

KANSAS BOARD OF REGENTS

MINUTES

May 14-15, 2008

The May 14, 2008, meeting of the Kansas Board of Regents was called to order by Chairman Christine Downey-Schmidt at 1:40 p.m. The meeting was held in Board offices located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT: Christine Downey-Schmidt, Chairman
Donna Shank, Vice Chairman
Jerry Boettcher
Jill Docking
Dick Hedges
Dan Lykins
Janie Perkins
Gary Sherrer
Bill Thornton

APPROVAL OF MINUTES

Regent Docking moved that the minutes of the April 16-17, 2008, meeting be approved. Following the second of Regent Perkins, the motion carried.

REPORTS

REPORT FROM CHAIR

Regent Downey-Schmidt acknowledged with sadness the death of Representative Ted Powers.

Along with Regents Docking and Sherrer, Regent Downey-Schmidt attended the investiture ceremony at the KU School of Medicine in Wichita for Dr. Thomas K. Schulz, the recipient of the Gaines professorship. The Chairman attended the KU celebration in the capitol for the football team, basketball team, and debate team. She spoke at the Hutchinson Community College commencement ceremony and will be representing the Board at the University of Kansas commencement events.

REPORT FROM OTHER REGENTS

Regent Docking attended the faculty awards ceremony where Dr. Larry Spurgeon, new Faculty Senate President for the WSU, was recognized as the outstanding faculty member.

Regent Perkins spoke at PSU as part of the Tilford Lecture Series and enjoyed touring the campus after the event. She also spoke at the Seward County Community College commencement.

Regent Hedges logged over 1,000 miles traveling to community colleges and technical institutions west of Highway 81.

REPORT FROM PRESIDENT AND CEO

President Robinson acknowledged the efforts of Revenue Secretary Joan Wagnon, her staff, and Regents system representatives in establishing regulations to implement the deferred maintenance tax credit program.

Mr. Robinson was invited to serve as a member of the accrediting council for Journalism and Mass Communication. While attending the first meeting recently, the council adopted standards related to learner outcomes. In conjunction with the P-20 Education Council established by the Governor, Mr. Robinson recently met with the Council Co-Chairs, Christine Downey-Schmidt and Bill Wagnon, along with Commissioner of Education Alexa Posny to draft an initial agenda. Current plans are to meet with the Governor, followed by a Council meeting this summer.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Duane Dunn briefed the Board on the meeting of the System Council of Presidents the previous day. SCOPs received a report from the System Council of Chief Academic Officers regarding its discussion of legislation that permits concurrent enrollment for 10th grade students and 9th grade gifted students. Board staff drafted policy language to implement the legislation; however, SCOCAO did not approve the policy due to philosophical disagreement with the legislation.

SCOPS received a report from the System Council of Business Officers regarding the process for sector allocations of FY 2009 State General Funds. SCOPS approved the proposed concept to allocate the new SGF appropriations across-the-board to the sectors.

APPROVAL OF CONSENT AGENDA

Regent Perkins moved, with the second of Regent Lykins, that the Consent Agenda be approved. The motion carried. The following program requests received approval.

Academic Affairs

REQUEST FOR ADDITIONAL DEGREE GRANTING AUTHORITY FOR (1) AN AAS IN MEDICAL ASSISTING, (2) AN AAS IN MEDICAL INSURANCE CODING, AND (3) AN AAS IN HEALTH CARE ADMINISTRATION FOR WRIGHT BUSINESS SCHOOL

Degree granting authority was approved for Wright Business School to offer an Associate of Applied Science in Medical Assisting, Associate of Applied Science in Medical Insurance Coding, and an Associate of Applied Science in Health Care Administration. Any reference in the institution's publications or communications to the Kansas Board of Regents should refer to the Board's approval of degree granting authority and the institution must apply annually for its Certificate of Approval to operate a school and grant degrees in the state of Kansas.

COMMUNITY COLLEGE, TECHNICAL COLLEGE, AND TECHNICAL SCHOOL REQUEST FOR APPROVAL OF CERTIFICATE IN ELECTRICAL TECHNOLOGY FOR KANSAS CITY AREA TECHNICAL SCHOOL AND FOR TWO CERTIFICATE PROGRAMS (1) FLORICULTURE AND (2) SUSTAINABLE AGRICULTURE ENTREPRENEURSHIP FOR JOHNSON COUNTY COMMUNITY COLLEGE

Kansas City Kansas Area Technical School received approval for the new certificate program of **Electrical Technology** (CIP 46.0302). The certificate program will consist of 57 credit hours with a budget of \$65,000 (\$55,000 for salaries and \$10,000 for equipment), which will be funded through tuition and fees.

Approval was given to **Johnson County Community College** for the following two new certificate programs:

Program in **Floriculture** (CIP 01.0608) consisting of 28-30 credit hours with a budget of \$23,000 (\$16,182 for salary and \$7,200 for equipment), which will be funded through tuition and fees.

Program entitled **Sustainable Agriculture Entrepreneurship** (CIP 01.0601) consisting of 28 credit hours. The budget for the program is \$81,450. JCCC received \$19,000 through a USDA grant and the additional \$36,550 will be funded through tuition and fees.

CONSIDERATION OF DISCUSSION AGENDA

The Chairman announced that consideration of the affiliation/merger between Kansas City Area Technical School and Kansas City Kansas Community College would be postponed until June.

Academic Affairs

REQUEST FOR DEGREE GRANTING AUTHORITY FOR (1) AAS IN CULINARY ARTS, (2) AAS IN GRAPHIC DESIGN, (3) BA IN ADVERTISING, (4) BA IN CULINARY ARTS, (5) BA IN DIGITAL FILMMAKING AND VIDEO PRODUCTION, (6) BA IN FASHION MARKETING, (7) BA IN GRAPHIC DESIGN, (8) BA IN INTERIOR DESIGN, AND (9) BA IN WEB DESIGN AND INTERACTIVE MEDIA FOR THE ART INSTITUTES INTERNATIONAL KANSAS CITY

Vice President Alexander introduced the request from Art Institutes International Kansas City. Regent Docking moved, followed by the second of Regent Boettcher, to authorize a Certificate of Approval to Art Institutes International Kansas City to open as a school beginning in August 2008 and authorized degree granting authority for 1) AAS in Culinary Arts, 2) AAS in Graphic Design, 3) BA in Advertising, 4) BA in Culinary Arts, 5) BA in Digital Filmmaking and Video Production, 6) BA in Fashion Marketing, 7) BA in Graphic Design, 8) BA in Interior Design, and 9) BA in Web Design and Interactive Media. The motion carried.

REQUEST FOR DEGREE GRANTING AUTHORITY FOR (1) AAS IN ORIENTAL BODYWORK AND (2) MS IN ORIENTAL MEDICINE FOR THE KANSAS COLLEGE OF CHINESE MEDICINE

Regent Docking moved that The Kansas College of Chinese Medicine be authorized to grant an Associate of Applied Science in Oriental Bodywork and a Master of Science in Oriental Medicine at its Wichita campus. Following the second of Regent Sherrer, the motion carried.

AFFILIATION/MERGER FOR KAW AREA TECHNICAL SCHOOL AND WASHBURN UNIVERSITY

Regent Sherrer moved, with the second of Regent Lykins, that the affiliation agreement between Kaw Area Technical School and Washburn University be approved. The motion carried. The agreement will become effective July 1, 2008.

Fiscal Affairs and Audit

REPORT ON FY 2009 STATE BUDGET AND DISCUSS BOARD'S FY 2010 UNIFIED BUDGET DEVELOPMENT PROCESS

Vice President Duffy distributed a memo and chart reflecting the FY 2009 legislative appropriations made available to the Regents system through the mega appropriations bills, the pay bill, the omnibus appropriations bill, and legislation that provided funding for the Kansas Academy of Math and Sciences, which total \$30,007,738, an increase of 3.6% over FY 2008. The breakdown is provided in the table below:

**KANSAS BOARD OF REGENTS
FY 2009 HIGHER EDUCATION UNIFIED BUDGET REQUEST - STATE FUNDS¹
COMPARED WITH GOVERNOR BUDGET RECOMMENDATIONS AND LEGISLATIVE CHANGES
Approved Appropriations as of May 13, 2008**

	FY 2008 Item Base Appropriations	Legislature Increase	% Incr.
All Higher Education Sectors			
Combined Operating Grants Total	\$789,427,156	24,916,164	
Total - Higher Education Sectors	\$789,427,156	\$24,916,164	3.20%
Student Financial Assistance			
Military Service Scholarship	\$250,000	\$250,000	
KSU Vet Training Program	\$200,000	\$100,000	
Total - Student Financial Assistance	\$24,947,041	\$350,000	1.40%
Board of Regents Office			
3.4% HEPI Increase/Operating Increase/Decrease	\$4,282,953	(\$193,325)	
Total - Board of Regents Office	\$4,282,953	(\$193,325)	-3.10%
Other Postsecondary Education Programs			
Technical Education Technology & Equip Grants	\$3,883,502	(\$4,000,000)	
Kansas Academy of Math & Science (start-up)	\$4,000,000	\$195,000	
Cheyenne Bottoms Educational Center Staffing	\$100,000	\$209,430	
Nursing Faculty and Supplies Program	\$1,800,000	\$100,000	
Total - Other Postsecondary Ed. Programs	\$9,783,502	(\$3,495,570)	35.70%

Specific Initiatives

Wichita Center For Graduate Medical Education	\$1,000,000	\$1,500,000
Aviation Research (NIAR)	\$4,750,000	\$250,000
Aviation Infrastructure		\$5,000,000
KU School of Pharmacy		\$1,000,000
Total - Specific Initiatives	\$5,750,000	\$7,750,000

Facility Maintenance

PEI Infrastructure Debt Service		\$680,469
Total - Building Maintenance		\$680,469

Grand Total	\$836,190,652	\$30,007,738	3.60%
Grand Total, Excluding Facility Maintenance	\$836,190,652	\$29,327,269	3.50%
Faculty of Distinction Program (Revenue Transfer)	\$5,000,000	\$1,000,000	

Note: HEPI is the Higher Education Price Index. In FY 2009, appropriations will be reduced for FY 2008 one-time bonuses of \$7,727,391 for the universities and \$32,486 for the Board Office.

¹ The table reflects appropriations from State General Fund, Economic Development Initiatives Fund, and Expanded Lottery Act Revenue Fund.

Discussion then moved to development of the FY 2010 unified budget process. Vice President Duffy reported that the System Council of Business Officers began meeting in December 2007 to review data and develop a timeline for development of the FY 2010 unified budget. She presented the Council's recommendation for development of the budget, broken down in the categories of Keeping Up, Catching Up, Stepping Up, and Building Up. Extensive discussion followed. Ms. Duffy noted that SCOBO supports the block grant concept, but is still considering what individual pieces will comprise the block grant. The Board will determine the FY 2010 unified budget development process at its June meeting.

STATUS REPORT ON DEVELOPMENT OF A BOARD SUSTAINABILITY POLICY

Director of Facilities Eric King addressed the issue of establishing a Board policy for sustainability, noting that President Robinson provided information related to campus efforts earlier. Mr. King reported that the Council of Business Officers appointed a subcommittee to review the matter and develop a recommendation for a system policy. The Business Officers and campus architects serving on that subcommittee have reviewed practices in other states. They found that there is a broad range of issues addressed in those policies, from minimal to detailed and those that cover only buildings/facilities to those that cover a far broader spectrum.

Mr. King expects the Council of Business Officers to recommend to the Council of Presidents that the subcommittee be expanded to include academic officers, students, university sustainability personnel, Board staff and perhaps a member-at-large. He anticipates that a report will be available for COPs in September.

President Robinson supported Mr. King's comments, noting that a meaningful policy might address such things as use of styrofoam cups, purchase of motor vehicles and recycling.

RECESS

The Chairman announced a recess at 3:05 p.m. The meeting resumed at 3:20 p.m.

Other MattersREPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Joe Glassman, Chairman of the Kansas Postsecondary Technical Education Authority, provided a report of the Authority's recent meeting and activity. Communication is going well with the Department of Education and the Authority plans to work with the Kansas Career Pipelines System to develop interest assessments for students, perhaps at the 5th or 6th grade level. The Authority has established committees and liaison groups for areas of interest. Liaisons have been assigned to interact with the community colleges and technical institutions. The marketing committee has contracted with a firm in Overland Park. The budget/finance committee is discussing a funding formula. The standards committee is working to identify the standards of excellence that are desired. Mr. Glassman reported that the Authority is concentrating on a cluster of six industries identified by the Governor.

REPORT ON KANSAS CORPS

Allie Crouse, WSU Student Body President, provided an overview of Kansas Corps and the many civic opportunities for students. A budget has been developed for Kansas Corps and Ms. Crouse requested that the Board include full funding for the organization in its FY 2010 budget request. Additionally, the recommendation proposes that Kansas Corps be housed with or work closely with the Kansas Campus Compact.

Dr. Curt Brungardt, Director of the FHSU Center for Civic Leadership, spoke in support of the Kansas Corps proposal, suggesting that Kansas Corps become a systemwide priority for the state. He proposed that the civic engagement opportunities available through Kansas Corps be coordinated at the system level, rather than at the institutional level.

POLICY AMENDMENT REGARDING POSSESSION OF WEAPONS ON STATE UNIVERSITY CAMPUSES

General Counsel Julene Miller called attention to a slightly revised edition of a proposed policy on Weapons Possession. Regent Boettcher moved, with the second of Regent Lykins, that the proposed policy, as revised, be adopted. The motion carried. The following language will be added to the Policy Manual in new section II.G.30.:

POLICY ON WEAPONS POSSESSION

- a. To the extent allowed by law and except as otherwise provided herein, the campus of each state university shall be weapons-free. Each entrance to each building and facility on each campus shall be posted in accordance with K.S.A. 2007 Supp. 75-7c10, 75-7c11, K.A.R. 16-11-7, K.S.A. 21-4218 and K.A.R. 1-49-11, and amendments thereto. Additional signs may be posted as appropriate. Notice of this policy shall also be given in each state university's student code of conduct, housing contracts and employee policies.
- b. Nothing in this section shall be read to prohibit possession of weapons on campus (1) as necessary for the conduct of Board approved academic programs or university

approved activities or practices, or (2) by university police or security officers while acting within the scope of their employment. Each university shall develop and follow procedures for the safe possession, use and storage of such weapons and shall notify the Board in writing of any activities or practices involving weapons that are approved by the university under paragraph (1) of this subsection b.

- c. For the purpose of this policy, "weapons" means:
1. Any object or device which will, is designed to, or may be readily converted to expel bullet, shot or shell by the action of an explosive or other propellant;
 2. any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including concealed weapons licensed pursuant to the Personal and Family Protection Act, and amendments thereto;
 3. any BB gun, pellet gun, air/C'O2 gun, stun gun or blow gun;
 4. any explosive, incendiary or poison gas (A) bomb, (B) mine, (C) grenade, (D) rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge of more than ¼ ounce;
 5. any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;
 6. any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray shall not be deemed to be a weapon for the purposes of this policy;
 7. any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;
 8. any straight-blade knife of four inches or more such as a dagger, dirk, dangerous knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solely in the preparation or service of food shall not be construed to be a weapon for the purposes of this policy;
 9. any martial arts weapon such as nunchucks or throwing stars; or
 10. any longbow, crossbow and arrows or other projectile that could cause serious harm to any person.

POLICY AMENDMENT REGARDING BACKGROUND CHECKS ON STATE UNIVERSITY CAMPUSES

Ms. Miller shared revised policy language related to background checks on new hires. Discussion followed about the institutional implementation date in which it was noted that it will take time to establish institutional protocol on access to information and it may be a condition of employment to be negotiated with faculty bargaining units.

Regent Sherrer moved that the policy language be adopted with an amended timeline of September 1, 2008, for universities to submit implementation policies. Following the second of Regent Docking, the motion carried. The following policy statement will be added to the Policy Manual as section II.F.2.:

f. Criminal Background Checks

- (1) In addition to verifications required by law and except as otherwise provided in this policy or under the approved implementation plan of a state university, each state university shall provide for the performance of a criminal background check on each person hired for a state university position, other than temporary or limited term employees to be employed for six months or less and student hourly employees. Criminal background checks shall be conducted either prior to the extension of an offer for employment, or as part of an offer of employment that is made contingent upon a successful criminal background check.
- (2) For purposes of this policy, a criminal background check shall include:
 - (a) Criminal history record searches for felony and misdemeanor convictions at the county and federal levels in every jurisdiction where the candidate currently resides or has resided. Such searches should cover a minimum of the last seven years.
 - (b) Sex offender registry searches at the county and federal levels in every jurisdiction where the candidate currently resides or has resided.
 - (c) Other verifications as required by law for specified positions.
- (3) Each state university shall develop a plan for implementing this policy and submit it to the Board for approval. Each university's plan shall address the following:
 - (a) Optional Positions Covered. Unless otherwise required by law to perform a background check for specified positions, state universities have the option to perform background checks on position categories in addition to those stated above, such as (i) temporary or limited term employees (six months or less); (ii) positions to be filled by a vendor or contractor; (iii) hourly student employees; (iv) interns; and (v) unpaid volunteers, and may perform more extensive checks than those required above. In making this determination, state universities shall consider the level of direct supervision and guidance provided to individuals in these categories and the nature of the duties of the job.
 - (b) Procedures for Implementation. Each state university shall establish procedures for (i) obtaining a release from the prospective employee allowing the university to access their criminal history record information, as authorized by K.S.A. 22-4710; (ii) determining the relevance of information obtained through a background check to the prospective employee's trustworthiness or the safety or well-being of the university's students and other employees, as required by K.S.A. 22-4710; (iii) how records gathered and documents prepared in furtherance of a criminal background check will be maintained confidentially and securely and identification of university officials who will serve as custodian of

criminal background check record files; and (iv) compliance with the Fair Credit Reporting Act.

- (4) Each state university shall submit its plan to the board for approval no later than September 1, 2008, with implementation to occur as of that date.

ANNUAL CAMPUS REPORT – KANSAS STATE UNIVERSITY

President Jon Wefald presented his annual report to the Board. Calling attention to the growth of the University in recent years, Dr. Wefald reported that there are currently over 23,000 KSU students, including over 1300 international students. Research funding is another area of growth and the President noted that the awards have reached \$220 million.

Dr. Wefald cited the number of students who have been awarded elite scholarship opportunities and called attention to the student advising programs for those students. The University is an entrepreneurial institution and contributes \$3 billion a year to the Kansas economy. The University identified Food Safety and Security as a priority

EXECUTIVE SESSION

At 5:00 p.m., Regent Shank moved, with the second of Regent Thornton, that the meeting of the Board recess into executive session for an hour to discuss personnel matters of non-elected personnel, the annual assessment of President Jon Wefald. The motion carried. Participating in the executive session were members of the Board, President Robinson and President Wefald. At 6:00 p.m., Regent Shank moved that the meeting return to open session. Following the second of Regent Thornton, the motion carried.

RECESS

The Chairman recessed the meeting at 6:00 p.m., to resume the following morning at 9:30 a.m.

RECONVENE

Chairman Downey-Schmidt reconvened the meeting at 9:35 a.m. on Thursday, May 15.

MEMBERS PRESENT: Christine Downey-Schmidt, Chair
 Donna Shank, Vice Chair
 Jerry Boettcher
 Jill Docking
 Dick Hedges
 Dan Lykins
 Gary Sherrer
 Bill Thornton

MEMBERS ABSENT: Janie Perkins

INTRODUCTIONS

Newly elected faculty and student government leaders were introduced. Chancellor Hemenway introduced Adam McGonigle as Student Body President, Michael Gray as Student Legislative Director, and Dr. Nancy Kinnersley, Faculty Senate President. Dr. Mark Johnson, who served as the PSU Student Body President twenty-five years ago, is the Faculty Senate President for the year. Eddie Penner is PSU's recently elected Student Government President and he will serve with Andrea Cole as Vice President. Emily Waters, PSU Student Legislative Director, was also introduced by President Bryant. WSU President Beggs introduced Zach Gearhart, Student Government Association President, and Dr. Larry Spurgeon, Faculty Senate President. Angela Blaufuss, Student Government President and Dr. Amy Sage Webb, Faculty Senate President, were introduced by ESU President Lane. President Wefald, KSU, introduced Lydia Peele, Student Body President, and Dr. Fred Fairchild, Faculty Senate President. Appreciation was expressed to outgoing student and faculty leadership

AMEND AGENDA

Chairman Downey-Schmidt amended the agenda to include Consideration of KSU Presidential Search as VIII.C.2., with appropriate renumbering to follow.

REPORTS**REPORT FROM COUNCIL OF PRESIDENTS**

President Michael Lane briefed the Board on the Council of Presidents meeting held the previous day. He noted that COPS received the following report from the Council of Chief Academic Officers. COCAO acted on two new program requests and will be watching for new teacher certification processes to be developed by the Kansas State Department of Education.

The Council of Business Officers reported to COPs on its discussion earlier in the month. COBO met with the Pooled Money Investment Board and will continue to meet with the Board to seek ways to increase future interest earnings. After a conversation with Consultant Scott Wightman regarding property insurance, COBO recommended moving forward with purchasing property insurance independent of the state's program. The Committee on Surety Bonds and Insurance adopted the insurance proposal for the state's plan, excluding the university properties, and the state universities will proceed to acquire insurance separate from the state's plan. Following the report, COPs voted to proceed with acquisition of insurance for the state universities with coordination through the University of Kansas. COBO recommended, and COPs concurred, that the appropriation for the pay plan be requested from the State Finance Council in the same amount as the Board requested as part of the block grant.

COBO discussed tuition fee proposals and some institutions are considering adjustments in June to its first reading proposal since the Block Grant legislative appropriation is less than the Governor's recommendation. COBO discussed an annual report on debt and Vice President Duffy plans to determine if the report completed by the Kansas Development Finance Authority is adequate.

COBO discussed the need to develop a sustainability policy and recommended appointing a task force comprised of representatives from facilities' departments, Business Officers, Academic

Affairs, student community and perhaps one of the university sustainability officers. COPs voted to proceed with the appointment of a task force.

Distribution of the Operating Grant among the state universities was discussed and COBO recommended that the current methodology for distribution be continued in FY 2009 and any recommended changes be pursued for FY 2010.

COPs received an update from General Counsel Julene Miller regarding a Weapons Policy and reviewed the proposed policy changes.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Dr. Harvey Foyle, Chairman of the Council of Faculty Senate Presidents, reported that he and other Council members discussed the Board's strategic agenda with Faculty Senate Presidents who will be serving the 2008-2009 academic year. Dr. Foyle introduced Dr. Larry Spurgeon, Wichita State University, who will be serving as Chair of the Council for the upcoming year.

Dr. Foyle thanked the Board for the opportunity to serve as COFSP Chair this year. In turn, Chairman Downey-Schmidt presented a plaque of appreciation to Dr. Foyle for his leadership and assistance during the year.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Courtney George, Students' Advisory Committee, updated the Board of the Committee's recent meeting. Newly elected student body leaders attended the meeting. Kansas Corps was discussed and it was determined that SAC will become the student advisory committee for the Corps. Eddie Penner, PSU, and Tyler Hughes, FHSU, were appointed to the Student Insurance Advisory Committee. Zach Gearhart, WSU, was elected to serve as SAC Vice Chair and Lydia Peele, KSU, was elected SAC Chair for the upcoming year.

In reflecting on the year, Courtney noted that SAC worked on the academic advising report to the Board, Higher Education Day, and the Kansas Corps. On behalf of the students, Courtney expressed thanks to the members of the Board. She, too, was given a certificate of appreciation for leading the Students' Advisory Committee.

APPROVAL OF CONSENT AGENDA

Regent Docking moved that the Consent Agenda be adopted: Following the second of Regent Thornton, the motion carried. The following items were approved:

Fiscal Affairs and Audit

AUTHORIZATION TO AMEND REHABILITATION AND REPAIR LIST FOR FY 2008 TO INCLUDE REPLACING BUILDING ELECTRICAL SERVICE ENTRANCE EQUIPMENT AT CORBIN RESIDENCE HALL – KU

The University of Kansas received approval to design and install new building primary electrical service entrance equipment and all associated wiring at Corbin Residence Hall. The estimated cost of the project is \$292,400 and will be funded with Housing System Repair, Equipment and Improvement Funds.

AMEND FY 2009 REPAIR & REHABILITATION LIST TO INCLUDE CONSTRUCTION OF AN EQUINE PERFORMANCE TESTING ARENA FOR THE COLLEGE OF VETERINARY MEDICINE – KSU

Kansas State University was authorized to amend its FY 2009 repair and rehabilitation plan to include construction of an Equine Performance Testing Arena for the College of Veterinary Medicine. The 13,560 square foot facility is expected to cost approximately \$610,000 and will be funded by private gifts on deposit at the KSU Foundation and Veterinary Medicine Teaching Hospital Revenue fund. All utilities and maintenance costs for the Arena will be paid by Veterinary Medicine Teaching Hospital revenue.

FINAL PLANS AND SPECIFICATIONS FOR THE MCCRAY HALL RENOVATION – DEFERRED MAINTENANCE PROJECT – PSU

Approval was given to Pittsburg State University for the Final Plans and Specifications proposed for the McCray Hall Renovation. The renovation is a Deferred Maintenance project. The estimated cost of the project is approximately \$2.3 million, funded from FY 2008 and FY 2009 allocations.

FUNDRAISING AND INSTALLATION OF NEW AUDIO/VISUAL COMMUNICATIONS SYSTEM FOR THE CARNIE SMITH STADIUM - PSU

Pittsburg State University received approval to raise private funds for the installation of a new audio-visual communications system to replace the existing score board at the Carnie Smith Stadium. The project is estimated to cost \$1.7 million and will be funded entirely from private gifts.

CONSIDERATION OF DISCUSSION AGENDA

Academic Affairs

PROGRAM REVIEW REPORT FOR 2007

Vice President Gary Alexander presented the 2007 Program Review Report, noting that the KUMC Obstetrics and Gynecology program is on probation, rather than the program at KU-Wichita. He stated that 2005 was the final year of the eight year cycle for universities to complete a review of its academic programs, and that the Board approved a moratorium to evaluate the process and its connection to the Kansas Postsecondary Database (KSPSD). Dr. Alexander reported that data reflected in the 2007 minima tables was determined primarily from the KSPSD. Institutional and program accreditation status was included in the information submitted to the Board.

Dr. Alexander reported Emporia State was unable to access all of its information due to the University's moving from one computer program to another and its program review was postponed. The University of Kansas revised its schedule and plans to review programs in the professional schools in 2011 and in the College of Liberal Arts and Sciences in 2012.

Regarding accreditation, Dr. Alexander indicated that all the institutions are accredited by the Higher Learning Commission of the North Central Association. The information provided to the Board included the list of individual specialized program accreditations. That listing reflected that the Fort Hays Business and Leadership Program is a candidate for accreditation and the Wichita State Athletic Training Program is in process. Regent Shank noted that the format of the information provided is much better than previous reports and she thanked Board staff for addressing that issue.

Discussion followed. A question was asked regarding the reporting and assessment of academic advising at the departmental level. Although not formally noted, Dr. Alexander indicated that he thought that such a review had occurred, and Regent Shank agreed, noting that Board policy sets out that the report to the Board be done at the institutional level. Regent Shank suggested that information be included in future reports to reflect that the institution is addressing areas of concern related to academic advising issues that arise.

The discussion moved to the program review process and how to make the information provided more meaningful. It was suggested that rationale be included when the recommendation noted is a discontinuance for the program, but the outcome is that the program will continue. Regent Sherrer indicated that he would appreciate knowing if programs continue to be relevant and justify use of resources to continue. Regent Shank called attention to the decision of the University of Kansas to delay review for another three years, in spite of having two years during the moratorium to have a new approach in place. In addressing the issue of KU delaying its review and not including information this year, Provost Lariviere indicated that, in order to provide the Board a comprehensive review, the University is conducting an extensive and very expensive outside review of every department in the College of Liberal Arts and Sciences. That will be completed in 2012 but could be preliminarily made available now. Regent Boettcher suggested that the Board continue its discussion at a later date to determine what institutional information would be most helpful to the Regents and the institutional CEOs will be able to provide meaningful information.

The topic moved to accreditation. Dr. Atkinson was asked to explain the ramifications of program probation means. She reported that all of the fourteen programs on the Wichita campus and forty-two programs at KUMC have accreditation. One KUMC program has been identified for corrective action. Usually a follow-up review is conducted on such programs within two years and if the shortcomings have not been corrected, a program can be withdrawn.

Regent Docking moved that the 2007 Program Review Report, including minima tables, advising and accreditation reports, and program review narrative be adopted. Following the second of Regent Thornton, the motion carried.

Fiscal Affairs and Audit

FY 2009 STATE UNIVERSITY TUITION RATES AND REQUIRED ACADEMIC FEE PROPOSALS (FIRST READING)

The first reading of proposed FY 2009 state university tuition rates was provided by representatives of the state universities. President Lane noted that the ESU request may need to

be adjusted somewhat since the legislative appropriation did not meet the level identified in the Governor's budget recommendation. President Hammond submitted a revised proposal for FHSU that included an increase to offset the reduced appropriation. Vice President Tom Rawson introduced the KSU proposal incorporating a new three-tier approach and establishing a separate rate structure for KSU-Salina.

RECESS

Chairman Downey-Schmidt announced a recess at 11:45 a.m. The meeting resumed at 11:54 a.m.

TUITION, continued.

President Bryant presented the PSU request, noting that he does not anticipate a revision to offset the legislative appropriation. In sharing the WSU proposal, President Beggs noted his concern about the outcome of the Hay Study and the undermarket salary issues that will need to be addressed. Chancellor Hemenway and Provost Lariviere explained the KU tuition proposal and justification for the proposed tuition compact increase. Students from the KU Social Welfare Department were in attendance to support initiating course fees to benefit the School of Social Welfare.

The following tables reflect the rates presented by the universities. Table I sets out proposed tuition rates, and Table II incorporates both tuition and student fees.

(University Proposals Filed with Official Minutes)

TABLE I								
STATE UNIVERSITIES' PROPOSED TUITION RATES FOR FIRST READING BY BOARD OF REGENTS, MAY 2008								
<i>(TUITION ONLY, EXCLUDES REQUIRED STUDENT FEES)</i>								
(Amended 5/15/08 to reflect FHSU revision)								
PROPOSED FY 2009 TUITION FOR FULLTIME UNDERGRADUATE STUDENTS, PER SEMESTER ¹								
	KU							
	Lawrence		KSU	KSU-Salina	WSU	ESU	PSU	FHSU
	(Standard) ³		(Lower Div.) ⁴					
Resident Undergraduate								
FY 2008 Approved Tuition	\$2,922.00		\$2,812.50	\$2,812.00	\$1,956.00	\$1,570.00	\$1,617.00	\$1,299.00
FY 2009 Proposed Tuition	\$3,097.50		\$2,910.00	\$2,812.00	\$2,053.50	\$1,639.00	\$1,710.00	\$1,370.25
Proposed \$ Increase	\$175.50		\$97.50	\$0.00	\$97.50	\$69.00	\$93.00	\$71.25
Proposed % Increase	6.0%		3.5%	0.0%	5.0%	4.4%	5.8%	5.5%
Non-resident Undergraduate								
FY 2008 Approved Tuition	\$7,675.50		\$7,680.00	\$7,680.00	\$5,629.50	\$5,595.00	\$5,520.00	\$4,893.00
FY 2009 Proposed Tuition	\$8,136.00		\$7,950.00	\$7,680.00	\$5,910.75	\$5,875.00	\$5,837.00	\$5,162.25
Proposed \$ Increase	\$460.50		\$270.00	\$0.00	\$281.25	\$280.00	\$317.00	\$269.25
Proposed % Increase	6.0%		3.5%	0.0%	5.0%	5.0%	5.7%	5.5%
PROPOSED FY 2009 TUITION FOR FULLTIME GRADUATE STUDENTS, PER SEMESTER ²								
	KU	KU-Med.		KSU-Vet.				
	Lawrence	School	KSU	School	WSU	ESU	PSU	FHSU
Resident Graduate								
FY 2008 Approved Tuition	\$2,887.80	\$11,243.00	\$3,054.00	\$5,820.00	\$2,194.80	\$1,884.00	\$1,882.00	\$1,552.80
FY 2009 Proposed Tuition	\$3,061.20	\$11,861.40	\$3,180.00	\$6,075.00	\$2,304.60	\$1,978.00	\$1,990.00	\$1,638.00
Proposed \$ Increase	\$173.40	\$618.40	\$126.00	\$255.00	\$109.80	\$94.00	\$108.00	\$85.20
Proposed % Increase	6.0%	5.5%	4.1%	4.4%	5.0%	5.0%	5.7%	5.5%
Non-resident Graduate								
FY 2008 Approved Tuition	\$6,900.60	\$19,938.50	\$7,026.00	\$13,687.50	\$6,393.60	\$5,700.00	\$5,214.00	\$4,600.80
FY 2009 Proposed Tuition	\$7,314.60	\$21,035.10	\$7,332.00	\$14,295.00	\$6,713.40	\$5,985.00	\$5,514.00	\$4,854.00
Proposed \$ Increase	\$414.00	\$1,096.60	\$306.00	\$607.50	\$319.80	\$285.00	\$300.00	\$253.20
Proposed % Increase	6.0%	5.5%	4.4%	4.4%	5.0%	5.0%	5.8%	5.5%
¹ Tuition rates for fulltime undergraduate students are based upon 15 credit hours.								
² Tuition rates for fulltime graduate students are based upon 12 credit hours, except medical students.								
³ Standard tuition rates are the per-credit-hour rates that all KU resident and nonresident students, except first-time, degree seeking freshmen, will pay. In contrast, the Compact Tuition Rates are the fixed, four-year, per-credit-hour rates that first-time, degree-seeking freshmen, resident and nonresident, will pay, beginning with the Fall 2008 KU Freshman class. The proposed Compact Tuition Rates per credit hour is calculated as follows: the FY 2008 standard tuition rate compounded for four years: at a 6% rate for the first year, 8% for the second year, 7.5% for the third year, and 7% for the fourth year. The generated rates for each of the four years are summed, then divided by 4 to derive the Compact Tuition Rates.								
⁴ The KSU figures reflect proposed rates for lower division. A higher rate would be charged for upper division. For example, the proposed resident, upper division rate would be \$2,955 for FY 09, an increase of 5.1%.								

TABLE II
STATE UNIVERSITIES' PROPOSED TUITION AND FEE RATES FOR FIRST READING BY BOARD OF REGENTS, MAY 2008
(INCLUDES REQUIRED STUDENT FEES)
 (Amended 5/15/08 to reflect FHSU revision)

PROPOSED FY 2009 TUITION AND REQUIRED FEES FOR FULLTIME UNDERGRADUATE STUDENTS, PER SEMESTER¹								
	KU Lawrence	KU-Med. School	KSU	KSU-Salina	WSU	ESU	PSU	FHSU
	(Standard) ³		(Lower Div.) ⁴					
Resident Undergraduate								
FY 2008 Approved Tuition and Fees	\$3,299.75		\$3,117.40	\$3,111.66	\$2,402.00	\$1,963.00	\$2,030.00	\$1,677.75
FY 2009 Proposed Tuition and Fees	\$3,520.85		\$3,246.60	\$3,111.66	\$2,523.50	\$2,060.00	\$2,161.00	\$1,770.00
Proposed \$ Increase	\$221.10		\$129.20	\$0.00	\$121.50	\$97.00	\$131.00	\$92.25
Proposed % Increase	6.7%		4.1%	0.0%	5.1%	4.9%	6.5%	5.5%
Non-resident Undergraduate								
FY 2008 Approved Tuition and Fees	\$8,053.25		\$7,984.90	\$7,979.16	\$6,075.50	\$5,988.00	\$5,933.00	\$5,271.75
FY 2009 Proposed Tuition and Fees	\$8,559.35		\$8,286.60	\$7,979.16	\$6,380.75	\$6,296.00	\$6,288.00	\$5,562.00
Proposed \$ Increase	\$506.10		\$301.70	\$0.00	\$305.25	\$308.00	\$355.00	\$290.25
Proposed % Increase	6.3%		3.8%	0.0%	5.0%	5.1%	6.0%	5.5%

PROPOSED FY 2009 TUITION AND REQUIRED FEES FOR FULLTIME GRADUATE STUDENTS, PER SEMESTER²								
	KU Lawrence	KU-Med. School	KSU	KSU-Vet. School	WSU	ESU	PSU	FHSU
Resident Graduate								
FY 2008 Approved Tuition and Fees	\$3,265.55	\$11,475.06	\$3,358.90	\$6,124.90	\$2,555.00	\$2,277.00	\$2,295.00	\$1,855.80
FY 2009 Proposed Tuition and Fees	\$3,484.55	\$12,099.76	\$3,516.60	\$6,411.60	\$2,684.00	\$2,399.00	\$2,441.00	\$1,957.80
Proposed \$ Increase	\$219.00	\$624.70	\$157.70	\$286.70	\$129.00	\$122.00	\$146.00	\$102.00
Proposed % Increase	6.7%	5.4%	4.7%	4.7%	5.0%	5.4%	6.4%	5.5%
Non-resident Graduate								
FY 2008 Approved Tuition and Fees	\$7,278.35	\$20,170.56	\$7,330.90	\$13,992.40	\$6,753.80	\$6,093.00	\$5,627.00	\$4,903.80
FY 2009 Proposed Tuition and Fees	\$7,737.95	\$21,273.46	\$7,668.60	\$14,631.60	\$7,092.80	\$6,406.00	\$5,965.00	\$5,173.80
Proposed \$ Increase	\$459.60	\$1,102.90	\$337.70	\$639.20	\$339.00	\$313.00	\$338.00	\$270.00
Proposed % Increase	6.3%	5.5%	4.6%	4.6%	5.0%	5.1%	6.0%	5.5%

NOTES:

¹Tuition rates for fulltime undergraduate students are based upon 15 credit hours.

²Tuition rates for fulltime graduate students are based upon 12 credit hours, except medical students.

³Standard tuition rates are the per-credit-hour rates that all KU resident and nonresident students, except first-time, degree seeking freshmen, will pay. In contrast, the Compact Tuition Rates are the fixed, four-year, per-credit-hour rates that first-time, degree-seeking freshmen, resident and nonresident, will pay, beginning with the Fall 2008 KU Freshman class. The proposed Compact Tuition Rates per credit hour is calculated as follows: the FY 2008 standard tuition rate compounded for four years: at a 6% rate for the first year, 8% for the second year, 7.5% for the third year, and 7% for the fourth year. The generated rates for each of the four years are summed, then divided by 4 to derive the Compact Tuition Rates. The tuition and required fees total equates to 9%.

⁴The KSU figures reflect proposed rates for lower division. A higher rate would be charged for upper division. For example, the proposed resident, upper division rate would be \$3,291.60 for FY 09, an increase of 5.6%.

AMENDMENT OF PROGRAM STATEMENT FOR ALLEN FIELDHOUSE IMPROVEMENTS AND AUTHORIZATION FOR KANSAS ATHLETICS INCORPORATED TO ISSUE BONDS FOR THE PROJECT

Regent Downey-Schmidt moved, with the second of Regent Boettcher, that the Board approve the Program Statement for Allen Fieldhouse improvements and authorize Kansas Athletics Incorporated to issue bonds for the project. The motion carried.

CAPITAL IMPROVEMENT REQUESTS FOR FY 2010 - SYSTEMWIDE

Discussion related to capital improvement requests for FY 2010 was deferred until the June Board meeting.

Other Matters

POLICY AMENDMENT TO INCREASE ANNUAL LEAVE ACCRUAL FOR STATE UNIVERSITY CLASSIFIED EMPLOYEES

Consideration of the policy amendment to increase annual leave accrual for state university classified employees was deferred to the June Board meeting.

SEARCH PROCESS FOR KSU PRESIDENT

Chairman Downey-Schmidt announced that after a review of former search processes, she has named former Board member, Nelson D. Galle, to Chair the upcoming search process for the KSU presidency.

President Robinson outlined a search process proposal for a new president to assume the role on or about July 1, 2009, and presented a draft charge to the search committee for the Board's consideration. He suggested that the Board act on the proposed process so that an RFP can be developed to identify an executive search firm to assist in the search.

Regent Docking moved that the Presidential Search Process presented by President Robinson be adopted. Following the second of Regent Lykins, the motion carried. The process statement is listed below:

Kansas State University Presidential Search Process

Outlined below are the key elements of the process that will guide the Kansas Board of Regents search for a new President at Kansas State University. The expectation is that a new President will be designated early in 2009, to assume their duties at Kansas State University on or about July 1, 2009.

1. **Appointment of Search Committee Chair.** The Chair of the Kansas Board of Regents shall appoint the Search Committee Chair, who shall be responsible for leading the process that produces the three to five candidates for Board consideration.

2. **Appointment of Search Committee.** Upon the joint recommendation of the KBOR Chair, KBOR Vice Chair, Search Committee Chair, and the KBOR President/CEO, the Board will appoint a Committee that includes approximately 15 members, with a diverse array of representatives from the following university and community constituencies: faculty, staff, alumni-foundation, students, Board of Regents, the Manhattan community, and the broader state community. The recommendation shall identify prospective Committee Members and describe the process used for determining those who are recommended for Search Committee membership. The expectation is that the Board will appoint the Committee in June, either during its regularly scheduled meeting or during a special meeting called for that purpose.
3. **Search Committee Charge.** The Board shall adopt a "Charge" that will guide the work of the Committee; a proposed "Charge" is attached for your consideration. The Committee's ultimate responsibility is to recommend for Board consideration, the three to five most well-qualified candidates it has identified for the Presidency of Kansas State University.
4. **"Statement of Leadership Characteristics."** Among the Committee's early responsibilities is the development of a "Statement of Leadership Characteristics" or position description for the KSU Presidency. This Statement will describe the characteristics that are being sought as the Presidential search is conducted. Using a current position description as a starting point, the Committee shall develop and present to the Board for final approval its recommendation for the Statement of Leadership Characteristics that will guide this search.
5. **Use of Executive Search Firm.** An executive search firm will be engaged to provide consultation and assistance to the Committee and the Board in the conduct of this Presidential search. The Board Chair, Board Vice Chair, and Search Committee Chair shall, with the assistance of the KBOR President/CEO, select the Executive Search Firm to conduct this work.

ANNUAL CAMPUS REPORT – University of Kansas

Chancellor Hemenway entitled his annual report to the Board "KU Works for Kansas." In noting that the value of a KU education continues to grow, he pointed to the climbing enrollment, a diverse, high-caliber student body, outstanding faculty and staff, and student successes leading to scholarships and national rankings.

In addition to identifying the University's contributions to Kansans, the Chancellor highlighted ways in which the University is working to keep costs in check through the pilot purchasing project and the possibility of savings from a new property insurance policy.

(PowerPoint Presentation Filed with Official Minutes)

EXECUTIVE SESSION

At 1:40 p.m., Regent Shank moved that the Board of Regents recess into executive session for one hour to discuss personnel matters of non-elected personnel, the annual assessment of Chancellor Robert Hemenway. Following the second of Regent Thornton, the motion carried. Participating in the session were members of the Board, President Robinson and Chancellor Hemenway. At 2:45 p.m., Regent Shank moved, with the second of Regent Thornton, that the Board return to open session. The motion carried.

ADJOURNMENT

The Chairman adjourned the meeting at 2:45 p.m.

Reginald L. Robinson, President and CEO

Christine Downey-Schmidt, Chair