

KANSAS BOARD OF REGENTS

MINUTES

May 15-16, 2019

The May 15, 2019, meeting of the Kansas Board of Regents was called to order by Chair Dennis Mullin 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: Dennis Mullin, Chair
Shane Bangerter, Vice Chair
Ann Brandau-Murguia
Bill Feuerborn
Mark Hutton
Dave Murfin
Daniel Thomas
Allen Schmidt
Helen Van Etten

APPROVAL OF MINUTES

Regent Thomas moved that the minutes of the April 12, 2019 special meeting and April 17, 2019 regular meeting be approved. Following the second of Regent Hutton, the motion carried.

INTRODUCTIONS

Interim President Tompkins introduced Wichita State University's incoming Student Body President, Kitrina Miller, and incoming Faculty Senate President, Jeff Jarman. President Mason introduced Fort Hays State University's new Provost, Dr. Jill Arensdorf. President Garrett introduced Emporia State University's incoming Faculty Senate President, Greg Schneider, and incoming Student Body President, Paul Frost. Chancellor Girod introduced the University of Kansas' incoming Faculty Senate President, Shawn Alexander, and incoming Student Body President, Tiara Floyd. President Myers introduced Kansas State University's incoming Faculty Senate President, Tanya Gonzalez, and incoming Student Body President, Jansen Penny.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Mullin thanked Chancellor Girod and his staff for hosting the Board last month. He noted on the KU campus visit the Board had numerous interactions with students including an undergraduate research poster session, presentations on student projects at the Center of Design Research, and a dinner. The Board also met with faculty and staff and toured the Earth, Energy and Environment Center. Chair Mullin also reported that during this time of year, Regents have the opportunity to participate in university commencement ceremonies and that last week he was honored to address the graduates at Pittsburg State University. He also thanked the Government Relations Officers for all their work during the legislative session.

REPORT FROM PRESIDENT AND CEO

President Flanders reported the Governor's Council on Education met last month. The Council received a presentation from Enterprise KC, who discussed the workforce shortages in the field of cybersecurity. President Flanders also co-chairs the Council's Competitive Edge Committee, and he noted Regent Thomas and President Scott serve on this Committee with him. One item the Committee is evaluating is technical education career clusters and workforce pathways. President Flanders also thanked Chair Mullin for his leadership during the legislative session.

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, Council of Government Relations Officers, the University Support Staff (USS) Council, and Council of Chief Diversity Officers. The Academic Officers approved Fort Hays State University's Bachelor of Arts in Environmental Geoscience and Kansas State University's Bachelor of Science in Environmental Engineering. These programs were also approved by the Council of Presidents and will be forwarded to the Board for consideration. The Business Officers reported they have been working on university tuition proposals and the Council plans to meet with the Director of the State Employee Health Plan, Mike Michael, at its next meeting. The Government Relations Officers provided a summary of the legislative session and noted the sports betting legislation did not pass this year. The Diversity Officers have started to look at enrollment trends and the number of minority students being served by the institutions compared to the Kansas population. The University Support Staff continues to work on its employee morale survey.

The Council of Presidents was asked by the Fiscal Affairs and Audit Standing Committee to review and provide feedback on the proposed Occupancy Lease policy. Two versions of the policy were presented, and after discussion, the Council approved the language that was passed by the Governance Committee with one recommendation to expand federal grants to all grants and another to examine whether the amount of the lease needs to be increased. Each CEO is going to discuss the amount with their campus and bring a recommendation back to Fiscal Affairs and Audit in June. The Council of Presidents also received an update on the strategic program alignment process and the faculty development Board theme. The Council discussed what metrics and sources should be used to measure faculty development.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Clifford Morris presented the Council of Faculty Senate Presidents report. The Council members have received feedback from the campuses on the Students' Advisory Committee's proposed action plan on open educational resources (OER). Faculty on all the campuses are supportive of increasing the use of OERs. Additionally, Mr. Morris reported the Council of Faculty Senate Presidents is in the process of rotating to its new members. Starting in June, Emporia State University's Faculty Senate President, Greg Schneider, will chair the Council.

On behalf of the Board, Chair Mullin thanked Mr. Morris for his leadership this year and presented him a certificate of appreciation.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Kyle Frank and Noah Reis presented the results of the Students' Advisory Committee's Textbook Affordability Survey. The survey was disseminated to students within the Regents system, and the questions centered around textbook affordability. Mr. Reis reviewed the survey methodology and noted approximately 7,000 students responded to the survey. Some of the key takeaways from the survey include the following: 1) many students are spending over \$500 on textbooks each semester, 2) only 34% of students who took the survey are aware of open education resources and the benefits of using them, and 3) students are comfortable with using fully digital platforms. The Committee noted they hope this survey is a starting point for finding tangible solutions to this issue. Mr. Frank also announced that Emporia State University's Student Body President, Paul Frost, will chair the Committee next year.

On behalf of the Board, Chair Mullin thanked Mr. Frank for his leadership this year and presented him a certificate of appreciation.

REPORT FROM UNIVERSITY CEOS

President Mason reported Fort Hays State University has partnered with Barton Community College to launch a pilot for a new transfer program called Transfer Connect. This program differs from the standard articulation agreement in that students at the Community College are provided more help and guidance from a success coach at the University while still at the College. President Mason also announced that Leo Burnett Worldwide, an advertising company, recently celebrated its 25th year of partnering with Fort Hays State. The Company provided scholarship funds and gave \$10,000 to support the graphic arts program.

President Garrett reported Emporia State University student, Song Yang, presented her research project, "Acoustic Classification of Bird Species Using Wavelets and Learning Algorithms," at the 2019 Poster on the Hill event in Washington D.C. She was one of sixty undergraduates from around the country chosen to participate in this event. President Garrett also reported the movie "Charlie and the Common Good: Big Ideas in a Small Town," played at the Granada Theatre in Emporia and will be entered in international film competitions. The movie focuses on the debate between Charles Brown and Greg Schneider, who are friends and faculty members at the University but are ideological opponents who disagree on how to achieve the common good.

Interim President Tompkins reported Wichita State University hosted the American Athletic Conference outdoor track championships at Cessna Stadium. The University women's team took first, and the men's team finished second. He announced a new sculpture by Tom Otterness will be added to the renowned Martin H. Bush Outdoor Sculpture Collection. Dr. Tompkins also noted the long-term care of all the pieces are funded by the generous donations of Joan S. Beren. The Celebration of Life ceremony for President John Bardo was held on May 9. Dr. Tompkins noted it was a great event that highlighted the impact and accomplishments of Dr. Bardo, and he thanked everyone who attended.

Chancellor Girod announced the University of Kansas women's tennis team claimed its first-ever Big 12 championship and earned an automatic bid to the 2019 NCAA Tournament. The team made it to the Sweet 16 before falling to Stanford. The Jayhawks finished their season with a 21-5 record. Three KU track and field athletes earned titles in the 2019 Big 12 Track & Field

Championship: Cordell Tinch – 110-meter hurdles, Bryce Hoppel – 800 meter, and Alexandra Emilianov – discus. Chancellor Girod also reported that KU students, Tyler Nguyen and Eleanor Stewart-Jones, were awarded Goldwater Scholarships

President Scott announced that Condoleezza Rice, former Secretary of State, will be at Pittsburg State University on October 3, 2019 as part of its Speaker Series. In her address, Rice will give an overview of the current geopolitical landscape and share her experiences as National Security Advisor and Secretary of State. President Scott thanked Chair Mullin for participating in PSU's graduation ceremonies, and he also highlighted the University's Honors College. The Honors College admits 30 students from the incoming freshman class. These students are high performing and are encouraged to participate in undergraduate research and study abroad.

President Myers reported the upcoming National Geographic limited series, THE HOT ZONE, is inspired by the true story of the arrival of Ebola on U.S. soil in 1989 and involves the work of two Kansas State University veterinarians, Nancy and Jerry Jaax. President Myers also reported that three K-State students received Fulbright awards to study abroad: Jakob Hanschu, senior in anthropology and geography; Sarah Marek, senior in secondary education, German and Spanish; and Hannah Harker, master's student in second language acquisition-Spanish.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Murguia presented the Board Academic Affairs Standing Committee report. In December 2018, the Board directed the University of Kansas and Wichita State University to pilot the Board's strategic program alignment process. The universities presented two programs each to go through the process and these programs were approved by the Committee. The next step is for the two universities to present their programs for action at the June Board meeting. The Committee discussed service areas and reviewed the total population in each area. It was noted the total population in each of the university service areas are not equitable, but the Committee felt the policy's appeal process for all sectors and the policy language outlining the Board's ability to control the Kansas City Metro area for the universities is sufficient. The Committee does recommend further study of the long-term population predictions and how those may affect service area in the future. The Committee approved Pittsburg State University's request to offer a Bachelor of Music Education degree that will exceed the 120 credit hours. This request will be on the June agenda for Board consideration. The Committee also received a report on the State Authorization Reciprocity Agreement and a demonstration of KHEStats, an interactive web-based reporting tool on the Board's public website.

FISCAL AFFAIRS AND AUDIT

Regent Feuerborn reported the Fiscal Affairs and Audit Standing Committee discussed Wichita State University's request to revise its program statement for the School of Business Building. Interim President Tompkins reported to the Committee that Provost Muma has worked to gain campus support to reallocate University funds to finance the bonding for this facility. He also noted \$30 million in private gifts have already been pledged for this project. WSU also clarified that there are no direct costs for the University with regard to the occupancy lease with the YMCA on the Innovation Campus. Regent Feuerborn noted both these items are on today's Board agenda

for consideration. The Committee also discussed a draft Board policy for financial reserves, which was proposed by the Council of Business Officers, and reviewed the proposed university tuition and fees proposals. A Committee member also asked for additional information on how the financial data for new program requests display surpluses and deficits. Additionally, the Council of Presidents provided its recommendation on the proposed Occupancy Lease policy and the Committee will continue to discuss this policy at its June meeting.

GOVERNANCE

Regent Mullin reported the Governance Committee received a progress report on the Board's goal regarding service areas. Matt Casey and Matt Keith presented information on the Board's unified communication and advocacy plan. This year there was a coordinated effort to communicate the funding needs of the System. Regent Mullin noted over 80 Kansas businesses sent letters to the Legislature regarding the importance of higher education. The Committee approved the proposed Paid Parental Leave policy, which is on the Board's agenda for consideration. Vice President Scott Smathers reported that Senate Bill 199 dealing with new high school equivalency qualifications was enacted this year. Staff will be developing regulations to implement this program and plan to present the proposed content for regulations to the Committee in June. If approved, staff will then begin the regulation approval process. The Committee also received information from the University of Kansas on Adequate Security Measure exceptions to the concealed carry requirements.

APPROVAL OF CONSENT AGENDA

AMEND AGENDA

Regent Hutton moved to remove from the Consent Agenda the request to approve Degree Granting Authority for the Kansas Health Science Center and place it on June's Discussion Agenda. Regent Murguia seconded, and the motion carried.

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

Academic Affairs

BACHELOR OF SCIENCE IN APPLIED COMPUTING – WSU

Wichita State University received approval to offer a Bachelor of Science in Applied Computing. The total cost for the program in its implementation year is \$340,162 and the cost of the program is estimated to increase to \$361,131 in its third year because of salary adjustments and operational expenses. The program will be funded with tuition and fees.

BACHELOR OF SCIENCE AND BACHELOR OF ARTS IN ECOLOGY, EVOLUTION, AND ORGANISMAL BIOLOGY – KU

The University of Kansas received authorization to offer a Bachelor of Science and Bachelor of Arts in Ecology, Evolution, and Organismal Biology. No new costs are expected because the programs are replacing existing ones.

BACHELOR OF SCIENCE AND BACHELOR OF ARTS IN MOLECULAR, CELLULAR AND DEVELOPMENTAL BIOLOGY – KU

The University of Kansas received approval to offer a Bachelor of Science and Bachelor of Arts in Molecular, Cellular and Developmental Biology. No new costs are expected because the programs are replacing existing ones.

MASTER OF ARTS IN LEADERSHIP IN DIVERSITY AND INCLUSION – KU

The University of Kansas received approval to offer a Master of Arts in Leadership in Diversity and Inclusion. No new faculty or staff are required, and tuition and fees will fund this program.

BACHELOR OF ARTS AND BACHELOR OF GENERAL STUDIES IN AMERICAN SIGN LANGUAGE AND DEAF STUDIES – KU

The University of Kansas received approval to offer a Bachelor of Arts and a Bachelor of General Studies in American Sign Language and Deaf Studies. The programs will be offered on the KU Edwards Campus and will be funded with tuition and fees.

MASTER OF SOCIAL WORK – FHSU

Fort Hays State University received approval to offer a Master of Social Work. The total cost for the program in its implementation year is \$379,150 and the estimated cost will increase to \$452,350 in year three. The program will be funded with tuition and fees. It was noted that the University of Kansas developed a Master of Social Work with the cooperation from FHSU in 2012. KU expressed its concern that Western Kansas cannot sustain two Master of Social Work programs.

MASTER OF SCIENCE IN PHYSICIAN ASSISTANT STUDIES – KSU

Kansas State University received approval to offer a Master of Science in Physician Assistant Studies. The estimated cost for the implementation year is \$5.5 million. This cost includes the one-time expense of renovating Ice Hall. By year three, the estimated cost to operate the program is \$1.7 million. Tuition and fees and loans from the University will fund the start-up cost and ongoing operation of this program. It was noted that through the program review process, concerns were raised about the availability of clinical sites for students and how this program could affect the number of sites available for existing students in health profession programs. After further discussion, the University of Kansas Medical Center, Kansas State University, and Wichita State University developed a memorandum of understanding outlining an inter-institutional commitment to statewide collaboration regarding clinical site affiliation agreements.

Fiscal Affairs & Audit

ARCHITECTURAL PROGRAM STATEMENT FOR RARICK HALL RENOVATION – FHSU

Fort Hays State University's architectural program statement for the renovation of Rarick Hall was approved. The estimated cost of the project is \$10,100,000, which will be funded with Educational Building Fund, Rehabilitation and Repair allocations and University funds.

RENOVATION TO BURGE UNION FOR NEW STUDENT ENGAGEMENT CENTER – KU

The University of Kansas received authorization to renovate the Burge Union to create the new Student Engagement Center. The estimated cost of the project is \$950,000, which will be finance by the Kansas Memorial Union Corporation.

REPLACE AIR HANDLING UNITS IN HAWORTH HALL – KU

The University of Kansas received approval to replace the air handling units in Haworth Hall. The estimated cost is \$950,000, which will be funded with the Education Building Fund.

RENOVATION TO THE CLINICAL RESEARCH CENTER PHARMACY – KUMC

The University of Kansas Medical Center received approval to renovate the Clinical Research Center Pharmacy. The estimated cost of the project is \$945,000, which will be financed from the Johnson County Education Research Triangle funds.

Other Matters

EPSCoR REVIEW COMMITTEE APPOINTMENT

Allen Rawitch was appointed to the Experimental Program to Stimulate Competitive Research (EPSCoR) Program Review Committee. He will serve the remainder of the term that was vacated and one full term that will end on June 30, 2022.

CONSIDERATION OF DISCUSSION AGENDA

BREAK

The Chair called for a break at 2:40 p.m. and resumed the meeting at 2:57 p.m.

ANNOUNCEMENT

President Flanders announced that Dr. Daniel Archer has accepted the position of Vice President for Academic Affairs in the Kansas Board of Regents Office. He noted Dr. Archer will join the staff at the end of May and will work with Dr. Redeker before she departs at the end of June.

Other Matters

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported the legislative session ended on May 4th. The higher education system received a funding increase of just over \$50 million with \$11.8 million being allocated toward merit-based salary increases for employees at the state universities. Director Casey noted all the Board's non-budgetary items were approved, which includes the following:

- Kansas State University's request to sell property in Cherokee County;
- Kansas State University's request to sell property in Saline County;
- The University of Kansas' request to sell Oldfather Studios;
- Postsecondary Technical Education Authority's permanent reauthorization; and
- The ability to purchase cyber security insurance for the Board office.

Director Casey stated the Legislature will return for Sine Die, the official adjournment of the session, on May 29th. Regent Schmidt asked whether any legislators commented on how the increased funds should be used. Director Casey noted some legislators believe the funds should be used to stabilize tuition and the Governor publicly commented that she hopes the funds will be used to offset tuition increases.

*Fiscal Affairs and Audit*PRESENTATIONS OF UNIVERSITY TUITION AND FEE PROPOSALS FOR FY 2020 (FIRST READ)

Each of the state university CEOs presented their tuition and fee proposals for the upcoming academic year and reviewed the process used to develop their proposals. The CEOs expressed appreciation for the increase in state funds, but some noted that even with the increase, funding is not keeping pace with the rising operating expenses.

BREAK

Chair Mullin called for a break at 4:23 p.m. and resumed the meeting at 4:35 p.m.

Each Board member expressed thoughts on the tuition and fee proposals and the funding received this year. Some Board members expressed concerns with the escalating costs borne by students and that raising tuition this year could negatively impact the Board's ability to seek additional state funds next year. Other Board members believe, based on the current state funding and the need to cover mandatory expenses, that slight tuition increases are appropriate. Members did ask the universities that are seeking increases to consider reducing their resident tuition rates in their proposals. It was noted the Board's budget request for the state universities was to increase the base by \$50 million this year and \$85 million in FY 2021. Out of the \$50 million that was appropriated to the higher education system, the universities will receive \$22.2 million for base funding and \$11.8 million for the merit-based salary increases for a total of \$34.1 million. The Board will take final action on the university tuition and fee proposals at the June meeting.

(Tuition and Fee proposals filed with Official Minutes)

JOHNSON COUNTY EDUCATION RESEARCH TRIANGLE FY 2020 BUDGETS – KU, KUMC AND KSU

Vice President Frisbie presented the Johnson County Education Research Triangle FY 2020 budgets for the University of Kansas Edward Campus, the University of Kansas Medical Center, and Kansas State University Olathe Campus. Regent Murguia moved to approve. Regent Bangarter seconded, and the motion carried.

(Budgets filed with Official Minutes)

CAPITAL IMPROVEMENT REQUESTS FOR FY 2021 AND FIVE-YEAR PLANS – UNIVERSITY SYSTEM

Nelda Henning, Director of Facilities, presented the Capital Improvement requests for FY 2021 and Five-Year plans for the state universities. Regent Thomas moved to approve the FY 2021 Capital Improvement project requests listed on Table 2 of the materials. Regent Feuerborn seconded. Regent Hutton stated he has a conflict with this item because his company has projects listed in the tables and noted he will abstain from voting. The motion carried.

(Tables filed with Official Minutes)

ARCHITECTURAL PROGRAM STATEMENT FOR INNOVATION CAMPUS NEW SCHOOL OF BUSINESS BUILDING – WSU

Director Henning presented Wichita State University's request to approve the architectural program statement for the new School of Business Building on the Innovation Campus. The proposed project was scaled down from a 143,000 square foot building at an estimated cost of \$55 million to a 131,000 square foot building with the estimated project cost of \$50 million. Director Henning noted the University is anticipating \$30 million in private gifts for the project, and the University will be seeking bonding authority for the remaining \$20 million. She noted the bonds will be paid for by reallocating existing University funds. Regent Murguia moved to approve, and Regent Feuerborn seconded. The motion carried.

LEASE FOR SPACE IN THE STUDENT WELLNESS AND COUNSELING SERVICES – WSU

Director Henning stated Wichita State University is seeking authorization to enter into an occupancy lease with The Young Men's Christian Association (YMCA) of Wichita. This space will allow WSU to expand its physical and mental health student services. She noted the lease is subordinate to the grand lease between WSU's not-for-profit affiliated corporation, Wichita State Innovation Alliance, Inc. and the YMCA. WSU will pay for its proportionate share of utilities for the use of the space but will not pay rent. Regent Murguia moved to approve, Regent Hutton seconded. The motion carried.

Governance

BOARD POLICY ON PAID PARENTAL LEAVE

General Counsel Miller stated that in November 2018, Governor Colyer issued an Executive Order to provide a new parental leave benefit to certain executive branch employees. In the Order he encouraged the state universities to adopt comparable policies for their employees. At its December 12, 2018 meeting, the Board referred the issue to the Council of Presidents to gather

relevant information. The Council of Presidents sought input from the Council of Business Officers and the university budget officers and human resource/benefits offices. At the March Governance Committee meeting, members reviewed the proposed policy and asked the Council of Presidents to consider a few amendments, which the Council considered and addressed at its April meeting. General Counsel Miller reviewed the proposed policy, which was approved by the Council of Presidents in April, and noted the following areas in the proposed policy differ from the Governor's Executive Order:

- University employees must have been employed by the state for at least 12 months to be eligible; the Executive Order contains no minimum length of service requirement.
- Qualifying event is defined as birth or placement of a child (up to six years of age) for adoption; the Executive Order has no age limitation for adoption.
- Universities may establish implementing policies and definitions consistent with the Board policy; under the Executive Order, the Office of Personnel Services within the Kansas Department of Administration was directed to issue guidelines and establish leave codes to implement the Order.
- The leave period for part-time employees is to be pro-rated to their part-time appointment and a multiple birth or adoption does not increase the length of paid parental leave for that event; the Executive Order does not directly address these circumstances.
- For academic year appointments and other less than 12-month appointments, paid parental leave is only available during periods when the employee is in paid status; the Executive Order does not address less than 12-month appointments.
- Each university is to determine whether employees will be permitted to take this paid parental leave intermittently within the 12-week period immediately following the qualifying event or in a solid block of time within that 12-week period; the Executive Order does not address this issue.
- The paid parental leave established pursuant to this proposed policy would be available for qualifying events occurring after the effective date of the policy July 1, 2019.

General Counsel Miller asked that any policy adopted by the Board be made available to Board office employees in the same manner as made available to university employees. Regent Murguia moved to approve. Regent Thomas seconded, and the motion carried. The following language was adopted:

CHAPTER II: GOVERNANCE – STATE UNIVERSITIES

C CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF

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10. Leave

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h Paid Parental Leave

Each state university shall provide for paid parental leave for eligible employees in accordance with this policy.

i Eligibility

Employees who meet benefits eligibility requirements, as defined by the employing university, and who have been employed for twelve months with the state shall be eligible to receive paid parental leave following a qualifying event (e.g., birth or placement of a child for adoption (up to 6 years of age)) occurring after the effective date of this policy. Each state university may establish implementing policies, including definitions, and may require otherwise-eligible employees to provide relevant information and notice of their intent to use the leave in order for the employees to be eligible.

ii Leave period

Each parent designated as the primary caregiver for purposes of this policy shall receive up to six weeks of paid parental leave, and each parent who is designated as the secondary caregiver for purposes of this policy shall receive up to three weeks of paid parental leave. For part-time employees, the leave shall be pro-rated to their part-time appointment for the applicable time period. The fact that a multiple birth or adoption occurs (i.e., the birth or adoption of twins) does not increase the length of paid parental leave for that event.

- (1) If both parents are employees and eligible for paid parental leave, one employee must be designated the primary caregiver and one employee must be designated the secondary caregiver.
- (2) In such instances, the paid parental leave may be taken concurrently, consecutively, or at different times within the 12-week period immediately following the qualifying event.

iii Benefit

Paid parental leave under this policy shall be at 100% of the eligible employee's regular rate of pay and, while using paid parental leave, employees continue to accrue vacation and sick leave, as well as all other regular benefits in accordance with applicable rules, regulations, Board policy and statutes.

- (1) Academic year appointments. Paid parental leave only applies during periods when the employee is in paid status. Employees on academic year or less than 12-month appointments may not request or receive paid parental leave for periods when not in a paid status.
- (2) Holidays. Official and observed holidays do not count against paid parental leave. Employees utilizing paid parental leave on an official or observed holiday shall receive holiday credit. Employees may be permitted to take leave of other types (i.e., sick leave and vacation leave) in addition to the six or three weeks of paid parental leave, in accordance with other applicable Board and university policies.

- (3) Timing. Paid parental leave must be taken within the 12 weeks immediately following the date of birth or date of placement for adoption of a child. Each state university may determine whether employees will be permitted to take this leave intermittently or in a solid block of time within that 12 weeks. Any paid parental leave shall run concurrently with leave permitted under the Family Medical Leave Act (FMLA), if applicable.
- iv Paid parental leave under this policy is not transferrable and cannot be donated through a shared leave program or in any other way. Any amount of paid parental leave not utilized by the eligible employee in the 12-week period shall be forfeited.
- v Nothing in this policy shall be construed as prohibiting a state university from providing additional leave beyond that permitted under this policy, to the extent allowed by applicable rule, regulation, Board policy or statute, or from reassigning an eligible employee's duties while the employee is on paid parental leave.
- vi Each university shall implement this policy on or before July 1, 2019 for qualifying events occurring after its effective date. The effective date for this policy shall be July 1, 2019. Employees represented by bargaining units where the contract requires meet and confer to implement this policy shall not be covered under this policy without ratification by the bargaining unit.

CHAPTER I: BOARD OF REGENTS MEMBERS, OPERATIONS AND STAFF

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B BOARD OFFICE STAFF AND OFFICE OPERATIONS

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2 BOARD OFFICE STAFF

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c Leave

i All Board office staff members, both classified and unclassified, are subject to the same provisions for sick leave as those applicable to state civil service personnel, including but not limited to K.A.R. 1-9-5. Sick leave shall be scheduled and approval from the President and Chief Executive Officer, or designee, obtained in advance to the extent possible.

Sick leave is forfeited upon termination of employment, if the employee is not retiring or is not retirement-eligible, but may be reinstated if the employee returns within one year to a regular position with a State of Kansas agency. Sick leave will be paid at retirement or when the employee separates from service and is retirement eligible if the employee has accrued a minimum of 800 sick leave hours.

ii Unclassified Board office staff in regular positions shall accrue annual leave in accordance with this provision. Full-time, exempt unclassified Board office staff members shall accrue one day of annual leave each pay-period, not to

exceed twenty-two days (176 hours) per fiscal year. Part-time, exempt, unclassified Board office staff shall accrue pro-rated annual leave based upon their FTE. Full- and part-time non-exempt unclassified Board office staff shall accrue annual leave based on hours paid in the pay period. Unclassified Board office staff members may accumulate a maximum of thirty-eight working days (304 hours) of annual leave; provided, however, that no employee may receive, upon termination, payment for more than twenty-two days (176 hours) of annual leave; and upon retirement, or when retirement eligible, payment for more than thirty days (240 hours) of annual leave.

iii Each classified Board office staff member in a regular position shall accrue annual leave in accordance with K.A.R. 1-9-4.

iv Official state holidays and any special holidays declared by the Governor are not counted as days of annual leave.

v Annual leave shall be scheduled in advance and granted by the President and Chief Executive Officer, or designee, for periods of time requested by the staff member subject to the operational needs of the Board office. Annual leave requested as a result of personal or family emergency shall be treated on an individual basis by the President and Chief Executive Officer.

vi Board office staff members in regular positions may be granted leave with pay upon the death of a close relative. Such leave shall in no case exceed six working days. The employee's relationship to the deceased and necessary travel time shall be among the factors considered in determining whether to grant bereavement leave, and, if so, the amount of leave to be granted.

vii Unclassified Board office staff members who accumulate sick leave shall be eligible to participate in the shared leave program of the State of Kansas in the same manner as unclassified staff at the state universities. Classified Board office staff members in regular positions who accumulate sick leave are eligible to participate in the shared leave program of the State of Kansas as provided in K.A.R. 1-9-23. The Board office shall adopt, as part of its employee policies and procedures, appropriate limitations and qualifications for accumulation and use of shared leave.

viii Board office staff members in regular, benefits-eligible positions shall be eligible for paid parental leave in accordance with Board policy section II.C.10.h., to the same extent as university employees covered by that policy.

AMENDMENTS TO BOARD POLICIES: RESPONSIBILITIES AND AUTHORITY DELEGATED BY THE BOARD TO THE BOARD PRESIDENT AND CHIEF EXECUTIVE OFFICER

General Counsel Miller presented proposed amendments to policies that establish the responsibilities and authorities delegated by the Board to the Board President and CEO. The policy

amendments include the following: 1) clarifying the circumstances under which the Board President and Chief Executive Officer may negotiate and enter Board/Board Office contracts on behalf of the Board; 2) codifying the process for negotiating and submitting memoranda of agreement under the Public Employer/Employee Relations Act and identifying the Board President and Chief Executive Officer’s role in that process; 3) adding to the Policy Manual the Board President and Chief Executive Officer’s responsibilities and delegated authority to administer the Private and Out-of-State Postsecondary Educational Institutions Act; 4) eliminating an archaic reporting requirement; and 5) cleaning up several of the provisions within the set of policies dealing with the Board President and Chief Executive Officer’s responsibilities and delegated authority. General Counsel Miller noted the Council of Presidents reviewed the proposed amendments at its April meeting and are not recommending any changes. Regent Feuerborn moved to approve, and Regent Schmidt seconded. The motion carried. The following amendments were approved:

CHAPTER I: BOARD OF REGENTS MEMBERS, OPERATIONS AND STAFF

A BOARD MEMBERS AND BOARD OPERATIONS

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3 BASIC PRINCIPLES AND OPERATING PROCEDURES

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b Procedures

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iii Development of Proposals

While there may be justifiable exceptions, most proposals shall be developed primarily by those persons who are likely to be responsible for implementation, and appropriate councils, committees, or task forces shall develop or review proposals that are intended for action by Board standing committees and/or the Board (or the Board President and Chief Executive Officer, as applicable).

Councils, committees, task forces and other such groups do not have authority to prevent further review of a proposal by other councils, committees, or Board Committees.

In the context of this policy, “systemwide” means those proposals that may impact many or all of the institutions having a reporting relationship to the Kansas Board of Regents.

iv Role of the Board President and Chief Executive Officer

If it is uncertain whether a proposal is systemwide or non-systemwide in impact, the Board President and Chief Executive Officer will decide the issue.

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4 COUNCILS AND COMMITTEES

a Board of Regents Committees

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iii Retirement Plan Committee

(1) The Retirement Plan Committee, established in 2005, is responsible for issues related to the Board’s retirement plan, including oversight of plan investments and administration. The Committee reports directly to the Board. The issues the Committee will consider may be

directed by the Board, may arise from the Board's fiduciary duties, or may be initiated by the Retirement Plan Committee itself.

(2) The Retirement Plan Committee members will be appointed by the Board and will include one member of the Board; one member of the Council of Presidents, or designee; two members of the Council of Business Officers; three state university human resource directors; and two individuals nominated from the state universities who are experts in the subject matter of investments and retirement planning. A staff person from the Board of Regents office who is appointed by the Board President and Chief Executive Officer will serve as a non-voting ex officio member. The chairperson of the Committee will be the appointed Board member. When appointing Retirement Plan Committee members, the Board shall strive for as broad of representation from the state universities as possible.

(3) Members will have staggered three-year terms and may resign at any time, effective when tendered to the Board. A person who is appointed to replace a member who has resigned will serve out the remainder of the term of the resigning member.

b Council of Presidents

- i The Council of Presidents, established in 1963, consists of the chief executive officers of the state universities. The Board's President and Chief Executive Officer serves as an ex officio member of the Council. The chair is rotated annually on July 1st.
- ii The Council of Presidents' main function is to consider subjects of significance to the state university sector, either at the request of the Board or the Board's President and Chief Executive Officer, or on the Council of Presidents' own initiative, report to the Board when called upon to do so, and make recommendations to the Board on general policy affecting all state universities. The Council of Presidents may create permanent or ad hoc committees, composed of campus or non-campus personnel, to study selected subjects and report back to the Council.

...

d Student Advisory Committee

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- iii The chair of Students' Advisory Committee, appointed by the Committee pursuant to its own internal processes, may request the Board President and Chief Executive Officer to place items on the Board's agenda for discussion and/or consideration. The Board President and Chief Executive Officer shall review the Committee's request with the Chair of the Board prior to responding to the Committee.

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i System Council of Presidents

- i The System Council of Presidents, established in 2002, consists of the six presidents of the state universities, four presidents selected by the nineteen community colleges, one president selected by the six technical colleges, and the president of Washburn University. The Board's President and Chief Executive Officer serves as an ex officio member of the Council. Two members of the System Council of Presidents will serve as co-chairpersons: One shall be by annual rotation on July 1st from among the six state universities, the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The presidents of other institutions (when not current members) are invited to provide input to System Council of Presidents when agenda items affecting those institutions are to be considered. On matters that have system-wide impact, all positions will be reported to the Board, and a majority will be required for Council endorsement.

- ii The System Council of Presidents' main function is to consider coordination issues, either at the request of the Board or the Board's President and Chief Executive Officer, or on the System Council of Presidents' own initiative, report to the Board when called upon to do so, and make recommendations to the Board on general policy affecting the system as a whole. The Board President and Chief Executive Officer will determine which issues are coordination issues; the Board Chairperson may review this determination. The System Council of Presidents may create permanent or ad hoc committees, composed of campus or non-campus personnel, to study selected subjects and report back to the Council.

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6 BOARD MEETING AGENDA ITEMS

- a State university chief executive officers shall send agenda items to the President and Chief Executive Officer of the Board as early as needed to meet the Board notification deadlines. If no items are to be presented, the Board President and Chief Executive Officer shall be so notified.
- b No publicity or news release shall be given on any item that requires Board action until after such matter has been presented to the Board.
- c The agenda is printed seven days prior to the Board meeting. All items to be considered on the agenda should be received before its printing. A member of the Board of Regents may submit items for consideration at any time.
- d The Board President and Chief Executive Officer is authorized to accept supplementary agenda items of a critical nature which have developed as a result of unusual circumstances as late as 12 Noon of the day preceding the regularly scheduled Board meeting. Such items shall be in written form with sufficient copies for distribution to the Board members prior to the regular meeting.

8 RECORD OF BOARD ACTIONS

- a Copies of the Minutes of each Board meeting shall be prepared by the Board President and Chief Executive Officer after each meeting and sent to all those entitled to copies. Copies of the minutes are filed in the main library at each of the state universities and are available there for public inspection. Electronic copies of the minutes from a number of years may be accessed from the Board's website, http://www.kansasregents.org/about/regent_meetings_agendas_and_minutes. The Official Minutes of the Board are also on file in the Board Office in Topeka and are open for inspection.
- b Actions taken or approvals given by Board staff on behalf of the Board pursuant to authority officially delegated by the Board shall be properly documented, and such documentation shall be retained at the Board office in accordance with applicable record retention schedules.

B BOARD OFFICE STAFF AND OFFICE OPERATIONS

1 BOARD PRESIDENT AND CHIEF EXECUTIVE OFFICER

The President and Chief Executive Officer performs those duties delineated in Article IV, Section 2 of the Board By-Laws and restated below, maintains the principal office of the Board in Topeka, employs such other persons as needed ~~for positions authorized by the Board~~, and supervises the activities of all employees of the Board office. The President and Chief Executive Officer is appointed by the Board and serves at its pleasure. By statute it is the duty of the Board President and Chief Executive Officer to attend all meetings of the Board of Regents, keep a full and correct record of its proceedings (which, when approved, shall be signed by the Chair of the Board), and perform such other duties as the Board may require.

As set forth in Article IV, Section 2 of the By-Laws, the principal duties of the President and Chief Executive Officer include:

- a Maintaining a thorough knowledge of current issues in higher education and particular trends in Kansas;
- b Bringing issues before the Board of Regents in a professional, meaningful and manageable fashion;
- c Serving as the chief administrative officer for the Board of Regents office staff;
- d Providing liaison with the chief executive officers (or their designees) of Kansas public postsecondary institutions in carrying out policy objectives promulgated by the Board of Regents;
- e Serving as the primary spokesperson for the Board and the System before the Executive and Legislative branches of government on matters affecting postsecondary education;
- f Attending all meetings of the Board and keeping a full and correct record of its proceedings to be signed by the Chair; and
- g Employing such other professional and/or clerical employees as are required to carry out the administrative duties of the Board.

2 BOARD OFFICE STAFF

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- e Commitment of Time, Conflict of Interest, Consulting and Other Employment

The provisions set forth under the heading of CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF, *Commitment of Time, Conflict of Interest, Consulting and Other Employment* shall be applicable to the unclassified staff of the Board. The Board President and Chief Executive Officer may establish rules and procedures to effectuate this policy.

- f Out-of-State Travel Requests

Approval of out-of-state travel requests for staff other than the President and Chief Executive Officer of the Board is vested in the Board President and Chief Executive Officer. Requests for such travel should be as directed by the Board President and Chief Executive Officer and expenses will be allowed pursuant to Department of Administration regulations on travel.

Approval of out-of-state travel request for the Board President and Chief Executive Officer is vested in the Board Chairman. Requests for such travel should be submitted as directed by the Board Chairman and expenses will be allowed pursuant to Department of Administration regulations on travel.

- g Criminal Background Checks

The provisions set forth under the heading of CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF, *Appointments, Criminal Background Checks* shall apply to staff hired for the Board office. The Board President and Chief Executive Officer may establish rules and procedures to effectuate this policy.

3 CONTRACTS

- a The Board of Regents may enter into contracts, including leases of personal property, with any party or parties including any agency of the United States or any state or any subdivision of any state or with any person, partnership or corporation if the purpose of such contract is related to the operation

or function of the Board. (K.S.A. 76-721). Except as otherwise specifically required by statute or Board policy, or in circumstances where the Board President has a conflict of interest, the Board delegates its contracting authority to the Board President and Chief Executive Officer, who may negotiate and enter contracts on behalf of the Board. The Board President and CEO may negotiate but not enter into contracts involving expenditure of greater than \$250,000 or a term of greater than 3 years without Board Governance Committee approval; this restriction does not apply to grant awards made pursuant to state or federal law. In the event the Board President and Chief Executive Officer has a conflict of interest, the Board Chairman may approve and execute the contract unless the full Board's review is otherwise required by Board policy or state law.

- b Contracts entered into on behalf of the Board of Regents shall be executed by the Chair of the Board, or the Board's President and Chief Executive Officer, or anyone otherwise authorized by direct action of the Board.
- c Memoranda of agreement negotiated pursuant to the Public Employer-Employee Relations Act, K.S.A. 75-4322 et seq., shall be processed as follows:
 - i Except as otherwise provided in this policy, the Board of Regents delegates its rights and responsibilities as "public agency/public employer" under the Public Employer-Employee Relations Act to each university chief executive officer and the university chief executive officer's designees for purposes of negotiating memoranda of agreement and reaching tentative agreement under the Act.
 - ii Each state university shall, at the time it or a legally recognized employee organization seeks to open negotiations of a new or existing memorandum of agreement, submit to the Board President and Chief Executive Officer and the Board's general counsel notice and the scope of and timeline for the impending negotiations.
 - iii Prior to the first meet and confer session the Board President and Chief Executive Officer may meet with the university chief executive officer and/or university employer negotiators to discuss the negotiations.
 - iv Additionally or alternatively, during the beginning stages of any meet and confer proceedings the full Board or its Governance Committee or the Fiscal Affairs and Audit Committee may meet to discuss the negotiations with the university chief executive officer and/or university employer negotiators. The Board or Committee may recess such meetings into executive session, as authorized by the Kansas Open Meetings Act.
 - v At the initial meet and confer session the university employer negotiators shall inform the recognized employee organization that any agreement reached on provisions open for negotiation is tentative, pending formal approval by the Board.
 - vi Once tentative agreement is reached on all items open for negotiation in a meet and confer process, the state university shall submit the proposed agreement, and background information in the form of an issue paper, to the board office (in accordance with Board timelines for submission of agenda items) for inclusion in the first available Board meeting agenda.
 - vii The full Board, acting as the "governing body" under the Public Employer/Employee Relations Act, shall consider the proposed memorandum of agreement, or proposed amendments to an ongoing agreement, and either approve the proposed agreement/amendments and authorize the Board Chairman to execute the agreement on its behalf, or reject the proposed agreement/amendments and return it to the parties for further deliberation. The Board may recess such meetings into executive session, as authorized by the Kansas Open Meetings Act.

- a The Board President and Chief Executive Officer
 - i shall act as the Official Custodian of all public records maintained in the Kansas Board of Regents Office, Suite 520, 1000 S.W. Jackson, Topeka, Kansas 66612-1368;
 - ii may make changes to the Board procedures relating to requests for access to or copies of public records and when changes are made shall report those changes to the Board; and
 - iii may appoint appropriate staff to act as designated record custodians and/or the designated “freedom of information officer,” as set forth and defined by K.S.A. 45-215 et seq.
- b Public records may be inspected during normal business hours of the Board of Regents Office which are between 8:00 a.m. and 5:00 p.m. Monday through Friday (except holidays and other non-work days authorized by the state).
- c The Board’s President and Chief Executive Officer may establish record fees that reflect and are designed to recoup the actual costs of providing copies of or access to public records.

5 PROCEDURES RELATING TO REGULATION OF PRIVATE AND OUT OF STATE POSTSECONDARY INSTITUTIONS

- a The Board President and Chief Executive Officer or designee, on behalf of the Board and in accordance with K.S.A. 2017 Supp. 74-32,162 et seq., shall
 - i issue initial certificates of approval to qualified non-degree-granting private and out-of-state postsecondary educational institutions that submit complete applications and meet all statutory and regulatory requirements for Board certification;
 - ii issue renewal certificates of approval to qualified degree and non-degree-granting private and out-of-state postsecondary educational institutions that submit complete applications and meet all statutory and regulatory requirements for Board renewal of certification; and
 - iii subsequent to issuance of the initial certificate of approval by the Board, approve additional degree-granting authority to qualified degree-granting private and out-of-state postsecondary educational institutions that submit complete applications and meet all statutory and regulatory requirements for additional degree-granting authority.
- b The Board President and Chief Executive Officer, or designee, shall sign all certificates of approval issued pursuant to K.S.A. 2017 Supp. 74-32,170. Certificates of approval issued pursuant to the Private and Out of State Postsecondary Educational Institution Act shall contain the information required by K.S.A. 2017 Supp. 74-32,170, and any other information required by the Board of Regents.
- c The Board President and Chief Executive Officer, on behalf of the Board and in accordance with K.S.A. 2017 Supp. 74-32,178 and 74-32,173, may
 - i request the Attorney General or a local county or district attorney to file an injunction or pursue other appropriate enforcement actions against an institution that is required to but fails to obtain a certificate of approval from the Board to do business in this state; and
 - ii request the Attorney General to pursue appropriate enforcement actions against an institution that has a certificate of authority to do business in this state but has failed to comply with any statutory or regulatory requirement that is within the Board of Regents’ authority to impose.

CHAPTER II: GOVERNANCE¹ – STATE UNIVERSITIES**A ACADEMIC AFFAIRS** (see Chapter III., Section A. for additional academic affairs policies applicable to state universities)

1 ACADEMIC CALENDAR

- a The Academic Calendar of each state university shall provide for an academic year minimally consisting of two sixteen-week semesters totaling no fewer than 146 instructional days plus five final exam days each semester.
- b Each state university shall file a three-year Academic Calendar adhering to holidays and breaks approved by the Board. Each state university shall follow the calendar as approved by the Board. Any deviation for reasons other than natural disasters or national emergencies must have prior approval of the Board.
- c The President and Chief Executive Officer of the Board shall have the authority to approve or deny non-substantive revisions to Board-approved three-year calendars and shall periodically report these changes to the Board.

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7 NEW ACADEMIC UNITS AND ACADEMIC PROGRAMS

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- b Actions that Require Approval by the Council of Chief Academic Officers and Board President and Chief Executive Officer: The following types of action require approval by the Council of Chief Academic Officers and the President and Chief Executive Officer of the Board of Regents. Action is approved when the campus receives written notice from the Board President and Chief Executive Officer.
 - i Approval of a new minor in an area of study where no Board-approved degree program exists.
 - ii Changing the name of an existing unit or degree title or consolidating two or more units or degrees in one unit or degree or splitting a unit or program into two or more units or programs.

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10 ACADEMIC ADVISING

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- d Every three years, beginning in spring 2016, each ~~campus~~ state university shall submit to the Board's Vice President for Academic Affairs a written report, no more than two pages in length, describing how its Academic Advising System advances the Board's strategic goals pertaining to retention and graduation. The Vice President for Academic Affairs shall summarize the campus reports in a single document and provide it to the Board President and Chief Executive Officer for transmission to the Board at the President and Chief Executive Officer's discretion.

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D FISCAL MANAGEMENT AND BUSINESS ADMINISTRATION (see Chapter III., Section B. for additional fiscal management policies applicable to state universities)

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6 FINANCIAL REPORTING

- a Annual Financial Report

¹ See Chapter I., Section A.3. for definition of Governance.

Each state university shall submit to the Board President and Chief Executive Officer a comprehensive financial report for the prior fiscal year in accordance with the schedule maintained on the Board of Regents' website. The Board President and Chief Executive Officer shall be responsible for recommending to the Board any specific financial report findings that should be further reviewed by the Board. The financial report shall conform to a format determined by the Council of Business Officers. The financial report shall reflect conformity with financial reporting methods and formats promulgated by the American Institute of Certified Public Accountants, the Governmental Accounting Standards Board and the National Association of College and University Business Officers' Financial Accounting and Reporting Manual for Higher Education unless otherwise provided by state law, practices or procedures.

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THE KANSAS PARTNERSHIP FOR FACULTY OF DISTINCTION PROGRAM

The President and Chief Executive Officer of the Kansas Board of Regents, or designee, shall be responsible for administering the following procedures, which shall be in addition to the procedures set out in K.S.A. 76-773 et seq.

For purposes of this program, "joint donors" will be considered to be related or associated if they have expressed a mutual commitment to furthering the purposes of this program through their joint gift. The institution shall be responsible for demonstrating that such a relationship exists between or among joint donors. In the case of a joint donation, support for an endowed professorship must come from persons or groups that share "common characteristics or similarities such that the joint monetary donation conforms with the purposes of the program." K.S.A. 76-773(c). For example, an appropriate fund raising activity would be for a college of engineering to solicit funds, especially major gifts, from engineering college alumni to support an endowed professorship in engineering. Alternatively, an example that would not conform to the intent of the "common characteristics and similarities" standards of the program would be for the institution to seek donations from all university alumni to support an endowed professorship in engineering.

- a The chancellor, president, director or other chief executive officer of an eligible educational institution shall notify the Board President and Chief Executive Officer of the receipt of each qualifying gift. Such notification will be in a format determined by the Board President and Chief Executive Officer and shall include:
 - i The name of the account of the faculty position to be endowed by the gift;
 - ii The amount of the gift received; and
 - iii The date the gift was received.

The Board President and Chief Executive Officer, or designee, shall determine if the gift qualifies for certification under the program. No gift shall be certified until the threshold amount of cash, as per K.S.A. 76-775 for each type of institution, is on deposit with the institution's endowment association. If the gift qualifies for certification under the program and has been deposited in cash with the endowment association, the Board President and Chief Executive Officer will certify to the Director of Accounts and Reports the amount and date of receipt of the qualifying gift and the appropriate professorship account to which it applies.

Only qualified cash gifts from qualified donors may be used to meet the minimum threshold required for establishment of the endowed professorship. An institution may receive non-cash gifts for an endowed professorship, but such non-cash gifts must be converted to cash and on deposit with the institution's endowment association before they are eligible for certification under the program.

- b Institutions may add new gifts to a certified endowed professorship, as long as the new donations are made by the same single donor or entity or by a member of the same class of joint donors. Only qualified new gifts may be used to increase the total amount of the certified endowed professorship account that is eligible for the state earnings equivalent award.

- c The Board President and Chief Executive Officer will certify receipt of each addition to an original qualifying gift (certified endowed professorship), provided that the addition meets or exceeds at least 20 percent of the institution’s minimum threshold for a qualifying gift and the addition satisfies all other requirements for certification. The chancellor, president, director or other chief executive officer of an eligible educational institution shall notify the Board President and Chief Executive Officer of the receipt of each addition to a previously certified gift. Such notification shall be in a format determined by the Board President and Chief Executive Officer.

- d In accordance with K.S.A. 76-775, the Director of Accounts and Reports shall transfer from the state general fund the amount determined to be the earnings equivalent award for such qualifying gift. The Board President and Chief Executive Officer shall certify no later than June 30 of each year the endowed professorships at all institutions. Prior to June 30 of each year, the Board President and Chief Executive Officer will produce a report listing all certified endowed professorships and request the chief executive officer of each eligible institution, as applicable, to verify the accuracy of such report for her or his institution.

 If on July 1 of any fiscal year the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts is equal to or greater than the applicable maximum stated in K.S.A. 76-775 and amendments thereto, no new qualifying gifts or additions to qualifying gifts will be certified by the Board during that fiscal year. If on July 1 of the subsequent year the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts is less than the applicable maximum, the Board President and Chief Executive Officer shall certify any new qualifying gifts or additions to gifts in the following manner. If for any reason the Board should need to accept qualifying gifts after the maximum total amount of new gifts per year for all or any individual institution has been reached, the date received by the Board shall determine the order in which gifts shall be certified.

- e The Board President and Chief Executive Officer shall prepare and distribute to each participating institution a semi-annual report showing the accumulated amount of gifts that have been certified for all eligible institutions.

- f On or before September 1 of each year, each eligible institution that has established one or more certified endowed professorships shall file a report on a form provided by the Board President and Chief Executive Officer. Such report shall specify how funds (from the State General Fund earnings equivalent awards and from the endowment association’s earnings) were expended to support the endowed professorship(s) for the previous state fiscal year. The Board President and Chief Executive Officer may request other information from the institutions to improve the program or report on its effectiveness.

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22 TRAVEL

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- b Out-of-State Travel Requests – Chief Executive Officers

Approval of out-of-state travel requests for the chief executive officer of a state university is vested in the Board and delegated to the Board’s President and Chief Executive Officer. Requests for out-of-state travel, regardless of source of funding, shall be submitted to the Board Office in such form as prescribed by the Board President and Chief Executive Officer generally at least two weeks prior to the date travel commences, but in no event after the date travel commences. Expenses will be allowed pursuant to Department of Administration or Internal Revenue Service regulations governing travel.

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E FACILITIES

Guiding Principle. Each state university shall inform the Board’s Director of Facilities in a timely manner about construction projects at each campus, including all relevant milestones or unforeseen changes, regardless of location

relative to the university property. Consistent with Board policy on procurement, each capital project involving a state university, its affiliated corporations or other related organizations shall, for projects using state funds, be advertised and bid in a manner that advances and supports the mission of the university, promotes a competitive and fair procurement environment, and is open and transparent.

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3 CAPITAL IMPROVEMENT PROJECTS

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b Process

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v *Design Development Plans*: Following Legislative and Board approval of a specific capital improvement project, design development plans for a building or project and the location of the new building shall be submitted to the Board President and Chief Executive Officer for review and approval before final plans are prepared. The President and Chief Executive Officer, upon the recommendation of the Director of Facilities, may approve said design development plans for the Board.
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CHAPTER III: COORDINATION² - STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, WASHBURN UNIVERSITY AND/OR THE WASHBURN INSTITUTE OF TECHNOLOGY

A **ACADEMIC AFFAIRS** (See Chapter II., Section A. for additional academic affairs policies applicable to state universities)

...
2 TRANSFER AND ARTICULATION

...
e Articulation Agreements

i Between Community Colleges, Technical Colleges and the Institute of Technology

In accordance with K.S.A. ~~72-4453~~ 74-32,420, the board of trustees of each Kansas community college, the governing board of each Kansas technical college and the board of control of the Institute of Technology shall establish transfer and articulation agreements providing for the transferability of substantially equivalent courses of study and programs in order to facilitate the articulation of students to and among those institutions.

(1) The Board of Regents shall be notified of each agreement at the time the agreement is executed.

(2) Each agreement shall be effective only after submission to and approval by the Board of Regents. (K.S.A. ~~72-4453~~ 74-32,420). Preliminary approval shall be given by the Board President and Chief Executive Officer, or designee, upon verification that the agreement is consistent with this policy. Final approval shall require ratification by the Board.

~~(3) The Board President and Chief Executive Officer shall report to the Board on transfer and articulation agreements annually. Such report shall include a description of the agreements preliminarily approved during the last year and a request for ratification by the Board.~~

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6 APPROVAL OF CREDIT COURSES FOR COMMUNITY COLLEGES, TECHNICAL COLLEGES, AND WASHBURN INSTITUTE OF TECHNOLOGY

a Policy

² See Chapter I., Section A.3 for definition of Coordination.

K.S.A. 71-601 *et seq.*, K.S.A. 71-1801 *et seq.*, K.S.A. ~~72-4480~~ 74-32.468 and K.S.A. ~~72-4482~~ 74-32.402 require that the Kansas Board of Regents approve courses for which credit hours are awarded in community colleges, technical colleges and the Washburn Institute of Technology. Procedures for receiving and acting on credit courses submitted by community colleges, technical colleges and the Institute shall be the responsibility of the President and Chief Executive Officer of the Kansas Board of Regents. Procedures will ensure that quality of instruction is properly addressed by the institutions' boards of trustees, governing boards or board of control and that the approval of credit courses is acted on in a timely and effective manner.

b Procedure

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iii Role and Responsibility of the President and Chief Executive Officer or Designee of the Board of Regents

Regarding approval of credit courses, the responsibility of the Board's President and Chief Executive, or designee, is to:

- (1) Ensure compliance with the intent of K.S.A. 71-601 and 71-1802(c)
- (2) Ensure consistency and uniformity in respect to the course approval process
- (3) Ensure that institutions have provided required course information
- (4) Consult with institution administration if problems arise regarding a course
- (5) Provide assistance to institutional staff to facilitate course approval
- (6) Approve or disapprove courses

The Board President and Chief Executive Officer is authorized to make judgments about matters or issues that are not specifically addressed in these Procedures for Approval of Credit Courses.

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8 OFF-CAMPUS DELIVERY OF ACADEMIC COURSES AND PROGRAMS

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g Appeal Process

- i Each home institution shall reply within 30 calendar days of having received a request for an off-campus academic course or program to be offered in its service area. Failure to reply within 30 calendar days of receiving a request shall be deemed an approval.
- ii If an institution is denied approval to offer an off-campus academic course or program in the service area of another institution, the requesting institution may appeal the denial to the Board of Regents President and Chief Executive Officer, who shall have ultimate authority to decide the issue. Factors to be considered in arriving at a decision shall include:
 - (1) Whether there is student need for the course or program in the service area that is not being met by the home institution(s);
 - (2) whether one or more of the home institutions intend to offer the course or program within a reasonable time period;
 - (3) the extent to which the requesting and home institutions have attempted to reach a cooperative agreement with regard to deliverance of the course or program;

- (4) the feasibility of a cooperative effort between the interested institutions;
- (5) whether the course or program is within the mission of the institution that wishes to offer it; and
- (6) whether the course or program is within the mission of any of the home institutions.

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9 DEGREES

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b Standards

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ii Curriculum

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- (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:

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(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 Board President and Chief Executive Officer 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.

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14 DEVELOPMENTAL EDUCATION

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Procedures for implementation of this policy are the responsibility of the Board President and Chief Executive Officer.

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B FISCAL MANAGEMENT (see Chapter II., Section B. for additional fiscal management policies applicable to state universities)

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2 KANSAS TECHNOLOGY INNOVATION AND INTERNSHIP GRANTS

Under the authorization of the Board of Regents, the Board President and Chief Executive Officer established the following procedures

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i Allocation of Funds for Grants

Each year the Board President and Chief Executive Officer, or designee, will determine the amount of funds available for grants.

BOARD MEMBER CONFLICT OF INTEREST DISCLOSURE

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 been awarded the construction management at risk contract for the Koch Arena Expansion project at Wichita State University. Regent Murfin moved to direct Regent Hutton to excuse himself from participating on behalf of the Board in matters involving or related to this project. Regent Feuerborn seconded, and the motion carried.

Other Matters

NAMING A CENTER – KU

Chancellor Girod presented a request to rename the Midwest Cancer Alliance on the University of Kansas Medical Center campus to the Masonic Cancer Alliance in honor of the Kansas Masons. Regent Thomas moved to approve. Regent Murguia seconded, and the motion carried.

AMEND AGENDA

Regent Thomas moved to amend the agenda to remove the executive session, which is the last item on the agenda. Regent Hutton seconded, and the motion carried.

AMENDMENTS TO UNIVERSITY MISSION STATEMENT – FHSU

President Mason presented proposed amendments to Fort Hays State University's Mission Statement. The proposed amendments return the Statement back to the 2012 version. Regent Murfin moved to approve, and Regent Feuerborn seconded. The motion carried. The following amendments were approved:

Fort Hays State University provides ~~educational programs of distinction accessible to Kansans,~~ accessible quality education to Kansas, the nation, and the world through innovative people of excellence who ~~an innovative community of teacher-scholars and professionals to~~ develop engaged global citizen-leaders.

RECESS

Chair Mullin recessed the meeting at 5:56 p.m.

RECONVENE

The Chair reconvened the meeting on Thursday, May 16 at 8:30 a.m.

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

MEMBER ABSENT: Allen Schmidt

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 on the statewide pricing for ACCUPLACER Next-Generation Exams, the progress of the performance agreement working group, and the open educational resources initiative. The Council received the feedback that was provided to President Flanders on the strategic plan. Additionally, the Council discussed the concerns regarding human trafficking on college campuses and directed the Student Affairs Officers to discuss this issue.

REPORT FROM THE COMMUNITY COLLEGES

President Calvert presented the community college report. He highlighted activities occurring at Labette Community College, Garden City Community College, Kansas City Kansas Community College, and Colby Community College. President Calvert also noted the community colleges appreciate the increased funding for the higher education system.

REPORT FROM THE TECHNICAL COLLEGES

President Schears announced the technical colleges are rotating leadership and Manhattan Area Technical College President, Jim Genandt, will chair next year. President Schears reported the technical colleges continue to work on creating a 501(c)(3) nonprofit, which will allow the colleges to work as a unit to improve and grow business and industry relationships. The technical colleges are also discussing whether their Association should have an economic impact study done for the sector. The colleges will continue to discuss the matter at their retreat in Manhattan. President Schears also thanked everyone for their work during the legislative session and noted communicating as a system was a positive approach. Regent Mullin thanked President Schears for his leadership over the last several years.

APPROVAL OF CONSENT AGENDA

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

Technical Education Authority

FY 2020 DISTRIBUTION OF THE KANSAS NURSING GRANT INITIATIVE

The FY 2020 Nursing Initiative Grant was awarded to the below institutions. These funds will be used by the institutions to support nursing faculty professional development.

	Amount Recommended for Award
Alternative Applications <i>(NCLEX Scores/Accreditation Support)</i>	
Barton Community College	\$ 20,000
Colby Community College	50,465

Kansas City Kansas Community College	11,500
Kansas Wesleyan University	22,176
Neosho County Community College	31,368
Pratt Community College	29,117
Seward County Community College	6,225
Total Alternative Applications	\$ 170,851
Full Applications	
Baker University	\$ 9,451
Butler Community College	30,700
Cloud County Community College	31,449
Dodge City Community College	9,000
Emporia State University	195,000
Fort Hays State University	148,021
Fort Scott Community College	22,337
Garden City Community College	20,000
Hesston College	28,230
Highland Community College	12,075
Hutchinson Community College	25,428
Johnson County Community College	37,874
University of Kansas	238,638
Labette Community College	105,156
Manhattan Area Technical College	53,160
MidAmerica Nazarene University	11,000
North Central Kansas Technical College	39,597
Ottawa University	112,993
Pittsburg State University	175,894
University of St. Mary	57,737
Washburn University	137,500
Wichita State University	47,550
Total Full Applications	\$ 1,548,790
Total Funds Recommended for Award	\$ 1,719,641

TRANSITION PLAN – STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR 21ST CENTURY ACT (PERKINS V)

The Perkins V Transition Plan was approved. A full four-year state plan will need to be submitted to the U.S. Department of Education in the spring of 2020.

CONSIDERATION OF DISCUSSION AGENDA

AMEND AGENDA

Regent Murfin moved to add the request to Approve Degree Granting Authority for the Kansas Health Science Center to the Discussion Agenda. He noted this item was removed from yesterday's Consent Agenda. Regent Van Etten seconded, and the motion passed. Regent Mullin noted this will be the next item on the agenda.

Other Matters

DEGREE GRANTING AUTHORITY FOR THE KANSAS HEALTH SCIENCE CENTER

Jean Redeker, Vice President for Academic Affairs, presented the Kansas Health Science Center's request for a Certificate of Approval to operate in Kansas and for degree granting authority. The Kansas Health Science Center is a private, not-for-profit postsecondary institution that will be located in Wichita, Kansas. Dr. Redeker reviewed the Board's regulatory authority and the process Board staff uses when determining whether the materials submitted by the institution meet the standards set out in the statutes. Since this Center will specialize in Osteopathic Medicine, the Board office established an outside review team to complete an evaluation of the curriculum requirements submitted by the Center. The review team had four osteopathic physicians that are practicing in Kansas and it was their opinion that the submitted curriculum sufficiently prepares graduates in core competencies and professionalism. Dr. Redeker stated the next step in the process, if the Board grants the Certificate of Approval, is for the Center to seek accreditation from the American Osteopathic Association's Commission on Osteopathic College Accreditation. The process includes three phases that the Center must complete before reaching full accreditation. Vice President Redeker noted the Center will be required to submit annual documentation to the Board office regarding its accreditation status, which is part of the renewal process for the Certificate of Approval. The Board discussed its regulatory role and concerns about the number of clinical sites in the state. Following discussion, Regent Murguia moved to grant the Center a Certificate of Approval and degree granting authority. Regent Murfin seconded, and the motion carried. The Board then asked to receive an update on the Center's progress in six months.

WICHITA STATE UNIVERSITY PRESIDENTIAL SEARCH

Regent Hutton moved to appoint Steve Clark as chair of the Wichita State University Presidential Search Committee. Regent Murfin seconded, and the motion carried.

Regent Hutton moved to approve the members of the Search Committee. Regent Feuerborn seconded, and the motion carried.

Regent Mullin read the Search Committee Charge. Regent Bangerter moved to approve, and Regent Van Etten seconded. The motion carried.

President Flanders stated last month the Board office issued a Request for Proposal to seek bids from executive search firms. Eight proposals were received and after review, Board staff recommends hiring Wheless Partners. President Flanders noted this is the same firm that assisted

with the Fort Hays State University Presidential Search. Regent Feuerborn moved to approve and Regent Thomas seconded. The motion carried.

(Committee Members and Committee Charge filed with Official Minutes)

HIGHLIGHTS ON SYSTEM ENROLLMENTS

Elaine Frisbie, Vice President of Finance and Administration, presented the report on system enrollments for Academic Year 2018. In 2018, the enrollment headcount for public higher education sector was 233,518 and the full-time equivalency (FTE) student count was 137,420. Vice President Frisbie noted the system enrollments are back to the 2008 level. For state universities, headcount is down from its peak in 2012 by 2% and FTE is about the same as the 2012 level. The headcount for community colleges is down 13.7% and FTE is down 14.9% from its peak enrollment in 2011 despite enrollments in the Excel in CTE program. Vice President Frisbie stated the community colleges are more susceptible to economic changes and their numbers correspond with the national enrollment trends. The technical colleges have seen the highest growth over the last five years in headcount and FTE at 37.6%. It was noted that this sector is less likely to be impacted by economic cycles and has seen increased enrollment related to the Excel in CTE program. Vice President Frisbie reviewed the state's net migration of first-time students. In 2018, the system imported 1,975 first-time students from other states with the highest number coming from Texas, Missouri, Colorado, and Illinois. She noted the Board office will continue to monitor this metric to see how new enrollment strategies at some of the universities impact the immigration numbers. President Frisbie also reviewed data regarding Kansas high school graduates entering college. One of the metrics that is tracked is the percent of high school students meeting ACT benchmarks. In 2018, 25,103 high school students took the ACT and only 29% met all four ACT benchmarks, which is above the national average of 27%. Data regarding college going rate, developmental education, dual enrollment, and distance education was also reviewed.

(PowerPoint filed with Official Minutes)

NEW STRATEGIC PLANNING PROCESS

President Flanders stated at the 2017 Board retreat, the Board began discussing the development of a new strategic plan since the current plan is approaching the end of its ten-year cycle. At that time, the Board directed President Flanders to assemble workgroups to gather information on the most effective process for developing a new strategic plan. These groups had representatives from the different sectors of higher education. One approach that was discussed by the groups and the Governance Committee was to gather feedback from Kansans on what they need from the higher education system. President Flanders noted in the spring and summer of 2018, he and some Board members met with business leaders, high school students, parents, and high school administrators in Dodge City, Garden City, Colby, Hays, Kansas City, Topeka, Wichita, and Pittsburg to gather feedback.

At the 2018 Board retreat, President Flanders reviewed the data collected from the statewide meetings. An overwhelming majority of all students and their parents identified the cost of attendance as one of the most significant challenges faced by families in accessing higher education. Concerns about out-of-pocket expenses and debt have the potential to dissuade many students from pursuing their education beyond high school. Many students also struggled to

understand the application process and felt that they could not find the necessary information needed to apply for admission or financial aid. These concerns were more pronounced among low-income and/or first-generation students. The business leaders expressed concerns about not having enough qualified workers to keep their businesses competitive but an overwhelming majority of them said that workers who do have the right education level meet or exceed expectations.

President Flanders noted, based on the feedback and discussions with the Governance Committee, three messaging pillars were identified: 1) Kansas families – This pillar of the plan would focus on ways to help students earn credentials beyond high school that lead to rewarding and productive careers; 2) Kansas businesses – This part of the plan would focus on ensuring that the high education system provides the workforce demanded by employers in the state both in terms of skills and number of workers; and 3) Kansas economic prosperity – This part of the plan would focus on the ways in which universities and colleges are innovative and intentional partners in growing state and local economies. Then under the family and business pillars, the following areas of focus were identified:

- Access, or navigating the application system and overcoming barriers, real and perceived, to entry and attendance.
- Affordability, or paying for education beyond high school without incurring debt loads that they found worrisome.
- Success, or leveraging education after high school to earn decent wages and build good careers.
- Talent Pipeline, or finding enough workers with the right level of education.

President Flanders stated the proposed structure for the new plan will also include dashboard metrics, progress metrics, and high impact practices under each area of focus. He reviewed some of the proposed metrics and noted the structure along with proposed metrics were presented to the System Council of Presidents at its March meeting. The CEOs were asked to provide feedback and he stated there is general agreement among the CEOs on the three pillars and the areas of focus. He also noted the Council will continue to discuss the metrics and high impact practices.

For the third pillar, Kansas economic prosperity, the idea is to highlight ways in which the institutions are intentional partners in building state and local economies. This pillar will not measure the day-to-day economic impact but will focus on unique partnerships that set our system apart as an important economic driver. Examples of the types of partnerships that could be captured under this pillar would be Pittsburg State's Block 22 and Wichita State's Innovation campus. President Flanders stated this pillar is still being discussed by the CEOs.

Regent Mullin asked about the timeline for the new plan. President Flanders plans to present a draft to the Board at the retreat and noted the Board will have next year to finalize the components of the plan.

(PowerPoint filed with Official Minutes)

BOARD'S UNIFIED BUDGET REQUEST PREPARATIONS

Vice President Frisbie stated the Kansas Higher Education Coordination Act requires the Board of Regents to develop and present to the Governor and Legislature a unified request for state appropriations for postsecondary education each year. The Board's request must be submitted by October 1 every year. Vice President Frisbie reviewed the proposed calendar below.

Unified Appropriation Request Schedule

April 2019 Board Meeting	Capital improvement requests for state universities (First Reading).
May 2019 Board Meeting	Board acts on capital improvement requests for July 1.
June 2019 Board Meeting	Board staff reviews potential areas of request. Board receives institution and sector specific requests. (If possible, sector and institutions' proposals are submitted to the Board Office by Monday, June 3.)
August 2019 Board Retreat	Board conducts budget session to discuss FY 2021 requests. Board continues discussion of system, institution, and sector specific requests and indicates preference for inclusion in the FY 2021 Budget Request.
September 2019 Board Meeting	Board officially approves FY 2021 unified budget request.
October 1, 2019	Board's FY 2021 unified budget request submitted.

FY 2020 BOARD CHAIR AND VICE CHAIR ELECTION

Regent Van Etten moved to elect Regent Shane Bangerter as Chair of the Board for FY 2020. With the second of Regent Murfin, the motion carried. Regent Thomas moved to elect Regent Bill Feuerborn as Vice Chair. Following the second of Regent Hutton, the motion carried.

EXECUTIVE SESSION

At 10:38 a.m., Regent Bangerter moved, followed by the second of Regent Feuerborn, to recess into executive session in the Kathy Rupp Conference room starting at 10:45 a.m. for 1 hour and 15 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was the annual Board President and CEO evaluation and CEO compensation. 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 (for a portion), General Counsel Julene Miller (for a portion), and Vice President Elaine Frisbie (for a portion). At 12:00 p.m., the meeting returned to open session. Regent Bangerter moved to extend 15 minutes. Regent Murfin seconded, and the motion carried. At 12:15 p.m., the meeting returned to open session.

ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

 Blake Flanders, President and CEO

 Dennis Mullin, Chair