

KANSAS BOARD OF REGENTS

MINUTES

February 19-20, 2020

The February 19, 2020, meeting of the Kansas Board of Regents was called to order by Chair Shane Bangerter at 1:16 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:

Shane Bangerter, Chair
Bill Feuerborn, Vice Chair
Ann Brandau-Murguia
Cheryl Harrison-Lee
Mark Hutton
Shelly Kiblinger
Jon Rolph
Allen Schmidt
Helen Van Etten

REPORT FROM CHAIR

Chair Bangerter welcomed everyone. He reported the Board is looking forward to having dinner with the two-year college presidents and the chairs of their boards of trustees. This dinner is a great opportunity for the Board to hear from the leaders of the two-year sector. Chair Bangerter also thanked Washburn University for hosting this event. He then reported that the Board will have breakfast with the Council of Chief Academic Officers tomorrow morning.

APPROVAL OF MINUTES

Regent Rolph moved that the minutes of the January 15, 2020 meeting be approved. Following the second of Regent Harrison-Lee, the motion carried.

GENERAL REPORTS

REPORT FROM PRESIDENT AND CEO

President Flanders reported that over the last several weeks he has provided testimony on many legislative bills including the Board's private postsecondary bill. He announced that the Board office will receive a transfer of funds in the amount of \$20,000 for the awarding of the Governor's Scholarship. These funds will be awarded to Cloud County Community College, Highland Community College, Neosho County Community College, and Seward County Community College because they were the four community colleges that had the highest Student Success Index in AY 2019. Each college will receive \$5,000 to award four Governor's Scholarships to students with financial need who are enrolled at the colleges. President Flanders noted this award is a great opportunity to provide some students will financial assistance.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Trzaska presented the System Council of Presidents report. The Council received an update on the activities of the System Council of Chief Academic Officers, including their review

of the new Kansas Public Postsecondary Systemwide Transfer Portal, which is located on the Board's website. In the portal students can view all transfer courses that are offered at the institutions, can determine if and how courses they have already taken will transfer within the system, and view course core outcomes. The Academic Officers also received an update on the progress of the OER Steering Committee and discussed potential high impact practices for the Board's new strategic plan. President Flanders then presented to the CEOs an outline of the proposed strategic plan. The CEOs discussed the metrics and the importance of resourcing the plan. The group also discussed the attainment goal. With regard to student access, the Council discussed program entrance requirements and it was determined that each campus should look at entrance requirements to see if there are barriers for students.

REPORT FROM THE COMMUNITY COLLEGES

President Trzaska reported the community colleges are monitoring several legislative bills: House Bill 2515 – creating the Kansas promise scholarship program, Senate Bill 335 – authorizing school districts to pay the tuition for students' dual enrollment in a postsecondary educational institution, and Senate Bill 336 – creating the Kansas reinvest in postsecondary education act. At the federal level, the biggest priorities of the community colleges are to increase the maximum award of the Pell Grant and lower the number of clock hours to 150 for short term Pell Grants, which would allow students to pursue short term certificate, and second chance Pell Grants. The community colleges are also monitoring and discussing the proposed national student unit record data system.

REPORT FROM COUNCIL OF PRESIDENTS

President Garrett 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, and the Council of Student Affairs Officers. The Academic Officers reviewed programs. The Business Officers reported the bids for the space utilization study have been submitted and will be reviewed. They also approved increasing the annual aggregate limit of the cybersecurity insurance from \$10 million to \$20 million, which will increase premiums by 50 percent. The Government Relations Officers gave an update on the activities at the Statehouse. One bill that they will be monitoring allows student athletes to be compensated for use of their name, image or likeness. This type of bill is being introduced in multiple states and the hope is that the NCAA or Congress will address this issue in the near future so that each state does not have different rules. The Student Affairs Officers are discussing how the upcoming election will impact campuses and how the campuses will aid in the collection of census data.

Additionally, President Garrett reported the Council of Presidents approved Kansas State University's request to offer a Bachelor of Science in Integrative Physiology. The program will be forwarded to the Board for consideration at the March meeting. The CEOs also approved the recommended KBOR student health insurance benefits and premium rates for plan year 2020-2021. This item is on today's Board agenda for consideration.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Greg Schneider presented the Council of Faculty Senate Presidents report. The Council voted to not move forward with a freedom of expression resolution because the faculty believe the campuses are already doing the activities in the resolution and the language of the proposed resolution was considered too vague. The Council discussed House Bill 2697 that would create

the campus intellectual diversity act and would require each postsecondary educational institution to create an office of public policy events. The Council opposes this bill. Additionally, the Council discussed drafting a statement on shared governance.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Paul Frost reported that the student higher education days at the Statehouse started yesterday with students from Pittsburg State and Fort Hays State meeting with legislators. Students from the other university campuses are scheduled to be at the Statehouse later in the session. The main legislative priority of the students is to increase funding for higher education. Each university student government association passed a resolution supporting additional funding.

(Resolutions filed with Official Minutes)

REPORT FROM THE TECHNICAL COLLEGES

President Nichols presented the report for the technical colleges. He highlighted activities and partnerships at the colleges. Northwest Kansas Technical College recently announced it will partner with the Goodland Regional Medical Center to offer students free on-campus counseling services. North Central Kansas Technical College completed its Higher Learning Commission accreditation review. Washburn Tech created a campus advocate to support students with mental health concerns. Flint Hills Technical College's Inspiring Wranglers funding campaign is 90 percent complete. The money raised will allow the College to expand its hospitality and culinary arts programs. At Salina Area Technical College, a local car dealership donated a 2015 Ford Focus to its automotive programs to aid student learning. President Nichols also announced that the technical colleges conducted an economic impact study, which showed that the colleges have an annual economic impact on the state of \$380 million.

REPORT FROM UNIVERSITY CEOS

President Myers reported that Kansas State University was awarded the 2020 International Data Group award for its Research Information Security Enclave project, which uses Microsoft Cloud to meet the appropriate standards for each sponsored-research effort. The University was the recipient of the 2019 Higher Education Excellence in Diversity award. President Myers noted that KSU is the only Kansas institution to receive this designation. KSU received the 2020 Carnegie Community Engagement Classification for its commitment to community engagement. An example of the University's community engagement is the College of Veterinary Medicine's Mobile Surgery Unit, which visits regional animal shelters to provide on-site medical triage. President Myers reported he attended the naming ceremony for the Carl R. Ice College of Engineering, which is the first college to be named on campus. He also highlighted that the 2019 Horse Judging Team won the international championship, the 2019 Crops Team won the national championship, and senior, Clara Wicoff, was awarded a 2019 Truman Scholarship.

President Golden stated his vision for Wichita State University is to be one of America's most innovative research-intensive universities known for its impactful student experience. He reviewed the University's five priorities. The first priority is to provide an accessible and affordable education to students no matter their family income, GPA or test score. The second priority is to deliver the best student experience. President Golden stated to accomplish this WSU will create a strong sense of community and provide a safe, inclusive and diverse campus. The

third priority is to recruit and retain talent. President Golden noted the importance of connecting WSU graduates to local businesses. The fourth priority is to grow and diversify research, which includes increasing the number of faculty conducting funded research, expanding paid applied learning opportunities for students, and looking at ways to partner with the University of Kansas and Kansas State University. The fifth priority is to embrace a mission of service.

(PowerPoints filed with Official Minutes)

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Schmidt reported the Board Academic Affairs Standing Committee approved proposed amendments to the Board degree policy that would allow the colleges to offer Associate in Fine Arts degrees. The Committee is recommending this policy amendment be placed on the Board's consent agenda in March. The Committee then heard an update on Kansas' participation in the State Authorization Reciprocity Agreement (SARA). This program enables out-of-state students from 48 states to take online classes at Kansas colleges and universities. In academic year 2019, over 42,000 out-of-state students were enrolled in the Kansas SARA institutions and 10,000 Kansans were enrolled in distance education in other states. The Committee received presentations from Emporia State University and Kansas State University on their academic advising practices and strategies. Regent Kiblinger provided an update on the first meeting of the Coordinating Council; the Committee discussed the recent formation of an informal working group that will discuss the challenges and opportunities associated with filling direct support professional jobs. The Committee also discussed undergraduate admission nursing requirements.

Daniel Archer, Vice President for Academic Affairs, presented the Board with a list of admission requirements for the system's Register Nursing programs, as requested by Regent Murguia. He noted most nursing programs use some type of standardized test for entrance, however the requirements vary from institution to institution. Regent Murguia stated that during her time on the Board she has been concerned about limiting access to the public higher education system, especially for non-traditional and first-generation students. She recently went back to college and described all the amazing things occurring in the classroom, but she also encountered issues when trying to enroll. She described her particular situation and noted she would like to understand why there are different admission requirements across the system for the same type of program. Regent Murguia also stated she would like the universities and colleges to review their program admission requirements to determine if there are barriers that are preventing non-traditional and first-generation students from accessing programs.

FISCAL AFFAIRS AND AUDIT

Regent Hutton presented the Fiscal Affairs and Audit Standing Committee report. Wichita State University presented additional information on the bond financed purchase of The Flats and The Suites. A history of the projects and the razing of Fairmount Towers were discussed. The Committee recommendation is to table this item for further discussion at next month's meeting. Jeff Hunter with the University of Kansas presented information on the Composite Financial Index and how the figures are collected. The Committee also received the latest update of the state

university CFI numbers. Regent Hutton noted over the next couple of months, the business officers will give the Committee financial updates for FY 2020.

AMEND AGENDA

Regent Rolph moved that the Board remove item E.3 from the discussion agenda. This is the request from Wichita State University to purchase private housing facilities on the Wichita State University campus and to seek bonding authority to finance the purchase. As noted earlier the Fiscal Affairs and Audit Committee will receive additional information on this topic at its March meeting. Regent Hutton seconded, and the motion carried. Regent Feuerborn voted against the motion.

GOVERNANCE

Regent Bangert reported the Governance Committee reviewed the proposed KBOR student health insurance benefits and premium rates for plan year 2020-2021, which is on the agenda for the Board to consider. The Committee also went into executive session to receive campus security reports from Emporia State University and Wichita State University.

BREAK

The Chair called for a break at 2:21 p.m. and resumed the meeting at 2:32 p.m.

COORDINATING COUNCIL

Regent Kiblinger reported the new Coordinating Council, which was formed following the joint meeting between the Kansas Board of Regents and the Kansas State Board of Education, held its first meeting on Monday, February 10. She stated the purpose of the Council is to work on matters that overlap between the two educational systems and the workforce sector. To enhance the work of the Council, representatives of the Kansas Chamber were asked to be part of the body. At the first meeting, the Council was provided information on how Cedar Rapids and Des Moines, Iowa used their educational systems to help drive change in their local economies. The Council also received information on concurrent enrollment including 2020 Senate Bill 335 that would authorize school districts to pay the tuition for students' dual enrollment in a postsecondary educational institution. Regent Kiblinger noted the next step for the Council is to identify goals and objectives for the body. The Council will meet quarterly and its next meeting is scheduled for May 19.

APPROVAL OF CONSENT AGENDA

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

Academic Affairs

MASTER OF SCIENCE IN ATHLETIC TRAINING – FHSU

Fort Hays State University received approval to offer a Master of Science in Athletic Training (CIP code: 51.0913). The accreditation body (Commission on Accreditation of Athletic Training Education) recently changed its accreditation standards to require institutions to transition to a graduate or master's level degree. The estimated cost of the program for the first three years is as follows: year one -

\$291,348, year two - \$291,789, and year three \$291,230. The primary source of funding for the program will be student tuition and fees.

WICHITA STATE UNIVERSITY’S 2021 AND 2022 SPRING BREAK DATES

Wichita State University received authorization to change its 2021 and 2022 spring break dates, as shown below. These changes will allow the University to align with the spring break schedules of the local K-12 school districts in Wichita.

WSU		
Break	Previously Approved Dates	Newly Approved Dates
2021 Spring Break	March 22-28, 2021	March 15-21, 2021
2022 Spring Break	March 21-27, 2022	March 14-20, 2022

AY 2018 PERFORMANCE REPORTS

The Board Academic Affairs Standing Committee’s recommendations on the AY 2018 performance reports were approved. The Committee determined what percent of new funds an institution is qualified to receive based on the Board’s Performance Agreement Funding Guidelines. Below are the approved funding recommendations.

Institution	Funding Recommendation
Emporia State University	100% funding
Fort Hays State University	100% funding
Kansas State University	100% funding
Pittsburg State University	100% funding
University of Kansas	100% funding
University of Kansas Medical Center	100% funding
Wichita State University	100% funding
Washburn University/Washburn Tech	100% funding
Allen County Community College	100% funding
Barton County Community College	100% funding
Butler Community College	100% funding
Cloud County Community College	100% funding
Coffeyville Community College	100% funding
Colby Community College	100% funding
Cowley County Community College	100% funding
Dodge City Community College	90% funding
Fort Scott Community College	100% funding
Garden City Community College	100% funding
Highland Community College	100% funding
Hutchinson Community College	100% funding
Independence Community College	90% funding
Johnson County Community College	100% funding

Kansas City Kansas Community College	100% funding
Labette Community College	100% funding
Neosho County Community College	100% funding
Pratt Community College	75% funding
Seward County Community College	90% funding
Flint Hills Technical College	100% funding
Manhattan Area Technical College	100% funding
North Central Kansas Technical College	100% funding
Northwest Kansas Technical College	100% funding
Salina Area Technical College	100% funding
Wichita State University Campus of Applied Science and Technology	100% funding

Fiscal Affairs & Audit

REQUEST TO RAZE BUILDING – KSU

Kansas State University received authorization to raze the swine gestation/breeding barn located at 2082 Livestock Units Road in Manhattan. The barn, which was built in 1968, cannot be remodeled to meet current industry swine barn standards. The cost to raze the building is estimated a \$20,400, which will be funded with departmental restricted fee funds. KSU plans to use the lot to construct a new farrowing barn.

MEMORANDUM OF AGREEMENT BETWEEN THE UNIVERSITY OF KANSAS AND THE KANSAS UNIVERSITY POLICE OFFICER ASSOCIATION

The amendments to the Memorandum of Agreement (MOA) between the University of Kansas and the Kansas University Police Officer Association were approved. The MOA involves approximately 13 Police Officers, 18 Security Officers, and two Police Investigators in the Public Safety Office at the University of Kansas Lawrence campus who are represented by the Kansas University Police Officers Association. Areas amended in the MOA included salary, training, work periods, and grievance procedures.

Technical Education Authority

NEW STATE PLAN ON PERKINS V: STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT

The new four-year state plan for Perkins V: Strengthening Career and Technical Education was approved. The plan will now be submitted to the U.S. Department of Education.

NEW STATE PLAN FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

The new state plan for the Workforce Innovation and Opportunity Act was approved. The new state plan builds on the existing collaboration between adult education, higher education, and workforce partners by continuing the expansion of existing programs and services.

CONSIDERATION OF DISCUSSION AGENDA

Presentations

FORESIGHT 2020 REPORT AND NEW BOARD STRATEGIC PLAN

Blake Flanders, President and CEO, presented the ninth and final *Foresight 2020* progress report. The Board's strategic plan consists of the following three goals: 1) Increase Higher Education Attainment Among Kansans, 2) Improve Alignment of the State's Higher Education System with the Needs of the Economy, and 3) Ensure State University Excellence. The Board's attainment goal is to increase to 60 percent the number of Kansas adults who have a certificate, associate degree or bachelor's degree. President Flanders stated the number of credentials awarded by the public higher education institutions has increased 20 percent (7,746 awards) from 2010 to 2019. However, the overall credential production for the public, private, and independent universities and colleges in Kansas has remained relatively flat and as a result, the attainment gap for the system is approximately 12,000 awards. For graduation rates, the state universities had significant gains in on-time completion with a net gain of 4.3 percent from 2011 to 2018. The community colleges, over the same time frame, increased on-time graduation rates by 4.2 percent and Washburn University increased by 4.0 percent. President Flanders reported the enrollment of Pell Grant recipients has declined systemwide by more than 10,000 students since 2014 and the percent of students receiving Pell has declined by 3.8 percentage points during the same time.

For Goal Two, President Flanders reviewed the data on the employment and average wages of students who have graduated and are employed in Kansas or Missouri. Approximately 60.6 percent of 2017 Kansas graduates who earned a bachelor's degree were employed in Kansas or Missouri in 2018. In comparison, approximately 63.9 percent of 2017 associate degree graduates and 74.4 percent of 2017 certificate earners were employed in the region. President Flanders stated students who earned a bachelor's degree typically earn less than the average Kansas wage immediately after graduating but within four years, those same graduates have an average salary that exceeds the state average. Students who earn an associate degree typically surpass the Kansas average wage within six or seven years after graduation. President Flanders also reviewed the progress of the state initiatives – Excel in Career Technical Education, Engineering, and Nursing. All three of these initiatives are successful and benefit students, and they demonstrate how successful partnerships between the state and higher education can work.

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

President Flanders noted over the past decade, higher education in Kansas has experienced positive changes, like increasing credential production and graduation rates but has also faced some challenges, like decreased enrollment and serving fewer Pell Grant recipients. Moving forward the system must identify and remove barriers that may prevent students from accessing institutions. Work needs to continue on improving program articulation, and the system needs to work with Kansas business to increase the number of graduates employed in the state. President Flanders closed by noting the new strategic plan for the system will focus on three messaging pillars: 1) Kansas families, 2) Kansas businesses, and 3) Kansas economic prosperity. Under the family and business pillars are areas of focus with specific dashboard metrics (lagging indicators) and progress metrics (leading indicators). The plan will also include high impact practices. He noted the System Council of Presidents continues to review the metrics of the plan and are working on identifying high impact practices. The draft plan will be presented to the Board for first read in May.

The Board discussed the decline in Pell grants and believes the system needs to better understand why those numbers are going down. It was also noted that the identified challenges for the system need to be tied to the new strategic plan. These challenges include removing barriers, establishing stronger connections between graduates and Kansas employers, and improving program articulation.

(Report filed with Official Minutes)

PREDICTIVE MODEL FOR KANSAS HIGH SCHOOL GRADUATES

Elaine Frisbie, Vice President for Finance and Administration, presented data that shows how the population of Kansas is changing and how those changes could affect enrollment at the state universities and colleges. The predictive model for Kansas high school graduates was created by the Board's Data Research and Planning team and includes data from the higher education system and the Kansas Department of Education (KSDE). Vice President Frisbie reviewed current enrollment trends at the institutions. From 2009 to 2019, the universities have generally seen declining or flat enrollment with a few exceptions. During that same time frame, community colleges are down 15 percent in full-time equivalency enrollment. Vice President Frisbie stated the declining enrollment at the community colleges may be correlated with economic expansion. The technical colleges have increased enrollment 48 percent over the ten-year period. This sector has benefited from the growing Excel in CTE initiative. Vice President Frisbie reviewed the Wichita State University Center for Economic Development and Business Research population forecast for Kansas. From 2014 to 2044, population is projected to shift from rural to metropolitan areas with 85 counties decreasing in population. Kansas racial/ethnic characteristics will also change with increases in Hispanic and Asian residents. Vice President Frisbie discussed the data from KSDE that show enrollment predictions for third grade students decreasing as they move toward 12th grade. This decline is based on attrition ratios and out-migration. She noted the public college going rate of Kansas high school graduates has declined five percentage points in three years.

Based on this data, the predictive model indicates the public higher education system will enroll fewer white and black students but will increase the number of Hispanics served during academic years 2018 through 2029. The overall enrollment will grow slightly with 16,552 enrolled in 2018 and 16,833 enrolled in 2029. During that same time frame, the model predicts fewer system

graduates – 6,637 in 2018 and 6,619 in 2029. It also shows enrollment and attainment gaps broken down by race. Overall, the model shows that the public higher education system will need to adapt to serve the changing population of Kansans.

(PowerPoint filed with Official Minutes)

Governance

KBOR STUDENT HEALTH INSURANCE BENEFITS AND PREMIUM RATES FOR PLAN YEAR 2020-2021

Madi Vannaman, Board Staff Affiliate, presented the Student Insurance Advisory Committee's recommendation for the student health insurance benefits and premium rates for plan year 2020-2021. The student insurance plan has been experiencing challenges the past several years as claims have exceeded premiums paid. The escalating claims have largely been associated with students and dependents enrolled in the "voluntary" Plan (Plan 1). Because "incentivized" students enrolled in the plan had been subsidizing the "voluntary" plan, separate risk pools were created for the 2019-2020 plan year. Incentivized students are eligible graduate students who receive university premium contributions, international students who are required by Board policy to carry health insurance, and a new cohort that was created for students required by their academic program to maintain insurance. For the upcoming plan year, UnitedHealthcare provided the Committee with several options for the separate risk pools. The Committee reviewed the options and recommends the following for Plan Year 2020-2021:

1. Raise the deductible from \$500 to \$1,000 for the Plan 1 only. This change cannot be applied to the other Plans as they could have international students enrolled for whom federal requirements mandate their insurance deductible cannot be greater than \$500. Annual premium savings is 5% or \$249.85.
2. Decrease UHC-SR's coinsurance from 80% to 75%. This change will not impact students seeking preventive care or services at the Student Health Center. Annual premium savings is 3% or \$149.91 for Plan 1 and \$72.03 for Plans 2, 3 and 4.
3. Increase the single out-of-pocket maximum from \$6,350 to \$8,200. Approximately 1% of the covered population has met the current \$6,350 maximum and virtually all of them would hit any revised maximum. Annual premium savings is 2% or \$99.94 for Plan 1 and \$48.62 for Plans 2, 3 and 4.
4. Add a \$200 Prescription Drug deductible for prescriptions secured outside the Student Health Center. Annual premium savings is 2% or \$99.94 for Plan 1 and \$48.62 for Plans 2, 3 and 4. The current Preferred Provider prescription drug benefit at the Student Health Center: \$5 copay for generic, 40% copay for brand name. And, at a UHC-SR pharmacy: \$15 copay for Tier 1; 40% copay for Tier 2 and 40% copay for Tier 3 up to a 31-day supply.
5. UHC-SR provided an additional underwriting premium adjustment of \$854.30 for Plan 1 because of the benefit plan changes and based on the current plan year's loss ratio which is projected to be 75-80%.
6. UHC-SR made two changes to their entire book of business that will also be applied.
 - a. Truvada (when prescribed for preventative care) has been changed from being subject to a copay to being covered with no copay, coinsurance or deductible being applied.

- b. Addition of these Prescription Drug programs: Prior Authorization and Step Therapy for the prescriptions processed through UHC's Pharmacy Benefit Manager, Optum.

Ms. Vannaman stated that the Committee discussed eliminating dependent coverage, but it was decided that this issue needs to be reviewed more closely for future plan years. She also noted that representatives from the Students' Advisory Committee participated in the Committee meetings where options were discussed. The annual premium for Plan Year 2020-2021, for Plan 1 will be \$3,543, a reduction of \$100 (-2.74%), and for the other Plans will be \$2,260, an increase of \$488 (27.54%). Regent Murguia moved to approve the recommendations. Regent Feuerborn seconded, and the motion carried.

Academic Affairs

STRATEGIC PROGRAM ALIGNMENT FINAL RECOMMENDATIONS – KU AND WSU

Daniel Archer, Vice President for Academic Affairs, stated at the June 2019 meeting the Board approved the following programs at the University of Kansas and Wichita State University to move through the strategic program review process: 1) Bachelor of Science in Biology (General) degree at KU, 2) Master of Arts in Global and International Studies at KU; 3) undergraduate and graduate Liberal Studies program at WSU, and 4) Bachelor of Arts in Women's Studies program at WSU. Vice President Archer reported the campuses have completed their campus level review for each program and the next step is for the Board to determine the final outcome for these programs.

Interim Provost Lejuez stated KU is recommending eliminating the General Biology degree because students are taking more specialized programs that were recently added within the Department of Molecular Biosciences and the Department of Ecology and Evolutionary Biology. Provost Lejuez noted there are currently 555 students in the General Biology program, and most are electing to switch to one of the new degree options. For those who elect to stay in the program, the University will ensure those students can complete their degree. Provost Lejuez stated the Master of Art in Global and International Studies at the Edwards campus has seen low graduation numbers over the last four years. The University recommends discontinuing the program on this campus. Provost Lejuez did note that KU partners with Fort Leavenworth's Command and General Staff College to offer this program at Leavenworth. It has been successful at that location.

Provost Muma reported that Wichita State University's undergraduate and graduate programs in Liberal Studies does not align with the University's current academic structure and recommends eliminating these programs. WSU now offers other majors with clear pathways for students who desire diverse offerings in these disciplines. He also noted that students currently in the programs can either declare a major using the updated structure or complete their current program. Provost Muma stated WSU's Bachelor of Arts in Women's Studies currently lacks majors and graduates. To increase student interest, WSU recommends creating an interdisciplinary program called Women, Gender, and Diversity Studies, which will realign the programs mission. The Board discussed job opportunities associated with this type of degree, which included employment in the human resource profession.

Following discussion, Regent Murguia moved to approve the university recommendations for all the programs. Regent Feuerborn seconded, and the motion carried.

FOLLOW-UP INFORMATION ON STRATEGIC PROGRAM ALIGNMENT

Vice President Archer stated at the last meeting during the strategic program alignment discussion, the Board requested enrollment data on the current academic programs offered by the state universities. The Board received a handout that showed an institution-by-institution comparison of the average number of majors in each undergraduate program area based on five-year averages. Dr. Archer noted the Board's minimum undergraduate enrollment threshold is 25, which is specified in the State University Academic Program Review Criteria and Instructions for Programs Review document, and those majors that fall at or below are marked in red on the handout. Vice President Archer stated low enrollment is a trigger to review a program but to get a complete picture of whether a program is low performing, other metrics like credit hour production need to be reviewed. President Flanders stated the Board's threshold of 25 needs to be reviewed to determine if it is the correct threshold and that programs between 26 and 30 need to be identified. Regent Hutton stated with resources decreasing, the system needs a detailed process in which to analyze programs that are being delivered, and he wants to identify the appropriate metrics that will aid in this process. Regent Schmidt concurred but noted the universities need to take the lead and work with Board staff to determine the appropriate metrics. Several university CEOs noted the importance of reviewing other metrics in addition to low enrollment. It was noted some programs have high credit hour production because the courses are required for general education and other programs may not cost the university anything additional to teach. President Scott also noted that certain programs may have low enrollment, but those graduates are in critical need fields that are important for the state's economy. Regent Bangerter stated that it is important to look at what it is costing to deliver the program and who benefits from the program being delivered. It was determined that the next steps would be to review the programs with enrollment numbers between 26 and 30, identify the appropriate metrics to weigh programs, and establish a timeline for this process. President Flanders stated he would have a timeline to the Board at the March meeting.

(Handout filed with Official Minutes)

Technical Education Authority

CAREER TECHNICAL EDUCATION PROGRAM REVIEW RECOMMENDATIONS

Scott Smathers, Vice President for Workforce Development, presented the Technical Education Authority's (TEA) recommendation on technical education program review. The TEA's Program and Curriculum Committee examined 37 programs with ten or fewer graduates exiting and employed over four years. Vice President Smathers stated of those programs, four were phased out by the institutions, five were recommended to utilize a more relevant CIP Code to better align with the program curriculum, twenty were recommended to be retained on a watch list and reevaluated in the fall, and the eight programs noted below were recommended to be funded using Non-Tiered State Aid instead of Tiered Technical State Aid beginning on July 1, 2021. Vice President Smathers reported the TEA approved the funding changes for these programs.

- 01.0605 Landscaping and Grounds Keeping
- 01.1102 Agronomy and Crop Science
- 11.0301 Data Processing Technology

- 48.0503 Machine Shop Technology/Assistant
- 50.0406 Commercial Photography
- 52.1801 Sales, Distribution, and Marketing Operations, General
- 52.1803 Retailing and Retail Operations
- 52.0407 Business, Office Automation, Technology, Data Entry

Regent Van Etten moved to approve, and Regent Feuerborn seconded. The motion carried.

Fiscal Affairs and Audit

AUTHORIZE NEW TUITION RATE – KSU

Provost Taber presented Kanas State University's request to charge a reduced out-of-state tuition rate that is 150 percent of the resident tuition rate effective Fall 2021 to full-time, domestic, undergraduate students (first time freshmen or transfer) from the state of Michigan. Provost Taber stated that Michigan is no longer participating in the Midwestern Higher Education Compact, which allows student in the participating states to receive tuition discount. By continuing to offer this reduced rate to Michigan students, the University believes it can attract more students. Regent Hutton expressed his concern of continuing to increase the number of special tuition rates at the universities and would like to look at a more unified approach that would allow the universities to stay competitive. Following discussion, Regent Schmidt moved to approve. Regent Van Etten seconded, and the motion carried.

BOND RESOLUTION FOR CONSTRUCTION AND EQUIPPING OF ADDITION TO MEMORIAL UNION; EXECUTIVE OF VARIOUS OTHER DOCUMENTS IN CONNECTION THEREWITH – FHSU

General Counsel Julene Miller introduced Fort Hays State University's request for a bond resolution in an amount not to exceed \$15,250,000 plus costs and reserves. The bonds will be used to finance portions of the construction and equipping of an addition to the Memorial Union. The bonds will be secured with a pledge of generally available unencumbered funds of the University, however, the students voted to begin a 20-year fee to help pay the debt. Regent Murguia moved to approve and to authorize the Board Chair, the University President and the Board President and CEO to execute all the necessary documents. Regent Harrison-Lee seconded, and the motion carried.

(Resolution filed with Official Minutes)

Other Matters

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported this week the university CEOs, community colleges, and technical colleges are giving budget presentations to the House and Senate Education subcommittees. These subcommittees will then make recommendations to the House Appropriation Committee and the Senate Ways and Means Committee. Director Casey noted that the legislative turnaround, which is when all the non-exempt bills in their house of origin must be passed to the second chamber, is set for February 27. Any non-exempt bill that does not

get passed out is considered dead for the rest of the session. Director Casey discussed the revenue balance and the importance of messaging how the system can help drive the economy. The Board asked questions regarding the Name, Image, and Likeness bill. Director Casey stated this type of bill is being introduced in multiple states and will allow states to stay competitive when recruiting student athletes. However, the hope is for the federal government or the NCAA to establish rules around this so that each state does not have its own set of rules.

ADJOURN

The Chair adjourned the meeting at 4:32 p.m.

RECONVENE

Chair Bangerter reconvened the meeting at 9:50 a.m. on Thursday, February 20.

MEMBERS PRESENT: Shane Bangerter, Chair
 Bill Feuerborn, Vice Chair
 Ann Brandau-Murguia
 Mark Hutton
 Shelly Kiblinger
 Jon Rolph
 Allen Schmidt
 Helen Van Etten

MEMBER ABSENT: Cheryl Harrison-Lee

EXECUTIVE SESSION

At 9:50 a.m., Regent Feuerborn moved, followed by the second of Regent Van Etten, to recess into executive session in the Kathy Rupp Conference room for 1 hour and 15 minutes to discuss matters deemed confidential in the attorney-client relationship. The subject of this executive session is an update on pending litigation. The purpose was to protect the attorney/client relationship. Participating in the executive session were members of the Board, President Flanders, General Counsel Julene Miller, Associate General Counsel Natalie Yoza and Kansas State University Associate General Counsel Aaron Good (for a portion). At 11:05 a.m., the meeting returned to open session. The Board took a five-minute break. At 11:10 a.m., Regent Rolph moved to extend 15 minutes. Regent Van Etten seconded, and the motion carried. At 11:25 a.m., the meeting returned to open session. Regent Van Etten moved to extend for 15 minutes. At 11:40 a.m. the meeting returned to open session. Regent Hutton moved to extend 30 minutes. Regent Kiblinger seconded. At 12:10 p.m. the meeting returned to open session.

ADJOURNMENT

Chair Bangerter adjourned the meeting at 12:10 p.m.