by the House Appropriations Committee later this week. Director Casey noted the Senate will begin working its budget in March. Director Casey also reported there is legislation moving through the process that requires a study be conducted on electrical rates. The study would compare Kansas rates to other states and would be conducted by the Kansas Corporation Commission. Director Casey asked the Board whether it wanted to support this study. The Board discussed the university rates and asked

questions regarding the cost of the study. Following discussion, Regent Murfin moved that the Board be supportive of an electrical rate study. Regent Hutton seconded, and the motion carried.

Academic Affairs

KANSAS STATE UNIVERSITY'S HOSPITALITY PROGRAM IN KANSAS CITY METRO AREA

Jean Redeker, Vice President for Academic Affairs, presented Kansas State University's request to offer a Hospitality Management Bachelor of Science degree at its K-State Olathe campus, located in the Kansas City metropolitan area. By statute, Kansas State has authority to offer programs related to animal health, food safety, and security at its Olathe campus. Vice President Redeker noted all other programs that do not relate to those categories need approval through the Board's geographic jurisdiction policy because the Kansas City metropolitan area is outside of Kansas State's service area. Regent Murguia moved to approve, and Regent Van Etten seconded. The motion carried.

NAMING OF ACADEMIC UNIT – KSU

President Myers requested approval to name Kansas State University's Department of Mechanical and Nuclear Engineering after Alan Levin. Regent Schmidt moved to approve. Regent Thomas seconded, and the motion carried. The Department will be named: Alan Levin Department of Mechanical and Nuclear Engineering.

Fiscal Affairs and Audit

REPORT ON INVENTORY OF PHYSICAL FACILITIES AND SPACE UTILIZATION AND REPORT ON STATE UNIVERSITY DEFERRED AND ANNUAL MAINTENANCE

Nelda Henning, Director of Facilities, presented a report on Inventory of Physical Facilities and Space Utilization and a report on State University Deferred and Annual Maintenance for Fall 2018. She reported audits were conducted on the state university campuses, and the current estimate of the deferred maintenance backlog for "mission critical" buildings is approximately \$966 million, which is an increase of \$58 million from the Fall 2016 report. Director Henning noted an annual amount of \$100 million is estimated to be required for on-going maintenance to prevent further backlog. By statute, these reports will be submitted to the Governor, Joint Committee on State Building Construction, the Senate Committee on Ways and Means and the House Committee on Appropriations.

(Reports filed with Official Minutes)

Other Matters

INFORMATION ON THE KANSAS NURSING PARTNERSHIP

Dr. Rob Simari, Executive Vice Chancellor, and Dr. Sally Maliski, Dean of the School of Nursing, presented information and shared a video on the University of Kansas/Community College Nursing Partnership. This partnership allows nursing students at participating community colleges to pursue both their Associate Degree in Nursing (ADN) and Bachelor of Science in Nursing (BSN) while at their local community college. Students take on-campus provider of care courses

at the community college and online BSN courses through the University of Kansas. After completing the program, eligible students are awarded both an ADN from the community college and a BSN from KU. These students are also eligible to take the National Council Licensing Exam. Dean Maliski noted there are seven community colleges participating in the partnership (Butler Community College, Fort Scott Community College, Hutchinson Community College, Johnson County Community, Kansas City Kansas Community College, Labette Community College, and Neosho County Community College) and 104 students are currently enrolled. Dean Maliski stated she would like to see the program expand to other community colleges because it is beneficial to the students.

GRANT HONORARY DEGREE – KSU

President Myers nominated James “Jim” Haymaker to receive an honorary degree at Kansas State University’s May 2019 Graduate School Commencement. Regent Murfin moved to approve, and Regent Hutton seconded. The motion carried.

RECESS

The Chair adjourned the meeting at 3:15 p.m.

RECONVENE

Chair Mullin called the Thursday, February 21 meeting to order at 9:47 a.m.

MEMBERS PRESENT:

- Dennis Mullin, Chair
- Shane Bangerter, Vice Chair
- Ann Brandau-Murguia
- Bill Feuerborn
- Mark Hutton
- Dave Murfin
- Daniel Thomas
- Allen Schmidt
- Helen Van Etten

REPORTS

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Calvert presented the System Council of Presidents’ report. The Council received an update from the System Council of Chief Academic Officers. The Academic Officers discussed the service areas for the different sectors and whether any changes to the Board’s policy are needed. Many of the institutions are in favor of the current service areas and agreed the definition of “distance education” should be updated to align with the Higher Learning Commission’s definition. The System Council of Presidents then discussed this year’s Board theme that encourages colleges and universities to continue to develop beneficial partnerships with each other, high schools, and businesses. The Council plans to work with Board staff on identifying a month in which the CEOs will highlight some of these partnerships during their monthly reports to the Board. The Council also discussed the legislation regarding community college transparency.

REPORT FROM THE COMMUNITY COLLEGES

President Calvert presented the community college report. He highlighted activities occurring at Labette Community College, Garden City Community College, and Pratt Community College. President Calvert noted the community colleges are supportive of maintaining the current service area policy and have submitted their collective feedback to the Board Office. He also thanked the Board for hosting the dinner for two-year college presidents and their chairs of the boards of trustees.

REPORT FROM THE TECHNICAL COLLEGES

President Schears presented the report for the technical colleges. The technical college CEOs continue to engage with the legislators about the importance of higher education. President Schears reported the colleges are concerned that the Capital Outlay Fund, which is used by the colleges for infrastructure projects, has not been adjusted in years and plan to continue to advocate for additional support for this fund. The technical colleges are working with the Kansas Department of Commerce to expand the apprenticeship program and are looking at ways to make it easier for small businesses to sign up for the program. The technical colleges also discussed service areas and believe the current policy works for the system. President Schears reported the technical colleges are interested in improving and expanding their fundraising abilities and would like to work with the universities to determine if there are some training opportunities available for their staff.

CONSIDERATION OF DISCUSSION AGENDA

Presentation

ANNUAL FORESIGHT 2020 REPORT

Blake Flanders, President and CEO, presented the eighth annual *Foresight 2020* progress report. The Board's strategic plan consists of the following three goals: 1) Increase Higher Education Attainment Among Kansans, 2) Improve Alignment of the State's Higher Education System with the Needs of the Economy, and 3) Ensure State University Excellence. The Board's Attainment Goal is to increase to 60 percent the number of Kansas adults who have a certificate, associate degree or a bachelor's degree. President Flanders reported the number of credentials and degrees awarded in 2018 increased by 2.7 percent from the previous year, and over the past seven years, the system has increased credential production by 17 percent. However, the number of credentials produced by the public and independent universities and colleges in Kansas has remained relatively flat and as a result, the system production of credentials is below the goals set for undergraduate award production. President Flanders stated the attainment goal is critical for the economic success of Kansas families and the state. The data indicates that individual wages are higher for those who have a credential beyond high school, and their rates of unemployment are lower. He also noted projections from the Midwestern Higher Education Compact show that if the current rate of degree production remains constant, state revenue for Kansas in 2025 is estimated to be nearly \$22 million less than it is today. However, if the attainment goal is fulfilled by 2025, over \$500 million in additional revenue would be generated through income tax, sales tax, property tax, Medicaid savings, and corrections savings.

President Flanders reviewed the system's graduation and enrollment numbers. Since 2011, on-time completion and those completing in 150 percent time have increased slightly for the state universities, community colleges, and Washburn University. During the same timeframe the technical colleges saw slight decreases in both on-time graduation and 150 percent time rates. President Flanders reviewed the system enrollments compared to the state's demographics and noted the system over the last several years has seen an increase in Hispanic student enrollment, now the largest minority served by the institutions. However, the system still has a gap in the number of Hispanics being served compared to the Hispanic population of Kansas, which is projected to continue to grow. President Flanders also reported over the past five years, the number of Pell Grant recipients in the system has declined. The decline results from the federal eligibility requirement changes made in 2013 and possibly the higher cost of attendance.

For Goal Two, President Flanders reviewed the data on employment and average wages of Kansas graduates. Approximately 62 percent of 2016 Kansas graduates who earned a bachelor's degree were employed in Kansas or Missouri in 2017. The average earnings for these same graduates were \$44,570. President Flanders noted those who earned a bachelor's degree typically earn less than the average Kansas wage immediately after graduating but within four years, those same graduates have an average salary that exceeds the state average. President Flanders also reviewed the progress of the state initiatives – Excel in Career Technical Education, Engineering, and Nursing. All three of these initiatives are successful and benefit students, and they demonstrate how successful partnerships between the state and higher education can work.

With regard to Goal Three, President Flanders spoke about the performance of the state universities compared to their peers and the total research dollars awarded. He also reviewed the progress on private giving.

In closing, President Flanders noted because the state's population continues to decline, the higher education system will need to recruit more students to come into the state and incent those students to stay and work in the state after graduating. The institutions will also need to continue to explore methods of connecting students to businesses and employers earlier in their education.

President Flanders noted work continues on drafting a new system strategic plan. Between now and the August Board retreat, Board staff will work with the Council of Presidents and System Council of Presidents to build a draft plan centered around how the higher education system can help Kansas families, businesses, and the economic prosperity of our communities and state.

(Report filed with Official Minutes)

Technical Education Authority

TECHNICAL PROGRAM APPROVAL CRITERIA AND TECHNICAL PROGRAM REVIEW
Scott Smathers, Vice President of Workforce Development, presented the proposed criteria for identifying a technical program. After reviewing the statutory definition of a "technical program," the Technical Education Authority (TEA) revised the criteria to further define what qualifies as a technical program. Vice President Smathers noted programs that qualify as technical will receive tiered funding. Below are the proposed criteria.

- 1) To identify technical skill proficiency, industry recognized credentials will be evaluated based on the process previously approved by the TEA in 2015.
- 2) For programs to be listed in the Kansas Higher Education Data System, 50% of technical courses, or at least 12 credit hours (whichever is higher) needs to be taught by the institution, and only courses taught by the institution are eligible for postsecondary funding.
- 3) Only programs approved for state funding will be listed in the Kansas Higher Education Data System.
- 4) Electives must be related to the program(s) to which they are assigned.
- 5) Institutions must control curriculum with the flexibility to add items as they see fit.
- 6) Institutions must control who enrolls in course/programs.
- 7) Courses for which a college has program and course approval, taught by an instructor employed by or paid by the institution, or reimbursed under a KBOR approved contractual partnership training agreement (e.g., CEP) will be eligible for postsecondary state funding. Instruction must be provided by the college directly, or through a contractual arrangement in which the college is fully responsible for the training provided and the hiring of the instructor. To be "fully responsible" there must be an employer-employee relationship established between the college and the instructor, or through a KBOR approved contractual partnership training agreement (e.g., CEP). Such agreement must state that the instructor of the course meets the employment and credentialing standards of the regionally accredited college and is subject to compliance with applicable policies, rules, and regulations of the college as required of all part-time/adjunct faculty for the college.
- 8) To identify if a program/occupation requires less than a baccalaureate degree as defined in K.S.A. 71-1802(i):
 - a) the program will be initially compared to the U.S. Department of Labor's "typical level of education required." If the U.S. Department of Labor shows an educational level less than a bachelor's degree, the program is affirmed to be a technical program.
 - b) If the program fails to meet the U.S. Department of Labor's "typical level of education required," the program may be compared to a 3rd party database (Burning Glass, Emsi, JobsEQ, or equivalent) to determine if 50% of jobs in Kansas may be obtained with training consistent with legislation, less than a baccalaureate degree.

Vice President Smathers reported the TEA also reviewed the current list of technical programs based on the above criteria and recommends the following:

- 1) Thirty-one (31) CIP codes do not meet the technical program review criteria as described and should be moved from tiered to non-tiered funding.
- 2) One (1) program utilizes a CIP Code that is for military personnel and has no correlation to civilian occupations. The TEA recommends seeking advice from our Military contacts prior to making a final recommendation on this program.
- 3) Eleven (11) programs utilize CIP Codes ending in "99". Typically, CIP Codes that end in "99" are nondescript and do not have any occupational data. Since technical programs should be occupationally specific, the TEA recommends working with the institutions

using such CIP Codes to determine if there is a more appropriate CIP Code available, or if the program/occupation is too new to have a CIP Code, or if the program should not be retained as a “technical program.”

(Spreadsheet of Programs attached to Official Minutes)

The TEA also recommends 1) all new program proposals must meet the criteria to move forward with the approval process and 2) programs removed from “technical” status should move beginning with academic year 2021.

Vice President Smathers noted as the TEA was working through these recommendations, the institutions were able to participate and provide feedback to the TEA. Regent Murguia moved to approve the criteria for a technical program and the TEA recommendations regarding the program review. Regent Van Etten seconded, and the motion carried.

Governance

BOARD MEMBER CONFLICT OF INTEREST DISCLOSURE AND ACTUAL OR APPARENT CONFLICT

General Counsel Julene Miller presented an additional conflict of interest disclosure from Regent Hutton. Regent Hutton has an ownership and employment interest in, and his son is the majority stockholder and CEO of, a construction company (Hutton Construction) that has recently acquired a 100% ownership interest in Busboom and Rauh Construction, which has current or pending projects with the University of Kansas. Regent Thomas moved to direct Regent Hutton to excuse himself from participating on behalf of the Board in matters involving or related to contracts or transactions between this newly acquired construction company and institutions governed, coordinated or regulated by the Board. Regent Van Etten seconded, and the motion carried.

EXECUTIVE SESSION

At 11:08 a.m., Regent Bangerter moved, followed by the second of Regent Van Etten, to recess into executive session starting at 11:15 a.m. in the Kathy Rupp Conference Room for 30 minutes to discuss personnel matters of non-elected personnel and matters deemed confidential in the attorney-client relationship. The subject of this executive session was personnel matters and the purpose was to protect the privacy of the individual Board employee involved. Participating in the executive session were members of the Board, President Flanders, and General Counsel Julene Miller. At 11:45 a.m., the meeting returned to open session. Regent Bangerter moved to extend 10 minutes, and Regent Feuerborn seconded. The motion carried. At 11:55 a.m. the meeting returned to open session. Regent Bangerter moved to extend 10 minutes, and Regent Murfin seconded. The motion carried. At 12:05 p.m., the meeting returned to open session.

ADJOURNMENT

The meeting was adjourned at 12:05 p.m.

Blake Flanders, President and CEO

Dennis Mullin, Chair