

KANSAS BOARD OF REGENTS

MINUTES

May 20-21, 2020

The May 20, 2020, meeting of the Kansas Board of Regents was called to order by Chair Shane Bangerter at 1:30 p.m. This was a virtual meeting, and 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

ANNOUNCEMENT

Chair Bangerter welcomed everyone and noted this meeting is being livestreamed. He explained that because the meeting is entirely virtual, with all members of the Board as well as all Board staff, institutional staff and the public participating or listening remotely, he was going to follow the Attorney General's regulation and best practices for conducting 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 Bangerter 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 Bangerter 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.

APPROVAL OF MINUTES

Regent Murguia moved that the minutes of the April 10, 2020 special meeting and the April 15-16, 2020 regular meeting be approved. Following the second of Regent Rolph, the motion carried.

INTRODUCTIONS

Chancellor Girod introduced the University of Kansas' new Provost, Barbara Bichelmeyer. Provost Bichelmeyer started in her role nine days before KU moved all its instruction online because of the COVID-19 pandemic. Chancellor Girod also introduced KU's new Vice Chancellor of Public Affairs and Economic Development, David Cook. Chancellor Girod noted that Vice Chancellor Cook previously served as the Vice Chancellor of the KU Edwards Campus. President Flanders introduced Cloud County Community College's Interim President, Amber Knoettgen.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Bangerter thanked Board staff for organizing the virtual meetings and noted the meetings have gone well. He recognized Regent Harrison-Lee, who was selected by Governor Kelly to lead the Kansas Recovery Office, and announced that he participated in University of Kansas' virtual commencement ceremony. On behalf of the Board, he congratulated all the 2020 graduates.

Chair Bangerter then reported on the activities of the Board's Retirement Plan Committee and Governance Committee. At its last meeting, the Retirement Plan Committee discussed money market funds and adopted a new distribution option called the coronavirus-related distribution that would allow qualifying individuals to receive the lesser of \$100,000 or 100% of a participant's vested balance, in accordance with federal legislation enacted in response to the pandemic. Chair Bangerter encouraged Plan participants to speak with their investment consultants to ensure that their investments are best positioned to meet their retirement goals. He reported that the Governance Committee met earlier in the day and authorized the Board President and CEO to execute the space utilization study contract with Gould Evans.

REPORT FROM PRESIDENT AND CEO

President Flanders stated that Kansas City Kansas Community College's reopening plan was recognized in the American Association of Community College Journal. He congratulated President Mosier and his team. President Flanders then asked Chancellor Girod to give a brief update on how the state universities are going to address the fall semester.

Chancellor Girod stated the measures the state put into place to slow the spread of the COVID-19 virus have been effective. Over the last several weeks the number of new cases has declined, and hospitalizations have remained low. Chancellor Girod reported that all the universities are planning to have face-to-face classes in the fall but there are still concerns with the COVID-19 testing process. He noted in order to adhere to social distancing standards, the universities are looking at campus spaces including classrooms and dorm rooms. He also noted that each university will have its own reopening plan that will follow the guidelines set out by the state and its local county health department. The Chancellor thanked the Board and the Chair for their leadership during these difficult times.

REPORT FROM COMMISSIONER WATSON

Randy Watson, Kansas Commissioner of Education, gave an update of the activities that are occurring at the Kansas State Department and Board of Education. Commissioner Watson announced that Tabatha Rosproy, a Kansas preschool teacher at the Winfield Early Learning Center, was named the 2020 Kansas Teacher of the Year and is nominated for the 2020 National Teacher of the Year. He noted it has been 58 years since a Kansas teacher won this title and that the winner will be announced on Thursday.

Dr. Watson reported in mid-March when schools across Kansas closed their facilities due to the pandemic, a taskforce of 40 members was formed, and they developed the Continuous Learning Plan. This Plan includes guidelines on how student learning outside of normal practices can move forward. The Commissioner noted the taskforce developed the Plan within 72 hours and many

states around the country have requested copies of it. He stated this development process went smoothly because the Kansas State Board of Education has set a clear vision for the state, which is for Kansas to lead the world in the success of each student.

Commissioner Watson then shared data on some of the barriers teachers and school districts encountered while providing continuous learning opportunities for students. The biggest barriers for most districts included the following: internet service issues, truancy issues, lack of technology skills in the home, and the inability to contact families. Commissioner Watson reported that when the school facilities closed, 75-100% of learning was delivered online for high school students in 252 districts. A small percentage of learning was delivered face-to-face but appropriate safety measures were put into place. Moving forward, the Kansas State Board of Education is cautiously optimistic that school will resume face-to-face delivery in August. Commissioner Watson stated that planning for the next school year has already begun.

(PowerPoint filed with Official Minutes)

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle reported the System Council of Presidents received an update from the System Council of Chief Academic Officers. The Academic Officers informed the CEOs that the 2020 Kansas Core Outcomes Group Conference will be held in October. Faculty from all 32 institutions are invited to participate. The Academic Officers also provided an update on the activities of the Open Educational Resource (OER) Steering Committee and discussed the proposed revisions to the performance agreements funding guidelines. The System Council of Presidents then received an update from President Flanders on the Board's new strategic plan. A draft plan was provided to the members and it was noted that the Board will review the document at the June meeting. Additionally, the Council discussed the plans for reopening the campuses for the fall semester. There are still concerns with the state's testing capacity and the cost associated with all the cleaning and protective supplies that will be needed to open the campuses.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle presented the report for the community colleges. Like the universities, the colleges are busy working on plans to reopen the campuses for the fall semester. A taskforce between the community and technical colleges was formed so the different sectors can share ideas on how to open safely. President Rittle stated the colleges are looking at learning spaces on the campuses to determine what the appropriate class sizes are for this new environment. The institutions are also increasing their marketing to encourage students to keep moving forward with their educational plans. Additionally, President Rittle reported that the colleges are distributing the CARES Act relief funds to eligible students.

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, the Council of Student Affairs Officers, and the Council of Chief Diversity Officers. The Academic Officers presented the following three degrees, which were approved by the Council of Presidents: Kansas State University's Bachelor of Science in Geographic Information Science and Technology, Kansas State University's Bachelor of Science in Sports Nutrition, and the University of Kansas Medical

Center's Master of Science in Genetic Counseling. These degrees will be forwarded to the Board for consideration at a future meeting. The Business Officers provided an update on the deferred maintenance initiative including the space utilization study. The vendor, Gould Evans, will start its on-campus assessments in June. They will visit the University of Kansas, Kansas State University and Wichita State University first and then will move to the regional campuses. A legislative update was provided by the Government Relations Officers and the Student Affairs Officers provided an update on their discussions, which centered around reopening the campuses in the fall. The Chief Diversity Officers presented a report that highlighted the demographics of the public higher education institutions as compared to the state's demographics. The data shows that Hispanic and Black students are underrepresented at the public universities but are evenly represented at the community and technical colleges. To address the issues related to diversity on the campuses, the Diversity Officers recommended developing a systemwide diversity, equity and inclusion plan that focuses on the three pillars of the Board's new strategic plan – family, business, and the economy.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Greg Schneider stated this will be his last report to the Board because the newly elected Faculty Senate Presidents begin their terms in June. He recognized the outgoing members of the Council and thanked them for all their work this year. Dr. Schneider then reported that the Council discussed the campus reopening plans and thanked the university administrations on all the campuses for including faculty on the reopening committees. He also reported that Wichita State University's new Faculty Senate President, Aleks Sternfeld-Dunn, will Chair the Council next year.

On behalf of the Board, Chair Bangerter thanked Dr. Schneider for his leadership this year.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Paul Frost stated this is his last report to the Board and noted he enjoyed his time on the Committee. He then introduced Rija Khan, who is Wichita State University's new Student Body President and the new Chair of the Students' Advisory Committee.

On behalf of the Board, Chair Bangerter thanked Mr. Frost for his leadership this year.

REPORT FROM THE TECHNICAL COLLEGES

President Genandt presented the report for the technical colleges. The technical colleges are entering their third week of having some of their students back on the campuses. These students are in programs that require hands-on training and by being on campus they will be able to finish the course work for the semester. The technical colleges are also in the process of distributing the CARES Act funds to eligible students and are monitoring the COVID-19 legislation that will be discussed tomorrow when the Legislature returns.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Schmidt reported the Board Academic Affairs Standing Committee received an update on the KU Edwards and Johnson County Community College pilot program, which allows the KU

Edwards campus to accept over 60 credit hours from Johnson County Community College students. So far, the Edwards Campus has enrolled 50 students from Johnson County Community College. The Committee then discussed the next steps for the low-enrollment program review, and it was determined that a plan will be developed for the universities to review all undergraduate low-enrollment programs. The Board will receive an update on the low-enrollment program review plan at the June meeting. The Committee also received an update on the direct support professionals' initiative, and it was noted that Wichita State University is developing a curriculum that can be used systemwide.

FISCAL AFFAIRS AND AUDIT

Regent Hutton presented the Fiscal Affairs and Audit Standing Committee report. The Committee reviewed all the fiscal items on today's Board agenda. Regent Hutton noted this meeting was shorter than most because the university tuition proposal discussion was moved to June.

APPROVAL OF CONSENT AGENDA

Regent Murguia 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 Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Academic Affairs

BACHELOR OF SCIENCE IN EDUCATION – PSU

Pittsburg State University received approval to offer a Bachelor of Science in Education. This program will total 120 semester credit hours and will replace the University's Early Childhood Unified: Birth through Third Grade degree. The estimated cost of the program for the first three years is as follows: year one - \$80,387, year two - \$82,133, and year three - \$83,924. The primary source of funding for the program will be student tuition and fees.

DOCTORATE IN EDUCATION IN COMMUNITY COLLEGE LEADERSHIP – KSU

Kansas State University received approval to offer a Doctorate in Education in Community College Leadership. The estimated cost of the program for the first three years is as follows: year one - \$1,290,003.20, year two - \$1,985,363.22, and year three - \$2,359,771.23. The primary source of funding for the program will be student tuition and fees.

Fiscal Affairs & Audit

SELL REAL PROPERTY – KSU

Kansas State University received authorization to seek legislative approval for the sale of the gym property located at 3142 Scanlan Ave, Salina Kansas.

The correct legal description for the original gym and 5.04 acres of land the university intends to sell is:

Lot Eleven (11), less West 100' feet, Block Twelve (12), Schilling Subdivision No. 5, to the City of Salina, Saline County, Kansas.

Formerly a tract of land in Block Two (2) Schilling Subdivision Lying in the Northeast Quarter (NE/4) of Section Three (3), Township Fifteen (15) South, Range Three (3) West of the Sixth (6th) P.M. as shown in Deed recorded November 18, 1966, in Book 268, pages 476 through 503 and legal found on page 485.

BUILDING LEASE RELATED TO PRIVATE HOUSING AGREEMENT – KSU

Kansas State University received approval to lease Jack Vanier Hall on the Saint Francis campus, which will be used to provide additional student housing for the Polytechnic campus. The lease will be for a one-year period beginning August 1, 2020.

LEASE AMENDMENT BETWEEN ESU AND ESU MEMORIAL UNION CORPORATION

Emporia State University received authorization to amend the Real Estate Lease Agreement dated July 1, 1994 between Emporia State Memorial Union Corporation and Emporia State University. In the amended agreement, ESU will pay a new annual lease payment of \$50,000 and in exchange the Memorial Union Corporation will no longer assess or charge any room rental fees to the University.

Retirement Plan

CHANGE TO THE NEW FUND INVESTMENT LINE-UP FOR THE BOARD'S VOLUNTARY RETIREMENT PLAN EFFECTIVE JANUARY 2021

The Retirement Plan Committee's recommendation to remove the CREF Money Market Account from the new TIAA Voluntary Plan investment lineup and substitute the TIAA-CREF Money Market Fund instead were approved. These changes will take effect with the new Voluntary Plan contract in January 2021.

Technical Education Authority

FY 2021 DISTRIBUTION OF THE KANSAS NURSING GRANT INITIATIVE

The FY 2021 distributions of the Kansas Nursing Grant initiative were approved. The following amounts will be awarded:

Institution	Award
<i>Application B - NCLEX score improvement</i>	
Colby Community College	\$ 57,465.00
Kansas City Kansas Community College	\$ 27,400.00
Kansas Wesleyan University	\$ 46,921.00

Neosho County Community College	\$	53,745.00
Seward County Community College	\$	40,274.00
<i>Full Application</i>		
Baker University	\$	40,454.00
Barton Community College	\$	62,000.00
Butler Community College	\$	28,900.00
Cloud County Community College	\$	18,011.00
Dodge City Community College	\$	30,000.00
Emporia State University	\$	173,830.00
Fort Hays State University	\$	177,448.00
Fort Scott Community College	\$	43,105.00
Garden City Community College	\$	32,022.00
Hesston College	\$	24,142.00
Hutchinson Community College	\$	9,000.00
Johnson County Community College	\$	73,142.00
University of Kansas	\$	231,714.00
Labette Community College	\$	58,902.00
Manhattan Area Technical College	\$	72,986.00
MidAmerica Nazarene University	\$	9,000.00
North Central Kansas Technical College	\$	41,221.00
Pittsburg State University	\$	224,230.00
University of St. Mary	\$	87,622.00
Washburn University	\$	163,060.00
Wichita State University	\$	67,300.00
	Total Awarded	\$ 1,893,894.00
	Total Grant Funds Available	\$ 1,894,662.44
	Remaining	\$ 768.44

TWO NEW PROGRAMS – KANSAS CITY KANSAS COMMUNITY COLLEGE

Kansas City Kansas Community College received approval to offer a technical certificate B (39 credit hours) and an Associate of Applied Science degree (61 credit hours) in Baking (12.0501). The program will begin in the fall of 2020 and the estimated cost is \$353,813.80. All costs for the program will be funded through the College's local fund, current student fees, donations, and the program agency account.

Kansas City Kansas Community College received approval to offer an Associate of Applied Science degree (62 credit hours) in Culinary Arts. The College

estimates the cost of the program to be \$370,380. The program will be funded with the College's local funds, tuition and Carl Perkins grant funds.

CONSIDERATION OF DISCUSSION AGENDA

BREAK

Chair Bangerter called for a break at 2:48 p.m. and resumed the meeting at 2:53 p.m.

Academic Affairs

UPDATE ON BOARD GOAL: POSITIVE PATHWAYS FOR STUDENTS WHO DO NOT MEET QUALIFIED ADMISSIONS CRITERIA

Daniel Archer, Vice President for Academic Affairs, stated one of the Board's goals this year was to explore positive pathways to help students who do not meet Qualified Admissions criteria achieve success beyond high school. A working group of admission representatives from the six state universities was formed to explore and identify proposed tactics to advance this goal. The group noted that under the current regulations, universities are permitted to admit applicants who do not meet the minimum freshman admissions criteria. For residents and non-residents, a university may admit up to 10% of its total freshman admissions through the exception window. However, the group found that the information on the qualified admissions' websites for the universities do not inform applicants of this exception window, which may prevent some perspective students from applying. To address this concern, the group recommended that the universities include language on their websites that encourages all students to apply even if they do not meet the qualified admission criteria.

Next the working group looked at the applicant data for the state universities. In 2018, the state universities reviewed over 19,000 resident applicants and of those only 537 were inadmissible, which is 2.8 percent. In that same year, 15,869 non-resident applicants were reviewed and only 906 were declined, which is 5.7 percent. Even though the number of applicants that were denied is low, the working group recommended that the state universities include a statement in the denial letter that promises that the applicant will be reconsidered for admission if he/she re-applies after completing 24 college credit hours with at least a 2.0 (2.5 for KU). The letter should also include the link to the Board's webpage that provides details about the community and technical colleges in the state. Dr. Archer stated the working group believe these steps will help inform applicants of all their options.

The Board discussed the recommendations and believe they are a great first step. Some Regents are still concerned about being able to reach the individuals who decide not to apply. Regent Hutton asked the committee to explore how the colleges and universities can work together to engage with individuals who are not applying because they believe they do not meet the admission criteria. Regent Murguia is also concerned with students being able to access higher education. It was noted some universities around the country are moving away from using standardize test score as admission criteria. There was also discussion regarding non-degree seeking students and whether those individuals need to be formally admitted to the university before taking classes.

(PowerPoint filed with Official Minutes)

PROGRAM REVIEW REPORT

Vice President Archer reported the state universities are required to review approved programs at least once every eight years to ensure academic quality. The following criteria are used in reviewing academic programs: 1) centrality of the program to fulfilling the mission and role of the institution; 2) quality of the program as assessed by the strengths, productivity and qualifications of the faculty; 3) quality of the program as assessed by its curriculum and impact on students; 4) demonstrated student need and employer demand for the program; 5) service the program provides to the discipline, the university and beyond; and 6) cost-effectiveness. For the academic year 2018-2019 program review cycle, Emporia State University, Fort Hays State University, Kansas State University, Pittsburg State University, the University of Kansas, the University of Kansas Medical Center, and Wichita State University reviewed a total of 216 academic programs at various academic levels. As a result, 199 programs were recommended to continue, 14 were recommended for additional review, one was recommended for enhanced review, and two were identified to be discontinued.

Dr. Archer also reported the program review process is separate from the Board's low enrollment program discussion that occurred last month. This review is focused on low enrollment undergraduate programs whereas the program review process focuses on six different criteria. Dr. Archer stated that some programs being reviewed for low enrollment will move through the Board's Strategic Program Alignment Review process.

STRATEGIC VISIONING PROCESS – PSU

Provost Howard Smith presented Pittsburg State University's strategic visioning process. PSU originally envisioned this process as a way to address budget reductions within its divisions but has since shifted to focus on maximizing return on investment rather than cost cutting. Provost Smith reported the first step in the process was to form the Program Review Council, which was charged with reviewing the University's undergraduate and graduate anchor and core programs. The Council developed an academic portfolio, which is based on student credit hours produced and includes recommendations for each program. These recommendations include whether a program should be continued, discontinued, or placed on notice for follow-up review to address concerns. A department may also be asked to develop a plan of action for enhancement to address concerns of a program.

Next the University developed a net revenue model to determine the direct and indirect cost associated with each program. Doug Ball, PSU's Chief Financial Officer, reported that this information allows the University to determine a program's return on investment, and he noted twelve programs have been identified for further study based on the costs associated with them. PSU also did a market analysis on its programs to determine a program's demand at the campus and in the workforce.

Provost Smith stated the next steps in the process for the University will include: 1) identifying opportunities for reallocation of resources to better meet strategic goals; 2) creating better alignment between academic portfolio and the resource allocation model; 3) enhancing the level of transparency and accountability across the portfolio; 4) improving data capture for future

analysis; and 5) determining PSU's next best investments based upon a mission to market approach.

(PowerPoint filed with Official Minutes)

EXCEPTION TO INTERNATIONAL BACCALAUREATE POLICY

Vice President Archer stated that because of the COVID-19 pandemic, International Baccalaureate (IB) exams will not be administered in 2020. Instead students will be awarded a score for each of their registered subjects using a calculation that considers their coursework marks and their predicted grade, as submitted by schools to IB. Dr. Archer noted that this change conflicts with the requirements in the Board's Credit by Exam policy. To address this conflict, staff is recommending a one-time exception to the policy that will allow the state universities to use IB's alternative framework for awarding credit for equivalent courses at the universities. If approved, IB scores issued in July 2020 would allow students who earn a four or higher to be awarded credit for the equivalent course or courses at each state university. Regent Harrison-Lee moved to approve the one-time exception to the Credit by Examination policy. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Fiscal Affairs and Audit

JOHNSON COUNTY RESEARCH TRIANGLE (JCERT) FY 2021 BUDGETS – KU, KUMC, AND KSU

Vice President Frisbie presented the Johnson County Education Research Triangle FY 2021 budgets for the University of Kansas Edward Campus, the University of Kansas Medical Center, and Kansas State University Olathe Campus. Regent Hutton moved to approve the budgets. Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(Budgets filed with Official Minutes)

SPRING DISTRIBUTION OF FY 2020 APPROPRIATIONS FOR TECHNICAL EDUCATION (EXCEL IN CAREER TECHNICAL EDUCATION INITIATIVE, AO-K PROVISO AND POSTSECONDARY EDUCATION PERFORMANCE-BASED INCENTIVES FUND)

Vice President Frisbie presented the proposed second distribution of state funds for Technical Education (Excel in Technical Education and the Accelerating Opportunity-Kansas proviso) and the Postsecondary Education Performance-Based Incentives Fund (GED Accelerator). For FY 2020, the Board of Regents has available \$35,076,841 million for high school students' postsecondary tiered technical course tuition, and for tuition for adults without a high school diploma or GED who are enrolled in tiered technical courses in designated Accelerating Opportunity: Kansas (AO-K) approved pathways. Funds are also available for the Postsecondary Education Performance-Based Incentives Fund (GED Accelerator). Funding for the tuition portion is distributed twice a year based on actual student enrollments submitted to the Kansas

Higher Education Data System by the institutions. In January 2020, the Board distributed \$18,379,219 for Excel in CTE, and \$350,188 for AO-K adult tuition based on the Fall 2019 enrollment data collection.

Vice President Frisbie stated because COVID-19 has disrupted on-campus activities, the Board Office decided to cancel the spring enrollment data collection that would have normally formed the basis of the state grant distributions for Spring 2020. Instead staff reviewed statistical models using program cost data for the three programs from prior years and from Fall 2019 to guide the Spring 2020 distributions. The linear trend forecast model uses FY 2016, 2017, 2018 and 2019 data to predict FY 2020, which will provide estimated amounts for distributing the Excel in CTE appropriation in FY 2020. However, in FY 2017 it was determined that Cowley Community College certified faulty data and to adjust for this discrepancy, the Technical Education Authority excluded that one year of data in their linear trend forecast.

Vice President Frisbie stated the amounts for the AO-K program were also calculated based on data submitted from the colleges in Fall 2019, or predicting a 10 percent increase over the prior year, whichever is greater. Amounts recommended for the GED Accelerator reflect data submitted in Fall 2019, where the college did not have an amount to be returned for a prior year overpayment. She noted that there were three colleges with negative amounts that will need to be repaid due to overpayment prior year distributions.

Additionally, Vice President Frisbie reported that in the fall of 2020, the colleges will submit their full Academic Year data collection, which will include participation in the three relevant programs. At that time the FY 2020 amounts will be reconciled to the fall special collection and spring estimates on a college by college basis, within the January 2021 distribution. She also noted the distribution amounts set forth in the following table do not reflect the Board's assessment of each institution's performance pursuant to K.S.A. 74-3202d(e) and thus the actual distribution to an institution, in accordance with the performance agreement process, may be less than the amount set forth in the table for that institution. Regent Schmidt moved to approve the distribution amounts, and Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following distributions were approved:

Institution	Excel in CTE Initiative	AOK Proviso Adult Tuition	GED Accelerator
Allen Community College	\$644,676	\$ --	\$ --
Barton Community College	239,937	4,497	1,838
Butler Community College	300,629	5,875	-228
Cloud County Community College	87,996	--	--
Coffeyville Community College	525,356	--	--
Colby Community College	198,414	--	--
Cowley Community College*	439,303	--	527
Dodge City Community College	148,085	964	--
Flint Hills Technical College	293,826	--	--

Fort Scott Community College	341,559	14,529	-58
Garden City Community College	61,918	--	2,697
Highland Community College	969,520	5833	612
Hutchinson Community College	1,703,982	7,072	914
Independence Community College	63,475	--	--
Johnson County Community College	854,772	14,108	2,361
Kansas City Kansas Community College	1,490,707	--	--
Labette Community College	109,648	--	--
Manhattan Area Technical College	53,057	--	--
Neosho County Community College	487,521	4,409	-143
North Central Kansas Technical College	154,376	--	--
Northwest Kansas Technical College	198,255	--	--
Pratt Community College	199,543	--	--
Salina Area Technical College	470,769	21,282	1,983
Seward County Community College	342,948	31,328	1,050
Washburn Institute of Technology	2,096,120	142,018	14,782
WSU Campus of Applied Sci. and Tech.	3,397,057	130,685	245
Total	\$15,873,449	\$382,600	\$26,580

*Please see June 18, 2020 Board minutes for correction.

BOARD'S UNIFIED BUDGET REQUEST PREPARATIONS

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

Unified Appropriation Request Schedule

April 2020 Board Meeting	Capital improvement requests for state universities (First Reading)
May 2020 Board Meeting	Board acts on capital improvement requests for July 1
June 2020 Board Meeting	Board staff reviews potential areas of request. Board receives institution and sector specific requests. (If possible, sector and institutions' proposals are submitted to the Board Office by Monday, June 1.)
Summer 2020 Board Retreat	Board conducts budget session to discuss FY 2022 requests. Board continues discussion of system, institution, and sector specific requests and indicates preference for inclusion in the FY 2022 Budget Request.
September 2020 Board Meeting	Board officially approves FY 2022 unified budget request
October 1, 2020	Board's FY 2022 unified budget request submitted

CAPITAL IMPROVEMENT REQUESTS FOR FY 2022 AND FIVE-YEAR PLANS – UNIVERSITY SYSTEM

Eric King, Interim Director of Facilities, presented the Capital Improvement requests for FY 2022 and Five-Year plans for the state universities. A question was asked on whether construction budgets will be impacted by the COVID-19 crisis. Director King stated he has not heard of any issues from the universities. Regent Hutton moved to approve the FY 2022 Capital Improvement project requests listed on Table 2 of the materials. Regent Rolph seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(Tables filed with Official Minutes)

AMENDMENT TO WSU GROUND LEASE TO WSIA AND WSIA GROUND SUBLEASE TO MWCB, LLC TO EXPAND THE LEASED SQUARE FOOTAGE FOR AN AMENITY AREA FOR NETAPP – WSU

General Counsel Julene Miller stated in 2019 the Board authorized Wichita State University to enter into a ground lease with its affiliated corporation, Wichita State Innovation Alliance, Inc. (WSIA), and authorized WSIA to enter a ground sublease with a private developer, MWCB, LLC, to develop the Partnership 4 building on the Innovation Campus. WSU is now requesting to amend those ground leases to expand the leased square footage from 373,000 square feet to up to approximately 475,000 square feet. General Counsel Miller noted that NetApp, Inc. is developing and will ultimately occupy this partnership building and has provided a design plan on how the expanded square footage, which is external to the building, will be utilized. She also reported the expanded leased area will be developed, constructed, operated and maintained by the ground lease tenant during the term of the lease. Regent Harrison-Lee moved to approve the amendments to the ground lease and the ground sublease. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Technical Education Authority

AO-K TO WORK REGULATIONS

Natalie Yoza, Associate General Counsel, presented the proposed AO-K to Work regulations. In 2019, the Legislature enacted K.S.A. 74-32,267 establishing Accelerating Opportunity: Kansas (AO-K) to Work, a Kansas pathway to career program providing an alternative path to a high school equivalency credential for Kansas adults. The proposed regulations implement the statute by listing the approved career pathways and industry-recognized credentials (adopted by reference in K.A.R. 88-25-2), establishing the qualifying career readiness assessments and certificates (K.A.R. 88-25-3), establishing additional criteria required to obtain the credential (K.A.R. 88-25-4), and setting a fee for the students to receive the credential (K.A.R. 88-25-5). Regent Feuerborn moved to approve the regulations. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(Regulations filed with Official Minutes)

Other Matters

RESOLUTION TO TRANSFER AUTHORITY TO EXERCISE MANAGEMENT CONTROL OVER NIAR RELATED CLASSIFIED INFORMATION TO EXECUTIVE SECURITY COMMITTEE – WSU

General Counsel Miller presented a Resolution that transfers the Board’s authority to exercise management control over NIAR related classified information to a Security Executive Committee at Wichita State University. General Counsel Miller stated the membership of the Executive Committee will include the WSU President, Senior Vice President of Industry and Defense Programs, and Facility Security Officer for Wichita State University, as well as the Board President and Chief Executive Officer. As part of this process, WSU will be required to make an annual report to the Board on the activities on the Executive Committee. General Counsel Miller noted this Resolution is similar to the ones that were approved for Kansas State University and the University of Kansas. Regent Schmidt moved to approve the Resolution. Regent Van Etten seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(Resolution Filed with Official Minutes)

TEMPORARY AMENDMENT TO POLICY ON ACADEMIC CALENDAR CHANGES

General Counsel Miller presented the proposed temporary amendment to the Academic Calendar policy. The amendment will authorize the Board Chair and the Board President and CEO to approve revisions to a university’s academic calendar when those revisions need to be made effective prior to the time it would take for the Board to act on them. General Counsel Miller stated this policy amendment would be in effect until December 31, 2021. Regent Kiblinger noted the intent of this amendment is to allow the universities to move quickly when addressing issues related to COVID-19 but the policy does not specifically reference COVID-19. She asked that language be added to make it clear that the Board Chair and Board President can make calendar adjustments related to the COVID-19 pandemic. Regent Harrison-Lee agreed with Regent Kiblinger. Regent Harrison-Lee then moved to table this agenda item until Thursday so that new language can be drafted and presented to the Board for consideration. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Kiblinger, Regent Rolph, Regent Schmidt, and Regent Bangerter. The motion carried.

TEMPORARY SUSPENSION OF BOARD POLICY ON AUXILIARY ENTERPRISES (FIRST READ)

Vice President Frisbie stated that section “b” of the Board’s Auxiliary Enterprises policy says: “State funds shall not be used to subsidize the operation of any organization operated as an auxiliary enterprise unless specified by bond covenants or by Board action.” The universities are requesting to temporarily suspend this portion of the policy to all them more flexibility as they respond to the impact that COVID-19 has had on their campus operations. If approved, this

suspension will begin on July 1, 2020 and end on June 30, 2021. Vice President Frisbie noted that this is a first read and that the Board will act on this request at the June meeting.

AMENDMENTS TO BOARD POLICY ON EXTERNAL MANAGEMENT REVIEWS (FIRST READ)

Vice President Frisbie presented proposed amendments to the Board's Financial Review policy. Under the current policy, external management reviews are conducted at the state universities either every five years or upon the departure of a university CEO. Vice President Frisbie noted over the last several years no material findings have been identified during these audits. To be more efficient and to reduce cost, the recommendation is to have these audits conducted once every eight years at the universities and to have the Fiscal Affairs and Audit Standing Committee determine the length of the review. Audits will still be conducted when there is a change at the University CEO position. Vice President Frisbie noted that this is a first read and that the Board will act on this request at the June meeting.

NAME A BUILDING – KU

Chancellor Girod presented a request to name the Law Enforcement Training Center's East Dormitory in honor of Ed Pavey, KLETC Director Emeritus. Regent Rolph moved to approve, and Regent Feuerborn seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The dormitory will be named Pavey Hall.

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported the Legislature adjourned early in March 19 due to the COVID-19 pandemic but are scheduled to return to the Statehouse tomorrow for *sine die*. Director Casey expects the Legislature to work on bills that did not get passed before their first adjournment as well as bills addressing COVID-19 issues. Director Casey stated that liability protection for businesses and higher education institutions will likely be discussed along with moving the authority to distribute the \$1.2 billion CARES Act funding from the Governor to the Legislative Coordinating Council. The Legislature will also review whether to extend the state's emergency disaster declaration.

APPOINTMENTS TO THE FUTURE OF HIGHER EDUCATION COUNCIL

President Flanders stated last month the Board approved the creation of the Future of Higher Education Council and appointed Regent Harrison-Lee to serve as the Council's chair. The following individuals have been identified to serve on the Council with Regent Harrison-Lee:

- **Senator Molly Baumgardner** – Chair of Senate Education Committee
- **Representative Steve Huebert** – Chair of House Education Committee
- **Representative Ken Rahjes** – Chair of House Higher Education Budget Committee
- **Representative Brandon Woodard** – Ranking Minority Member of House Higher Education Budget Committee
- **Senator Ed Berger** – Chair of Senate Ways & Means Higher Education Subcommittee
- **Senator Tom Hawk** – Ranking Minority Member of Senate Ways & Means Higher Education Subcommittee
- **Cynthia Lane** – Representative of the Governor

Mark Hutton
Shelly Kiblinger
Jon Rolph
Allen Schmidt
Helen Van Etten

CONSIDERATION OF DISCUSSION AGENDA

Other Matters

ENROLLMENT REPORT

Elaine Frisbie, Vice President of Finance and Administration, presented the report on system enrollments for Academic Year (AY) 2019. In 2019, the enrollment headcount for public higher education sector was 242,310 and the full-time equivalency (FTE) student count was 135,976. Vice President Frisbie noted the enrollment for the public higher education system is down one percent from AY 2018 and is down six percent from its peak enrollment in AY 2012. For state universities, headcount is down from its peak in AY 2012 by two percent and FTE is down .7 percent. Vice President Frisbie reported international student enrollments are also down at every state university except for Fort Hays State University. The community colleges are experiencing similar enrollment trends with headcount down 16.6 percent and FTE down 17.4 percent since its peak enrollment in AY 2011. Vice President Frisbie stated the community colleges are more susceptible to economic changes because they have more part-time, adult students enrolled, and these individuals tend to enter the workforce when the economy is strong. The technical colleges have grown over the last five years in headcount (41.5 percent) and FTE (20 percent). It was noted that this sector is less likely to be impacted by economic cycles and has seen increased enrollment related to the Excel in CTE program. Vice President Frisbie reviewed the state's net migration of first-time students. The state universities' recruitment efforts this last year has increased out-of-state first-time student enrollments from 1,975 in 2018 to 3,846 in 2019. Many of these students came from neighboring states and over-subscribed states like Texas, California, and Georgia.

Vice President Frisbie reviewed the College Going Rate, which is the percent of high school students entering postsecondary. Over the last five years this rate has been trending downward in Kansas. In 2014, 55 percent of high school graduates were entering college one year after graduation. That number had dropped to about 49 percent in 2018. Vice President Frisbie stated the College Going Rate will continue to be monitored as the new state university qualified admissions are implemented. Vice President Frisbie also reviewed data regarding Kansas high school graduates entering college. One of the metrics that is tracked is the percent of high school students meeting ACT benchmarks. She noted 72 percent of 2019 high school graduates (not all high school students) took the ACT resulting in an average composite of 21.2 with 27 percent meeting all four benchmarks. Over the last several years, Kansas high school students' ACT benchmarks have declined. She noted Kansas high school juniors and seniors can take the ACT for free beginning with the 2019 class and that states that have implemented similar policies have seen the benchmark percentages decrease as more students' test. Kansas can expect to see a similar trend. However, ACT also recently changed its policy to allow students to retake a single subject without retaking the entire test, starting in September 2020. The impact of this policy change may

improve benchmarks for the 2021 class. Vice President Frisbie also reviewed data regarding developmental education, dual enrollment, and distance education.

Regent Bangerter asked the university CEOs about next year's projected enrollment numbers. The university campuses are expecting to be down in enrollment with some predicting between an eight and ten percent decline. Most noted that international student enrollment will be down along with out-of-state student enrollment. The Board discussed strategies for encouraging students to move forward with their educational priorities and plans to continue this discussion at the retreat.

(PowerPoint filed with Official Minutes)

UNIVERSITY CEO AND BOARD PRESIDENT SALARIES FOR FY 2020 AND FY 2021

Regent Bangerter stated because the COVID-19 pandemic has caused substantial financial strain for the state universities, Chancellor Girod and President Golden have requested the Board reduce their salaries. He also noted the other CEOs are considering donating portions of their salaries, but those donations do not require Board action. Regent Hutton moved to approve Chancellor Girod's request to reduce his salary by 10 percent for six months, starting with the pay period that began April 19, 2020 as was done for other KU senior administrators. The Chancellor's 10 percent six-month salary reduction shall be to the university's share of his base salary. He also moved to approve President Golden's request to reduce his FY 2021 salary by the equivalent of one week's pay. This reduction shall be to the university's share of President Golden's base salary and spread over the pay periods beginning June 14, 2020 and ending December 12, 2020. Regent Feuerborn seconded. It was noted that WSU's senior administrators took the same reduction as President Golden. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

TEMPORARY AMENDMENT TO POLICY ON ACADEMIC CALENDAR CHANGES¹

General Council Miller presented updated language to make it clear that the Board chair and Board President and CEO can approve changes to a university academic calendar if those changes are related to the COVID-19 pandemic. Regent Kiblinger moved to approve the amendment, and Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following amendments were adopted:

CHAPTER II: GOVERNANCE² – STATE UNIVERSITIES

A ACADEMIC AFFAIRS (see Chapter III., Section A. for additional academic affairs policies applicable to state universities)

1 ACADEMIC CALENDAR

¹ This action item was inadvertently omitted from the May minutes that the Board adopted at its June 17, 2020 meeting. These revised minutes will be resubmitted to the Board for approval at its September 10, 2020 meeting.

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

- a The Academic Calendar of each state university shall provide for an academic year minimally consisting of two sixteen-week semesters totaling no fewer than 146 instructional days plus five final exam days each semester.
- b Each state university shall file a three-year Academic Calendar adhering to holidays and breaks approved by the Board. Each state university shall follow the calendar as approved by the Board. Any deviation for reasons other than natural disasters or national emergencies must have prior approval of the Board.
- c The President and Chief Executive Officer of the Board shall have the authority to approve or deny non-substantive revisions to Board-approved three-year calendars and shall periodically report these changes to the Board.
- d Beginning May 21, 2020 and through December 31, 2021, the Board Chairman and the Board President and Chief Executive Officer, acting together, shall have the authority to approve or deny substantive revisions to any current academic year Board-approved calendar when such revisions are COVID-19 pandemic related and need to be made effective during the period between Board meetings. The Board President and Chief Executive Officer shall immediately report any such revisions to the Board.

EXECUTIVE SESSION

At 9:40 a.m., Regent Feuerborn moved, followed by the second of Regent Rolph, to recess into executive session for 2 hours and 30 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was two regular university CEO evaluations and preparation for two more regular CEO evaluations and the purpose was to protect the privacy of the individual Board employees involved. Participating in the executive session were members of the Board, President Flanders, President Mason (for a portion), and General Counsel Julene Miller (for a portion). After a roll call vote, the motion carried. At 12:15 p.m., the meeting returned to open session.

ADJOURNMENT

Chair Bangerter adjourned the meeting at 12:15 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair-Elect