

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

April 19, 2017

The April 19, 2017, meeting of the Kansas Board of Regents was called to order by Chair Zoe Newton at 12:45 p.m. The meeting was held in the University of Kansas Capitol Federal Hall, 1654 Naismith Drive, Lawrence, beginning in room 2102. Proper notice was given according to law.

MEMBERS PRESENT:

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

### **EXECUTIVE SESSION**

At 12:45 p.m., Regent Bain moved, followed by the second of Regent Feuerborn, to recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Flanders, and President Scott. At 1:45 p.m., the meeting returned to open session.

### **BREAK**

The Chair called for a break at 1:45 p.m. and resumed the meeting at 2:00 p.m. in room 1010.

### **APPROVAL OF MINUTES**

Regent Feuerborn moved that the minutes of the March 10, 2017 special meeting and the March 15, 2017 regular meeting be approved. Following the second of Regent Thomas, the motion carried.

### **INTRODUCTIONS**

Chancellor Gray-Little introduced KU students who were awarded the Rhodes Scholarship, Barry M. Goldwater Scholarship, Harry S. Truman Scholarship, and the Morris K. and Stewart L. Udall Scholarship. She also recognized students who received the Fulbright Fellowship Grants and the National Science Foundation Graduate Research Fellowship. The Chancellor thanked Anne Wallen, Assistant Director for National Scholarships and Fellowships for the KU Honors Program, and Rachel Johnson, Fulbright Program Advisor. They assist many students at KU who earn these prestigious awards. The Board congratulated all the students for their accomplishments.

### **GENERAL REPORTS**

### REPORT FROM CHAIR

Chair Newton thanked the University of Kansas for hosting the Board meeting this month. She reported at the end of last month, she and President Flanders continued their campus visits. They met with presidents and deans at the following college campuses: Barton County Community College, Colby Community College, Northwest Kansas Area Technical College, North Central Kansas Technical College, Cloud County Community College, Manhattan Area Technical College, Salina Area Technical College, and Kansas State University Polytechnic Campus. Additionally, Chair Newton noted the Wichita Area Technical College and Wichita State University affiliation legislation was signed by the Governor and the Board's First Generation Task Force has held its first meeting.

### REPORT FROM PRESIDENT AND CEO

President Flanders reported many colleges and universities are participating in the Kansas Collaborative on Military Credit. Institutions have outlined what credit will be awarded to an incoming student based on their Military Occupational Specialty in over 50 degree programs. The credits awarded will help the service member pursue and complete a credential in Kansas. An update on this collaboration will be presented by Board staff to the Governor's Military Council.

### REPORT FROM COUNCIL OF PRESIDENTS

Chancellor Gray-Little presented the Council of Presidents' report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Government Relations Officers, Council of Chief Student Affairs Officers, and the University Support Staff Council. The Academic Officers received an update from the Council of Faculty Senate Presidents on the implementation of the Credit by Examination policy. The Academic Officers endorsed the Faculty's recommendation of a systemwide AP score of 3 for all disciplines with the following exceptions: Calculus-based physics – systemwide AP score of 5; Algebra-based physics – systemwide AP score of 4; and Art history – systemwide AP score of 4. The Business Officers reported on the proposed amendments to the Board's policies regarding facilities. The Council of Presidents discussed the proposed changes and the members will provide additional feedback on the amendments prior to review by the Governance Committee. The Business Officers also reviewed the changes to the Board's tuition and fee proposal forms. The Government Relations Officers gave an update on the Board's non-budgetary legislative items and the status of the state budget. The Student Affairs Officers provided a mumps update and noted that April is Sexual Assault Awareness Month. The University Support Staff (USS) expressed their concerns with the proposed policy amendment that would replace the USS and the Unclassified Staff Council biannual reports to the Board with monthly reports to the Council of Presidents.

The Council of Presidents approved Kansas State University's Bachelor of Science in Biomedical Engineering, which will be forwarded to the Board for consideration. President Scott and President Garrett reported to the Council that both universities are bringing tuition proposals to the Board for consideration that will include lower out-of-state tuition rates. The universities believe the lower rates will make them more competitive and help increase enrollment. The Chancellor noted that the universities are frequently requesting permission from the Board to offer out-of-state tuition at a 150 percent rate, and suggested having a Board policy that would set guidelines regarding these requests.

### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Pam Keller presented the Council of Faculty Senate Presidents' report. She noted that the Chancellor summarized the Council's recommendations on the implementation of the Credit by Examination policy. The faculty also discussed reviewing the policy after it has been implemented for a year. Additionally, the Council discussed using a GED exam score as an assessment for college readiness.

### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Stephonn Alcorn presented the Students' Advisory Committee report. Student government elections have been taking place across the university campuses, and the Committee discussed the transition to the new student body presidents. The Committee voted to amend their by-laws to incorporate the student liaison positions. The student liaisons will attend the Board committee meetings. The Committee also voted to change how their chair is selected. The chair will rotate annually among the six universities, which is how the other Board committees and councils rotate. Mr. Alcorn recognized the student protesters and acknowledge that the Students' Advisory Committee has been working on many of their issues including concealed carry and sexual assault on campus.

### REPORT FROM THE TECHNICAL COLLEGES

President Burks presented the technical colleges' report. Since Fiscal Year 2011, the technical colleges have grown in enrollment by 36.9%, awarded 25.7% more degrees and certificates, and have maintained the highest graduation rates. The technical colleges place 90% of their graduates into jobs and the majority of their graduates work in Kansas, which is a great return on investment for the state. President Burks noted the technical colleges have lost state funding over the years, which continues to be a concern for the colleges. President Burks also discussed the success of the different partnerships the technical colleges have with other institutions and business and industry.

President Burks talked about the funding challenges and importance of the Excel in Career Technical Education Initiative (SB 155). Currently, SB 155 is estimated to be prorated at 18% and it was announced earlier that the Governor will not be amending the budget to add additional funds to this initiative. President Burks noted that the initiative is successful but will become financially burdensome to the colleges if it is not fully funded. President Burks stated another challenge for the colleges is determining what the Board's expectation is for each institution. All the higher education sectors are different and each institution is different, and it may be beneficial to discuss expectations.

### REPORT FROM THE COMMUNITY COLLEGES

President Krull presented the community colleges' report. The community colleges have open admissions and provide affordable educational opportunities for a variety of students. Approximately 133,000 students are enrolled in community colleges, 82% of the enrolled students work part-time, 44% of the students are entering college for the first time, and 36% of the students are first generation postsecondary learners. Like the technical colleges, the community colleges play a key role in advancing educational opportunities across the state and are helping the Board meet its attainment goal of increasing to 60% the number of Kansas adults who earn a certificate or degree by 2020. In 2015, the community colleges award approximately 16,000 degrees and

certificates. President Krull noted that the missions for the 19 community colleges are different but their philosophy and the work they do is the same.

Additionally, President Krull shared some of the unique practices that are being implemented on the different community college campuses to help students succeed. Some colleges have implemented corequisite classes in English and math for students with developmental education needs, which has improved student completion rates. Other colleges have started writing centers and have implemented early intervention programs for struggling students. A few colleges have started offering undergraduate research projects.

Following this report, individuals who stated they were representing students asked to address the Board. Chair Newton explained the process for having a topic added to a future Board agenda.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Van Etten reported the Board Academic Affairs Standing Committee reviewed all the academic items on the Board agenda during their March 4<sup>th</sup> conference call.

### **FISCAL AFFAIRS AND AUDIT**

Regent Bain presented the Board Fiscal Affairs and Audit Standing Committee report. The Committee received BKD's external management review of Fort Hays State University, approved the Johnson County Educational Research Triangle budget requests for FY 2018 for the University of Kansas, the University of Kansas Medical Center, and Kansas State University, and discussed the five-year capital improvement plans. The Committee discussed Wichita State University's request to authorize the spending of \$2.5 million from the Sedgwick County mill levy proceeds on a new \$13 million Student Success Center, and its request to approve a special tuition rate within the College of Education. These items will be forwarded to the Board for consideration. The proposed amendments to the Board's facility policies were approved by the Committee and will be forwarded to the Governance Committee. Additionally, the Committee discussed the format for the university tuition and fee proposals.

### **GOVERNANCE**

Regent Feuerborn presented the Governance Committee report. At last month's Board meeting, a Regent requested the Board review the university CEO Appointment and Compensation Policy. The Governance Committee recommended that the Board discuss the policy at its annual retreat. The Committee received and approved the locations where the University of Kansas, Kansas State University, and Wichita State University plan to use temporary adequate security measures starting July 1, 2017. The Committee also discussed the provisions in the University of Kansas' concealed carry policy regarding how concealed carry guns are carried in purses or backpacks. The Committee recommended this provision in the KU policy be changed to be consistent with other university policies. The proposed changes to the policy will be forwarded to the Board for consideration.

**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***MASTER OF SCIENCE IN HOMELAND SECURITY: LAW AND POLICY – KU**

The University of Kansas received approval to offer a Master of Science in Homeland Security: Law and Policy. The cost to implement this program is \$505,102 in year one, \$524,534 in year two, and \$558,538 in year three. Salaries will be funded from tuition revenues generated by the program. Building, facilities, and other operating expenses will be funded from individual donor contributions and overhead fees collected from all the programs offered at the campus. The academic programs will pay overhead fees to the campus administrative budget from tuition generated.

**DEGREE AND CERTIFICATE PROGRAMS AT HUTCHINSON COMMUNITY COLLEGE AND NORTHWEST KANSAS TECHNICAL COLLEGE**

Hutchinson Community College received approval to offer an Associate of Applied Science degree (64 credit hours) in Pharmacy Technology (51.0805). This program is an expansion of an existing program. All costs associated with this program are paid for through institutional funds, Carl D. Perkins funds and student tuition.

Hutchinson Community College received approval to offer an Associate of Applied Science degree (64.5 credit hours) in Surgical Technology (51.0909). This program is an expansion of an existing program. All costs associated with this program are paid for through institutional funds, Carl D. Perkins funds and student tuition.

Northwest Kansas Technical College received approval to offer an Associate of Applied Science degree (68 credit hours) in Occupational Therapy Assistant (51.0803). The estimated cost to deliver the program is \$100,000, which will be funded through institutional funds.

*Fiscal Affairs and Audit***RAZE WOOD BARN, BUILDING #491 AND HORTICULTURE BUILDING, BUILDING #320 – KSU**

Kansas State University received authorization to raze a wood barn, building #491, and a horticulture building, building #320. The cost of razing the barn is estimated at \$7,500, which will be funded from restricted fee funds within the Department of Agronomy. The site will be seeded to grass and used to park farm machinery. The cost of razing the horticulture building is estimated at \$30,000, which will also be financed from Department of Agronomy restricted fee funds. The concrete pad on the site will be used to park farm equipment.

AMEND FY 2017 CAPITAL IMPROVEMENT PROJECT PLAN TO CREATE  
A KITCHEN LAB IN JUSTIN HALL – KSU

Kansas State University received approval to amend its FY 2017 Capital Improvement Project Plan to create a kitchen lab in Justin Hall. The estimated project cost is \$950,000, which will be funded from the College of Human Ecology restricted fees and sponsored research overhead funds.

AMEND FY 2017 CAPITAL IMPROVEMENT PROJECT PLAN TO  
RENOVATE THE MARK A. CHAPMAN THEATRE IN NICHOLS HALL –  
KSU

Kansas State University received approval to amend its FY 2017 Capital Improvement Project Plan to renovate the Mark A. Chapman Theatre in Nichols Hall. The estimated project cost is \$842,000, which will be funded by private gifts within the College of Arts and Sciences.

AMEND GROUND LEASE – WSU

The Board authorized an amendment to the Ground Lease (dated December 1, 2014) between the Kansas Board of Regents and Sedgwick County Public Building Commission. The addendum removes approximately 3,090 square feet of land from the Ground Lease to avoid a potential encroachment of a new building WSU has planned. The modification to the Ground Lease will not materially or adversely affect the ownership rights of the Board, or any interest of the PBC, WSU Board of Trustees or bond holders as it relates to the revenue bond project. The addendum will remove the land described below:

A PORTION OF TRACT 9  
FOR PARTNERSHIP BUILDING #2  
WSU-INNOVATION CAMPUS

A tract of land lying in the Northeast Quarter of Section 11, Township 27 South, Range 1 East of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, said tract of land also being a portion of Wheatshocker Addition to Wichita, Sedgwick County, Kansas and being more particularly described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of Section 11, Township 27 South, Range 1 East of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas; thence along the south line of said Quarter on a Kansas coordinate system of 1983 south zone bearing of S88°45'04"W, 1066.54; thence N01°14'56"W, 171.01 feet; thence N09°32'49"W, 103.75 feet; thence N01°20'55"W, 143.20 feet; thence S88°43'31"W, 985.04 feet to the east line of Wheatshocker Addition to Wichita, Sedgwick County, Kansas; thence N00°55'33"W, 29.23 feet to the Point of Beginning; thence S89°04'27"W, 55.00 feet; thence N00°55'33"W, 76.37 feet to the northeasterly line of said Wheatshocker Addition; thence S54°39'01"E, 68.22 feet along said

northeasterly line; thence S00°55'33"E, 36.00 feet along the east line of said Wheatshocker Addition to the Point of Beginning.

Said tract of land contains 3,090 square feet, more or less.

## **CONSIDERATION OF DISCUSSION AGENDA**

### **BREAK**

The Chair called for a break at 2:52 p.m. and resumed the meeting at 3:10 p.m.

### **Presentation**

#### **REPORT ON RESEARCH STUDY: SUCCESS OF TRANSFER STUDENTS**

Dr. Donna Ginther, Director of the Center for Science, Technology and Economics at the University of Kansas, presented her research on the success of system transfer students in Kansas. The study compared the completion rates and examined the earnings and employment patterns of Kansas community and technical college transfer students to native students who started at four-year Kansas public universities. Kansas Board of Regents' data from 2008-2011 and Kansas Department of Labor employment records were used in the study. The results of the study show the following for such transfer students: they are about 16% less likely than native students to complete their bachelor's degree within six or fewer years; they have similar graduation rates at state universities, but the graduation gap with native students at the University of Kansas and Kansas State is larger; they are more likely to attend Emporia State, Fort Hays State, Pittsburg State, and Wichita State; they are 4% more likely to be employed in Kansas and Missouri one year after completing a bachelor degree; and they earn \$950 less than native students after controlling for major, gender, race/ethnicity and age. Dr. Ginther noted the completion gap between transfer and native students can be explained by observable characteristics such as GPA, ACT score, and developmental courses and the difference in these characteristics is larger at KU and KSU, which contributes to the larger gap. She also noted when more than 80% of community college credits are accepted, transfer students are 8% more likely to complete their degrees.

(PowerPoint filed with Official Minutes)

### **Academic Affairs**

#### **PROGRAM REVIEW REPORT**

Jean Redeker, Vice President of Academic Affairs, reported the state universities are required to review approved programs at least once every eight years to ensure academic quality. Each university's Program Review report comprises four major components: (1) a description of the academic program review process; (2) analysis of the programs reviewed; (3) analysis of data compiled in Kansas Higher Education Database (KHEDS) regarding minimum requirements for majors, graduates, faculty, and average ACT scores; and (4) a follow-up summary on concerns raised in previous years. For the academic year 2015-2016 program review cycle, Fort Hays State University, Kansas State University, Pittsburg State University, the University of Kansas, the University of Kansas Medical Center, and Wichita State University reviewed a total of 44 academic programs at the baccalaureate, master's and doctoral levels. Vice President Redeker

reported 43 of the programs will continue and one program at Pittsburg State University will be discontinued due to an ongoing trend of low enrollment. Regent Feuerborn moved to accept the report, and Regent Bangerter seconded. The motion carried.

### Fiscal Affairs and Audit

#### NEW TUITION AND PROGRAM FEE – WSU

President Bardo presented Wichita State University's request for a special tuition and fee rate of \$220 per credit hour (inclusive of all fees) for its Early Childhood/Elementary Education Teacher Apprentice Program. The new program is intended to address shortages in the teacher workforce. President Bardo anticipates the enrollment for this program to be 50 students each semester. Regent Van Etten moved to approve, and Regent Mullin seconded. The motion carried.

#### CAPITAL IMPROVEMENT REQUESTS FOR FY 2019 AND FIVE-YEAR PLANS – UNIVERSITIES (FIRST READ)

Nelda Henning, Director of Facilities, presented a summary of the requested capital improvement projects submitted by each of the state universities (Table 1) and a staff recommendation (Table 2). The Board will act on the Capital Improvement Requests for FY 2019 and the five-year plans at the May meeting.

(Tables filed with Official Minutes)

### Other Matters

#### BOARD GOAL – PROPOSAL TO ATTRACT KANSANS WITH SOME COLLEGE CREDIT, BUT NO DEGREE, BACK TO HIGHER EDUCATION TO COMPLETE A CREDENTIAL

Vice President Redeker stated one of the Board's goals for this year is to receive a proposal to attract Kansans with some college credit, but no degree, back to higher education to complete a credential, as well as the projected costs to implement the proposal. According to the National Student Clearinghouse Research Center data, more than 300,000 Kansans have earned some college credit but no degree and out of those individuals 37,704 have two or more years worth of progress. Dr. Redeker reported several states have launched similar initiatives to attract returning adults back to college but these initiatives typically have been backed by either the state's Governor or Legislature. These states have also received funding support by either the state or private foundations.

After reviewing the different approaches of other states, two proposals are being forwarded for the Board to consider. The *Get AHEAD* (Adult Higher Education Accessible Degrees) in Kansas proposal would provide scholarships for returning adults. The proposal requires a \$2 million state investment over three years. It would assist 1,500 students to complete an online baccalaureate degree and another 500 students to complete an associate degree. The *Finish What You Started* proposal is an alternative low-cost promotional campaign to encourage adults to complete an existing online degree program. A website would be created where returning adults could learn about all the online associate and baccalaureate degree programs offered throughout the system. Institutional participation would be voluntary. The program would be funded with an annual fee of \$1,000, which would be paid by the participating institutions. Vice President Redeker stated

the *Finish What You Started* program would likely result in fewer adult students completing a degree than the *Get AHEAD* program. Staff therefore recommends seeking the \$2 million in state funding over three years to support the *Get AHEAD* program.

AMENDMENTS TO K.A.R. 88-3-8a, 88-24-2, 88-28-1, 88-28-2, 88-28-3, 88-28-4, 88-28-5, 88-28-6, 88-28-7, AND 88-28-8

Theresa Schwartz, Associate General Counsel, presented the proposed amendments to the regulations regarding residency for fee purposes for military personnel and veterans (K.A.R. 88-3-8a), GED test score requirements (K.A.R. 88-24-2), and private postsecondary (K.A.R. 88-28-1, 88-28-2, 88-28-3, 88-28-4, 88-28-5, 88-28-6, 88-28-7, and 88-28-8). Regent Thomas moved, and Regent Feuerborn seconded, that the amended permanent regulations be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Newton, Regent Murfin, Regent Murguia, Regent Feuerborn, Regent Mullin, Regent Thomas, Regent Van Etten, Regent Bain, and Regent Bangerter. The motion carried.

FORT HAYS STATE UNIVERSITY PRESIDENTIAL SEARCH

Regent Newton stated the Fort Hays State University Presidential Search will be a committee-led, closed search. Regent Bain moved to approve the search committee charge, appoint the individuals who have been asked to serve on the search committee including Jeffrey Peier as the Chair of the committee, and hire Wheless Partners as the search firm. Regent Bangerter seconded, and the motion carried.

Search committee members representing the campus include: **Dr. Paul Adams**, Dean of the College of Education; **Ms. Melanie Arellano-Luna**, a student studying Social Work; **Dr. Jill Arensdorf**, Chair of the Department of Leadership Studies; **Ms. Emily Brandt**, Student Government Association President, studying Political Science; **Dr. Greg Farley**, Dean of the College of Science, Technology and Mathematics; **Ms. Shannon Lindsey**, Director of Human Resources; **Ms. Denise Orth**, Incoming Faculty Senate President and Associate Professor of Allied Health; **Mr. Feysel Rahmeto**, a student studying Business Education; **Dr. Craig Smith**, Associate Professor of Agriculture, and **Dr. Dosse Toulaboe**, Chair of the Department of Economics, Finance and Accounting.

Search committee members representing the Alumni Association, Foundation Board, and wider Community include: **Mr. Daron Jamison**, Alumni Association Member and CFO of HitchPin LLC; **Mr. Curtis Longpine**, FHSU Foundation Board of Trustee Member and Co-Owner of DaMar Resources, Inc.; **Mr. W.R. Robbins**, FHSU Foundation Board of Trustee Member and President & CEO of Farmers Bank & Trust; **Dr. Ed Stehno**, FHSU Professor Emeritus of Educational Administration and Counseling; **Mr. Tyler Thompson**, Alumni Association Member and Senior Specialist of IT Client Services at Merck Animal Health; **Ms. Tammy Wellbrock**, Executive Director of the Hays Area Chamber of Commerce; and **Mr. Jason Williby**, President & CEO of the FHSU Foundation.

The Board of Regents is represented by: **Regent Joe Bain**, partner of Cure & Bain, P.C.; and **Blake Flanders**, President & CEO of the Kansas Board of Regents.

(Committee Charge filed with Official Minutes)

**LEGISLATIVE UPDATE**

Matt Casey, Director of Government Relations, presented the legislative update. The Legislature returns for veto session on May 1, 2017. During this timeframe, they will work on finalizing the state budget and taxes. Director Casey noted that included in the proposed appropriation on language is a proviso to mandate all the state universities (except for the University of Kansas because it has already conducted a study) conduct an efficiency study. Additionally, he reported many of the Board's non-budgetary legislative items have been signed by the Governor or are on the way to the Governor to be signed.

Following this report, Chair Newton opened the floor for public comment for five minutes. Individuals expressed concern with the approaching deadline for allowing concealed carry on the university campuses. They believe allowing concealed carry in the classrooms will affect the learning environment. They asked the Board to continue to advocate for them on this issue.

**EXECUTIVE SESSION**

At 4:04 p.m., Regent Mullin moved, followed by the second of Regent Feuerborn, to recess into executive session for 120 minutes starting at 4:14 p.m. to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Flanders, President Garrett (for a portion) and Chancellor Gray-Little (for a portion). At 6:14 p.m., the meeting returned to open session.

**ADJOURNMENT**

The Chair adjourned the meeting at 6:14 p.m.

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Blake Flanders, President and CEO

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Zoe F. Newton, Chair