

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

December 15-16, 2021

The December 15, 2021, meeting of the Kansas Board of Regents was called to order by Chair Cheryl Harrison-Lee at 1:30 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

### **APPROVAL OF MINUTES**

Regent Rolph moved that the minutes of the November 17, 2021 meeting be approved. Following the second of Regent Kiblinger, the motion carried.

### **INTRODUCTIONS**

President Scott introduced his new Chief of Staff, Katie George.

### **GENERAL REPORTS**

#### **REPORT FROM CHAIR**

Chair Harrison-Lee reported that at the joint meeting in September, the Board and the State Board of Education identified three areas where the two systems will collaborate to better serve students – 1) addressing access concerns related to college service areas, 2) increasing the FAFSA completion rate in Kansas, and 3) pursuing the First 15 credit hour initiative. Chair Harrison-Lee, Vice Chair Rolph and President Flanders met with the leadership of the State Board of Education earlier this month to discuss the progress on these topics. During that meeting it was decided the State Board of Education's Graduation Requirements Task Force will provide an update to the Regents during the January Board meeting, and then on Thursday, February 17, 2022, the two Boards will hold another joint meeting. Chair Harrison-Lee also reported that discussions have continued over the last month with KU and KU Health System leaders on how the higher education system can partner with the Health System to enhance economic development in Kansas, and she will keep the Board informed as the group identifies potential projects and timelines. Chair Harrison-Lee reported that she spoke at the Kansas City Virtual Workforce and Education Summit hosted by the Mid America Regional Council and provided an overview of the Board's strategic plan and our efforts to revitalize the Kansas economy. She thanked the Council for the opportunity to participate in this event. Chair Harrison-Lee stated that earlier this month, Kansas State University launched its economic development initiative as part of Pillar III of the Board's

strategic plan, *Building a Future*. She along with Regent Ice and President Flanders attended this event, and she noted that KSU will provide more information about the plan at next month's Board meeting.

Chair Harrison-Lee thanked President Myers, who will be retiring at the beginning of next year, for his service to K-State and the State of Kansas over the past several years. She stated that President Myers brought completely unique and unmatched leadership experience to this position, and the Board was lucky to have him at the helm of the University, particularly during a time of substantial change. She noted that President Myers has a deep passion for K-State, its students and employees and on behalf of the Board, the Chair wished him a happy retirement. Chair Harrison-Lee then announced that with the retirement of President Myers, the Board named Dr. Richard Linton as the 15th President of Kansas State during a special meeting at the beginning of the month and noted his anticipated start date will be in February.

#### AMEND AGENDA

Chair Harrison-Lee amended the Board agenda to remove item four under the Other Matters discussion agenda – “Appoint Emporia State University Search Committee Chair.”

#### REPORT FROM PRESIDENT AND CEO

President Flanders announced that the Board's Director of Student Financial Assistance, Diane Lindeman, will be retiring at the end of this month. Director Lindeman has worked for the Board office for over 21 years, and President Flanders thanked her for her service and wished her a happy retirement. President Flanders also reported that the Board's Student Health Care Center Task Force met earlier this month and noted the members are very knowledgeable and had a great discussion on how to proceed with the charge.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Janet Stramel presented the Council of Faculty Senate Presidents report. With the end of the semester approaching, faculty and students are busy with finals. She noted that the semester has been challenging with the ongoing pandemic and on behalf of the Council, Dr. Stramel thanked the Board for its leadership and its commitment to helping faculty, staff and students.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Mark Faber presented the Students' Advisory Committee report. At its meeting today, the Committee discussed its goal to increase student interaction with legislators. The Committee charged its student legislative liaisons with planning the students' higher education day at the Statehouse. The Committee would like to schedule two different days for students to interact with legislators. During the first day, the Committee would like students from each university to meet with their local legislative representatives, and then the second day would be a time for all the university student representatives to meet in the Statehouse to talk with legislators. Regent Winter asked if the Committee has one or two specific points it would like the Board to include in its communication to the Governor and Legislature on why the students believe the state needs to support higher education. Mr. Faber indicated he believes the state should fund higher education because it employs many individuals in the state and it drives the state's economy. He also noted that higher education brings many students into the state and some of those students then stay to contribute to the state after graduation. Mr. Faber then provided an example of an out-of-state

student who graduated from Kansas State and then decided to move his family's dairy business to Kansas, which is now one of the top dairy farms in the nation. Regent Winter thanked Mr. Faber and noted the importance of highlighting the system's success stories like the example provided by Mr. Faber. Additionally, Mr. Faber reported that the Committee is looking forward to having breakfast with the Board on Thursday morning.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Kiblinger reported that the Board Academic Affairs Standing Committee received the annual qualified admissions report, which highlights the number of students who were admitted as exceptions because they did not meet the traditional admission standards. The Committee also received information on the Kansas State College Advising Corps, which is a program that hires recent college graduates to serve as college advisers in select high schools. She noted that the college advisers assist high school students by providing guidance and helping them navigate through the college admission and financial aid processes.

### **FISCAL AFFAIRS AND AUDIT**

Regent Hutton presented the Fiscal Affairs and Audit Standing Committee report. Director Bristow gave an overview of the state's capital budgeting process, the status of the campus master plans, and the Educational Building Fund. The Committee reviewed the fiscal items on the Board agenda. The Committee discussed changes to the state university housing and dining proposals, and recommends the Board discuss with the CEOs at next year's retreat key metrics for the housing and dining functions such as how to bundle housing and dining rates, occupancy targets and financial reserves. The discussion at the retreat will allow the Regents to have more input at the front end. The Committee then thoroughly discussed each of the state universities' housing and food service rate proposals for FY 2023 and recommends approval of the proposals as presented in the discussion agenda. It was noted that a lot of work was done at the campus level to minimize cost increases to the students while confronting inflationary expense increases. Associate General Counsel Yoza then presented the proposed regulations to implement legislation enacted by the 2021 Legislature to provide a tuition and fee waiver for dependents and spouses of public safety officers and certain military servicemembers who are injured or disabled in the line of duty. Regent Hutton noted that the Board has a legislative proposal in the non-budgetary items to make amendments to the 2021 legislation to clarify the benefit and eligibility. The Committee adopted a motion for staff to proceed with the regulation approval process. Director Bristow then reviewed the status of the Board's capital renewal initiative, with a timeline of accomplishments and how different funding scenarios affect the condition rating of the EBF-eligible mission critical buildings. Regent Hutton requested that the Committee receive information on an additional funding scenario that models how much total maintenance assessment funding would have to be expended over 20 years to increase the condition/quality of the top priority mission critical academic buildings from "fair" to a "state of good repair" assuming: one-time funds of approximately \$350 million during the escalator period and an additional \$25 million annual contribution from the state during that time. The Committee thanked the Board and university staff who are working hard on the Board's capital renewal initiative.

## GOVERNANCE

Regent Harrison-Lee presented the Governance Committee report. The Committee continued to discuss its expectations for the presentations by the universities of their collection of Free Speech policies and activities, which will be given at the May and June Board meetings. The Committee reviewed the proposed updates to the university CEO assessment tool, which incorporate more references to and components of the Board's strategic plan, *Building a Future*. Board staff collected feedback from the Regents and university CEOs on the proposed changes, and the Committee approved moving this item to the Board for consideration later in the agenda. Regent Harrison-Lee stated that the Committee also reviewed the metrics in *Building a Future* that will be used along with the evaluation tool and noted that Board staff will be collecting feedback from the Regents on which metrics from the plan should be included for this purpose. The Committee authorized President Flanders to sign a contract for the Board office and state university collections services and received information on the system's communication and advocacy plan. The Committee also reviewed and approved the proposed student health insurance benefits and rates for plan year 2022-2023, which is on the agenda for the Board's consideration later today.

## APPROVAL OF CONSENT AGENDA

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

### Academic Affairs

#### AMENDMENTS TO THE BOARD'S SPOKEN ENGLISH LANGUAGE POLICY

The amendments to the Board's Spoken English Language policy were adopted and are outlined below. The changes add specific English proficiency exams and detail requisite scores for such exams, as well as align requirements for faculty and graduate teaching assistants.

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

### **2. APPOINTMENTS**

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#### **b. Faculty and Staff**

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#### **iii. Spoken English Language Competency**

##### **(1) Faculty**

**(a)** All prospective faculty members of state universities, ~~except visiting professors for one year or less~~ whose native language is not English, must have their spoken English competency assessed prior to employment through interviews with no fewer than three institutional personnel, one of whom shall be a student. Faculty shall include all full-time or part-time personnel having classroom or laboratory instructional responsibilities and/or direct tutorial or advisement contact; ~~other than for courses or sessions conducted primarily in a foreign language~~. An oral interview shall be conducted either face-to-face or by mediated means.

(b) To be eligible for an appointment without spoken English language remediation conditions, prospective faculty found to be potentially deficient in speaking ability shall be required to achieve a minimum score of 50 on the Speaking Proficiency English Assessment Kit (SPEAK), or equivalent, or a minimum score, set by Board staff in consultation with the Council of Chief Academic Officers and with the approval of the Board Academic Affairs Standing Committee, on the Speaking section of the Test of English as a Foreign Language internet Based Test (TOEFL iBT):

(i) a minimum score of 50 on the Speaking Proficiency English Assessment Kit (SPEAK);

(ii) a minimum score of 22 on the Speaking section of the Test of English as a Foreign Language internet Based Test (TOEFL iBT);

(iii) a minimum score of 7 on the Speaking section of the International English Language Testing System (IELTS); or

(iv) a score on a Board of Academic Affairs Standing Committee approved English speaking instrument that is equivalent to a minimum score detailed in C.2.b.iii.(1)(b)(i), (ii), or (iii).

(c) An exception to the requirements in C.2.b.iii.(1)(a) and (b) may be made for:

(i) visiting professors who are employed for one year or less;

(ii) foreign language courses; or

(iii) courses taught in sign language.

(ed) A report detailing the process for interviewing prospective faculty, including the composition of the interview team and scores from SPEAK or the Speaking section of the iBT the English speaking assessments detailed in iii.1.b.(i), (ii), (iii), or (iv) for each candidate, shall be submitted to the President and Chief Executive Officer of the Board every other year.

## (2) Graduate Teaching Assistants

All prospective graduate teaching assistants of the state universities shall have their English competency assessed prior to being considered for any employment having classroom or laboratory instructional responsibility and/or direct tutorial responsibilities. The following shall be used to implement this policy:

(a) All prospective graduate teaching assistants, whose first native language is not English, must be interviewed and have their competency in spoken English assessed by no fewer than three institutional personnel, one of whom shall be a student. An oral interview shall be conducted either face-to-face or by mediated means.

(b) To be eligible for an appointment without spoken English language remediation conditions, all prospective graduate teaching assistants, whose first native language is not English, shall be required to achieve a minimum score of or equivalent, or a minimum score, set by Board staff in consultation with the Council of Chief Academic Officers and with the approval of the Board Academic Affairs Standing Committee, on the Speaking section of the Test of English as a Foreign Language internet Based Test (TOEFL iBT):

(i) a minimum score of 50 on the Speaking Proficiency English Assessment Kit (SPEAK);

(ii) a minimum score of 22 on the Speaking section of the Test of English as a Foreign Language internet Based Test (TOEFL iBT);

(iii) a minimum score of 7 on the Speaking section of the International English Language Testing System (IELTS); or

(iv) a score on a Board of Academic Affairs Standing Committee approved English speaking instrument that is equivalent to a minimum score detailed in C.2.b.iii.(2)(b)(i), (ii), or (iii).

(c) Any prospective graduate teaching assistant who does not meet the above requirements shall not be assigned teaching responsibilities nor other tasks requiring direct instructional contact with students.

(d) ~~An exception shall be made for courses taught in sign language~~ An exception to the requirements in C.2.b.iii.(2)(a), (b), and (c) may be made for:

(i) foreign language courses; or

(ii) courses taught in sign language.

(e) A report detailing the process for interviewing graduate teaching assistants, whose ~~first~~ native language is not English, including the composition of the interview team and scores from ~~the SPEAK or the Speaking section of the iBT~~ the English speaking assessments detailed in C.2.b.iii.(2)(b)(i), (ii), (iii), or (iv) for each candidate, shall be submitted to the President and Chief Executive Officer of the Board every other year.

### (3) General

State universities shall develop implementing policies and procedures for the administration of this policy and shall report to the Board as to the effectiveness of such policy; and may adopt standards that exceed or are additional to those contained herein.

#### Fiscal Affairs & Audit

#### FY 2021 EDUCATIONAL BUILDING FUND SPENDING – SYSTEM

The report on how the FY 2021 Educational Building Funds was spent by the state universities was accepted. In FY 2021, the Board allocated the amounts listed below to the universities.

#### **Allocation of Funds for Rehabilitation and Repair Projects FY 2021 - \$41,000,000 (EBF)**

Adjusted gross square feet (EBF-Eligible Buildings Only):

	<u>Gross Sq. Feet</u>	<u>% of Total</u>	<u>Allocation</u>
University of Kansas	5,488,301	26.87	\$11,016,700
University of Kansas Medical Center	2,297,176	11.25	4,612,500
Kansas State University	6,105,374	29.90	12,259,000
Wichita State University	2,243,148	10.98	4,501,800
Emporia State University	1,232,601	6.04	2,476,400
Pittsburg State University	1,507,841	7.38	3,025,800
Fort Hays State University	<u>1,548,171</u>	<u>7.58</u>	<u>3,107,800</u>
<b>Total</b>	<b>20,422,612</b>	<b>100.00</b>	<b>\$41,000,000</b>

(FY 2021 EBF Spending Report filed with Official Minutes)

### RAZE BUILDING – KSU

Kansas State University received authorization to raze the east ticket office, building #36700-00134F, at Bill Snyder Family Stadium. The cost of razing the building is \$25,000 and will be financed with private gifts.

### LEASE AGREEMENTS – KSU

Kansas State University received approval to enter into two lease agreements – one with Diagnostic Services of Kansas State, Inc., DBA KS Veterinary Diagnostic Laboratory (DSKS, Inc.) and one with Kansas State University Veterinary Clinical Outreach, Inc., DBA Veterinary Health Center (KSUVCO, Inc.). Both are controlled affiliated corporations of Kansas State University, as defined by Kansas Board of Regents Policy II.D.9. KSU will enter into a five-year lease agreement with DSKS, Inc., for 16,249 square feet within Mosier Hall to perform diagnostic services and testing. DSKS, Inc. will pay a rate of \$15 per square foot, which totals \$243,735 a year. KSUVCO, Inc. is entering a five-year lease agreement with KSU for 86,579 square feet within Mosier Hall. The space will be used for treating veterinary patients and educating Doctor of Veterinary Medicine students. KSUVCO, Inc. will pay a rate of \$10 per square foot, which totals \$865,790 a year.

### EPSCoR PROPOSALS

The EPSCoR Program Review Committee's recommendations for the below Experimental Program to Stimulate Competitive Research (EPSCoR) proposals were approved:

- For the request submitted by Dr. Doug Wright at the Kansas IDeA Network of Biomedical Research Excellence (located at the University of Kansas Medical Center), the Committee recommended awarding \$125,000 to support four bridging grant proposals to increase their competitiveness for National Institutes of Health funding. This award provides a 29.7:1 leverage for state funds (federal:state). This award is for FY 2022.
- For the request submitted by Dr. L. Scott Miller, the Kansas NASA EPSCoR Program Director at Wichita State University, the Committee recommended awarding \$216,325 over five years (\$43,265 per year beginning in FY 2022) in support a National Aeronautics and Space Administration Research Infrastructure Development (RID) grant. The award is contingent upon receipt of the RID grant from NASA and the continued availability of state appropriations. This award provides a 4.6:1 leverage for state funds (federal:state) and is being awarded for FY 2022.
- For the request submitted by Dr. Bala Subramaniam, Dan F. Survey Distinguished Professor of Chemical & Petroleum Engineering at the University of Kansas, the Committee recommended awarding \$725,000 over four years (\$200,000 in FY 2022 and \$175,000 per year beginning in FY 2023) to support researchers from both the University of Kansas and Pittsburg State University who are researching the manufacturing of renewable and recyclable polymers. This award provides a 5.5:1 leverage

for state funds (federal:state) and is being awarded for FY 2022. The award is contingent upon the continued availability of state appropriations.

- For the request submitted by Dr. Susan Lunte, Ralph N. Adams Distinguished Professor of Chemistry and Pharmaceutical Chemistry, Director of the Adams Institute for Bioanalytical Chemistry, and Director of the Center for Molecular Analysis of Disease Pathways (CMADP) at the University of Kansas, the Committee recommended awarding \$625,000 over five years (\$125,000 per year beginning in FY 2023) to support a proposal to support the National Institutes of Health for a Center of Biomedical Research Excellence (COBRE) Phase III award. This award provides a 9.2:1 leverage for state funds (federal:state). It is contingent upon receipt of the COBRE Phase III award from the National Institutes of Health and the availability of state appropriations. This award is for FY 2023.

#### MARKET-BASED INSTRUCTION TUITION RATE – KSU

Kansas State University received authorization to expand its contractual market-based education offerings in order to meet current academic knowledge and skill needs. The program is being expanded to include degree-seeking students. The tuition charged will be based on the characteristics of the market/industry to be served and the cost of executing the program. The Offices of the Provost and Chief Financial Officer will determine tuition rates based on the recommendation of the Dean of the college and other applicable administrators.

#### Governance

#### AMENDMENTS TO BOARD’S OUT-OF-STATE TRAVEL POLICY FOR STATE UNIVERSITY CEOS

Board policy requires university chief executive officers to seek approval from the Board President and Chief Executive Officer, as the Board’s delegee, before traveling out of the state. The below amendments, which eliminate the approval requirement for travel within 130 miles of the main campus (the approximate distance between Pittsburg and Kansas City) or within the Kansas City metro area, even if it involves traveling across state lines, were approved.

### **C. Chief Executive Officer, Faculty and Staff**

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#### **23. Travel**

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

Approval of out of state travel requests for the chief executive officer of a state university is vested in the Board and delegated to the Board President and Chief Executive Officer. Requests for out of state travel, regardless of source of funding, shall be submitted to the Board Office in such form as prescribed by the Board President and Chief Executive Officer generally at least two weeks prior to the date travel commences, but in no event after the date of travel commences. Expenses will be allowed pursuant to Department of Administration or Internal Revenue Service regulations



governing travel. Out of state travel that is within 130 miles of the chief executive officer's main campus or that is within the Kansas City metropolitan area shall not require approval.

Technical Education Authority

NEW PROGRAM PROPOSALS FROM NORTHWEST KANSAS TECHNICAL COLLEGE, WASHBURN INSTITUTE OF TECHNOLOGY, AND WSU CAMPUS OF APPLIED SCIENCES AND TECHNOLOGY

Northwest Kansas Technical College received authorization to offer a Technical Certificate A (17 credit hours), Technical Certificate B (32 credit hours), and an Associate of Applied Science degree (62 credit hours) in Child Care Specialist (19.0708). The estimated cost of the program is \$64,000, which will be funded through the College's general fund. The program will be offered online starting in the fall of 2022.

Northwest Kansas Technical College received approval to offer a Technical Certificate A (28 credit hours), Technical Certificate C (52 credit hours), and an Associate of Applied Science degree (67 credit hours) in Plumbing Technology (46.0503). The estimated cost of the program is \$281,650, which will be funded with the Congressionally Directed Spending Request, Maintenance of Effort, Carl D. Perkins funds, and industry donations. The program will begin in the fall of 2022.

Washburn Institute of Technology received approval to offer a Technical Certificate B (30 credit hours) in Industrial Production Technology (47.0409). The estimated cost of the program is \$148,658. All costs for the new program will be funded through the reallocation of general fund dollars, Maintenance of Effort, and Carl D. Perkins funds. The program will begin in spring of 2022.

Wichita State University Campus of Applied Sciences and Technology (WSU Tech) received authorization to offer a Technical Certificate A (24 credit hours), Technical Certificate B (33 credit hours), Technical Certificate C (53 credit hours), and an Associate of Applied Science degree (65 credit hours) in Manufacturing Technology (15.0613). The estimated cost of the program is \$143,000. Faculty salary costs will be funded through a City of Wichita grant. Equipment, instructional supplies and materials, and facility costs will be funded through institutional dollars that have been set aside for new program development. Marketing costs will be funded through the institution's general budget for the Marketing department. The program will begin in the fall of 2022.

WSU Tech received approval to offer an Associate of Applied Science Registered Nursing (51.3801) degree (65 credit hours). The estimated cost of the program is \$405,130. Program Director and faculty salaries, equipment, instructional supplies and technology and software will be funded through institutional dollars that have been set aside for new program development. Facility renovations will be funded through Capital Outlay. The program will begin in the fall of 2022.

EXCEL IN CTE FEES FOR NORTHWEST KANSAS TECHNICAL COLLEGE, WASHBURN INSTITUTE OF TECHNOLOGY, AND WSU CAMPUS OF APPLIED SCIENCES AND TECHNOLOGY

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

- Northwest Kansas Technical College: Child Care Specialist for a total of \$30 for a background check required for childcare providers.
- Northwest Kansas Technical College: Plumbing for a total of \$979.95 for tools, personal protective equipment, NCCER exam fees, and textbooks.
- Washburn Institute of Technology: Industrial Production Technology for a total of \$846 for uniforms, personal protective equipment, and MSSC certification fees.
- Wichita State University Campus of Applied Sciences and Technology: Manufacturing Technology for a total of \$180 for textbooks and the non-tiered course Blueprint for Personal Success.

PROMISE ACT PROGRAMS FOR NORTHWEST KANSAS TECHNICAL COLLEGE, WASHBURN INSTITUTE OF TECHNOLOGY, AND WSU CAMPUS OF APPLIED SCIENCES AND TECHNOLOGY

The below programs were approved to become Promise Eligible programs:

- Northwest Kansas Technical College: Child Care Specialist, which falls under the Early Childhood Education and Development category, which is specified in legislation.
- Northwest Kansas Technical College: Plumbing Technology, which falls under the Advanced Manufacturing and Building Trades category, which is specified in legislation.
- Washburn Institute of Technology: Industrial Production Technology, which falls under the Advanced Manufacturing and Building Trades category, which is specified in legislation.
- Wichita State University Campus of Applied Sciences and Technology: Manufacturing Technology, which falls under the Advanced Manufacturing and Building Trades category, which is specified in legislation.
- Wichita State University Campus of Applied Sciences and Technology: Registered Nurse, which falls under the Mental and Physical Healthcare category, which is specified in legislation.

ACADEMIC YEAR 2023 EXCEL IN CTE FEES

The 2023 Excel in Career Technical Education fees for the following colleges were approved: Allen County Community College, Barton Community College, Butler Community College, Cloud County Community College, Coffeyville Community College, Colby Community College, Cowley Community College, Dodge City Community College, Flint Hills Technical College, Fort Scott Community College, Garden City Community College, Highland Community College, Hutchinson Community College, Independence Community College, Johnson County Community College, Kansas City Kansas Community College, Labette

Community College, Manhattan Area Technical College, Neosho Community College, North Central Kansas Technical College, Northwest Kansas Technical College, Pratt Community College, Salina Area Technical College, Seward County Community College, Washburn Institute of Technology, and Wichita State University Campus of Applied Sciences and Technology. A complete list of fees for each career technical education course and program at each institution is maintained at the Board office and is available for public inspection.

### Other Matters

#### NEW MEMBER TO THE STUDENT HEALTH CARE CENTER TASKFORCE

Dr. Kathleen Sandness, Medical Director for the Bryant Student Health Center, was appointed to replace Rita Girth on the Student Health Care Center Taskforce. The Taskforce was also granted flexibility to make any other necessary membership modifications.

### CONSIDERATION OF DISCUSSION AGENDA

#### Presentation

#### INFORMATION ON THE KANSAS SMALL BUSINESS DEVELOPMENT CENTER (Kansas SBDC)

Greg Jordan, Director of the Kansas Small Business Development Center (Kansas SBDC), provided information on how the Center works with higher education institutions to help new and existing business owners in Kansas. The mission of the Kansas SBDC is to impact the Kansas economy by helping businesses succeed within their communities by growing, increasing tax revenue, and creating and retaining jobs. Director Jordan noted that the activities of the Center tie directly to the Board's Pillar III – Economic Prosperity in *Building a Future*. He stated that SBDCs are located throughout the nation and are hosted by leading universities, colleges, state economic development agencies and private partners. They are funded in part by Congress through a partnership with the U.S. Small Business Administration and the federal grant is matched (1:1) by the host institution. The Kansas Department of Commerce also provides funding for the centers located in Kansas. Director Jordan stated that Fort Hays State University has been the statewide host since 1983 and is also a regional host. The other regional hosts are Emporia State University, Johnson County Community College, the University of Kansas, Pittsburg State University, Seward County Community College, Wichita State University, and Washburn University. Director Jordan noted that many of the centers are co-located in local chambers of commerce or economic development centers, which provides a bridge between the host higher education institutions and the economic development partners. Director Jordan noted that between 2010 and 2020, the Kansas SBDC assisted over 28,000 small businesses. During that same timeframe over 32,000 jobs were either created or sustained by Kansas SBDC clients. The Board discussed ways to expand the impact of centers including working with Kansas State University's Research and Extension offices, which has a presence in all 105 Kansas counties, and partnering with other university economic development programs. Director Jordan stated getting more universities and colleges involved would help expand the Center's reach and noted that the host centers do collaborate with other economic development programs at the universities.

## Academic Affairs

### NEW SYSTEMWIDE TRANSFER COURSES

Daniel Archer, Vice President for Academic Affairs, reported that the Transfer and Articulation Council reviewed the Kansas Core Outcomes Groups report and approved outcomes for six additional courses to be recognized for transfer across the Kansas Board of Regents System. Regent Kiblinger moved to approve the six new transfer courses, and Regent Rolph seconded. The motion carried. The following courses are approved for systemwide transfer effective summer 2022:

- BIO2040 Microbiology and Lab
- BUS2030 Business Law
- EDU2020 Educating Exceptional Students
- HSC2010 Prevention and Care of Athletic Injuries
- POL2020 State and Local Government
- SOC2030 Cultural Diversity and Ethnicity

### MASTER OF SCIENCE IN AERONAUTICS – KSU

Provost Taber presented Kansas State University's request to offer a Master of Science in Aeronautics. The program totals 30 credit hours and will be taught in a hybrid format. Provost Taber stated the aerospace manufacturing sector is asking for a new set of skills to emerge from academia to better support current and forecast workforce needs. The sector most impacted by this recent development is aerospace manufacturing where recent high-profile failures have highlighted a skills gap in the technical area of airworthiness certification. Recently, two major industry standards groups have developed both knowledge/skill standards in airworthiness certification, as well as recommended career pathway guidance. Both standards groups are currently collaborating through a reconciliation effort and KSU is one of several institutions actively engaged in that process. Provost Taber stated the proposed degree can address these industry needs because its graduates will be prepared for leadership and advanced technical positions in the Aviation/Aerospace industry. Kansas State conducted a market analysis on the program and surveyed over 60 industry respondents. The survey results showed that over 85% of the respondents either agreed or strongly agreed with the intended direction for the degree. The Board discussed the program name and wanted to know if KSU sees any issues with marketing the new program to students. Provost Taber stated that industry leaders and the Dean on the Polytechnic campus believe that the degree is named appropriately and do not believe the campus will have any issues marketing it to students. Regent Hutton stated that this program seems to have a lot of industry support and wanted to know if the University has explored the possibility of partnering with industry to receive some financial support for the program. Provost Taber stated that KSU is looking at such partnerships and will be working with different advisory boards. Following discussion, Regent Kiblinger moved to approve. Regent Schmidt seconded, and the motion carried.

## QUALIFIED ADMISSIONS REGULATIONS IMPLEMENTING CHANGES TO UNIVERSITY OF KANSAS STANDARDS AND FINALIZING 2020 STANDARDS CHANGES

General Counsel Julene Miller presented the proposed changes to the Qualified Admission regulations. She stated the changes finalize amendments that were adopted last year when the Board changed qualifications for admission to the state universities to recommend rather than require a Regents prescribed high school curriculum, and to replace the top third class rank option with a prescribed cumulative high school GPA (2.25 for admission to Emporia State, Fort Hays State, Pittsburg State and Wichita State, and a 3.25 cumulative high school GPA for admission to Kansas State). The amendments also effectuate the Board's action last March to provide a test-flexible path for admission to the University of Kansas, similar to what the other state universities have, and eliminate the guaranteed admission application deadline at KU for first time freshmen. With these changes, the first-time freshman cohort applying for admission to KU starting in the summer of 2022 would be guaranteed admission with either a 21 ACT and a 2.0 cumulative GPA, or a 3.25 cumulative GPA from an accredited high school with no required test score. These changes were requested by KU after determining that high school GPA is a better indicator of success at the University than standardized test scores, and after experiencing difficulties not having a test-optional path during the pandemic when ACT tests were not being administered. Regent Hutton asked if these changes will make it easier for students to be admitted to KU. The Chancellor stated that the amendments give students a test free option by having an admission pathway that does not require an ACT score. This may remove a barrier for some students, but the Chancellor noted that the University will not know the full impact of the change until it is implemented. Regent Hutton noted that the Board's regulations on admissions are very complicated with different standards, and he worries that students and families will not be able to understand the standards at the different universities. Following discussion, Regent Lane moved to adopt the regulations. Regent Rolph seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Rolph, Regent Feuerborn, Regent Hutton, Regent Ice, Regent Kiblinger, Regent Lane, Regent Schmidt, Regent Winter, and Regent Harrison-Lee. The motion carried.

## BREAK

The Chair called for a break at 3:00 p.m. and resumed the meeting at 3:20 p.m.

## AMEND AGENDA

Because of the approaching inclement weather, the Chair amended the agenda to remove "Act on Proposed Amendments to Board's Building Naming Policy" and "Act on Proposed Changes to State University CEO Assessment Instrument and Process," and move them to the Board's January meeting. Chair Harrison-Lee also moved the Executive Session to tomorrow's Board agenda.

## *Fiscal Affairs and Audit*

## FY 2023 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSALS SUBMITTED BY STATE UNIVERSITIES

Elaine Frisbie, Vice President for Finance and Administration, presented the FY 2023 housing and food service rate adjustment proposals for the state universities. It was noted the Board had a first

read of these rates last month. Regent Schmidt moved to approve, and Regent Lane seconded. The motion carried.

(FY 2023 Housing and Food Rates filed with Official Minutes)

ALLOCATION OF FY 2023 EDUCATIONAL BUILDING FUND APPROPRIATION – SYSTEM

Director Bristow presented the proposed allocation of the FY 2023 Educational Building Fund appropriation. Regent Hutton moved to approve, and Regent Schmidt seconded. The motion carried. The following allocations were approved:

**Allocation of Funds for Rehabilitation and Repair Projects for Institutions of Higher Education as Appropriated to the Kansas Board of Regents  
FY 2023 - \$41,000,000 (EBF)**

Allocation percentages are based on the proportion designated by an adjusted gross square footage formula established in 2007 for mission critical buildings. This apportionment will be maintained in the near term to promote and incentivize campus right-sizing strategies.

	<u>% of Total</u>	<u>Allocation</u>
University of Kansas	26.87	\$11,016,700
University of Kansas Medical Center	11.25	4,612,500
Kansas State University	29.90	12,259,000
Wichita State University	10.98	4,501,800
Emporia State University	6.04	2,476,400
Pittsburg State University	7.38	3,025,800
Fort Hays State University	<u>7.58</u>	<u>3,107,800</u>
<b>Total</b>	<b>100.00</b>	<b>\$41,000,000</b>

Governance

STUDENT HEALTH INSURANCE BENEFITS AND PREMIUM RATES FOR PLAN YEAR 2022-2023

Diana Kuhlmann, Chair of the Student Insurance Advisory Committee (SIAC), presented the recommendation for the student health insurance benefits and premium rates for plan year 2022-2023. Chair Kuhlmann stated the Board’s student health insurance plan is currently offered through MHECare and is underwritten by UnitedHealthcare – Student Resources (UHC-SR). UHC-SR’s initial renewal proposal included a 13% across the board premium increase, with no changes to benefits, eligibility, or enrollment. UHC-SR explained that this increase was necessary to address the Board plan’s premiums to claims loss ratio. Chair Kuhlmann noted that there are four categories of students eligible for the Board’s insurance plan: 1) option 1 - voluntary students, 2) option 2 - students in academic programs that require health insurance coverage, 3) option 3 - graduate students who are employed with a 50% appointment by the university, and 4) option 4 - international students who are required to have coverage per Board policy. After reviewing the plan experience overview, the SIAC determined that the best path forward for the most students was to eliminate dependent coverage for Option 1 (students who are not required or incentivized

by the institutions to have health insurance coverage, but whose claims experience is driving up the premiums for all) and underwrite that group separately so that premiums for students in that group are not subsidized by students in the other three groups (GTAs/GRAs/GAs, international students and students whose academic programs require them to have coverage). It was noted that the Board's plan, even with the increases, is still a less expensive but better option than what is available on the federal Health Insurance Exchange. Following discussion, Regent Lane moved to approve the below recommendations. Regent Rolph seconded. The motion carried.

**Combine -2, -3, and -4 together and underwrite -1 on its own**

Option 1	21-22	22-23	% Change	\$ Change
Student	\$ 3,861.00	\$ 4,998.00	29.45%	\$ 1,137.00
* Removed dependents				

Options 2, 3, and 4	21-22	22-23	% Change	\$ Change
Student	\$ 2,462.00	\$ 2,658.00	7.96%	\$ 196.00
Spouse	\$ 2,462.00	\$ 2,658.00		
Ea. Child	\$ 2,462.00	\$ 2,658.00		
All Children	\$ 4,924.00	\$ 5,316.00		
All Deps.	\$ 7,386.00	\$ 7,974.00		

Other Matters

NON-BUDGETARY LEGISLATIVE PROPOSALS

Matt Casey, Director of Government Relations, presented the non-budgetary legislative proposals, which are listed below. He noted since last month a new request to amend the tuition and fee waiver statute was added.

- Amend Tuition and Fee Waiver for Spouses and Dependents of Injured or Disabled or Deceased Public Safety Officers and Military Personnel
- Amendments to the Motorcycle Safety Fund and Truck Driver Training Fund Statutes
- Legislation Authorizing Voluntary Affiliations between State Universities and Community and Technical Colleges
- Increased 529 Investment Options
- Promise Act Trailer Bill
- Emporia State University, Sale of Property in the City of Emporia, Lyon County, Kansas
- Technical Edit to add High School Equivalency
- Kansas State University's Request to Sell Property in Riley County
- Kansas State University's Request to Sell Property in Cherokee County
- Kansas State University's Request to Sell Property in Douglas County, Nebraska
- Pittsburg State University Request to Sell Property
- University of Kansas Request to Exchange Property in Douglas and Wyandotte County
- Selling Gifted Property – Amending the State Surplus Property Act

Regent Lane had concerns with approving the Promise Act trailer bill and the voluntary affiliation bill without seeing the draft bill language. Director Casey stated the Kansas Office of Revisor of

Statutes is the entity that drafts bill language and believes that language for those two items would be available some time in January. Regent Winter believes the Board needs to have a more in-depth discussion on whether it should support the affiliation bill. Regent Winter then moved to approve the non-budgetary items except for the affiliation bill. The motion died for lack of a second. The Board discussed the affiliation bill and the difference between affiliation and merger. It was noted that the recommendation for the affiliation bill came from the Future Council, which had legislators on it. Following discussion, Regent Rolph moved to approve the non-budgetary items as presented. Regent Feuerborn seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Rolph, Regent Harrison-Lee, Regent Feuerborn, and Regent Kiblinger. The motion failed. Several Regents concurred that they would like to see the bill language and have more discussion on the affiliation bill. Regent Winter moved to approve all the non-budgetary items except for the affiliation bill, and Regent Hutton seconded. Regent Lane asked that the motion be amended to also remove the Promise Act bill so the Board can review the draft language. Regent Winter and Hutton agreed to amend the motion to remove the Promise Act bill. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Hutton, Regent Ice, Regent Kiblinger, Regent Lane, Regent Schmidt, and Regent Winter. The following Regents opposed the motion: Regent Rolph, Regent Harrison-Lee, and Regent Feuerborn. The motion carried.

#### NAMING A BUILDING – KSU

President Myers presented Kansas State University's request to name the new band hall in West Memorial Stadium in honor of Dr. Frank Tracz and his family. Regent Rolph moved to approve, and Regent Ice seconded. The motion carried. The new facility will be named the Tracz Family Band Hall.

#### PITTSBURG STATE UNIVERSITY PRESIDENTIAL PROFILE

President Flanders presented the Pittsburg State University Presidential Profile. He noted the Profile was drafted based on feedback that the search consultants gathered from the different campus constituent groups, the Presidential Search Committee, and the Regents. If approved by the Board, the Profile will be used to advertise the position. President Flanders stated that the Profile may need to be adjusted to add more language that describes the University and requested authorization to work with the Committee Chair if adjustments are needed. Regent Feuerborn moved to approve the Profile and authorized President Flanders to work with Chair Webb on any adjustments as described above. Regent Kiblinger seconded, and the motion carried.

(PSU Presidential Profile filed with Official Minutes)

#### AMEND AGENDA

The Chair announced that the inclement weather has moved into the area and that it is not safe to leave the building. She then amended the agenda to add the following items back onto the agenda: Act on Proposed Amendments to Board's Building Naming Policy, Act on Proposed Changes to State University CEO Assessment Instrument and Process, and the Executive Session.

#### AMENDMENTS TO BOARD'S BUILDING NAMING POLICY

General Counsel Miller presented the proposed amendments to the Board's Building Naming policy. She noted that the Governance Committee reviewed all the Board's naming policies and



noted that the Board does not have a policy that specifically addresses changing a campus name. The Committee asked staff to add language to the Naming of Buildings policy that makes it clear that a new campus name cannot be used until after it has been approved by the Board, and the Legislature if required. She noted that if the naming or renaming of a campus also requires legislation, the process for making legislative requests would also be required. Additionally, General Counsel Miller stated that universities often ask which components of a building, facility, or physical feature require Board approval. To address this issue, the Committee recommended adding language that defines the difference between major and minor building components and clarifies that generally only major components need Board approval. Regent Rolph moved to approve, and Regent Lane seconded. The motion carried. The following amendments were adopted:

## CHAPTER II: GOVERNANCE - STATE UNIVERSITIES

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### E. FACILITIES

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#### 13. NAMING OF BUILDINGS, FACILITIES AND CAMPUSES

##### a. Authority for Naming

The initial naming of any state university building or other major component is the province of the Board of Regents. The authority to re-name or remove the name of any state university building or other major component, or to seek a legislative name change for a campus, also resides in the Board. Any documentation used by any state university or affiliate corporation of any state university for fund raising purposes shall clearly state that proposed names are subject to Board action, and shall reserve to the Board the right to remove any name bestowed upon a facility building or other major component. New names shall not be put into use prior to obtaining the appropriate approvals.

Possible reasons for removal of a name include, but are not limited to, circumstances causing damage to the reputation of the university, change of law regarding naming authority, or if ~~the a~~ building is razed or given over to a new use. ~~For purposes of this policy,~~

Any time a proper noun name is to be displayed on the exterior of a building ~~or facility, other major component, minor component, or associated signage~~ it will shall be treated as a building naming and shall be submitted to the Board for consideration in accordance with this policy. Naming or re-naming a minor component does not otherwise require Board approval. Naming or changing a name or portion of a name using only descriptors of the building or other major component or how it is to be used, such as North Garage or Early Childhood Education Center, does not require Board approval.

For purposes of this policy, “major component” means entire buildings, wings of buildings, and large sections of campus, “minor component” means campus areas or sections of facilities such as rooms, labs, open outdoor spaces, streets, structures and physical features, and “state university building or other major component” means any such structure or area that the university has the authority to name regardless of ownership or location.

## **b. Criteria**

- i.** Generally, buildings and other major components are named for distinguished individuals who have made extraordinary contributions of a scholarly, professional, or public service nature related to the university's mission, or for major donors to the construction ~~of the building~~.
- ii.** Before forwarding a name to the Board for consideration, the state university shall undertake a thorough degree of due diligence to avoid commercial influence or conflict of interest.
- iii.** Buildings and other major components ~~will~~ shall not be ~~newly~~ named for sitting presidents, chancellors, Board members, or federal, state or local elected officials, however buildings and other major components named for such individuals before appointment or election or between appointments or elections to one or more of those positions need not be re-named.

## **c. Process**

The chief executive officer of the state university shall recommend an appropriate name to the Board for consideration. At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed name and a brief narrative individually to Regents and the President and Chief Executive Officer of the Board at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the name is to be considered. No public communication of a proposed name shall be made until the name is presented for consideration at the open meeting of the Board. Proposed names for campuses require approval by the Board in accordance with this policy whether the proposed name or name change also requires legislative action. Any naming or re-naming requiring legislative action shall also follow the Board's policies and processes for seeking legislation.

## CHANGES TO STATE UNIVERSITY CEO ASSESSMENT INSTRUMENT AND PROCESS

General Counsel Miller stated that one of the Board's goals this year is for the Governance Committee to continue aligning the Board's CEO evaluation tool with state university CEO goals. The Governance Committee reviewed the Board's CEO assessment instrument and process and recommends the following changes: 1) further incorporate the Board's strategic plan, *Building a Future*, 2) add a performance indicator to the Culture and Climate category in Section IV to highlight promotion of the First Amendment and civil discourse, 3) in Section VI, replace baseline data and the snapshots that had been provided in prior years with a link to a PDF that will contain metrics for each pillar, drawn from the Board's strategic plan document, and the most current data for each university, and 4) in Section VI, add questions specific to enrollment and on-time graduation trends, selection of programs for and development of Pillar II goals, and the CEO's plan for economic prosperity. The Committee also recommends using five-year trend data for the on-time graduation and enrollment metrics. General Counsel Miller stated that the Committee also reviewed the *Building a Future* metrics that will accompany the instrument and noted that the Regents will have an opportunity to provide feedback on what data to include for assessment purposes. In regard to the process, the Committee recommends directing the presidents and Chancellor to include in their 2022-2023 proposed goals at least one that addresses their plan for facilities renewal and one that addresses legislative engagement. The Board discussed the evaluation process, and it was noted that the data piece can still be adjusted because it is part of the *Building a Future* report. The Chancellor expressed his concern that the CEOs may not be

able to address the changes since they have been working under the current document for this evaluation cycle. President Flanders noted that the proposed changes further incorporate the Board's strategic plan, which the universities have been working under since the Board adopted its new plan. The Board also discussed the self-assessment process, and it was noted that the executive summary in the self-assessment is not needed if the CEOs would rather use those pages to provide more details on other subjects. Following discussion, Regent Rolph moved to approve the changes to the CEO assessment tool. Regent Kiblinger seconded, and the motion carried.

(CEO Assessment Tool filed with Official Minutes)

#### EXECUTIVE SESSION

At 5:15 p.m., Regent Rolph moved, followed by the second of Regent Lane, to recess into executive session in the Kathy Rupp Conference Room for 30 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was a regular exit interview, and the purpose was to protect the privacy of the individual Board employee involved. Participating in the executive session were members of the Board, President Flanders, and President Myers. The motion carried. At 5:45 p.m., the meeting returned to open session. At 5:46 p.m., Regent Feuerborn moved to extend for 15 minutes. Regent Winter seconded, and the motion carried. At 6:01 p.m., the meeting returned to open session.

#### RECESS

Chair Harrison-Lee recessed the meeting at 6:01 p.m.

#### RECONVENE

Chair Harrison-Lee reconvened the meeting at 9:45 a.m. on Thursday, December 16, 2021.

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

MEMBER ABSENT: Bill Feuerborn

#### CONSIDERATION OF DISCUSSION AGENDA

##### Presentation

#### DISCUSSION ON COMMUNICATION AND PLANNING STRATEGIES

Chair Harrison-Lee introduced Ed O'Malley who is the founding President and Chief Executive Officer of the Kansas Leadership Center. The Center works with individuals and groups each year in extensive leadership development trainings.

Participating in the work session were members of the Board, the state university CEOs, and the two representatives for the community and technical colleges. Mr. O'Malley led the group through several discussion sessions on communication and messaging. Some of the key takeaways from the discussion include the following points: 1) the participants believe it is important to have more time to discuss the complex issues facing higher education and would like to have more dialogue during the Board meetings on these issues, 2) the goals and messaging for the higher education system need to be clear and connected to the needs of Kansans, and 3) it is important for the institutions to maintain their uniqueness while working to achieve the goals of the system.

Chair Harrison-Lee thanked Mr. O'Malley for his leadership and stated that the Board will discuss the next steps at the January meeting.

**ADJOURNMENT**

The Chair adjourned the meeting at 11:47 a.m.

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Blake Flanders, President and CEO

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Cheryl Harrison-Lee, Chair