

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

May 18-19, 2022

The May 18, 2022, meeting of the Kansas Board of Regents was called to order by Chair Cheryl Harrison-Lee at 12:30 p.m. The meeting was held in the Board Office located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT:

Cheryl Harrison-Lee, Chair  
Jon Rolph, Vice Chair  
Bill Feuerborn  
Mark Hutton  
Carl Ice  
Shelly Kiblinger  
Cynthia Lane  
Allen Schmidt  
Wint Winter

### **EXECUTIVE SESSION**

At 12:30 p.m., Regent Rolph moved, followed by the second of Regent Kiblinger, to recess into executive session for 45 minutes in the Kathy Rupp Conference Room to discuss personnel matters of non-elected personnel. The subject of this executive session was to prepare for a university CEO evaluation and discuss individual CEO compensation 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 (for a portion), and General Counsel Julene Miller. The motion carried. At 1:15 p.m., the meeting returned to open session.

### **BREAK**

At 1:15 p.m., Chair Harrison-Lee called for a break and resumed the meeting at 1:35 p.m. in the Board Room.

### **APPROVAL OF MINUTES**

Regent Lane moved that the minutes of the April 8, 2022 special meeting and April 20, 2022 regular meeting be approved. Following the second of Regent Kiblinger, the motion carried.

### **INTRODUCTIONS**

President Muma stated that during this time of year the leadership for the different university senates changes. He thanked Dr. Whitney Bailey, outgoing Faculty Senate President, for her service and welcomed incoming Faculty Senate President, Dr. Susan Castro. He thanked Gabriel Fonseca, outgoing President of the Staff Senate, and welcomed incoming Staff Senate President, Denise Gimlin. President Muma also introduced the newly elected Student Body President, Olivia Gallegos, and thanked outgoing Student Body President, Rija Khan. Chancellor Girod thanked the University of Kansas' outgoing student Body President, Niya McAdoo, and introduced the new Student Body President, Sadie Williams.

## **GENERAL REPORTS**

### **REPORT FROM CHAIR**

Chair Harrison-Lee reported that last month the Board held its meeting and conducted a campus visit at Fort Hays State University. On the campus visit, the Board had an opportunity to see the many resources the University has developed to increase access and help students succeed. The Regents also met with several faculty and program leaders who are strategically engaging with businesses to meet the state's talent needs and advance economic development in western Kansas and across the state. Chair Harrison-Lee thanked President Mason and her staff for hosting the Board. Chair Harrison-Lee stated that during this time of year, the higher education system celebrates student success with commencement ceremonies. Last weekend, she addressed the graduates at KU's ceremony, and she thanked Chancellor Girod and his staff for their hospitality. Chair Harrison-Lee congratulated all the graduates and their families. Chair Harrison-Lee also recognized President Scott and thanked him for his service to Pittsburg State University and the State of Kansas. The Board wished him the best in retirement.

### **REPORT FROM PRESIDENT AND CEO**

President Flanders thanked the Governor for signing the amendments to the Promise Scholarship Act earlier this week. The final bill included several changes that the system requested, and he noted that the Legislature removed the donut hole in eligibility that the initial bill had created, which will allow more students to participate. President Flanders also thanked the members of the General Education Task Force for their work this year. He noted that the Task Force's recommendations were shared with the System Council of Presidents and that Board staff will continue to receive feedback on the proposal through May. Then in June the Board will receive the recommendations for consideration.

### **REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS**

Janet Stramel presented the report from the Council of Faculty Senate Presidents. The Council discussed the rpk Group's work on the restructuring of the Board's program review process and noted that faculty representatives from each university have been identified to assist with this work. Regarding the proposed general education (GE) package, the Council understands and sees the need for a seamless transfer between the system institutions and supports the aim of the policy. However, the Council is concerned that the latest draft dictates what the general education requirements will be for all the campuses. They believe the policy may undermine each university's responsibilities for their curriculum that are aligned with the unique missions of the universities. The faculty are also concerned that the GE package might require students to take more than the 120 credit hours to achieve their bachelor's degree. Faculty want to support students receiving their degree in a timely manner but believe this package may delay that achievement if students need to take additional hours because of specific program requirements. The Council is also concerned that the package may make transfer from community colleges more difficult because it could force students to choose between a technical pathway and a four-year pathway. The Council would also like some clarity on why Washburn University is included in the policy since it is not a governed institution. Dr. Stramel noted that the university provost will be providing additional comments on the proposals as it continues to move through the process. Dr. Stramel reported that Dr. Nicholas Syrett, University of Kansas Faculty Senate President, will chair the Council next year and thanked the Board staff for helping the Council this year. Regent Schmidt

asked the Council to identify the specific language in the proposed GE policy that concerns the faculty so that the Board is informed.

On behalf of the Board, Chair Harrison-Lee thanked Dr. Stramel for her leadership this year and presented her a certificate of appreciation.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Mark Faber presented the report for the Students' Advisory Committee. At the Board's Fiscal Affairs and Audit Standing Committee meeting, the students presented their universities' proposed student fees for next year. Mr. Faber stated it was a productive conversation and thanked the Committee for the opportunity.

On behalf of the Board, Chair Harrison-Lee thanked Mr. Faber for his leadership this year and presented him a certificate of appreciation.

#### STANDING COMMITTEE AND OTHER REPORTS

##### ACADEMIC AFFAIRS

Regent Kiblinger reported that the Board Academic Affairs Standing Committee heard from the University of Kansas on its request to seek accreditation for its Doctorate in Advanced Social Work Practice. The Committee approved the request, and it was noted that the proposed degree along with the request to seek accreditation is on the Board's consent agenda for consideration. Board staff then presented the three-year progress report on new programs. This report highlights enrollments in new programs and allows the Committee to evaluate whether the enrollment projections that were presented during the program approval process are aligning with actual enrollments. The Committee also received an update on the General Education package work. Regent Kiblinger noted there will be a one-week comment period on the proposed policy and encouraged individuals to participate and to provide clear examples of any concerns along with suggested solutions.

##### FISCAL AFFAIRS AND AUDIT

Regent Lane presented the Fiscal Affairs and Audit Standing Committee report. The Committee devoted the majority of its time discussing the state universities' fee proposals. Student government representatives and chief financial officers presented their campus proposals. The Committee acknowledged the action of the Governor to reinstate the language on a tuition freeze and focused its discussion on the other aspects of the proposals. Regent Lane noted that the student government leaders did an effective job explaining how they worked to minimize the financial impact on their fellow students while advocating for the services they believe are needed to benefit the student population. Each campus devoted a great deal of time and effort with their students to develop the proposals. The Committee also reviewed the other fiscal items on today's Board agenda and received an update on the Student Health Center Task Force.

##### GOVERNANCE

Chair Harrison-Lee reported that the Governance Committee approved two contracts for execution. The first is with Brustein and Manasevit for specialized legal services and the second is with Parchment, Inc. for closed private schools' data storage and student records management.

The Committee reviewed and approved a proposed amendment to the Board’s By-Laws to allow the Board President and CEO to adjust the Board’s meeting schedule when the March meeting lands on the same week as spring break. The proposed amendments will be presented to the Board in June for consideration. The Committee also received an update on the system’s communication and advocacy plan and reviewed additional feedback on the new Regent orientation process.

**APPROVAL OF CONSENT AGENDA**

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

*Academic Affairs*

**DOCTORATE IN ADVANCED SOCIAL WORK PRACTICE – KU**

The University of Kansas received authorization to offer a Doctorate in Advanced Social Work Practice (44.0701) and to seek accreditation from the Council on Social Work Education (CSWE). This program will be taught online. The estimated cost of the program for the first three years is as follows: year one - \$545,540, year two - \$632,140, and year three - \$639,640. Student tuition/state funds and student fees will finance the program. Annual membership dues to the accrediting body are \$4,200 per year. The fees associated with the accreditation process are listed below.

<b>Fee for Initial DSW Accreditation</b>	<b>Amount</b>
Letter of Intent & Candidacy Eligibility Fee	\$10,000
Commissioner Visit Fees	\$12,500
Initial Accreditation Fee	\$5,000
<b>Total for Initial DSW Accreditation</b>	<b>\$27,500</b>
<i>Annual CSWE Accreditation Fees – All Programs (BSW, \$4,557), (MSW, \$6,843) and (DSW, \$4,200)</i>	<i>\$15,600</i>

**MASTER OF SCIENCE IN COMMUNICATION SCIENCES AND DISORDERS – KSU**

Kansas State University received approval to offer a Master of Science in Communication Sciences and Disorders (51.0201). This program will total 51 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$598,812, year two - \$603,161, and year three - \$617,741. Student tuition, student fees, revenues generated from clinic fees, and funds received from the College of Health and Human Services Revenue Center Investment will finance the program.

**MASTER OF SCIENCE IN INTEGRATED SYSTEMS DESIGN AND DYNAMICS – KSU**

Kansas State University received authorization to offer a Master of Science in Integrated Systems Design and Dynamics (30.0601). This program will be taught

in a hybrid and online format. The estimated cost of the program for the first three years is as follows: year one - \$370,197, year two - \$401,130, and year three - \$462,894. Student tuition/state funds, student fees, and industry and government funding will finance the program.

BACHELOR OF SCIENCE IN ENTOMOLOGY – KSU

Approval was given to Kansas State University to offer a Bachelor of Science in Entomology (26.0702). This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$45,500, year two - \$48,500, and year three - \$97,020. Student tuition/state funds and student fees will finance the program.

*Fiscal Affairs & Audit*

AMENDMENTS TO THE FY 2023 CAPITAL IMPROVEMENT PLAN TO INCREASE THE PROJECT BUDGET FOR THE CLINTON HALL SHOCKER SUCCESS CENTER – WSU

Wichita State University received approval to amend its FY 2023 Capital Improvement Plan to increase the project budget for the Clinton Hall Shocker Success Center project from \$16.4 million to \$18.5 million. WSU extended the project budget by \$1.0 million to include staining the exterior concrete walls, as well as removing additional sections of concrete wall panels and infilling with a curtain wall glazing system. This portion of the budget increase would be split funded between university bond funds and private gifts. WSU is also adding the roof replacement project to the scope of work. The additional \$1.1 million for the roof will be funded by WSU's allocation from the Educational Building Fund.

AMENDMENT TO THE FY 2023 CAPITAL IMPROVEMENT PLAN AND PROGRAM STATEMENT – KSU

Kansas State University received approval to amend its FY 2023 Capital Improvement Plan to expand the West Seaton Hall project to address deferred maintenance needs. The project budget will increase from \$4.5 million to \$7.5 million, and the increase will be financed through a combination of private funding and the anticipated allocation to Kansas State from the Board's capital renewal initiative appropriation. The Program Statement was also approved.

AMENDMENTS TO MEMORANDUM OF AGREEMENT BETWEEN PITTSBURG STATE UNIVERSITY AND THE PSU CHAPTER OF THE KANSAS NATIONAL EDUCATION ASSOCIATION (KNEA) – PSU

The amended Memorandum of Agreement between Pittsburg State University and the PSU chapter of the Kansas National Education Association (KNEA), representing the faculty, was approved. The amendment includes salary adjustments. The Board's Chair was authorized to execute the Agreement, as amended, on behalf of the Board.

JOHNSON COUNTY RESEARCH TRIANGLE (JCERT) FY 2023 BUDGET –  
KU, KUMC, AND KSU

The Johnson County Education Research Triangle FY 2023 budgets for the University of Kansas Edwards Campus, the University of Kansas Medical Center, and Kansas State University Olathe Campus were approved.

(Budgets filed with Official Minutes)

Technical Education Authority

KANSAS NURSING INITIATIVE GRANT

The FY 2023 distributions of the Kansas Nursing Grant initiative were approved. The following amounts will be awarded:

<b>Institution</b>	<b>Project Summary</b>	<b>Award</b>
<b><i>Accreditation Support</i></b>		
WSU Tech	- Accreditation consultant - Accreditation and site visit fees - Stipends for faculty to assist with accreditation activities	\$42,934
<b><i>NCLEX score improvement</i></b>		
Colby Community College	- New faculty salary support - Curriculum revision and development - Tutoring services for students - NCLEX preparation sessions for students	\$30,406
Neosho County Community College	- Faculty professional development - Development of new faculty training - Test preparation resources for students - Subscription to virtual reality clinical simulation service	\$61,280
Newman University	- Curriculum revision and development - Faculty professional development - Test preparation resources for students	\$39,000
<b>Institution</b>	<b>Project Summary</b>	<b>Award</b>
<b><i>Full Application</i></b>		
Baker University	- Professional development for faculty - Consumable laboratory supplies - Airway and CPR trainer - Pediatric and newborn simulators	\$75,457
Barton Community College	- Professional development for faculty - Curriculum revision and development - Consumable laboratory supplies - Newborn simulator	\$60,630
Benedictine College	- Curriculum development - New faculty salary support	\$132,685

	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Test preparation resources for students</li> <li>- Geriatric simulator</li> </ul>	
Cloud County Community College	<ul style="list-style-type: none"> <li>- New faculty salary support</li> <li>- Professional development for faculty</li> <li>- Test preparation resources for students</li> <li>- Consumable laboratory supplies</li> <li>- Adult female simulator</li> </ul>	\$86,824
Dodge City Community College	<ul style="list-style-type: none"> <li>- Test review and preparation services for students</li> <li>- Consumable laboratory supplies</li> </ul>	\$13,570
Emporia State University	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Faculty salary support</li> <li>- Test review and preparation services for students</li> <li>- Consumable laboratory supplies</li> </ul>	\$135,323
Fort Hays State University	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Test review and preparation services for students</li> <li>- Consumable laboratory supplies</li> <li>- Geriatric simulator</li> </ul>	\$140,400
Garden City Community College	<ul style="list-style-type: none"> <li>- Curriculum revision and development consultant</li> <li>- Stipends for faculty to assist with curriculum revision</li> </ul>	\$10,500
Hesston College	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Curriculum development</li> <li>- Consumable laboratory supplies</li> <li>- IV simulation supplies</li> </ul>	\$19,179
Hutchinson Community College	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Simulation laboratory supplies</li> </ul>	\$26,593
Johnson County Community College	<ul style="list-style-type: none"> <li>- Professional development for faculty</li> <li>- Simulation laboratory equipment</li> </ul>	\$56,457
Kansas City Kansas Community College	<ul style="list-style-type: none"> <li>- Subscription to teaching resources</li> <li>- Faculty professional development</li> <li>- Tutoring and support for at-risk students</li> <li>- Consumable laboratory supplies</li> <li>- Catherization and IV supplies for laboratory</li> </ul>	\$47,577
University of Kansas	<ul style="list-style-type: none"> <li>- Faculty salary support</li> <li>- Test preparation for students</li> <li>- Consumable laboratory supplies</li> <li>- Medication cart and lab tools</li> </ul>	\$134,296
Kansas Wesleyan University	<ul style="list-style-type: none"> <li>- Salary support for nursing faculty</li> <li>- Faculty professional development</li> <li>- Consumable laboratory supplies</li> <li>- Realistic pregnancy simulation supplies</li> <li>- IV simulation supplies, CPR manikin and AED trainer</li> </ul>	\$58,335

Labette Community College	<ul style="list-style-type: none"> <li>- Faculty salary support</li> <li>- Test review and preparation resources for students</li> <li>- Consumable laboratory and simulation supplies</li> <li>- IV pump</li> </ul>	\$48,972
Manhattan Area Technical College	<ul style="list-style-type: none"> <li>- Professional development for faculty</li> <li>- Faculty salary support</li> <li>- Virtual reality clinical simulation</li> <li>- Test review and preparation resources for students</li> <li>- Consumable laboratory supplies</li> </ul>	\$61,265
North Central Kansas Technical College	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Subscription to teaching resources</li> <li>- Birthing and preemie simulator</li> </ul>	\$45,556
Ottawa University	<ul style="list-style-type: none"> <li>- Professional development for faculty</li> <li>- Development of cultural competency training materials</li> <li>- Curriculum revision</li> <li>- Virtual reality clinical simulation</li> </ul>	\$63,493
Pittsburg State University	<ul style="list-style-type: none"> <li>- Salary support for new faculty</li> <li>- Professional development for faculty</li> <li>- Live review for pre-licensure students</li> <li>- Consumable laboratory supplies</li> <li>- Healthcare Education simulator</li> </ul>	\$130,327
University of St. Mary	<ul style="list-style-type: none"> <li>- Professional development for faculty</li> <li>- Subscriptions to teaching resources</li> <li>- Test review and preparation resources for students</li> <li>- Consumable laboratory supplies</li> <li>- Pediatric simulator</li> </ul>	\$137,333
Washburn University	<ul style="list-style-type: none"> <li>- Faculty professional development</li> <li>- Subscription to teaching resources</li> <li>- Access to simulation development resources for faculty</li> <li>- Faculty-led individual and group support for students</li> <li>- Consumable laboratory and simulation supplies</li> </ul>	\$89,500
Wichita State University	<ul style="list-style-type: none"> <li>- New faculty salary support</li> <li>- Faculty professional development</li> <li>- Consumable laboratory supplies</li> </ul>	\$ 99,600
	Total	\$ 1,847,492

DEGREE AND CERTIFICATE PROGRAM SUBMITTED BY KANSAS CITY  
KANSAS COMMUNITY COLLEGE

Kansas City Kansas Community College received approval to offer a Technical Certificate A (18 credit hours), Technical Certificate B (33 credit hours), and an Associate of Applied Science degree (68 credit hours) in Electronic Engineering Technology (15.0303). The College plans to begin the program in the fall of 2022.

The estimated initial cost of the program is \$97,623.42. The majority of first year courses in the program have already been taught by existing faculty in some format at KCKCC, so equipment and supplies exist to sustain those courses. Additional funding is not necessary for these courses. The second-year courses are new and will require additional equipment, which will be purchased through tuition dollars and course fees.

EXCEL IN CTE FEES FOR PROGRAM SUBMITTED BY KANSAS CITY  
KANSAS COMMUNITY COLLEGE

The Excel in Career Technical Education fees for the below programs were approved:

- Kansas City Kansas Community College: Electronics Engineering Technology for a total of \$36. Fees are for graduation fees per certification, with a \$20 graduation fee for the first certification, and \$8 for each additional certification.

**CONSIDERATION OF DISCUSSION AGENDA**

Academic Affairs

REPORT FROM THE NATIONAL INSTITUTE FOR STUDENT SUCCESS

Daniel Archer, Vice President for Academic Affairs, stated that last year the Board invited Georgia State University's (GSU) President, Dr. Mark Becker, to highlight the strategies that Georgia State implemented to address access gaps for underrepresented populations. During his presentation, Dr. Becker stated that Georgia State's National Institute for Student Success (NISS) was developed to help colleges and universities identify and resolve institutional barriers to equity and college completion by increasing their capacity to implement proven student-success systems and data-driven interventions and enact systemic change to institutional processes and structure. Dr. Archer reported that institutional presidents, Board leadership, and Board staff engaged in discussions with GSU to learn more. In the spring of 2021, it was determined that the six state universities and Cowley County Community College would participate in the NISS project. Dr. Archer introduced Dr. Tim Renick, NISS Executive Director, who reviewed the process and provided a general summary of the findings and recommendations.

Dr. Renick stated that NISS is founded upon three core principles: 1) Institutions inadvertently hinder their students' success through policies, practices, and structures that are among the key drivers of equity gaps, 2) institutions can use data to identify and to understand these institutionally created barriers to completion, and 3) action-oriented institutions with the right coaching and support can create stronger and more equitable enrollment, retention, and graduation outcomes. Dr. Renick reviewed the Institute's diagnostic analysis review process, which included gathering data from IPEDS and the institutions, surveying stakeholders, and reviewing institutional documents like its strategic plan. Dr. Renick presented some of the common findings. He stated that while the Board's institutions on average meet national norms for student retention and graduation rates, overall enrollments are declining, and students from traditionally underrepresented populations are too often left behind. Siloed cultures are common, inhibiting the effective coordination of financial and academic support services and contributing to enrollment

declines. He noted two key strengths of the institutions are that institutional leadership embraces and promotes the importance of student success and their strategic plans commit to the right outcomes. Some challenges facing the institutions include declining enrollment, persistent equity gaps for students receiving Pell grants and non-white students, inconsistent student support services, and deficiencies in data utilization. Dr. Renick reported that each institution that participated in the project received its own unique playbook that outlines recommendations to address specific challenges. These recommendations include an action plan along with key steps to take to achieve the desired outcome. Some of the common recommendations for the institutions included the following: 1) standardize advising technology and protocols to deliver a consistent level of data-informed, coordinated, and proactive advising to students across the institution, 2) strengthen financial aid through collaboration with other units and coordinated, proactive outreach to students, 3) create structured pathways, including career-based meta majors, to guide students into and through their academic fields, and 4) improve academic outcomes for students by identifying courses with high non-pass rates and leveraging data to target course scheduling, course re-design, and academic support efforts.

The Board discussed the next steps for using the institutional playbooks. Regent Schmidt stated that the challenges facing the institutions and the system are not surprising and noted that the playbooks should be used as a roadmap for the individual institutions and the Board to start targeting barriers. President Flanders concurred with Regent Schmidt's comments and noted that the Board's goal is to close the enrollment gap for underserved students across the higher education system. In order to develop a system approach, Board staff will need to review the individual playbooks. Regent Lane believes it will be important to define what actions are needed at the system level versus what needs to be done at the campus level to address these issues. Regent Winter believes it is important to keep this project moving forward and asked about the next steps for the universities. President Flanders stated that the Board could ask the universities to develop an action plan around its unique playbook and present those plans to the Board for review. Regent Rolph asked about the barriers an institution may face when implementing the recommendations in a playbook. Dr. Renick stated the biggest barrier is requiring people to change their current way of working and thinking. Regent Harrison-Lee stated that this would be a good retreat topic to continue discussing next steps. It was noted that five additional institutions (Washburn University, Hutchinson Community College, Coffeyville Community College, Colby Community College, and Wichita State University Tech) have expressed interest in participating in a second NISS cohort, and that Board staff is working with NISS to identify a start date for this round.

(PowerPoint file with Official Minutes)

### Other Matters

#### LEGISLATIVE AND BUDGET UPDATE

Matt Casey, Director of Government Relations, reported that the Legislature returned to the Statehouse on April 25 for veto session and adjourned on April 29 after finalizing the omnibus budget. The Legislature will return on May 23 to conclude its session. Director Casey stated that this year the higher education system received a significant amount of funding from the state and highlighted some of the key areas that received additional funds including the universities' operating grant, student financial aid, the two-year cost model, IT infrastructure, and the Board's Capital Renewal Initiative. He also noted that the Promise Scholarship Act amendments passed,

which clarified some of the provisions in the original bill in addition to making other changes to the program. Regarding the state universities' operating grant, Director Casey reported that the Legislature appropriated \$37.5 million and included a measure to remove the tuition freeze language. However, earlier this week the Governor vetoed the measure, thereby reinstating the freeze on tuition.

### BREAK

Chair Harrison-Lee called for a break at 3:03 p.m. and resumed the meeting at 3:19 p.m.

### Fiscal Affairs and Audit

#### PRESENTATIONS AND DISCUSSION OF UNIVERSITY FEE AND TUITION PROPOSALS FOR FY 2023 (FIRST READ)

Elaine Frisbie, Vice President for Finance and Administration, stated that the state universities submitted their FY 2023 tuition and fee proposals based on the action that the Legislature took during veto session to remove the tuition freeze language from the bill. On Monday, the Governor vetoed the provision removing the language, thereby effectuating the tuition freeze for FY 2023. Vice President Frisbie noted that the freeze does not apply to fees and presented an updated Table One and Table Two to show the effect of the tuition freeze with the proposed fee increases. Vice President Frisbie also highlighted that even with the increases in funding to the higher education system, which is appreciated, the state universities are still dealing with cost increases for basic operational functions.

The university CEOs presented their FY 2023 fee proposals, and each expressed their appreciation to the Legislature and Governor for the increased state funding this Session. It was noted that the FY 2023 state funding almost restored the universities back to FY 2008 funding levels. Many of the universities plan to use the funds to invest in their strategic enrollment management initiatives to address low enrollments, increase institutional scholarships for students, increase salaries to retain and attract quality faculty and staff, and invest in targeted academic projects. The CEOs spoke about their concerns with keeping tuition flat each year when costs continue to outpace funding. There was also a concern that the Board was not allowed to make the tuition decisions for the universities this year. Regarding the fee proposals, the CEOs reviewed their campus mandatory, program, course, and student fee requests. It was noted at the Fiscal Affairs and Audit Committee meeting the student body presidents reviewed the process each campus went through to draft its student fee requests. The process included gathering feedback from a larger cohort of students, which was a request made by the Board last year. Regent Kiblinger thanked the student body presidents for reaching out to more students on the campuses to gather additional feedback on the impact of the proposed fees. The Board will act on the fee proposals at the June meeting.

(University FY 2023 Proposals filed with Official Minutes)

### AMEND AGENDA

Chair Harrison-Lee amended the agenda to move items VII.C.2. "Act on Capital Improvement Request for FY 2024 and Five-Year Plans," VII.C.3. "Act on State University Facilities Guidelines," and VII.C.4. "Act on Allocation of Portion of FY 2023 Building Demolition Fund" to Thursday's discussion agenda.

GovernanceCEO PRESENTATIONS ON THE KANSAS BOARD OF REGENTS FREEDOM OF EXPRESSION INITIATIVE – PSU AND KU

Chancellor Girod presented information on how the University of Kansas implemented the Board's Freedom of Expression Initiative. The University staff reviewed all the policies and procedures related to the First Amendment and Freedom of Expression to make sure that they were in compliance with the Board's statement and current laws. A few of the policies were updated through this process. Chancellor Girod stated that KU did not have a statement on Freedom of Expression and adopted the Board's Statement. KU created a Freedom of Expression webpage that contains the Board's Statement and additional resources related to free speech. The link to the webpage can be found on the University's home page. Chancellor Girod noted that the University will circulate the Statement each year to make sure the campus is informed.

President Scott reported that Pittsburg State University created a committee to review all its policies and procedures related to Freedom of Expression. The committee membership included Jamie Brooksher, General Counsel, Dr. Steve Erwin, Vice President for Campus Life, and Dr. Jason Kegler, Associate Vice President for Campus Life. The changes that the committee recommended were presented to the PSU's Student Government Association for review and approval. President Scott highlighted some of the changes including a revision to the University's Poster and Chalk Guidelines that ensure restrictions are based on time, place, and manner, clarification that a disruption of the operations of campus must be "substantial" to be prohibited, and an addition to the Student Code of Conduct that explicitly prohibits engaging in conduct that prevents another person from exercising lawful freedom of expression.

EXECUTIVE SESSION

At 4:30 p.m., Regent Rolph moved, followed by the second of Regent Ice, to recess into executive session for 90 minutes in the Kathy Rupp Conference Room to discuss personnel matters of non-elected personnel. The subject of this executive session was two regular annual university 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 Linton (for a portion), and Chancellor Girod (for a portion). The motion carried. At 6:00 p.m., the meeting returned to open session. Regent Rolph moved to extend five minutes, and Regent Schmidt seconded. The motion carried. At 6:05 p.m., the meeting returned to open session.

RECESS

Chair Harrison-Lee recessed the meeting at 6:05 p.m.

RECONVENE

Chair Harrison-Lee reconvened the meeting at 8:15 a.m. on Thursday, May 19, 2022 in the Kathy Rupp Conference Room.

## MEMBERS PRESENT:

Cheryl Harrison-Lee, Chair  
Jon Rolph, Vice Chair  
Bill Feuerborn  
Mark Hutton

Carl Ice  
Shelly Kiblinger  
Cynthia Lane  
Allen Schmidt  
Wint Winter

### **EXECUTIVE SESSION**

At 8:15 a.m., Regent Rolph moved, followed by the second of Regent Lane, to recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was a regular annual Board President and CEO evaluation, and the purpose was to protect the privacy of the individual Board employee involved. Participating in the executive session were members of the Board and President Flanders. The motion carried. At 9:15 a.m., the meeting returned to open session. Regent Rolph moved to extend five minutes, and Regent Lane seconded. The motion carried. At 9:20 a.m., the meeting returned to open session.

### **BREAK**

Chair Harrison-Lee called for a break at 9:20 a.m. and resumed the meeting in the Board room at 9:35 a.m.

### **CONSIDERATION OF DISCUSSION AGENDA**

#### **Presentation**

#### **REPORT ON THE WORK OF THE COMMISSION ON RACIAL EQUITY AND JUSTICE**

Dr. Tiffany Anderson and Dr. Shannon Portillo presented the recommendations from the Governor's Commission on Racial Equity and Justice. In June 2020, Governor Kelly signed an executive order forming the Commission. The Commission was asked to study issues of racial equity and justice across systems in Kansas and included perspectives from the criminal justice system, education, healthcare, and advocacy organizations. Dr. Portillo stated that during the first year, the Commission focused on policing and law enforcement. The report contained over 60 recommendations to state agencies, the Legislature, and local governments on how to improve racial equity in Kansas. This report was presented to the Governor in December 2020. Dr. Portillo highlighted a few recommendations from the 2020 report that pertained to the Kansas Law Enforcement Training Center, which is under the University of Kansas. These recommendations included 1) enhancing ongoing social equity and anti-bias training curriculum, 2) exploring further connections with KU and other Board of Regents institutions, including experts in diversity and inclusion, 3) increasing racial and ethnic diversity in KLETC instructors, and 4) creating a law enforcement supervisor training program.

Dr. Anderson stated that the 2021 report has 90 recommendations focused on economic systems, education, and healthcare. She highlighted the following recommendations that pertain to education: 1) provide language interpretation and translation services so that Kansans have access to their government, 2) provide flexibility to student teaching programs for non-traditional students who must work and student teach, 3) increase and fund pathways for individuals employed in school districts, 4) design loan forgiveness and other student debt policy solutions to benefit students of color and help close racial wealth gaps, 5) connect career and technical education

systems with workforce needs and develop public-private partnerships to provide learning opportunities to students, 6) ensure students have accessible transfer pathways from two-year to four-year postsecondary educational institutions within the state, 7) create an improved Free Application for Federal Student Aid (FAFSA) completion process for students and ensure a smoother process for students from a two-year college to increase access to baccalaureate programs, and 8) encourage initiatives aimed at providing more access to college for incarcerated individuals.

Chair Harrison-Lee thanked Dr. Anderson and Dr. Portillo for presenting the recommendations and noted that she and President Flanders had an opportunity to speak to the Commission about higher education. Regent Schmidt agrees with the report that the system needs to change its trajectory and highlighted that many of the Commission's recommendations align with initiatives that the Board has implemented. Regent Rolph asked about recommendations tied to food insecurities. Dr. Anderson stated that food insecurity recommendations were included in the report but are listed under economic systems rather than education. Regent Rolph noted that many of the higher education institutions have a food pantry for students because food insecurities continue to be an issue. Regent Lane noted the importance of working on solutions to expand student teaching opportunities and stated that the Kansas Department of Commerce has boosted its program on apprenticeships, which might help increase the number of teaching apprenticeships. Dr. Anderson concurred that expanding paid apprenticeships is a good first step. Regent Lane also noted the Board can collaborate with the State Board of Education on a few of these recommendations and asked if they have any guidance on where the two Boards can align. Dr. Anderson stated that she presented the Commission's recommendations to the Board of Education earlier this month. As a follow-up, she will be providing the Board of Education with information on how the recommendations align with other agencies including the Board of Regents and will mention specific action steps that the Board of Education could consider implementing. Dr. Anderson stated that she will send this document to the Regents and would be happy to speak with both Boards about collaborative opportunities. Regent Winter and President Flanders highlighted the Board's general education package initiative and invited the Commission to provide feedback on the proposed general education policy.

(PowerPoint filed with Official Minutes)

### Governance

#### BOARD POLICIES TO PROTECT STATE UNIVERSITIES AGAINST CYBER SECURITY AND FOREIGN INFLUENCE RISKS

General Counsel Julene Miller stated that universities across the nation are facing threats aimed at their networks, researchers, travelers, and intellectual property. The proposed policies, which were drafted by Board staff and experts at the research university campuses, are designed to put university processes in place to reduce risk, enhance safety, and ensure compliance with applicable federal regulations. The proposed policies were shared with the universities. General Counsel Miller noted that if adopted, it is recommended that the Board give the universities one year to implement and require the universities to provide a progress report in the fall of 2022. Regent Rolph moved to approve, and Regent Ice seconded. The motion carried. The following policies were adopted:

**CHAPTER II**

...

**D. FISCAL MANAGEMENT AND BUSINESS ADMINISTRATION**

...

**23. TRAVEL****a. Out-of-State Travel Requests – Faculty and Staff**

Approval of out of state travel requests for staff and faculty of each state university is vested in the chief executive officer, or his or her designee, of the respective state universities.

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

...

**c. International Travel Requests – Faculty, Staff and Chief Executive Officers**

The purpose of this policy is to encourage responsible international engagement and to aid university employees, including student employees, in the planning of their international travel and activities when they are conducted on behalf of the university or as part of a university program.

i. The state universities recognize the need, benefits and opportunities presented for their employees, including student employees, to travel and conduct activities abroad on official university business. However, this travel, by its very nature, creates risk to state university information security and/or technology. Therefore, each state university shall develop policies, processes and procedures addressing and mitigating each of the following identified Risks (Individual, Informational, and Institutional) for all chief executive officers, staff, faculty, and student employees while on university affiliated and/or sponsored travel.

(1) Individual Risk includes, but is not limited to personal safety, the security of all carried property, hygiene, health, and other immediate concerns. Each state university shall:

(a) Implement a policy that requires each traveler, supervisor, or a dedicated staff unit to review any travel advisories posted on the U.S. Department of State and Centers for Disease Control website and factor such advisories into the risk decision-making process.

(b) Implement a policy limiting and/or prohibiting travel to certain countries as appropriate. Such policy shall specifically address travel to countries designated as Travel Advisory Levels 3 or 4. If travel is approved, the traveler must sign appropriate university waivers.

In addition, each state university shall consider the following as a best practice:

(c) Develop and implement training on personal safety tailored to the specific destination in the case of Advisory Levels 3 and 4. In some instances, a university-contracted travel assistance provider may offer this capability providing “duty of care” services.

(2) Informational Risk includes, but is not limited to, theft of research data and intellectual property through cyber, physical, and other methods. Each state university international travel policy shall include processes and procedures to notify all university travelers of the risks to their data while abroad.

In addition, each state university shall consider implementing the following as best practices:

(a) Advise travelers on how to mitigate Informational Risk through standard practices, cyber hygiene, and limiting the amount of data at risk.

(b) Implement a loaner laptop and cellphone program for official international travel, with the requirement that all research data, information, presentations, and other data be stored on the loaner equipment or in an approved cloud environment during travel. Upon return, the data on these devices will be removed by university IT.

(3) Institutional Risk includes, but is not limited to, harm to the state university’s employees, students, and reputation. Each state university international travel policy shall include measures to address Institutional Risk (e.g., requiring international travel pre-registration, risk advisory groups, etc.).

## **24. RESTRICTED PARTY SCREENING**

The purpose of this policy is to reduce risk and ensure compliance with applicable federal regulations that prohibit export and other transactions with listed entities with restrictions or prohibitions as determined by multiple U.S. federal agencies. Requiring restricted parties screening is an essential component of the Board’s commitment to export compliance.

The United States government and its export regulations restrict or prohibit U.S. individuals and entities, including institutions of higher education, from exporting or providing services of any kind to any party identified in the U.S. government export denial, debarment, or blocked persons lists (“Restricted Parties”). The restrictions on interactions with Restricted Parties vary depending on the particular list and may include limits or prohibitions on export, regulatory, financial and commercial interactions.

The United States government recommends that all organizations, including state universities, review the lists of Restricted Parties prior to engaging in any transaction with a third party (“Restricted Party Screening”).

Each state university shall develop policies, processes, and procedures outlining when and how third parties shall undergo Restricted Party Screening. In developing such policies, processes, and

procedures, each state university shall consider including the following groups of individuals and entities as those third parties that should undergo Restricted Party Screening:

- Visitors, visiting professors, researchers, and scientists (foreign and domestic)
- New employees and affiliates
- Recipients of international shipments (sending or hand-carrying)
- International travel destination, host, sponsor, and/or collaborator
- Research collaborators (foreign and domestic)
- Participants in short-term educational programs
- Research sponsors
- Vendors/suppliers (foreign and domestic)
- Recipients of transfers of items including technology
- Donors
- Professional and Continuing Education registrants
- Consortia supporters and members.

## **25. VISITORS WITH ACCESS TO RESTRICTED MATERIAL**

The purpose of this policy is to 1) enhance the safety of visitors to state university campuses and those campus communities; 2) protect and promote each university's mission, vision, and values; 3) safeguard intellectual property; 4) ensure compliance with applicable federal regulations and laws prohibiting transactions with restricted entities; 5) support IT security and services and other mission-critical infrastructure; and 6) reduce overall risk to the state universities' employees, students, research and information. This policy and its exclusions are not intended to replace existing security/compliance procedures already in place at state universities.

For purposes of this policy, a "Visitor" is an individual (international or domestic): 1) who is not otherwise employed by and/or does not have a current formal affiliate status with a state university; and 2) who is coming to a state university either in person or by way of telecommunication to conduct business; and 3) who has access to state university intellectual property, research data, research facilities, networks, or secure physical spaces (collectively, "Restricted Material"). Visitors may include, but are not limited to, vendors, contractors, external faculty, external researchers, and industry partners.

For purposes of this policy, a Visitor does not include prospective students who are visiting campuses or individuals attending events that are open to the public (e.g., sporting, musical, and theatrical events), who will be in public spaces and who will not have access to Restricted Material.

Each state university shall establish policies and procedures that demonstrate a commitment to maintaining an open and free academic environment that supports both domestic and international collaborations while maintaining compliance with federal and state laws and regulations applicable to visitors on state university campuses, including but not limited to export control regulations. Such policies shall include the following components:

- Due diligence screening using approved commercial software or U.S. government websites to determine if a Visitor or their employing organization/entity is restricted by export control laws, sanction programs, and/or debarment lists;
- Training that details employee and Visitor responsibilities, acceptable behavior by Visitors, and authorized accesses to networks and facilities;
- Control and recording of Visitors such as badging and where/what individuals had access to while at the institution;
- Providing for safety of Visitors while at state universities;
- Reporting procedures concerning Visitor misconduct or other issues that arise while at the university; and
- Identifying how the state university will review visits and assess risk.

#### AMENDMENT TO BOARD POLICY ON COMPOSITION OF THE RETIREMENT PLAN COMMITTEE

Natalie Yoza, Associate General Counsel, presented the proposed policy amendments that would alter the composition of the Retirement Plan Committee (RPC). The RPC has nine voting members. Eight voting members represent the universities, and the ninth voting member is a Regent who is also the Chair of the Committee. Associate General Counsel Yoza noted that Regent Harrison-Lee is the current Chair of the Committee. Associate General Counsel Yoza highlighted that currently the Board policy requires that the eight university members serve staggered three-year terms and include: one Council of Presidents (COPS) member, or designee; two Council of Business Officers (COBO) members; three state university human resource directors; and two individuals nominated from the state universities who are experts in the subject matter of investments and retirement planning. The membership has also included at least one representative from each university plus the University of Kansas Medical Center. She noted that because the membership requirements are so complex, it has been difficult to make changes to the RPC membership. Therefore, staff recommends removing the requirement of staggered three-year terms and converting two of the three human resource positions into at-large positions. Regent Rolph moved to approve, and Regent Ice seconded. The motion carried. The following policy amendments were adopted:

#### **Chapter I, Section A.4.a.iii**

##### iii Retirement Plan Committee

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

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

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

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

### Other Matters

#### AMENDMENT TO BOARD POLICY ON WORKFORCE MANAGEMENT

General Counsel Miller stated that at the January 2021 meeting the Board adopted a temporary, low enrollment and COVID-related workforce management policy that gave universities another tool for managing institutions that are in significant financial stress, which was exacerbated during the pandemic. While the Board was successful in obtaining state funding increases during the current Session, the enrollment and financial challenges at the universities are still a concern. General Counsel Miller stated the proposed amendment would eliminate the deadline for universities to propose a framework for its implementation and noted the policy is still set to expire on December 31, 2022. Under the proposed amendment, a framework would need to be submitted and approved by the Board before the policy's expiration date. Regent Lane moved to approve, and Regent Schmidt seconded. The motion carried. The following amendment was adopted:

### **Section II.C.6.b.ii**

#### **b. Other**

...

- 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 before July 1, 2021~~, shall present to the Board for approval a framework for the university's decision-making under this provision. Elected representatives of the university's faculty, staff and student governance groups shall be given an opportunity to provide input, comments, and recommendations on the draft framework prior to the university provost's endorsement and chief executive officer's adoption and submission of the framework to the Board for approval. Once approved, that framework shall be used for any suspension, dismissal, or termination under this provision. Frameworks for decision-making 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. Prior to the framework being implemented on any campus, the university CEO shall communicate to both the campus community and the Board a rationale for why the framework must be implemented instead of existing suspension, dismissal or termination policies.

- (1) The university chief executive officer shall provide no less than 30 days' written notice of the suspension, dismissal, or termination to the affected employee, including the reasons for the action.
- (2) Any employee given notice of a suspension, dismissal, or termination that expressly invokes the authorization of this provision may submit an appeal of the action of the university chief executive officer, through the Board of Regents office as provided below, to the Office of Administrative Hearings. Suspension, dismissal, or termination not invoking this policy shall have solely those appeal rights provided by existing university policy or other applicable existing procedures.
- (3) The employee must submit the appeal to the Board office within 30 days of receiving notice of the employment action. The initial submission must include a copy of the notice of the action being appealed and a written statement, including any relevant supporting evidence or documentation, setting forth the reasons the employee believes the decision to suspend, dismiss, or terminate the employee (a) is substantially inconsistent with the university's decision-making framework approved by the Board, (b) was the result of unlawful bias or discrimination; or (c) was otherwise unreasonable, arbitrary or capricious. These shall be the only grounds for reversing the state university chief executive officer's decision. The employee shall provide a copy of the appeal and supporting evidence and documentation to the university's chief executive officer at the time the appeal is submitted.
- (4) The university chief executive officer shall have 30 days from receipt to respond in writing to the appeal, including any supporting evidence or documentation, and shall provide a copy of the response and any supporting evidence and documentation to the employee at the time the response is submitted. This 30-day period may be extended for good cause as determined by the Board President and Chief Executive Officer.
- (5) Within 10 days of receiving the university chief executive officer's response, the Board office shall refer the appeal to the Office of Administrative Hearings, which shall provide a hearing and decide the case based on the standards stated in this policy and in the university's Board-approved framework. The Board shall provide a copy of the submissions to the Office of Administrative Hearings, along with a copy of this policy and the decision-making framework

approved by the Board. The state university shall be responsible for fees charged by the Office of Administrative Hearings.

- (6) The burden of proof in any appeal shall be on the employee. There shall be no right of discovery. The review shall be based on the written submissions, and the hearing shall allow oral presentation to the administrative hearing officer by the employee and the university, each of whom may be represented by counsel.
- (7) Decisions of the administrative hearing officer shall be final and are not subject to further administrative review by any officer or committee of the university or by the Board of Regents.
- (8) An appeal under this policy will not stay the effective date of the suspension, dismissal, or termination. Employees who prevail in their appeal under this policy shall be entitled to reinstatement, back pay and restoration of other lost benefits.

**BOARD’S UNIFIED FY 2024 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. Vice President Frisbie reviewed the proposed calendar below. Regent Hutton stated that the Board Fiscal Affairs and Audit Standing Committee wants to be more engaged with the development of the unified budget and suggested that the new chair of the Committee work with Vice President Frisbie.

**Unified Appropriation Request Schedule**

April 2022 Board Meeting	Board has first read of capital improvement requests
May 2022 Board Meeting	Board acts on capital improvement requests for July 1
June 2022 Board Meeting	Board receives institution and sector specific requests. (Proposals are to be submitted to the Board Office by <b>Friday, June 3.</b> )
Summer 2022 Board Retreat	Board conducts budget workshop to discuss requests from across the System and indicates preference for inclusion in the FY 2024 Budget Request.
September 2022 Board Meeting	Board officially approves FY 2024 unified budget request
October 1, 2022	Board’s FY 2024 unified budget request submitted

**CAPITAL IMPROVEMENT REQUEST FOR FY 2024 AND FIVE-YEAR PLANS**

Chad Bristow, Director of Facilities, presented the proposed Capital Improvement Requests for FY 2024 and Five-Year Plans for the state universities. He stated that staff is recommending approval of the following: 1) all projects funded by restricted fees generated for relevant business units as submitted; and 2) the university system request for spending authority from the Educational Building Fund (EBF) for planning, construction, renovation, rehabilitation, repair, and razing of mission critical university facilities and infrastructure. Director Bristow noted the FY

2024 Capital Improvement Requests and Five-Year Plans will be revised to reflect Board approval of any amendment requests to the FY 2023 plans prior to submission to the Division of Budget on July 1, 2022, which will include the Wichita State and Kansas State projects that the Board approved on today's consent agenda. Regent Ice asked about the approval process for the projects that list the funding as "To Be Determined." Director Bristow stated that the projects will come back to the Board for approval to move forward once funding sources have been identified. Regent Rolph moved to approve the Capital Improvement Requests for FY 2024 and Five-Year Plans for the state universities and the staff recommendations listed above. Regent Lane seconded, and the motion carried.

(Tables 1 filed with Official Minutes)

### STATE UNIVERSITY FACILITIES GUIDELINES

Director Bristow stated that last month the Board reviewed the structure and concept of the proposed University Facility Guidelines. The purpose for the Guidelines is to support the implementation of the Board's Facilities Capital Renewal Initiative by defining minimum requirements for processes, procedures, and reporting. Director Bristow reviewed the structure of the Guidelines that includes the following chapters: 1) Campus Planning, 2) Space Management, 3) Facilities and Infrastructure Maintenance, 4) Data Management, 5) Reporting and Accountability, and 6) Appendix. Based on feedback from the Fiscal Affairs and Audit Standing Committee and the Board, the following updates were made to the Guidelines since its first reading:

- Under Introductions Recommendations:
  - The University Facilities Guidelines should be a dynamic instrument with ~~regular~~ annual updates that document and reflect evolving processes and procedures to effectively fulfill the intent of policy.
- Under Campus Master Plan Recommendations:
  - Campus master plans should be considered a "living document" with substantive updates every three years with a rolling five-year horizon.
  - Standardized supplementary checklist of items to be included in master plans and updates.
- Under Capital Planning Recommendations:
  - Universities to submit a pre-planning list of five to ten small capital projects (estimated at under \$1.0 million in total project costs each), for informational purposes, that they have prioritized and intend to complete in the next fiscal year.
- Under Space Management Recommendations:
  - 4 - Leased Facility / Space (Differentiate Between Affiliated and Non-Affiliated Leases)
- Under Data Management Recommendations:
  - Require each university to maintain a software subscription to Gordian's VFA Facility for the foreseeable future until otherwise instructed
- Under Reporting and Accountability Recommendations:
  - ~~Include all Maintenance Assessment and Educational Building Fund expenditures reports in the annual State University Facilities Report to be issued to the Board for review in December each year.~~ Board staff will coordinate on the consolidation of

facilities and space data at the System level and display the results as a progress dashboard on KBOR website, to be updated annually in December prior to the start of the Legislative session in January.

Director Bristow also highlighted the Annual Reporting Matrix for Capital Projects that was created after the April meeting. The matrix shows when items due. Regent Hutton thanked Director Bristow and the university staff for all their work on this project and noted the document will be useful during the legislative sessions. Regent Schmidt moved to approve the University Facility Guidelines, and Regent Ice seconded. Regent Kiblinger and Regent Harrison-Lee echoed Regent Hutton's appreciation to all the Board and university staff involved with this initiative and noted their work will continue to benefit the system. Motion carried.

(University Facility Guidelines and Matrix filed with Official Minutes)

#### ALLOCATION OF PORTION OF FY 2023 BUILDING DEMOLITION FUND

Director Bristow reported that for FY 2023 a \$10 million state appropriation was provided for a Building Demolition Fund to raze obsolete buildings on the university campuses, with \$750,000 set aside for Washburn University. The universities have currently identified the below twelve mission critical buildings totaling approximately 299,559 gross square feet to be taken down in FY 2023 at a preliminary estimated total cost of \$7,228,000. Director Bristow noted that the appropriation bill does authorize the expenditure of the funds through FY 2025 if necessary, and that the universities will present additional projects within the allowable timeframe for the Board to consider. Regent Rolph moved to approve the list below and noted that Fort Hays State is absent from the list, demonstrating the great job it has done over the years with managing its facilities. Regent Lane seconded, and the motion carried.

### **Kansas Board of Regents | State University Facilities**

#### **Systemwide Summary of Mission Critical Building Demolition Projects (FY 2023)**

<b>Univ.</b>	<b>Building Name</b>	<b># of Buildings</b>	<b>Estimated Demolition Cost</b>	<b>Gross Square Feet (GSF)</b>
KU	Facilities Administration Building (FS Main)	1	\$843,000	24,720
KU	Entomology Research Lab	1	\$120,000	2,400
KU	Smith Hall	1	\$650,000	20,205
KUMC	Eleanor Taylor Hall	1	\$750,000	34,183
KSU	Edwards Hall	1	\$1,000,000	56,718
KSU	Natatorium	1	\$615,000 *	50,250
KSU	KSU Salina Facilities Planning Building	1	\$250,000	9,447
WSU	Intensive English Language Center	1	\$250,000	10,971
WSU	Intensive English Annex	1	\$250,000	1,818
PSU	Shirk Hall	1	\$750,000	23,836
PSU	Shirk Hall Annex	1	\$750,000	29,246

ESU	Butcher Education Center	1	\$1,000,000	35,765
<b>Totals</b>		<b>12</b>	<b>\$7,228,000</b>	<b>299,559</b>

*\* Space allocation within the KSU Natatorium is 20,600 GSF Mission Critical and 29,650 GSF Non-Mission Critical. The demolition project would be split-financed as follows: \$615,000 from this funding source and \$885,000 from Educational Building Fund*

**FY 2023 BOARD MEETING CALENDAR ADJUSTMENT**

President Flanders stated that the spring break calendars for the entire Kansas education system were aligned last year to benefit Kansas students and their families. However, occasionally the March Board meeting lands on the same week as spring break because of how the calendar fluctuates from year to year. To address this issue for next year, President Flanders recommends moving the March 2023 Board meeting from March 15-16 to March 22-23, 2023. He also noted that the Governance Committee approved a change to the Board’s By-Laws to address this issue, which will be presented to the Board in June for consideration. Regent Rolph moved to approve moving the March 2023 Board meeting date. Regent Kiblinger seconded, and the motion carried.

**FY 2023 BOARD CHAIR AND VICE CHAIR**

Regent Harrison-Lee moved to elect Regent Jon Rolph as Chair of the Board for FY 2023. Regent Hutton seconded. The motion carried.

Regent Rolph moved to elect Regent Carl Ice as Vice Chair for FY 2023. Regent Lane seconded, and the motion carried.

**ADJOURNMENT**

Regent Ice moved to adjourn, and Regent Rolph seconded. The motion carried.

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Blake Flanders, President and CEO

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Cheryl Harrison-Lee, Chair