

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

January 20, 2016

The January 20, 2016, meeting of the Kansas Board of Regents was called to order by Chair Shane Bangerter at 1:34 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:

- Shane Bangerter, Chair
- Zoe Newton, Vice Chair
- Joe Bain
- Ann Brandau-Murguia
- Bill Feuerborn
- Dennis Mullin
- Dave Murfin
- Daniel Thomas
- Helen Van Etten

### **REPORT FROM CHAIR**

Chair Bangerter welcomed President Garrett. He also, on behalf of the Board and Board office staff, extended condolences to Dr. Jacqueline Vietti and her family for the passing of her husband, Ray Vietti.

Chair Bangerter reported the Governor's budget recommends stable funding for higher education. As in the past, the top priority for the Board during this legislative session is to protect the base funding for higher education. Chair Bangerter also extended his appreciation to the Governor for making stable funding for the Regents system a priority.

### **UPDATE**

Chancellor Gray-Little provided an update on the progress of KU's Central District development project. The bonds for the project were sold on January 7, 2016. The term of the bonds is 30 years with a principal amount of \$326 million rather than the expected \$350 million. The estimated savings over the life of the project is \$47 million from what was estimated. The Chancellor noted work has already begun on the KU campus.

### **GOVERNANCE**

Regent Bangerter reported the Governance Committee reviewed the proposed amendments to the Board's Weapons Possession policy. He thanked everyone who provided feedback.

### **APPROVAL OF MINUTES**

Regent Van Etten moved that the minutes of the December 16, 2015 meeting be approved. Following the second of Regent Newton, the motion carried.

### **GENERAL REPORTS**

REPORT FROM PRESIDENT AND CEO

President Flanders introduced Greg Sims, area Chair for the Kansas Employer Support of the Guard and Reserve (ESGR). Mr. Sims presented Jacqueline Johnson, Director of Private Postsecondary Education and Adult Education Testing, with a Patriot Award in recognition of extraordinary support of an employee who serves in the Army Reserve. Tobias Wood, GED State Administrator with the Kansas Board of Regents, service with the 312<sup>th</sup> Army Band. He nominated Ms. Johnson for the award.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Krull presented the System Council of Presidents' report. The Council received a report from the System Council of Chief Academic Officers regarding the Higher Learning Commission's requirements for faculty qualifications, transfer and articulation, and Credit for Prior Learning. The System Council of Presidents also discussed the proposed policy on Credit for Prior Learning.

REPORT FROM COUNCIL OF PRESIDENTS

President Martin presented the Council of Presidents' report. The Council received reports from the Council of Chief Academic Officers, the Council of Business Officers, the Council of Government Relations Officers, the Council of Student Affairs Officers, the Regents Information Technology Committee, and the University Support Staff Council.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The Council of Faculty Senate Presidents' report was presented by Tom Beisecker. The Council reviewed the results of the faculty and staff weapons survey. The survey was conducted from December 3, 2015 through January 4, 2016 and a total of 20,151 faculty and staff were invited to participate. Dr. Beisecker stated a total of 10,886 responses were received, resulting in a response rate of 54%. He reviewed the executive summary of the report and noted 70% of the respondents preferred amending the law so that guns are not allowed on campus. He stated that these results lead the Council to believe that concealed carry is a safety issue, not a Second Amendment issue.

(Survey Executive Summary filed with Official Minutes)

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Jessie Pringle presented the Students' Advisory Committee report. The Committee discussed their legislative initiative, Life Line 911. She noted the Committee will continue discussing inclusion and diversity on the campuses.

REPORT FROM UNCLASSIFIED STAFF COUNCIL

Brett Morrill presented the Unclassified Staff Council report. Mr. Morrill stated the unclassified staff want to participate in the drafting of campus level concealed carry policies. He also reported the Council is reviewing the compensation and classification study results.

BREAK

The Chair called for a break at 2:24 p.m. and resumed the meeting at 2:36 p.m.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Van Etten presented the Board Academic Affairs Standing Committee report. The Committee discussed an option to revise the performance funding model for determining annual performance funding allocation. The Committee decided to retain the current model, which provides the Board with two choices for allocating new state funding – 100 percent or 90 percent. The Committee received information on the “First Generation Student Conference.” The conference will bring first generation students together across the state to network and share information. Additionally, the Committee received updates on Credit for Prior Learning, the Higher Learning Commission’s requirements for faculty credentials, and changes to the Qualified Admissions precollege curriculum.

### **FISCAL AFFAIRS AND AUDIT**

Regent Feuerborn presented the Board Fiscal Affairs and Audit Standing Committee Report. The Committee received BKD’s Board policy required non-public funds management audit report on President Shonrock’s term at Emporia State University. The auditors found no evidence of inappropriate disbursements and reported that potential conflicts of interest appear to be properly managed and monitored. Additionally, the state university internal auditors presented their audit plans for the upcoming year to the Committee.

Regent Feuerborn stated last month the Board directed the Fiscal Affairs and Audit Committee to review the plan to implement the postsecondary tiered technical education state aid. The Committee heard from Ray Frederick, Chair of the TEA; Rita Johnson, Vice President of Workforce Development; President Inbody, representing community colleges; and President Burks, representing technical colleges. The majority of the colleges do not wish to proceed with re-centering until new state funding is added to the tiered technical education state aid fund. The Committee also heard from two colleges, Wichita Area Technical College and Washburn Institute of Technology, whose representatives spoke in favor of re-centering existing funds.

### **APPROVAL OF CONSENT AGENDA**

Regent Van Etten moved, with the second of Regent Mullin, that the Consent Agenda be approved. The motion carried.

#### *Academic Affairs*

#### **BACHELOR OF SCIENCE IN INTERIOR DESIGN – PSU**

Pittsburg State University received approval to offer a Bachelor of Science in Interior Design. PSU already has the faculty in place to support the program, and no addition funding is needed beyond the one-time start-up cost of \$125,000-\$150,000.

### **CONSIDERATION OF DISCUSSION AGENDA**

#### *Presentation*

ANNUAL FORESIGHT 2020 PROGRESS REPORT

Blake Flanders, President and CEO, presented the fifth annual Foresight 2020 progress report. The Board's strategic plan consists of the following three goals: 1) Increase Higher Education Attainment Among Kansans, 2) Improve Alignment of the State's Higher Education System with the Needs of the Economy, and 3) Ensure State University Excellence. Under Goal One, President Flanders reviewed the number of certificates and degrees awarded. In academic years 2013 and 2014, the institutions exceeded the number of undergraduate certificates and degrees awarded that was projected to meet the 60 percent goal. However, for academic year 2015 the system fell 1,982 awards short of the targeted goal. To remain on track, the system will need to increase the number of awards to 4,132 in academic year 2016. President Flanders reviewed the retention and graduation rates. Since 2011, the systemwide retention rate has increased two percentage points and the graduation rates have remained relatively flat. Also under Goal One, President Flanders reviewed the progress on enrollment, which has seen an increase among students under 18 and among those ages 18-19. For students who are returning to higher education with some college credit but no degree, the system has seen a slight increase in enrollment since academic year 2014. President Flanders noted 28 percent of these students who are returning had already earned between 60-119 credit hours and another 12 percent had already earned at least 120 credit hours.

Under Goal Two, President Flanders reviewed the data on employment and average wages of Kansas graduates. The average wages generally increase with each subsequent year of employment and level of education, but the percent of graduates employed in Kansas diminishes with each subsequent year of employment and level of education attained. Dr. Flanders reviewed the progress of the Excel in Career Technical Education (SB 155) program, the University Engineering Act, the Kansas Nursing Initiative, and the University Research Grants. Additionally, under Goal Two, President Flanders gave an update on student assessment. Based on feedback received from business and industry leaders, the Board decided to measure student performance in the following areas: 1) Mathematics/Analytical Reasoning, 2) Written and Oral Communication, and 3) Critical Thinking/Problem Solving. In academic year 2015, the Board received an assessment report focused on mathematics and analytical reasoning. Dr. Flanders noted assessment is required by the Higher Learning Commission and the results will help institutions establish benchmarks to compare future results.

Under Goal Three, President Flanders spoke about the performance of the state universities compared to their peers. He noted that this was the first year for peer research university comparisons. Each of the universities have experienced growth in their respective endowments and remain strong in research expenditures.

In closing, President Flanders stated there are areas in Foresight 2020 where progress has been made and other areas where it has been difficult. He plans to work with the Board Governance Committee to continue evaluating existing metrics.

(Foresight 2020 Report filed with Official Minutes)

Academic Affairs

### ANNUAL REPORT ON QUALIFIED ADMISSIONS

Gary Alexander, Vice President for Academic Affairs, presented the report on exceptions to the qualified admissions standards for the 2014-2015 freshmen class and 2014-2015 transfer students. The Board is required by statute to submit to the Legislature information on the following categories: 1) number and percentage of freshman class students admitted as exceptions to the minimum admissions standards, and 2) the number and percentage of transfer students admitted as exceptions to the minimum admissions standards. Vice President Alexander reviewed the admission standards and reported no university exceeded the limit on the number of applicants admitted as exceptions to the minimum standards. He also noted the new admission standards that went into effect this summer will be reported on next year. It is unknown at this time the impact of the new standards. Regent Van Etten requested data from each university on retention and graduation rates of students who are admitted through the exception window. Following discussion, Regent Murguia moved to accept the report. Regent Thomas seconded, and the motion carried.

### NEW CERTIFICATE OF APPROVAL WITH DEGREE GRANTING AUTHORITY FOR TRINITY INTERNATIONAL UNIVERSITY

Vice President Alexander presented Trinity International University's request for a new Certificate of Approval to operate in Kansas with degree granting authority. The University will offer a Master of Arts in Theological Studies at its Leawood, Kansas site. Regent Bain moved to approve, and Regent Mullin seconded. The motion carried.

### COURSES FOR STATEWIDE TRANSFER

Vice President Alexander presented ten additional courses to be recognized for transfer across the Kansas Board of Regents system. These courses were approved by the Transfer and Articulation Advisory Council. Regent Van Etten moved to approve, and Regent Newton seconded. The motion carried. The following courses were approved:

- Biology I and Lab for Majors
- Engineering Physics I & Lab
- Engineering Physics II & Lab
- General Chemistry & Lab for Non Majors
- Introduction to Criminal Justice
- Introduction to Mass Communication
- Introduction to Social Work
- Personal and Community Health
- Personal Finance
- Physical Geology

### *Fiscal Affairs and Audit*

### LEASE OF STATE-OWNED PROPERTY OF WICHITA STATE INNOVATION ALLIANCE (WSIA) – WSU

Greg Hoffman, Director of Facilities, introduced Wichita State University's request to lease space within the Experiential Engineering Building to the Wichita State Innovation Alliance. This space

will be used by future business tenants as described in the Architectural Program Statement. Regent Feuerborn moved to approve, and Regent Thomas seconded. The motion carried.

LEASE WITH BROMLEY NAISMITH, LLC – KU

Director Hoffman presented the University of Kansas' request to enter into a lease with Bromley Naismith, LLC for additional student housing while the new housing facility is being constructed. The University will lease approximately 150 beds in Naismith Hall, which will be operated as part of the KU Student Housing System. The lease will start at the beginning of the Fall 2016 semester. The rates for the units will be set at \$8,450 for a single and \$4,990 for a double per year. Regent Feuerborn moved to approve, and Regent Bain seconded. The motion carried.

TRANSFER OF PROPERTY FROM KU HOSPITAL AUTHORITY AND AMENDMENT #7 TO MASTER GROUND LEASE BETWEEN THE BOARD OF REGENTS, KU, AND THE KU HOSPITAL AUTHORITY – KU

Director Hoffman presented the University of Kansas' request to transfer property from the KU Hospital Authority as part of the Parking Garage #5 project. The project will be financed with the sale of revenue bonds. The Hospital has agreed to transfer title to KU at no cost with the condition that the ownership of the property revert to the Hospital five years after the bonds are retired. KU will then have the right to lease the land and the garage from the Hospital for a nominal amount for up to fifty years. KU also requests amending the 99-year Master Ground Lease between the Board of Regents, KU, and the Hospital. The Lease Amendment #7 would add a portion of the parcel to the Hospital's Master Ground Lease. Regent Murguia moved to approve, and Regent Van Etten seconded. The motion carried.

DISTRIBUTION OF STATE FUNDS FOR TECHNICAL EDUCATION (SB 155 AND AO-K PROVISO) AND POSTSECONDARY EDUCATION PERFORMANCE-BASED INCENTIVE FUND (GED ACCELERATOR)

Elaine Frisbie, Vice President of Finance and Administration, presented the proposed distribution of state funds for Technical Education (SB 155 and the Accelerating Opportunity-Kansas proviso) and the Postsecondary Education Performance-Based Incentives Fund (GED Accelerator). Regent Murguia moved to approve. Regent Feuerborn seconded, and the motion carried. The following distributions will be made:

<b>Institution</b>	<b>SB 155</b>	<b>AOK Proviso Adult Tuition</b>	<b>GED Accelerator</b>
Allen Community College	\$193,840		
Barton Community College	\$164,077	\$10,709	\$4,000
Butler Community College	\$301,669		
Cloud County Community College	\$109,443		
Coffeyville Community College	\$352,920		
Colby Community College	\$11,309		
Cowley Community College	\$264,749		\$1,670
Dodge City Community College	\$182,361	\$2,433	\$2,180
Flint Hills Technical College	\$404,224		
Fort Scott Community College	\$296,016	\$8,615	

Garden City Community College	\$29,406		
Highland Community College	\$423,124	\$11,991	\$10,850
Hutchinson Community College	\$1,231,123	\$8,477	
Independence Community College	\$49,169		
Johnson County Community College	\$846,733	\$8,225	\$2,680
Kansas City Kansas Community College	\$543,842	\$81,930	\$8,190
Labette Community College	\$57,695		
Manhattan Area Technical College	\$99,333		
Neosho County Community College	\$416,628	\$5,742	
North Central Kansas Technical College	\$147,890		
Northwest Kansas Technical College	\$444,704		
Pratt Community College	\$137,234		
Salina Area Technical College	\$389,300		
Seward County Community College/ATS	\$550,162	\$27,896	\$6,840
Washburn Institute of Technology	\$1,510,382	\$108,755	\$14,200
Wichita Area Technical College	\$1,604,368	\$39,905	\$1,680
<b>Total</b>	<b>\$10,761,701</b>	<b>\$314,678</b>	<b>\$52,290</b>

KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY  
RECOMMENDATION REGARDING THE PLAN TO FULLY IMPLEMENT THE  
POSTSECONDARY TIERED TECHNICAL EDUCATION STATE AID ACT

Vice President Frisbie stated last month the Board received the Kansas Postsecondary Technical Education Authority's (TEA) recommendation regarding the plan to fully implement the Postsecondary Tiered Technical Education State Aid Act. At that time, the Board directed the Fiscal Affairs and Audit Standing Committee to gather feedback from the community college sector, technical college sector, and the TEA regarding the options. The Committee met with representatives from each sector to review their positions. The community colleges support Option A and oppose Option B. The technical colleges support Option A, but the institutions currently receiving less than their calculated state share would like to begin moving toward implementation of the funding model, Option B. Regent Mullin requested adding a leading paragraph to the plan that emphasizes the Board's desire to have additional state funding added to the tiered technical education state aid fund. Regent Van Etten seconded. Following discussion, it was decided Option A clearly states the Board's desire for additional funds. Regent Mullin withdrew his request/motion.

Regent Feuerborn moved to adopt the TEA's recommended plan to meet the legislative directive to fully implement the Postsecondary Tiered Technical Education State Aid Act. The plan will include Option A (the preferred option), Option B (the alternative option), and the feedback received from the community and technical colleges. Regent Van Etten seconded, and the motion carried. The two options below and the feedback from the colleges will be submitted to the House Appropriations and Senate Ways and Means Committees by February 1, 2016 as required by the legislative proviso.

Option A:

- Request additional funding for Postsecondary Tiered Technical Education State Aid to fully fund the gap between what is considered the state share of the calculated costs and the current appropriated amount. The Board has included an amount in its budget request to the Governor and Legislature to fund this gap.
- Any new funding that might be appropriated for Postsecondary Tiered Technical Education State Aid should be distributed to only those institutions with a funding shortfall identified in the cost model calculations. Institutions with no funding shortfall would maintain their current base.
- Begin resolving the remaining funding distribution disparity for institutions still receiving less than their institution's calculated state share in the following year.
- Address the non-tiered funding distribution since there has been no additional state funding for non-tiered courses since the Non-Tiered Course Credit Hour Grants were established in SB 143 and, using current statutory definitions, a number of courses have been moved from tiered status to non-tiered status during this time.

Option B:

- Address the funding distribution disparity over a four-year period
  - If an institution is currently receiving an amount above their calculated state share, then reduce state aid to those institutions by one-fourth of the amount received over the calculated state share in each year over the four-year period with those funds going into a designated funding redistribution pool for institutions receiving less than their calculated state share
  - Increase the base amount for institutions receiving less than their calculated state share using funds from the redistribution pool based on each institution's percentage of the overall funding shortfall
- Address the calculated state share funding shortfall over a four-year period
  - Request the Legislature appropriate new funding to the tiered technical education state aid appropriation that is equal to or more than one-fourth of the overall calculated funding shortfall each year over the four-year period
- Revisit full implementation of tiered technical education funding in the fifth year assuming full funding of the calculated state share cost amount.

(Letters filed with Official Minutes)

BREAK

Chair Bangerter called for a break at 4:30 p.m. and resumed the meeting at 4:40 p.m.

GovernanceSTATE UNIVERSITY NOTICE OF LITIGATION POLICY

General Counsel Julene Miller presented the proposed policy language regarding litigation. The policy requires the university CEO to notify the Board President and CEO if the university intends on suing another state university or if the university intends on filing a brief in opposition in any state or federal court. Regent Murguia moved to approve, and Regent Thomas seconded. The motion carried. The following language was approved:

**F. OTHER****1 INTERACTION WITH LEGISLATURE, COURTS, AND OTHER STATE AGENCIES****a Legislative Appearances and Committee Hearings**

State university employees should make every effort to accommodate legislative committee requests to provide expert testimony on proposed legislation. The university shall notify the Board President and Chief Executive Officer of the invitation.

**b Legislative Requests and Proposed Legislation (Also see FISCAL MANAGEMENT AND BUSINESS ADMINISTRATION)**

i All requests for funds, programs, changes in legislation and new legislation affecting the Board and system institutions shall be submitted to the Board for consideration no later than the November meeting of the Board. Emergency situations may warrant special exceptions, but to the extent possible, no request for legislation during the ongoing legislative session shall be submitted after the March meeting of the Board. Requests for funds, programs, changes in legislation and new legislation that are approved by the Board shall be included in the Board's annual legislative proposals. Requests that are not approved by the Board shall not be submitted to the Legislature for introduction.

ii Once approval has been granted, all institutions are authorized to work for these requests and each institution is expected to support the entire request. Conversely, all institutions are prohibited from requesting or working for additional legislation or funds.

iii When legislation having an effect on the operation of the higher education system, proposed by someone or some group other than the Board, is brought to the Board's attention, it shall be the responsibility of the Board to make a decision as to whether the position of the system is that of support, non-support, or opposition.

**c Legislative Post Audit Reports**

i Each state university, upon receiving notification from the Legislative Division of Post Audit that a performance or financial audit of the university is to be conducted, shall forward such notification to the Board President and Chief Executive Officer. Each state university shall submit a written report to the Board, in accordance with the schedule maintained on the Board of Regents' website, detailing progress during the preceding calendar year toward implementation of accepted Post Audit recommendations. This report shall be made on an annual basis until all accepted recommendations have been fully implemented.

ii Discussion of pending or anticipated Legislative Post Audits shall be a standing item on the Board's Fiscal Affairs and Audit Committee agenda.

**d Information Requests from Other State Agencies**

- i System-wide Requests: Requests directed to state universities for system-wide information from other state agencies or other branches of state government shall be transmitted through the Board office. State universities receiving requests directly from other state agencies or branches of state government shall advise the requesting party of this policy and advise the Board office of the request. When time is not sufficient to allow transmission of responses through the Board office, responses may be submitted directly to the requesting party with copies to the Board office.
  - ii University-Specific Requests: Responses to requests received by a state university for information related specifically to that university may be sent directly to the requesting party, with a copy to the Board office.
- e Attorney General Opinions
- Any state university or state university official wishing to seek an opinion from the Attorney General shall do so by making a request through the office of the General Counsel of the Board.
- f Kansas Governmental Ethics Commission Opinions
- Any state university or state university official wishing to seek an opinion from the Kansas Governmental Ethics Commission shall do so by making a request through the office of the General Counsel of the Board.
- g Briefs Filed with State and Federal Courts
- i Any state university intending to sue another state university or submit a brief in opposition to another state university in a case that is pending before any state or federal court shall, before filing suit or as soon as aware of the opposition but no later than requesting leave to file a brief, notify the Board President and Chief Executive Officer. The university chief executive officer shall fulfill this notification responsibility.
  - ii Any state university intending to appeal a state court or federal court decision shall, before the notice of appeal is filed, notify the Attorney General's office.

#### AMENDMENTS TO THE STATE UNIVERSITY WEAPONS POSSESSION POLICY

General Counsel Miller presented the proposed amendments to the Weapons Possession policy. One of the Board's goals this year is to develop a policy to address concealed carry on state university campuses, in advance of the July 1, 2017 expiration of the legal exemption now in place. Over the past several months, the Governance Committee and Board staff have been working on language that will implement the current state law regarding concealed carry on the state university campuses. The Committee received feedback from different groups on all six state university campuses, as well as feedback from external entities, and changes were made to the originally proposed language based on the comments and suggestions received. Some of the key provisions in the proposed policy include the following:

- Weapons in general continue to be prohibited on the state university campuses (the Board has had a no-weapons policy since 2008, and individual universities have had such policies for many years prior to that)
- A new exception to this general rule, which will take effect after July 1, 2017, recognizes the ability of any individual aged 21 or older and who otherwise meets statutory eligibility requirements to carry a concealed handgun except in buildings or areas of buildings where “adequate security measures” have been provided
- Open carry of any firearm anywhere on any state university campus will continue to be prohibited
- Provisions for safe storage of concealed carry handguns when not being carried
- Each state university is required to
  - develop policies and procedures for the safe possession and storage of lawful concealed carry handguns and submit those to the Governance Committee for review and approval
  - determine which buildings and areas of buildings on campus should provide for “adequate security measures” and submit a listing of those buildings/areas for Governance Committee review
  - notify students, faculty and staff of the Board policy through means of university policies and housing contracts and, where applicable, on tickets to events

General Counsel Miller noted the definition of knives will be further reviewed by staff to determine whether changes need to be made to remain consistent with state law. Following discussion, Regent Newton moved to approve, and Regent Van Etten seconded. The motion carried. Regent Bangerter stated the Governance Committee will be reviewing the campus level policies and asked that the campuses submit their policies by the October 2016 Governance Committee meeting.

The Board approved the following policy:

#### 14 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. 21-6309 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. Pursuant to the authority vested in the Board of Regents by Article 6, Section 2 of the Kansas Constitution, K.S.A. 76-712 and other state laws, and in accordance with K.S.A. 75-7c20 allowing concealed carry and K.S.A. 75-7c24 authorizing prohibition of open carry, concealed carry of handguns shall be permitted on each state university campus, while open carry of firearms and possession of weapons other than concealed handguns shall be prohibited on each state university campus.~~
- b For purposes of this policy:
  - i. The term “weapons” includes:

- (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 those that are concealed or openly carried;
  - (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;
  - (10) any longbow, crossbow and arrows or other projectile that could cause serious harm to any person; or
  - (11) any other dangerous or deadly weapon or instrument of like character.
- ii The term “handgun” means:
- (1) A pistol or revolver which is designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition;  
or
  - (2) any other weapon which will or is designed to expel a projectile by the action of an explosive and which is designed to be fired by the use of a single hand.
- iii The term “firearm” includes any handgun, rifle, shotgun, and any other weapon which will or is designed to expel a projectile by the action of an explosive.
- iv The term “adequate security measures” shall have the same meaning as the term is defined in K.S.A. 75-7c20, and “building” shall have the same meaning as the term “state building” is defined in K.S.A. 75-7c20.

- v. The term “campus” means any building or grounds owned by a state university or the Board and any building or grounds leased by a state university or the Board for state university use.
- c. Nothing in this ~~section~~ policy 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 policies and 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 subparagraph c(1) of this subsection 14.b.
- d. Beginning July 1, 2017, any individual who is 21 years of age or older and who is lawfully eligible to carry a concealed handgun in Kansas shall not be precluded from doing so on state university campuses except in buildings and areas of buildings for which adequate security measures are provided, and except as otherwise prohibited by law.
- i. Each individual who lawfully possesses a handgun on any state university campus shall be wholly and solely responsible for carrying, storing and using that handgun in a safe manner and in accordance with the law, Board policy and university policy. Nothing in this policy shall be interpreted to require individuals who lawfully possess a handgun to use it in defense of others.
- ii. Each university shall develop and follow policies and procedures for the safe possession and storage of lawfully possessed handguns, and shall submit such policies and procedures to the Board office for review and approval by the Board’s Governance Committee prior to publication or implementation. Each university’s policies and procedures shall include detailed provisions regarding how and where to report suspected violations of this policy, how faculty, staff and students shall be notified of the laws and policies pertaining to concealed carry on campus, and shall also provide interested students, faculty and staff with information about any known locally or regionally available firearm safety instruction.
- e.e. Open carry of any firearm anywhere on any campus shall be prohibited. Each entrance to each building and facility on each campus shall be conspicuously posted with appropriate signs indicating that openly carrying a firearm into that building or facility is prohibited. Additional signs may be posted as appropriate.
- f. Except in those instances where necessary for self-defense or transferring to safe storage and except as otherwise provided in subparagraphs c(1) and c(2), it shall be a violation of Board policy to openly display any lawfully possessed concealed carry handgun while on campus.
- g. Regardless whether the individual is otherwise lawfully eligible to carry a concealed handgun, it shall be a violation of Board policy to commit any of the following offenses on a university campus:
- i. Possess a firearm under the influence of alcohol or drugs, as defined by K.S.A. 21-6332, and amendments thereto;
- ii. discharge a firearm in violation of K.S.A. 21-6308, and amendments thereto;

- iii. discharge a firearm within or into the corporate limits of any city in violation of K.S.A. 21-6308a; or
  - iv. otherwise possess, store, transport, trade, sell, or in any other way use a firearm in violation of any applicable law.
- h. Beginning July 1, 2017, each individual who lawfully possesses a concealed handgun on campus shall at all times have that handgun in their custody and control, and shall either keep it on their person with safety mechanism, if any, engaged, or stored 1) in any secure storage location provided by the university specifically for that purpose, 2) at their residence, or 3) in their vehicle. If stored in a vehicle on campus, the handgun must be secured and concealed from view. For any dormitory or scholarship hall that does not have adequate security measures, each resident who lawfully possesses a handgun on campus and elects to store the handgun they possess in the room to which they are assigned when not carrying it on their person in a concealed fashion shall secure the handgun in a secure storage device that conceals the gun from view. Such storage devices shall be provided by the individual who possesses the handgun and must meet minimum industry standards for safe-keeping of handguns.
- i. Beginning July 1, 2017, each state university shall determine whether and to what extent otherwise lawfully possessed concealed handguns will be prohibited in any campus buildings or areas of buildings by provision of adequate security measures, permanent or temporary, at each public entrance to the building or area. Each entrance to each building where concealed carry is prohibited as provided in this paragraph shall be conspicuously posted with appropriate signs indicating that carrying a concealed handgun into that building is prohibited. Additional signs may be posted as appropriate. Each state university that prohibits concealed carry pursuant to this paragraph shall submit to the Board office for review and approval by the Board's Governance Committee a list of the buildings and areas of buildings so restricted, the rationale therefor, and a description of the adequate security measures to be provided.
- i. The list shall be provided at the time such buildings and areas are first identified as requiring adequate security and, as buildings or areas of buildings are added to the list, at the time so amended. Once the Governance Committee has approved a building or area for provision of adequate security measures, re-approval of that building or area is not required.
  - ii. Because safety and security considerations may warrant a university implementing adequate security measures on an as-needed, temporary basis that are intended to address a specific concern, each university shall include in its annual security report to the Board information regarding all instances in which adequate security measures were implemented on an as needed, temporary basis during the previous year and the reasons therefor.
- j. Any individual who violates one or more provisions of this policy may be issued a lawful directive to leave campus with the weapon immediately. Any individual who violates the directive shall be considered to be in trespass and may be cited accordingly. Any employee or student of the university who violates one or more provisions of this policy shall be subject to discipline in accordance with applicable university codes of conduct. Any individual who violates state or federal law may be detained, arrested or otherwise subjected to lawful processes appropriate to the circumstances.

~~(a) For the purpose of this policy, "weapons" means:~~

- ~~i 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;~~
- ~~ii 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;~~
- ~~iii any BB gun, pellet gun, air/C<sup>2</sup>O<sub>2</sub> gun, stun gun or blow gun;~~
- ~~iv 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;~~
- ~~v any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;~~
- ~~vi 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;~~
- ~~vii 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;~~
- ~~viii 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;~~
- ~~ix any martial arts weapon such as nunchucks or throwing stars; or~~
- ~~x any longbow, crossbow and arrows or other projectile that could cause serious harm to any person.~~

- k. Notice of this policy shall be given in each state university's weapons policy and housing contracts. To the extent adequate security measures are used to prohibit concealed carry into stadiums, arenas and other large venues that require tickets for admission, the tickets shall state that concealed carry will be prohibited at that event.

### Other Matters

#### BUDGET AND LEGISLATIVE UPDATE

Vice President Frisbie reviewed the Governor's budget recommendations for higher education. In FY 2016, the Governor reduced the appropriation for incentive payments to school districts in the Excel in Career Technical Education program by \$700,000 and switched out \$8 million from the SGF for the Educational Building Fund (EBF). The Governor wants the state universities to use the EBF for information technology operations. Vice President Frisbie stated the Legislature will

need to expand the allowable uses of the EBF beyond its current statutory purpose, which is to finance capital projects at the state universities.

**ADJOURNMENT**

The Chair adjourned the meeting at 5:15 p.m.

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Blake Flanders, President and CEO

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Shane Bangerter, Chair