

MEETING AGENDA

The Kansas Board of Regents will meet in the Board Room located in the Curtis State Office Building at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612.

Tuesday, June 28, 2022

I. Call To Order

Regent Harrison-Lee, Chair

II. Consideration of Discussion Agenda

1. Approve Program Statement for the Budig Hall/Hoch Auditoria Masonry Restoration, Tuckpoint, Clean and Seal—KU

**Elaine Frisbie,
VP, Finance and Administration**

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to perform restoration, tuckpointing, cleaning and sealing of Budig Hall/Hoch Auditoria’s limestone masonry facade. The current condition of the stone masonry has reached a point of disrepair that makes this work urgent to prevent further deterioration.

Originally the performing, convocation and lecture hall had a capacity for 5,500 occupants and was the school’s basketball court from 1927 until Allen Fieldhouse opened in 1955. Lightning sparked a fire that destroyed Hoch Auditoria June 15, 1991. The limestone facade, stair towers, north foyer and some fittings were saved and integrated into the new building. The current facility has three multimedia lecture halls, or auditoria, one seating 1,000 and two seating 500. The building also has four large classrooms and a testing commons. It houses Instructional Development & Support and the Center for Teaching Excellence. Budig Hall is a contributing building to the Jayhawk Boulevard Historic District.

Total project costs, including design fees, construction, and contingencies, are estimated at \$3.5 million financed with a combination of Educational Building Fund allocation and University funds. The project delivery method will be design-bid-build with completion in August 2025.

2. Approve Program Statement for the Lindley Hall Rooftop Unit Replacement—KU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to replace the rooftop heating, ventilation, and air conditioning (HVAC) units at Lindley Hall. The existing air handlers are nearing end of life and are served by rooftop condensing units. The new units will be served from the new chilled water district currently under design.

Lindley Hall houses the Department of Geology and Atmospheric Science, the Environmental Studies Program, the Paleontological Institute, classrooms, and offices for faculty and staff. Lindley Hall is a contributing building to the Jayhawk Boulevard Historic District.

Total project costs, including design fees, construction, and contingencies, are estimated at \$3.5 million financed with a combination of Educational Building Fund and University funds. The project delivery method will be design-bid-build with completion anticipated by Fall of 2023.

3. Approve Program Statement for the Robinson Center Renovation—KU

➤ Bedrock Goal – Facilities Capital Renewal Initiative

The University of Kansas (Lawrence) requests approval of the program statement for a project to renovate Robinson Center. The scope of the renovations would include converting existing underutilized locker rooms into offices and lounge spaces, as well as HVAC, fire alarm, and general improvements to address deferred maintenance. The renovated space will improve space utilization and provide a new home for KU's ROTC.

State Architect James Canole and Dwight C. Brown & Associates of Topeka designed the concrete and yellow-brick building, completed in April 1966, east of Allen Fieldhouse; a \$6 million addition designed by Lund & Balderson of Overland Park opened in August 1980. The current building is the home of the Department of Health, Sport and Exercise Science (with both academic and research programs in the building), the Department of Dance, and Kansas Athletics swimming and diving team. Many of the recreation services previously offered in Robinson Center were moved to Ambler Student Recreation Fitness Center in 2003.

Total project costs, including design fees, construction, movable equipment, and contingencies, are estimated at \$15 million financed with a combination of Educational Building Fund and University funds. The project delivery method will be design-bid-build with completion anticipated in summer of 2023.

4. Approve Program Statement for the Strong Hall Masonry Tuckpoint, Clean and Seal—KU

➤ Bedrock Goal – Facilities Capital Renewal Initiative

The University of Kansas (Lawrence) requests approval of the program statement for a project to perform stone masonry restoration, tuckpointing, cleaning and sealing for Strong Hall. The current condition of the stone masonry has reached a point of disrepair that makes this work urgent to prevent further deterioration.

Strong Hall is the main administration building for the Lawrence campus. It houses the offices of the Chancellor, Provost and Registrar; the Dean of the College of Liberal Arts & Sciences; director of Graduate Studies; Senior Vice Provost for Affairs; and Vice Provosts for Administration and Finance, Faculty Development, Student Affairs, and Undergraduate Studies. It also houses International Programs and International Student Services; the Academic Achievement & Access Center; University Governance; and several student programs and services in advising, enrollment, tutoring, financial aid, and disability needs. Strong Hall is listed on the National Register of Historic Properties and is within the Jayhawk Boulevard Historic District.

Total project costs, including design fees, construction, and contingencies, are estimated at \$2.25 million financed with a combination of Educational Building Fund and University funds. The project delivery method will be design-bid-build with completion anticipated in August of 2024.

5. Approve Program Statement for the Strong Hall West Wing Chilled Water Distribution and Conversion—KU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to add chilled water cooling to the west wing of Strong Hall. Currently, the west wing of Strong Hall is served by window units and direct expansion (DX) refrigerant-based air conditioning cooling units that are nearing end of life. Chilled water infrastructure is currently available in the sub-basement of Strong Hall.

Strong Hall is the main administration building for the Lawrence campus. It houses the offices of the Chancellor, Provost and Registrar; the Dean of the College of Liberal Arts & Sciences; director of Graduate Studies; Senior Vice Provost for Affairs; and Vice Provosts for Administration and Finance, Faculty Development, Student Affairs, and Undergraduate Studies. It also houses International Programs and International Student Services; the Academic Achievement & Access Center; University Governance; and several student programs and services in advising, enrollment, tutoring, financial aid, and disability needs. Strong Hall is listed on the National Register of Historic Properties and is within the Jayhawk Boulevard Historic District.

Total project costs, including design fees, construction, and contingencies, are estimated at \$1.6M financed with a combination of Educational Building Fund and University funds. The project delivery method will be design-bid-build with completion anticipated in August of 2025.

6. Approve Program Statement for the West Campus Medium Voltage System Replacement—KU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to replace and upgrade medium voltage circuits on West Campus. The improvements will include infrastructure to provide reliable and redundant electrical power, as well as allow for future expansion.

The 12,470 voltage electrical distribution system serving the buildings in the West District of the KU's Lawrence Campus is 40 years old and has exceeded its life expectancy. The West District experiences losses of power to all the buildings in the area and has no reliability or redundancy. This project will upgrade and replace existing electrical distribution equipment and feeders to provide better reliability, more redundancy, and allow for future expansion of the West District.

Total project costs, including design fees, construction, and contingencies, are estimated at \$2 million financed with a combination of Educational Building Fund and University funds. The project delivery method will be design-bid-build with completion anticipated in spring of 2025.

7. Approve Program Statement for Lot 61 Reconstruction—KU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to reconstruct Parking Lot 61. The scope of work will include asphalt paving, curb and gutter system, and lighting.

Parking Lot 61 is on the South side of campus near Sunnyside Drive and Sunflower Road.

Total project costs, including design fees, construction, and contingencies, are estimated at \$2 million financed with Transportation Services funds. The project delivery method will be design-bid-build with completion anticipated in August of 2023.

8. Approve Program Statement for Lot 72 Reconstruction —KU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to reconstruct Parking Lot 72. The scope of work will include asphalt paving and accessible parking improvements.

Parking Lot 72 is on the north side of Wagnon-Parrott Athletic Center between the Allen Fieldhouse Parking Garage and the Burge Union.

Total project costs, including design fees, construction, and contingencies, are estimated at \$1.3 million financed with Transportation Services funds. The project delivery method will be design-bid-build with completion anticipated in August of 2023.

9. Approve Program Statement for the Lewis Residence Hall Improvements—KU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

The University of Kansas (Lawrence) requests approval of the program statement for a project to make improvements to Lewis Residence Hall. The scope of work will include restrooms, mechanical systems, electrical infrastructure and distribution, and interior finish upgrades throughout the building.

Lewis Residence Hall is home to the Gender Inclusive Housing community. The building is a freshman residence hall except for the top floor, which is home to returning residents. Lewis Hall is attached to Mrs. E's dining center, houses 280 coed residents, and features four-person suites, and two-person rooms with bath. It first opened in 1960 and was fully renovated in 1999. Minor remodeling projects have been completed since the previous renovation. Further renovation is necessary to stay competitive with KU's housing inventory and private housing options.

Total project costs, including design fees, construction, movable equipment and contingencies, are estimated at \$3 million financed with Housing funds. The project delivery method will be design-bid-build with completion anticipated in Spring of 2025.

10. Act on Amendment to FY 2023 Capital Improvement Request and Approve Program Statement – Utility Tunnel Repairs—PSU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

Pittsburg State University requests approval of the program statement for a project to repair the campus utility tunnels. The campus core is serviced by a system of utility tunnels ranging in age from seven years to over a century. The steam line failures experienced in 2019 and tunnel conditions witnessed during a 2020 utility project led to prioritization of a study to address the failing tunnels and steam lines. A century-old tunnel leading directly from the Physical Plant’s central boilers is the highest priority for replacement. Additional segments of tunnels are ranked in priority for future phased projects to address the critical deferred maintenance needs in the tunnel system impacting multiple university buildings.

Total project costs for the first phase, including design fees, construction, and contingencies, are estimated at approximately \$1.5 million financed by the University’s share of the Educational Building Fund appropriation. The project delivery method will be design-bid-build with completion anticipated in 2023-2024.

11. Act on Amendment to FY 2023 Capital Improvement Request and Approve Program Statement for the Shirk Hall and Annex Demolition—PSU

➤ *Bedrock Goal – Facilities Capital Renewal Initiative*

Pittsburg State University requests approval to amend the five-year capital improvement plan and approval of the program statement for a project to raze Shirk Hall and Shirk Annex. Pittsburg State University has been contemplating the future of its Shirk Hall complex due to maintenance needs and reduced occupancy for approximately two years. The 2020 KBOR Space Utilization and Deferred Maintenance studies have increased campus resolve to close the complex in order to reduce campus footprint and utility costs.

Shirk Hall was built in 1958 as a men’s residence hall, and Shirk Annex followed in 1963. For more than 30 years the complex has housed administrative offices, research programs, University Police and Parking Services, leased spaces, storage, and varied campus initiatives, including PSU’s public radio station. Only one lessee and three university occupants remain in the building at this time. Of these, one has plans to relocate to other campus space. PSU is working to identify alternate locations for the remaining occupants in order to reduce campus utility and maintenance square footages by over 53,000 gross square feet. As the project continues, an evaluation of other reduction opportunities on campus will be completed.

Total project costs, including design fees, demolition, abatement, site restoration and contingencies, are estimated at approximately \$1.5 million financed by the FY 2023 Building Demolition Fund. The project delivery method will be design-bid-build with completion anticipated in 2023-2024.

12. Initiate Study of University Athletic Departments’ Oversight of Medical Providers

**Elaine Frisbie
VP, Finance & Administration**

Summary and Staff Recommendation

The Board-appointed health center task force presented its report regarding the revenues and expenses of the student health centers and management controls in place at each center to ensure effective safety, security and oversight of providers, center staff, and clinical information and services. Student athletes are routinely under the care of providers overseen by the athletic departments, which are organizations separate from the student health centers. As the health center task force did not have the time to take up the topic, the Board should consider a review of current procedures within the athletic departments at the six state universities and benchmark those practices to industry standards with regard to provider independence and oversight. The review would focus on ensuring there is adequate and effective oversight of the medical staff and athletic trainers who work with student athletes. This review was recommended by the task force and would be undertaken in concert with a second iteration of the task force, with membership yet to be identified.

Background

For universities with active membership in the NCAA as a Division I school, the institution must administer its athletics programs in accordance with the NCAA Division I Manual¹:

20.2.4.18 Designation of Team Physician. [A] An active member institution shall designate a team physician for all or each of its intercollegiate teams, who shall be a doctor of medicine (MD) or doctor of osteopathic medicine (DO) with a current license in good standing to practice medicine in the state in which the institution is located. The team physician shall be authorized to oversee the medical services for injuries and illnesses incidental to a student-athlete’s participation in intercollegiate athletics. *(Revised: 1/20/22)*

20.2.4.19 Independent Medical Care. [A] An active member institution shall establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes. An active institution shall designate an athletics health care administrator to oversee the institution’s athletic health care administration and delivery. *(Revised 1/20/22)*

The Division I bylaws also contain provisions regarding student safety for concussion safety protocols/reporting, catastrophic sport injury reporting as well as requiring an annual student-athlete health and safety survey. For Division II institutions, the NCAA manual contains parallel requirements for independent medical care and designation of a team physician (7.3.1.5.17 and 7.3.1.5.18)² as well as concussion protocols and student surveys.

The requirements regarding independent medical care for college student-athletes were intended to establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes. In addition to an administrative structure that assures such authority of primary athletics health care providers, an institution should designate a director of medical services to oversee the institution’s athletic health care administration and delivery.

¹ <https://www.ncaapublications.com/p-4630-2021-2022-ncaa-division-i-manual.aspx>

² <https://www.ncaapublications.com/p-4631-2021-2022-ncaa-division-ii-manual.aspx>

Recommendations

At the June 15, 2022 meeting of the Board, a Council of University Student Health Centers was established, and the group will be asked to address the following points and provide a report back to the Board by the end of the 2023 Academic Year:

1. Establish standards for student health services, with key performance indicators and mechanisms to evaluate and maintain accountability;
2. Consider development and deployment of a shared infrastructure to facilitate ongoing knowledge sharing and best practices;
3. Consider opportunities for collaboration on vendor contracting, policies, procedures and shared services with potential standardized billing and financial protocols;
4. Consider the other strategies noted in the Task Force's report:
 - a. Consider requirements for AAAHC accreditation among all student health centers to maintain common standards of management and operations;
 - b. Discuss the variances in pharmacy and medication dispensing services available at each campus, and determine the most cost-effective ways to ensure adequate security and oversight of medications are in place;
 - c. Focus near-term investments in behavioral health patient access, and program growth through virtual health options;
 - d. Continue to grow health education activities to promote preventive care benefits;
 - e. Consider expanding hours of operations to ensure access to services after hours and/or on weekends.

To advance the second part of the Board's action that day, it is recommended that the Board authorize a third-party review of current practices at the six universities' athletics departments, which should encompass at a minimum the following:

1. Identify the organizational structure and managerial oversight of medical care providers within the athletics departments, including the designated Health Care Administrator and determining who is responsible for monitoring updates to NCAA legislation, guidelines, and best practices and how those updates are communicated throughout the athletics department.
2. Determine whether mechanisms are in place to review medical health care services provided to student-athletes and whether concerns expressed are investigated and addressed. The review should identify the policies and procedures of the athletics department designed to protect student-athletes and evaluate adherence to those policies.
3. Determine whether each athletics department evaluates its policies and practices from a student-athlete health and safety perspective on a periodic basis.

To accomplish this review, the Board instructs President Flanders to identify a medical professional to serve as chair of a second task force, with at least five other professionals, all familiar with collegiate athletics or Title IX and NCAA regulations. A final report with findings and recommendations should be presented no later than the June 2023 meeting of the Board of Regents.