

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

February 17, 2021

The February 17, 2021, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn at 1:01 p.m. This was a virtual-only meeting, and proper notice was given according to law.

MEMBERS PRESENT:

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

### **ANNOUNCEMENT**

Chair Feuerborn stated that due to the Shawnee County emergency order issued November 12 and extended January 14, the Board meeting is being conducted pursuant to the Attorney General's regulation for virtual-only meetings. He asked all participants to place their microphones on mute when they are not speaking to allow listeners and observers to hear the meeting unimpeded. Chair Feuerborn stated that participants should ask to be recognized if they have a question or comment and when recognized, the participant should state their name and title so he or she can be identified by the audience. Chair Feuerborn noted for each action item a roll call vote would be taken to be clear how each Regent has voted. However, a roll call vote will not be taken for the approval of the minutes and no motion is needed to adjourn the meeting. It was also noted that there will be no opportunity for public comment during this meeting and no executive session is scheduled.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **APPROVAL OF MINUTES**

Regent Schmidt moved that the minutes of the January 20, 2021 meeting be approved. Following the second of Regent Rolph, the motion carried.

### **GENERAL REPORTS**

#### **REPORT FROM CHAIR**

Chair Feuerborn reported that the format of future Board meetings will continue to be dictated by local health orders. However, with the COVID numbers trending downward in Shawnee County, he is hopeful that the Board can move to a hybrid format in the future. As for the April Board meeting, the Chair announced he is canceling the Fort Hays State University campus visit. Instead the Board will conduct either a virtual or hybrid meeting depending on what health restrictions are

in place in Topeka. Chair Feuerborn then encouraged next year's Board chair to consider implementing the same campus visit schedule that was planned for this year.

#### REPORT FROM PRESIDENT AND CEO

President Flanders reported that he attended a University of Kansas Student Senate meeting. Topics discussed included the Board's COVID-19 emergency policy and the program review process. He thought the meeting was productive and thanked the students for inviting him. President Flanders stated Chancellor Girod contacted him requesting an extension to July 1 of the 45-day timeline for submitting a framework for implementation of the temporary, COVID-related policy the Board adopted in January. The Chancellor indicated that the additional time will enable KU to continue pursuing other avenues for addressing their financial challenges before determining whether use of this policy will be necessary. Because the policy was adopted with a December 31, 2022 end date, President Flanders believes it makes sense to push this initial timeline out another four months. He then asked the Chair to consider amending today's agenda to add this as the next agenda item.

#### AMEND AGENDA

Chair Feuerborn amended the agenda to add the proposed amendment of the Board's COVID-19 emergency policy as the next item.

#### TEMPORARY PANDEMIC-RELATED AMENDMENT TO THE SUSPENSIONS, TERMINATIONS AND DISMISSALS POLICY

Regent Bangerter moved to approve the University of Kansas's request to extend the timeline for a university to submit a framework to implement the temporary policy. Regent Van Etten seconded. It was clarified that the motion includes extending the framework submission deadline to July 1, 2021. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following policy amendments were approved:

### **CHAPTER II: GOVERNANCE - STATE UNIVERSITIES**

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#### **C. CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF**

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#### **6. SUSPENSIONS, TERMINATIONS AND DISMISSALS**

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#### **b Other**

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- ii. In light of the extreme financial pressures placed on the state universities due to the COVID-19 pandemic, decreased program and university enrollment, and state fiscal issues, effective immediately through December 31, 2022 and notwithstanding any other Board or institutional policy, any state university employee, including a tenured faculty member, may be suspended, dismissed, or terminated from employment by their respective university. Such

terminations, suspensions, or dismissals shall follow the procedure set forth below. Declaration of financial exigency and the processes associated with declaration of financial exigency shall not be a prerequisite to any suspension, dismissal, or termination authorized by this provision, and no existing university policy hearing procedures shall apply to such decisions.

The chief executive officer of any state university, before making any suspensions, dismissals or terminations under this provision and ~~within 45 days of the effective date of this provision~~ before July 1, 2021, shall present to the Board for approval a framework for the university's decision-making under this provision. Once approved, that framework shall be used for any suspension, dismissal, or termination under this provision. Frameworks for decision-making shall be determined by each state university's chief executive officer and may be based on factors such as, but not limited to, performance evaluations, teaching and research productivity, low service productivity, low enrollment, cost of operations, or reduction in revenues for specific departments or schools.

#### REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle reported that the System Council of Presidents received an update on the progress of the group working on the systemwide general education transfer package. The working group surveyed the institutions and identified sixteen Association of American Colleges and Universities (AAC&U) knowledge and skill areas that will be reviewed for inclusion in the general education package. After the general education package is established, the next steps will be to develop a conceptual framework for a systemwide associate-to-baccalaureate transfer initiative; and identify the potential programs for a systemwide associate-to-baccalaureate transfer initiative. The System Council of Chief Academic officers updated the CEOs on the Board's FAFSA completion initiatives, the progress of the online proctoring workgroup, and the progress of the Transfer and Articulation Council. The Council then discussed last month's presentation by Dr. Mark Becker on Georgia State University's student success program. Interim President Muma summarized the presentation and noted that representatives from the universities, community and technical colleges, and Board staff will be communicating with Georgia State's National Institute for Student Success to gather more information on Georgia State's model. President Rittle noted that the colleges and universities will be developing their own internal plans, which will include best practices and metrics, to address the equity gaps in Kansas.

#### REPORT FROM COUNCIL OF PRESIDENTS

Interim President Muma presented the report for the Council of Presidents. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Student Affairs Officers, Council of Government Relations Officers, and the Council of Chief Diversity Officers. The Academic Officers approved Emporia State University's Master of Arts in Applied Sociology and approved a program name change at the University of Kansas. The Business Officers reviewed the system's cybersecurity liability premium level and determined that the \$20 million coverage limit is sufficient. They continue to monitor the federal funding related to the pandemic and noted this is one-time funding that does not replace the loss of State General Fund appropriations. The Government Relations Officers reported on the legislative budget

progress and the bills they are monitoring. It was noted that in the House Appropriations Committee there was discussion centered around state universities refunding student tuition and fees for any day during the current academic year where classes were canceled due to the pandemic and refunding half of student tuition and fees for each day their classes were online. The CEOs are concerned about this language, but they will have an opportunity to present testimony on this topic later in the session. The Council is also concerned about House Bill 2188 related to IT project management changes, which will impact the timing and cost of IT projects at the universities. The Student Affairs Officers discussed how the CARES Act funds are helping students and noted they are monitoring the vaccination distribution around the state. The Chief Diversity Officers held a roundtable discussion with the community colleges earlier this month. The group discussed diversity strategies and potential initiatives that the colleges can deploy on their campuses to engage with students. It was also reported that the annual Tilford Conference will be held in a virtual format October 18-21, 2021. The Council of Presidents then received an update from President Flanders on the status of the Board's draft Freedom of Expression Statement.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn reported that the Council of Faculty Senate Presidents discussed the COVID related amendment to the Suspensions, Terminations, and Dismissals policy. He stated that the faculty understand that the policy applies to all university employees, but since the Council represents the faculty on the campuses, his report is going to center on the faculty's concerns. Dr. Sternfeld-Dunn spoke about the importance of tenure and how difficult it is for a faculty member to obtain tenure status, which is a peer-review process. Tenure status allows a faculty member the academic freedom to conduct research without fear of retaliation. Tenure research also helps universities bring in grant funding. Dr. Sternfeld-Dunn also spoke about the importance of shared governance within the university structure. Shared governance allows campus constituents to participate in discussions on issues that affect the university. He noted universities that embrace shared governance tend to adapt more quickly when change is needed, which was demonstrated across the nation when the pandemic started. He stated when the Board adopted its temporary COVID-19 Suspensions, Terminations, and Dismissals policy, faculty across the university system expressed their disappointment that shared governance was not part of the process. The amendments were provided to the Council less than 24 hours before the Board took action because the amendments were deemed critical. Dr. Sternfeld-Dunn stated that faculty do not understand why the amendments were deemed critical when five of the universities stated they were not going to implement the policy provision and the sixth university just received an extension to the framework deadline to July 1. The faculty want to understand why policy amendments did not go through the normal policy review process and asked the Board to consider temporarily suspending the policy amendments that were adopted in January. The faculty would like the Board to form an ad hoc committee to review the policy amendments and other policies related to university finances. The Council recommended that the committee membership include the following: a Regent who serves on the Governance Committee, a faculty member from the Council, a university CEO, a university provost, a university human resource officer, a university staff representative, and legal counsel from the Board office and the universities.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan presented the report for the Students' Advisory Committee. The Committee members updated each other on their legislative efforts to secure state funding to increase student counseling

services on the campuses. The Committee is also tracking legislation that they believe negatively impact the universities, and it was noted that each student senate may act to oppose certain bills by passing internal resolutions that could then be shared with legislators. The Committee discussed designating national election dates as holidays on the university academic calendars and plan to work with the Board office on how to move their request forward. Additionally, the Committee discussed tuition and fees and recommends that the Board hold next year's tuition and fees flat at the state universities. The Committee does not believe the burden to increase revenues at the universities should fall on the students because students are still struggling financially due to the pandemic. The universities and Board should find alternative ways to increase revenues. The Committee also expressed their disappointment with the Governor's proposed budget, which reduces state funding for higher education. Regent Murguia thanked Rija for her report and noted that if students need additional services including mental health, there may be community-based services available along with resources on different websites. She noted this may be helpful for students while the Committee continues to pursue its initiative to increase the number of mental health counselors on the campuses.

#### REPORT FROM THE COMMUNITY COLLEGES

President Rittle presented the report for the community colleges. This month he highlighted Dodge City Community College, Garden City Community College, Highland Community College, Hutchison Community College, Fort Scott Community College, and Independence Community College. The colleges noted that one of the major challenges that they have faced during the pandemic was making sure isolated students were receiving all the resources they needed to continue their education. The colleges reported that the pandemic has also negatively impacted their high school student enrollments especially in technical education. On a positive note, the colleges believe that the pandemic has strengthened many of their partnerships within their local communities and school districts. President Rittle stated that student recruitment efforts are underway for the fall semester. The colleges will be using traditional in-person methods with the proper COVID safety guidelines in place and technology-based tours. President Rittle also thanked the Chief Diversity Officers at the universities for hosting a roundtable discussion with the community colleges earlier this month.

#### REPORT FROM THE TECHNICAL COLLEGES

President Genandt presented the report for the technical colleges. The technical colleges have continued to offer in person and online courses to students. The colleges have found that students like having the option of listening to online lectures and recorded classes. All of the colleges will be holding either in person or virtual commencement ceremonies at the end of the semester. Regarding COVID cases on the campuses, President Genandt stated that many of the colleges are dealing more frequently with students who have been exposed to the virus rather than positive cases. All of the campuses have used the federal stimulus funds to purchase protective gear and are conducting campus wide deep cleaning every week. President Genandt believes that the COVID procedures on the campuses have contributed to their low positivity rates. President Genandt reported that in the fall some of the technical colleges saw a decrease in high school student enrollments, which was a concern for them. However, the data for the spring semester indicate those enrollments are bouncing back.

REPORTS FROM THE UNIVERSITY CEOS

President Mason reported that because of the extremely cold weather the state has been experiencing, Midwest Energy requested that Fort Hays State reduce its electrical and gas consumption. The University was able to use its energy management system to convert its boilers from natural gas to diesel and also relied upon wind generation. As a result, the University was able to assist in the efforts to reduce electric and gas energy usage, which helped to prevent rolling electrical blackouts in the region. President Mason stated that the University's spring intersession enrollment was up 23 percent. The current spring enrollment numbers show a slight increase for incoming freshman, and a slight decrease for online and transfer students. President Mason stated one of the biggest challenges for the University's fall 2021 enrollments is that it will graduate a class in spring that is as large as its current on-campus student population. The University's strategic enrollment management initiative has helped mitigate the loss of enrollment due to COVID. This initiative includes the University's new online scholarship program, targeted program enrollment growth, and short course offerings. Regarding COVID, President Mason reported that the University continues to use its procedures that were put in place last fall. Currently, there are no students in isolation or quarantine. President Mason noted that at the beginning of the semester a student-athlete tested positive for the UK variant of the virus. The Kansas Department of Health and Environment did COVID surveillance testing at the University and did not find anyone else who was positive with the variant.

Interim President Muma reported that Wichita State University's enrollment management team continues to work on strategies to increase the University's enrollment. Currently, the data indicates that the spring enrollment will be down one or two percent. Dr. Muma stated this decline is mainly associated with concurrent enrollment offerings, which are not high revenue producing courses. The enrollment for traditional degree-seeking students and graduate students continue to hold steady. Dr. Muma reported that applications for the fall semester are strong and admissions for high school seniors and transfer students have increased. He also noted that scholarship and housing applications are up for the fall. Interim President Muma is hopeful that these trends will hold. Regarding recruitment efforts, WSU continues to hold in person campus visits with the appropriate safety protocols in place. The University has also conducted over 70 virtual events for interested students. Dr. Muma noted that many of the recruitment strategies put in place to mitigate the impact of the pandemic will continue to be utilized even after the pandemic is over because they have proven to be successful tools.

President Garrett reported that Emporia State University is expecting the spring headcount enrollment to be flat. ESU's graduate programs continue to grow in enrollment and are expected to be up seven percent in the spring. President Garrett stated that recruitment strategies have changed some because of the pandemic. Recruitment officers are traveling less but are utilizing different technologies to reach prospective students. ESU has also decided to waive some application fees for students who are struggling financially. Regarding international enrollment, ESU is working to build several international partnerships. International enrollments were down in the fall, but President Garrett believes these new partnerships will positively impact future enrollments. President Garrett concluded by noting that the University continues to emphasize the importance of in person learning. Last fall, 74 percent of classes were taught in person and that percentage will remain the same for the spring semester.

President Myers reported that Kansas State University closed campus earlier this week because the extreme cold caused electrical blackouts in the Manhattan region. The campus is now back open and fully operational. President Myers presented an overview of the University's COVID data since the beginning of the pandemic. KSU has tested over 22,000 individuals and the overall positivity rate is 7.31 percent. Since the start of the spring semester in January, KSU's positivity rate was 10.25 percent but has since decreased to 1.9 percent. This past week the Manhattan and Salina campuses had a total of 107 students in isolation and 39 in quarantine. President Myers stated that KSU has implemented communication and recruitment strategies to respond to the impact of the pandemic. KSU has changed recruitment strategies to include more virtual options for students; however, the campus will continue to offer limited in-person tours. KSU continues to expand its marketing and communication efforts on different social media platforms to reach more students. The University has also extended scholarship deadlines and expanded its need-based aid to address affordability issues. Additionally, President Myers spoke about KSU's new strategic enrollment management system. He noted that the fall 2021 applications and admissions to the University are currently up, and he is hopeful that the trend holds.

President Scott stated that it is important for everyone to understand that the universities did not shorten last year's fall semester or this year's spring semester because of COVID. Many of the universities adjusted their academic calendars, but students received or will receive the required amount of instructional days. Looking at the spring semester, President Scott reported that Pittsburg State University did not experience a surge in the virus when the students returned to the campus, and noted that the University's Bicknell Center is being used as a testing and vaccination site for the Pittsburg community. Regarding enrollment, President Scott expects the University to be down around three percent for the spring and fall semesters. Like the other universities, PSU is implementing new recruitment strategies to attract students. The University recently announced a new \$1,000 scholarship for any Crawford County high school senior who graduated in May 2020. President Scott stated this reward will help students and the community. Additional strategies that the University has implemented to increase enrollments include hiring a full-time student recruiter who is responsible for responding to website inquiries, eliminating application fees, and adjusting the PSU's marketing strategies to target the University's top 15 programs. President Scott stated that the 15 programs identified are the ones that drive enrollment on the campus.

Vice Chancellor Cook reported the spring semester at the University of Kansas campuses will include the same safety measures and course offering formats that were offered last semester. He noted the safety measures implemented proved effective because last semester there was no evidence that COVID was being transmitted in the classrooms or labs. Looking at this semester, KU tested over 16,000 individuals before they returned to campus and the overall positivity rate was .05 percent. Throughout the semester, the University will continue prevalence and symptomatic testing. Vice Chancellor Cook reviewed KU's COVID-19 dashboard, which provides data on overall testing and positivity rates for the different cohorts on the campus. He also discussed the University's financial losses associated with the pandemic. For FY 2020 and FY 2021, the University's Lawrence and Medical Center campuses lost \$71.7 million in revenues associated with enrollments, housing, dining, parking, and events. To address the FY 2021 budget short fall, the University cut \$34 million by eliminating jobs, furloughing employees, reducing salaries in executive leadership positions, offering a retirement incentive program, and reducing

services. Vice Chancellor Cook stated that the projected budgetary shortfall for FY 2022 is \$74.6 million. To address this shortfall, KU may need to implement large scale furloughs and layoffs. Vice Chancellor Cook reported that KU spent \$44 million on pandemic related expenses, and these expenses were covered by the federal relief funds. However, it was noted that currently the federal funds are restricted and cannot be used to make up for the losses associated with the University's general operations. Regarding enrollment, Vice Chancellor Cook stated that the University experienced a decrease of 2.8 percent in overall enrollment last semester. The spring enrollment seems to be holding steady with graduate student enrollments slightly increasing.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Kiblinger presented the Board Academic Affairs Standing Committee report. The Committee received an update on the Kansas Health Science Center, which is a new private Osteopathic Medical Institution located in Wichita. The Institution will begin teaching students in August 2022. Emporia State University and Pittsburg State University presented their recommendations on their low-enrollment programs. These recommendations will be presented to the Board at the March meeting. The Committee also received an update on the progress of the General Education Working Group, the Direct Support Professionals Work, and the Coordinating Council.

### **FISCAL AFFAIRS AND AUDIT**

Regent Rolph reported that the Fiscal Affairs and Audit Standing Committee reviewed the fiscal items on today's Board agenda and the Committee commended Wichita State on its Clinton Hall project that will consolidate student services into one location on campus and improve the building's condition. Fort Hays State University, Emporia State University, and Pittsburg State University provided updates on their financial outlooks. They discussed expenditure trends, their Composite Financial Index data, revenues tied to student enrollment and their federal CARES Act funding. All three state universities compare favorably to their peers on students' cost for tuition. The Committee heard an update from Board staff on the accomplishments that have occurred thus far on the Board's deferred maintenance initiative. Regent Hutton then discussed committing the \$10.3 million in the Governor's budget toward payment of debt to be incurred for a deferred maintenance initiative beginning in FY 2022 and for no less than 20 years. The Committee concurred with Regent Hutton's request. Regent Rolph requested that the Board Chair add Regent Hutton's request to the Board's agenda for consideration and noted that Regent Hutton also plans to present another motion related to the deferred maintenance initiative at that time.

### **AMEND AGENDA**

Chair Feuerborn amended the agenda to add the deferred maintenance initiative as the first item under Other Matters.

Regent Bangerter stated that the Board just approved the University of Kansas' request to extend the timeline for submitting a framework related to the temporary COVID policy amendments that the Board adopted last month. He stated that KU is looking at the policy because it is facing a budget shortfall of \$75 million. Regent Bangerter asked KU to provide an update on where they are in the process and how the faculty and staff are involved in the University's processes. Provost

Bichelmeyer stated that KU's financial challenges are centered around its Lawrence campus, which has a \$400 million annual operating budget. The Chancellor requested the policy extension so that the University can continue to work on multiple options to address the \$75 million shortfall. Some of the cost saving measures that the University either has implemented or is reviewing include discontinuing or consolidating low-enrollment programs, implementing a new travel policy and travel system that may save a few million dollars a year, reviewing procurement processes to find more efficiencies, and determining if there are buildings that can be taken offline. KU is also looking at strategies to increase revenues, which would include increasing student enrollments, helping students persist and graduate, and improving research administration. Provost Bichelmeyer noted that the University is updating its university academic workload policy and academic unit workload guidelines. Regarding shared governance issues, KU has been engaged with its faculty and staff representatives.

Regent Rolph thanked Provost Bichelmeyer for her remarks and noted that he would like to see the academic workload policy and the standards used for all six universities. Dr. Sternfeld-Dunn stated the faculty are still concerned that the Board's policy does not require a shared governance structure, and they would like shared governance officials to be part of the decision-making process when it comes to terminating faculty and staff, which is the process used when a university declares financial exigency. Provost Bichelmeyer stated that KU's shared governance leaders have been engaged and have provided feedback on the work being done.

#### BREAK

Chair Feuerborn called for a 15-minute break at 3:00 p.m. and resumed the meeting at 3:15 p.m.

#### GOVERNANCE

Regent Feuerborn reported that the Governance Committee reviewed three Board contracts related to online proctoring services and the adult education programs. The Committee authorized the Board President to execute the contracts. The Committee reviewed the Student Advisory Committee's comments and suggestions on the Board's Freedom of Expression Statement and adopted the Statement as revised. The Statement and its companion policies will be placed on the Board's March agenda for consideration. Fort Hays State University and Kansas State University then presented their annual campus safety and security reports.

#### APPROVAL OF CONSENT AGENDA

Regent Van Etten moved, with the second of Regent Harrison-Lee, that the Consent Agenda be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

#### Academic Affairs

#### BACHELOR OF ARTS IN INTERDISCIPLINARY ENTREPRENEURSHIP – ESU

Emporia State University received approval to offer a Bachelor of Arts in Interdisciplinary Entrepreneurship. This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year

one - \$81,927, year two - \$290,858, and year three - \$406,622. Student tuition and fees will finance the program.

AY 2019 PERFORMANCE REPORTS

The AY 2019 Performance Reports were approved. Below are the approved funding levels for each institution.

<b>Institution</b>	<b>Funding Recommendation</b>
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 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 Community College	100% funding
Dodge City Community College	100% 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	100% 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	100% funding
Seward County Community College	100% 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
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*Fiscal Affairs & Audit*

AMENDMENT TO THE FY 2021 CAPITAL IMPROVEMENTS REQUEST AND REVISED PROGRAM STATEMENT FOR THE CAMPUS INFRASTRUCTURE IMPROVEMENTS PROJECT – KSU

Kansas State University received approval to amend its FY 2021 Capital Improvement Plan to revise the campus infrastructure improvement project. The scope of the project will now include King Hall and the Chemistry/Bio-Chemistry building. The estimated revised project cost is \$3.5 million. The project will be implemented in two phases. The cost of the first phase, estimated at \$2,155,000, will be funded from the University's allocation of the Educational Building Fund, restricted fees and the deferred maintenance interest fund. Construction is expected to begin April 2021 and be completed December 2021. Phase two will begin once additional university funds are identified. The revised project is expected to reduce the deferred maintenance amount for the Chemistry/Bio-Chemistry building by \$3.2 million and adjust the FCI from .41 to .31.

*Technical Education Authority*

EXCEL IN CAREER TECHNICAL EDUCATION FEES FOR THE COLLEGES

The 2022 Excel in Career Technical Education fees for the following colleges were approved: Butler Community College, Cloud County Community College, Flint Hills Technical College, Hutchison Community College, Independence Community College, Kansas City Kansas Community College, Labette Community College, Neosho Community College, North Central Kansas Technical College, Northwest Kansas Technical College, Salina Area Technical College, and Seward County Community College. A complete list of fees for each career technical education course and program at each institution is maintained at the Board office and is available for public inspection.

**CONSIDERATION OF DISCUSSION AGENDA**

*Presentation*

REPORT ON THE BOARD'S STRATEGIC PLAN, *BUILDING A FUTURE*

President Flanders presented the first annual report of the Board's strategic plan, *Building a Future*. The plan contains the following three messaging pillars: 1) Kansas families, 2) Kansas businesses, and 3) Kansas economic prosperity. President Flanders reviewed the structure of the plan, which contains areas of focus, dashboard metrics (lagging indicators), progress metrics (leading indicators), and promising practices. He noted that this first report establishes the baseline numbers for the metrics in the plan.

President Flanders highlighted some of the metrics under Pillar One. In the Affordability category, President Flanders shared data on graduation rates, student loan default rates, students taking 30 credit hours per year, and retention rates. Under graduation rates, it was noted that the universities and community colleges have increased their percentage points over the past five years and that over 50 percent of students at the community and technical colleges complete on-time. The data associated with the student loan default rates shows that Kansas two-year institutions have lower default rates when compared to other states. In the Access category, President Flanders highlighted the enrollment equity gaps and college going rate metrics. The enrollment equity gaps are measured by looking at the 18 to 24-year-old Kansas population and comparing it to resident enrollment in the same age group in the categories of race/ethnicity and rural/non-rural. The data shows the system has enrollment gaps in the Hispanic and Black or African American populations along with the rural population. The college going rate is measured by looking at the number of Kansas high school students who enroll in a public postsecondary institution in the state after graduating from high school. President Flanders stated the college going rate continues to decline in the state, which is concerning and the Board office is partnering with the Kansas State Department of Education on several initiatives that will hopefully increase the rate. Under the Success category, President Flanders reviewed the percentage of graduates in jobs with sustaining wages and the number of degrees and certificates awarded. He reminded everyone that the benchmark for sustaining wages is set at 250 percent of the federal poverty level, meaning that in 2020, a graduate must earn at least \$31,900 to be in a job with a sustaining wage. Regarding degrees and certificates awarded, President Flanders noted that in the Board's last strategic plan, *Foresight 2020*, the Board set a systemwide attainment goal of 60 percent. He stated the Board may want to consider setting an attainment goal for *Building a Future* and noted that the Governor's Council on Education recently adopted a more aggressive attainment goal of 71 percent by 2030, which includes credentials from postsecondary institutions and industry recognized credentials such as apprenticeships.

President Flanders stated that Pillar Two focuses on the crucial role that the colleges and universities play in developing a workforce. Under the Talent Pipeline category, special initiatives and enrollment and graduation rates in programs that lead to high demand, sustaining wage jobs will be measured. President Flanders noted each institution selected its own programs under the high demand, sustaining wage jobs metric and stated that each will be responsible for increasing enrollments and graduation rates in their selected programs. Regarding special initiatives, *Building a Future* will continue to track the University Engineering Initiative and the Excel in CTE Initiative. President Flanders stated that under the Innovation category, funding for the university research enterprises will be tracked.

President Flanders reported the third Pillar, Economic Prosperity, demonstrates how the higher education system supports economic growth in Kansas. This pillar emphasizes the intentional economic development activities of the institutions. Each institution will focus on a mix of its existing strengths and emerging capabilities that together uniquely position the higher education system to partner with business and industry to create jobs and grow the economy.

Regent Schmidt thanked President Flanders for the report and noted that last year the Board received a presentation on Purdue University's income share agreement program and wanted to know if that type of program should be incorporated into the plan. President Flanders stated that

an institution would need to bring forward a plan if it wanted to implement an income share agreement program. Regent Harrison-Lee highlighted the importance of growing partnerships with business and industry to advance the Economic Prosperity Pillar. Regent Kiblinger stated that the Board should adopt an attainment goal for the system and believes it should be reviewed.

(PowerPoint filed with Official Minutes)

### Academic Affairs

#### ASSOCIATE OF APPLIED SCIENCE IN CAREER & TECHNICAL EDUCATION – PSU

Daniel Archer, Vice President for Academic Affairs, introduced Pittsburg State University's request to offer an Associate of Applied Science in Career and Technical Education. Dr. Archer stated the program will be taught using online and hybrid formats, which will allow the University to recruit out-of-state students. It was noted that several states require Career and Technical Education (CTE) teachers to have an associate degree to meet their certification requirements and that this program will fulfill that need. Vice President Archer stated that the Board's Academic Affairs Committee reviewed the proposal and the colleges were able to provide their feedback to the Committee, all of which was positive. Regent Hutton stated that he supports the proposed program but also expressed his concern that this opens up the possibility for institutions to begin bringing forward requests to offer degrees that they do not traditionally offer. He also believes there needs to be a fair process when evaluating program requests that fall within this category. Regent Kiblinger stated that the Academic Affairs Committee discussed this issue and decided to recommend that the Board's policy be revised to outline the process for these types of requests. She also noted that Committee members support this specific degree request because they believe it will benefit students and the state. President Scott clarified that PSU currently offers other associate degrees so this would not be a first for the University. Following discussion, Regent Rolph moved to approve PSU's Associate of Applied Science in Career and Technical Education. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

#### LOW-ENROLLMENT PROGRAMS REVIEW – FHSU AND KU

Vice President Archer stated that Fort Hays State University and the University of Kansas have completed their internal reviews of their low-enrollment programs. He introduced Provost Arensdorf and Provost Bichelmeyer to present each university's recommendations. He also reminded the Board that under the strategic program alignment policy, the Board decides the final outcome of these programs.

Provost Arensdorf stated that Fort Hays State University reviewed six programs under the strategic program alignment policy: Art Teacher Education, General Art/Art Studies, General Foreign Languages and Literatures, General Physics, Philosophy, and General Music. The Art Teacher Education program prepares aspiring artist educators with pedagogical and content skills necessary to provide quality fine arts instruction within K-12 education. Students graduating with the art teacher education degree are afforded extremely high employment opportunities largely due to extreme teacher shortages in Kansas and other Midwest states. Provost Arensdorf noted that 80

percent of graduates are employed in the region. The General Art/Art Studies program is an interdisciplinary course that does not have any faculty solely dedicated to it. It offers pathways in both Art History and Studio Art and prepares students for careers as fine artists and craftsmen, archivists, curators, museum technicians, and conservators. Provost Arensdorf stated that the University recommends merging the Art Teacher Education program with the General Art/Art Studies program and that a concentration in Art Education be developed within that degree program to serve students desiring to become licensed art educators. General Foreign Languages and Literatures offers language and culture courses tailored to student career goals and designed for traditional and non-traditional students. The program aligns with the University's mission in its commitment to the development of engaged global citizen leaders and is often a second major for students. Provost Arensdorf noted that the department initiated the Spanish for Specific Purposes in the fall semester of the academic year 2017-2018; therefore, five-year enrollment data is not yet available. She also noted the University is seeing some growth in its Spanish major. The program's revenues also exceed its expenses. Provost Arensdorf stated the University recommends additional review of this program to allow the department chair and faculty to discuss what the program will look like in the future. The General Physics program produces graduates with the skills necessary to attend and successfully complete a range of different graduate and professional programs. It supports the University's KAMS/AMS program and stands out from area schools based on its affordability and small class size. Provost Arensdorf stated the University recommends continuing the program and noted that FHSU is working to create an entirely online physics degree option, which would be one of only a few in the country. The Philosophy program has a growing number of students in the online program. It heavily supports General Education and FHSU's programs in China. Dr. Arensdorf stated that the Department is focusing on updating their senior capstone experience that will lead to more graduates from the program, and therefore, the University recommends continuing the program. The General Music program is an interdisciplinary course that does not have any faculty solely dedicated to it. The program aligns with the mission of the University and supports General Education. Provost Arensdorf stated the University recommends additional review of this program to allow the Department time to increase enrollments and graduations.

Provost Bichelmeyer reported that the University of Kansas reviewed 15 programs and is recommending that seven programs be merged, two be discontinued, and six continue. She also noted that while outside the scope of the review, KU is also recommending merging two departments and discontinuing one department. Latin American & Caribbean Studies and European Studies are recommended to merge as concentrations within the existing Global & International Studies degree. Both programs slated for merger have no assigned tenure/tenure-track faculty. They are interdisciplinary, and use faculty from other departments. The Classics Department is recommending merging its two degrees (Classical Languages and Classical Antiquity) to form one Classics major. The University is recommending merging its German Studies, Russian, East European & Eurasian Studies, and the Slavic and Eurasian Languages & Literature Studies, which will form one-degree program. Provost Bichelmeyer noted that KU is recommending that the German Studies Department be merged with the Slavic and Eurasian Languages & Literature Department. There will be minimal savings for the University with this merger because many of the programs are interdisciplinary, but it will streamline options for students. Provost Bichelmeyer stated that KU is recommending discontinuing its Visual Art Education undergraduate program and its Humanities program. Both programs have had

challenges growing enrollments and majors. She also noted that the University recommends closing the Humanities department. Provost Bichelmeyer stated that the elimination of the Visual Art Education program will produce \$100,000 in savings, and it is estimated that the closure of the Humanities department will have an annual savings of \$400,000. Provost Bichelmeyer reported that KU recommends continuing the following degrees because they are critical to the University's mission, run efficiently, and the departments have viable plans for increasing enrollments and graduation rates: Dance, American Studies, Religious Studies, African & African-American Studies, Astronomy, and Physical Education Plus. Provost Bichelmeyer then reviewed other programs that KU has eliminated, which resulted in annual savings, and discussed KU's new strategic plan, *Jayhawks Rising*.

The Regents thanked the Provosts for their presentations. Regent Bangerter stated *The Chronicle of Higher Education* published an article titled "The Great Contraction," which talks about the budget and enrollment issues that higher education institutions are facing. He believes many higher education institutions, including the ones located in Kansas, will need to make tough decisions that will shape the future of higher education. Regent Hutton asked Provost Bichelmeyer about the University's timeline for completing its academic workload policy. Provost Bichelmeyer stated that KU is working to create a University-wide policy that will set the baselines for faculty workloads, and anticipates providing an update on the policy later this spring. Regent Harrison-Lee thanked KU's staff and Provost for all their work on the program review. Following discussion, Regent Van Etten moved to approve the recommendations from Fort Hays State University and the University of Kansas. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

(PowerPoint filed with Official Minutes)

#### FAFSA COMPLETION INITIATIVES

Vice President Archer stated that one of the recommendations that came out of the Future of Higher Education Council was for the Board to identify strategies to increase completions of the Free Application for Federal Student Aid (FAFSA) form. In 2020, less than half of Kansas high school graduates completed the FAFSA, which placed Kansas at 36<sup>th</sup> in the nation on completions. Dr. Archer noted that the FAFSA completion rate is an important indicator for the higher education system because it is linked to higher college going rates. FAFSA completion studies have indicated that completers are 63 percent more likely to enroll in college immediately after high school compared to non-completers. Vice President Archer reported that over the last several months Board staff and the Kansas State Department of Education (KSDE) identified two strategies to help boost FAFSA completion around the state: the FAFSA recognition program and FAFSA completion events.

The FAFSA recognition program will be a competition between high schools to see which ones can increase the number of students who complete the form. The program will start in the fall of 2021, and two high schools from each of the six Kansas State High School Activities Association divisions will be recognized as the winning schools in either September or October. Dr. Archer noted that the high school with the highest FAFSA completion percentage will be named the state

champion and the high school with the most significant increase in FAFSA completion from the last year will be recognized as the most improved.

The FAFSA completion events will be scheduled between September and December either during or after school. The events will provide information to seniors and their parents on what FAFSA is and financial aid representatives will be available at the event to answer any questions. Dr. Archer noted that the Board office and KSDE will be sending guidance out on how a school or community can conduct one of these events.

*Fiscal Affairs and Audit*

DISTRIBUTION OF FY 2021 STATE FUNDS FOR TECHNICAL EDUCATION (EXCEL IN CTE, AO-K PROVISIO) AND RECONCILE FY 2020 GED ACCELERATOR PAYMENT

Elaine Frisbie, Vice President for Finance and Administration, presented the proposed FY 2021 distribution of state funds for Technical Education (Excel in Career Technical Education and the Accelerating Opportunity-Kansas proviso). She noted the amounts are based on current FY 2021 enrollment data submitted by the colleges and appropriations available to finance the program. The distribution amounts are also contingent upon the Board's assessment of each institution's performance pursuant to the performance agreement process. Vice President Frisbie noted that after the AY 2020 data collection was closed, a process that requires each college president to certify the college's data, Allen County Community College identified an error in its high school data from the spring 2020 semester and requested that the collection be re-opened to allow them to correct their data error. Vice President Frisbie described the process that the Board office used to assess this specific situation and request. The Technical Education Authority reviewed all the information surrounding the request and decided that granting the request was not clearly allowable by state law, and would open the door for other institutions to make similar requests without any clear guideposts for analyzing those requests. The TEA therefore recommended against re-opening the collection. Additionally, Vice President Frisbie presented the FY 2020 GED Accelerator payments that need to be reconciled. Regent Rolph moved to approve the distributions and reconciliation. Regent Van Etten seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following amounts were approved:

**Excel in CTE**

<b>Institution</b>	<b>FY 2021 Distribution for Fall 2020 Enrollment</b>	<b>FY 2020 (Prior Year) Reconciliation</b>	<b>FY 2021 Proposed Net January Distribution</b>
Allen County Community College	\$323,224	(\$486,014)	(\$162,790)
Barton County Community College	\$112,085	(\$44,839)	\$67,246
Butler Community College	\$338,556	(\$47,406)	\$291,150
Cloud County Community College	\$102,796	\$75,573	\$178,369
Coffeyville Community College	\$489,258	(\$80,934)	\$408,324
Colby Community College	\$88,331	(\$72,063)	\$16,268

Cowley County Community College	\$389,137	\$38,260	\$427,397
Dodge City Community College	\$244,665	(\$79,678)	\$164,987
Flint Hills Technical College	\$855,260	\$435,777	\$1,291,037
Fort Scott Community College	\$440,123	\$110,453	\$550,576
Garden City Community College	\$206,427	\$103,750	\$310,177
Highland Community College	\$628,722	(\$277,944)	\$350,778
Hutchinson Community College	\$1,154,731	(\$506,304)	\$648,427
Independence Community College	\$79,038	(\$9,282)	\$69,756
Johnson County Community College	\$805,023	(\$82,942)	\$722,081
Kansas City Kansas Community College	\$1,203,258	(\$58,959)	\$1,144,299
Labette Community College	\$256,021	(\$4,835)	\$251,186
Manhattan Area Technical College	\$247,906	\$168,749	\$416,655
Neosho County Community College	\$691,101	\$188,334	\$879,435
North Central Kansas Technical College	\$235,268	\$26,986	\$262,254
Northwest Kansas Technical College	\$495,697	(\$105,023)	\$390,674
Pratt Community College	\$170,657	(\$90,063)	\$80,594
Salina Area Technical College	\$527,200	\$10,343	\$537,543
Seward County Community College	\$386,644	\$234,855	\$621,499
Washburn Institute of Technology	\$2,186,369	\$339,885	\$2,526,254
WSU Campus of Applied Sciences & Technology	\$2,795,504	\$213,321	\$3,008,825
<b>Total</b>	<b>\$15,453,001</b>	<b>\$ --</b>	<b>\$15,453,001</b>

#### Accelerating Opportunity: Kansas

Institution	FY 2021 Distribution for Fall 2020 Enrollment	FY 2020 (Prior Year) Reconciliation	FY 2021 Proposed Net January Distribution
Allen County Community College	\$ --	\$ --	\$ --
Barton County Community College	\$32,256	\$16,667	\$48,923
Butler Community College	\$916	(\$5,017)	(\$4,101)
Cloud County Community College	--	--	--
Coffeyville Community College	--	--	--
Colby Community College	\$38,536	\$0	\$38,536
Cowley County Community College	\$43,110	\$3,606	\$46,716
Dodge City Community College	--	(\$964)	(\$964)
Flint Hills Technical College	--	--	--
Fort Scott Community College	\$3,456	(\$12,874)	(\$9,418)
Garden City Community College	--	\$1,655	\$1,655
Highland Community College	\$15,881	\$43,686	\$59,567
Hutchinson Community College	--	(\$7,072)	(\$7,072)

Independence Community College	--	--	--
Johnson County Community College	\$2,830	(\$7,566)	(\$4,736)
Kansas City Kansas Community College	--	\$12,352	\$12,352
Labette Community College	--	--	--
Manhattan Area Technical College	--	--	--
Neosho County Community College	--	(\$4,409)	(\$4,409)
North Central Kansas Technical College	--	--	--
Northwest Kansas Technical College	--	--	--
Pratt Community College	--	--	--
Salina Area Technical College	--	(\$9,366)	(\$9,366)
Seward County Community College	--	(\$29,673)	(\$29,673)
Washburn Institute of Technology	\$64,160	(\$48,860)	\$15,300
WSU Campus of Applied Sciences & Technology	\$45,738	(\$73,869)	(\$28,131)
<b>Total</b>	<b>\$246,883</b>	<b>(\$121,704)</b>	<b>\$125,179</b>

#### GED Accelerator

<b>Institution</b>	<b>(For Reference) FY 2020 Distributions</b>	<b>Prior Year Reconciliation</b>
Allen County Community College	\$ --	\$ --
Barton County Community College	\$3,700	\$12,850
Butler Community College	--	\$3,782
Cloud County Community College	--	--
Coffeyville Community College	--	--
Colby Community College	--	\$13,360
Cowley County Community College	\$670	\$3,340
Dodge City Community College	--	--
Flint Hills Technical College	--	--
Fort Scott Community College	--	\$1,282
Garden City Community College	\$2,840	\$840
Highland Community College	--	--
Hutchinson Community College	--	--
Independence Community College	--	--
Johnson County Community College	--	\$5,180
Kansas City Kansas Community College	--	--
Labette Community College	--	--
Manhattan Area Technical College	--	--
Neosho County Community College	--	(\$143)
North Central Kansas Technical College	--	--
Northwest Kansas Technical College	--	--

Pratt Community College	--	--
Salina Area Technical College	\$3,000	\$7,340
Seward County Community College	\$840	\$4,510
Washburn Institute of Technology	\$15,530	\$10,380
WSU Campus of Applied Sciences & Technology	--	\$6,180
<b>Total</b>	<b>\$26,580</b>	<b>\$68,901</b>

AMENDMENT TO THE FY 2021 CAPITAL IMPROVEMENT PLAN AND PROGRAM STATEMENT FOR THE CLINTON HALL STUDENT SUCCESS CENTER - WSU

Chad Bristow, Director of Facilities, introduced Wichita State University's request to amend its FY 2021 Capital Improvement Plan to add the Clinton Hall project. With the construction of Woolsey Hall for the W. Frank Barton School of Business, Clinton Hall will be vacated. WSU wants to house all its student services in Clinton Hall, which will require the building to be renovated along with adding a new addition to the south side. The anticipated cost of the project is approximately \$16.4 million, which will be funded by a combination of private funds, student fees, and revenue bond funds. Director Bristow stated that Clinton Hall has a Facilities Condition Index (FCI) in the "Fair" category and the renovation will resolve approximately \$5.65 million of deferred maintenance costs in the building. WSU also anticipates that this project will allow for programs and building occupants in five university buildings (Brennan I, Brennan II, Brennan III, Intensive English Language Center, and the Intensive English Annex) to relocate into space vacated by the departments and centers moving into Clinton Hall. Demolishing these five buildings would reduce the overall campus footprint by 62,403 gross square feet and remove an additional \$2.49 million of deferred maintenance backlog from the system. Director Bristow noted that WSU plans to use the University's general funds for the future operation and maintenance of the building. Regent Rolph moved to approve, and Regent Hutton seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

AMEND AGENDA

Due to time restrictions, Chair Feuerborn tabled the proposed policy on Athletic Conference Changes to the March Board meeting.

Other Matters

DEFERRED MAINTENANCE INITIATIVE

Regent Rolph stated the Board set its budget request back in September and asked for full funding of the higher education system. The Governor's budget was presented in January, which included a \$37 million cut to the higher education system and an approximately \$10.3 million operating grant appropriation to the Board. The Board would have the discretion to use this money as it sees fit and after speaking with several legislators the Fiscal Affairs and Audit Committee members believe it would be in the best interest of the Board to clearly state how it intends to use the discretionary operating grant. Regent Rolph noted that the Fiscal Affairs and Audit Committee discussed using the funds to address deferred maintenance instead of for operating expenses. He noted that deferred maintenance at the state universities is an ongoing issue that needs to be

addressed in a meaningful way. Regent Hutton moved that the Board commit, beginning FY 2022 and for no less than 20 years, the \$10,292,230 in the Governor's FY 2022 budget for the exclusive use toward payment of debt incurred as part of the Deferred Maintenance Initiative. Regent Van Etten seconded. Regent Schmidt asked why the timeframe was set at 20 years and whether this will be built in as annual state funding. Regent Hutton noted that 20 years is a common timeline for bonding, but it could be shorter. He also noted that the proposed funds would continue annually unless the Legislature goes in and removes it. Vice President Frisbie stated the premise of the motion means the Board would need to seek bonding authority from the Legislature, which would then be back for a timeframe by a State General Fund appropriation. She noted in the Governor's budget, Governor Kelly included a 2.5 percent salary increase for state employees, but excluded the university employees. Instead the Governor recommended appropriating the \$10.3 million to the Board, which would be annual funding. President Scott stated that he understands the Board has discretion to use these funds, but he believes it will be hard for the faculty and staff on the campuses to understand why the funds are not being tied to salaries when the Governor arrived at the \$10.3 million by calculating the proposed salary increases for other state employees. President Scott also noted that the Governor's budget includes cuts to the universities that will not get backfilled. Regent Bangerter stated that he understands that deferred maintenance is a large problem that needs to be addressed; however, with the fiscal challenges facing the universities at this time, he believes the funds should go to other priorities rather than deferred maintenance. Regent Feuerborn concurred. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, and Regent Van Etten. The motion carried. Regent Bangerter and Regent Feuerborn voted against the motion.

Regent Hutton then moved, with the second of Regent Rolph, that the Board instruct the staff to work with the universities to study, analyze, and bring back to the Board for consideration the following action items and policies:

1. That, for a period of time deemed appropriate by the Board, the Board consider an amount up to \$5 million be withheld from universities operating funds for the exclusive use toward payment of debt incurred as part of the Deferred Maintenance Initiative and that the report includes a proposed formula that incorporates the Facilities Condition Index for each campus when determining a Universities assessed portion of the \$5 million.
2. That, for a period of time deemed appropriate by the Board, the Board consider committing 50% of the annual proceeds from the Educational Building Fund (EBF) be dedicated for the exclusive use towards payment of debt incurred as part of the deferred maintenance initiative, with the balance of the funds reserved for the annual maintenance of qualifying facilities.
3. The formation of a "Maintenance Assessment" policy that would establish the basis for assessing the amount of funds that a University would be charged annually for the maintenance of their facilities and what facilities, if any, would be exempt. This report should include a proposed formula that takes into account each Universities Facility Condition Index, the gross area of their buildings, and an industry recognized method of

estimating the annual cost to adequately maintain their buildings as the method of establishing a Universities charge for their Maintenance Assessment.

4. Formation of a “Classroom Efficiency” policy that would require each University to obtain the goal of bringing their campus facility utilization in line with the standards established in the Efficiency Report. This should include a proposed method for establishing the metrics that will drive the policy and for a reasonable transition time frame to allow for compliance with a policy, and what, if any, ramifications there are if compliance is not met.
5. Begin negotiations with a single qualified consultant to work with our universities to create a system wide master plan for the consolidation and demolition of facilities necessary to comply with the “Classroom Efficiency” policy and to bring a proposal to the board for consideration.
6. A “Maintenance Reserve” policy that requires any new proposed facility to establish a funding mechanism that provides for the annual maintenance of the new building for a period of no less than 50 years, with the amount established by an independent industry recognized consultant. This report should also include what buildings would be exempt as well as acceptable alternative methods.

The Board discussed the elements of the motion and some Regents were concerned about the language and scope of the motion. It was clarified that Board and university staff are being charged with analyzing the six items, which does not mean the Board is going to move forward with the proposed items. President Myers stated that the space utilization study did not include research areas and he believes those spaces should be included and the Regents concurred. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. It was noted that the Board will continue to discuss its deferred maintenance initiative at the March meeting.

#### LEGISLATIVE AND BUDGET UPDATE

Matt Casey, Director of Government Relations, presented the legislative and budget update. The budget process is moving quickly through both Chambers. Earlier today the House Appropriations Committee received the higher education budget sub-committee report. During the Committee meeting, Representative Tarwater made an amendment to the budget to refund students 50 percent of their tuition for all virtual days that they were not in person in the classroom and 100 percent of the tuition for the days where the academic calendar was cut short during the semester. This amendment was adopted but the Committee Chair requested to have the Board and the university CEO’s present information on how classes were offered during the pandemic, and how the federal funds have been utilized to help with the financial impact due to COVID-19. These presentations will be scheduled in early March after turnaround. The Committee will then work its mega budget bill. Director Casey also provided an update on the progress of the Board’s non-budgetary legislative items.

**ADJOURNMENT**

The Chair adjourned the meeting at 5:28 p.m.

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Blake Flanders, President and CEO

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Bill Feuerborn, Chair