

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

November 16, 2016

The November 16, 2016, meeting of the Kansas Board of Regents was called to order by Chair Zoe Newton at 1:30 p.m. The meeting was held in the Memorial Union on the Emporia State University campus, 1 Kellogg, Circle. Proper notice was given according to law.

MEMBERS PRESENT:                   Zoe Newton, Chair  
  Joe Bain  
  Shane Bangerter  
  Ann Brandau-Murguia  
  Bill Feuerborn  
  Dennis Mullin  
  Daniel Thomas  
  Helen Van Etten

MEMBER ABSENT:                   Dave Murfin, Vice Chair

### **APPROVAL OF MINUTES**

Regent Murguia moved that the minutes of the October 19, 2016 meeting be approved. Following the second of Regent Feuerborn, the motion carried.

### **INTRODUCTIONS**

President Garrett introduced the following Emporia State University Deans: Ed Bashaw, Wooseob Jeong, Brent Thomas, Michelle Hammond, Jerald Spotswood, and Ken Weaver. She also thanked her staff who helped setup today's meeting and presented the Regents with a resin duplicate of the inauguration medallion that was given to her.

### **GENERAL REPORTS**

#### **REPORT FROM CHAIR**

Chair Newton reported the campus concealed carry policies are moving forward in the review process, and she thanked all the individuals on the campuses for their help in drafting these policies. She announced that the Board on Tuesday hired General Myers as the 14<sup>th</sup> President of Kansas State University. She thanked Regent Mullin and President Flanders for all the time they dedicated to make this a successful search. Additionally, Chair Newton thanked Regent Murfin for his work on identifying an individual as a potential chair for the University of Kansas Chancellor Search Committee, which is on the Board's agenda for consideration.

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

President Flanders reported the Kansas Department of Education and Kansas Board of Regents Coordinating Council met. The Council membership includes two members of the Kansas Board of Education and two Board of Regents members. He thanked Neosho County Community College President, Brian Inbody, for attending the last meeting. President Flanders noted one of the partnerships between higher education and K-12 is the transition to College Algebra pilot

program. The hope of this pilot program is to reduce the number of high school seniors who need to enroll in developmental math courses when in college. Currently, there are over 500 high school students enrolled in the pilot program. He noted the Council also received an update on the KSDE initiative to implement Individual Plan of Study for high school students.

#### REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Krull reported the System Council of Presidents did not meet today; however, work has been done to form the System Council's performance agreement working group. Each sector (community colleges, technical colleges, state universities, and Washburn University) has identified individuals who will serve on the working group. The charge to the working group is to identify ways to streamline and simplify the performance agreement process. The working group should consider 1) how the agreements can be better aligned with the goals of the Board of Regents' strategic plan, *Foresight 2020*, while also allowing the individual institutions to set unique goals for themselves, and 2) how existing data already collected by the Board of Regents can be better utilized in the performance agreement process. The working group's recommendations are to be presented to the System Council by the February 2017 meeting.

#### REPORT FROM COUNCIL OF PRESIDENTS

Chancellor Gray-Little presented the Council of Presidents' report. The Council approved Wichita State University's Master of Science in Biomedical Engineering, which will be forwarded to the Board for consideration. The Council of Faculty Senate Presidents reported they are working on creating a climate survey to measure anxiety around campus concealed carry. The faculty hope to establish a baseline and repeat the survey after the implementation of concealed carry on campus. The Faculty Senate Presidents are also drafting a sabbatical policy that will allow faculty to take a sabbatical in the Board of Regents office. The CEOs received an update from the Council of Business Officers regarding procurement processes and the status of the J-Visa insurance issue and the graduate student health insurance premium subsidy. The Business Officers reported that recently the federal government suspended its prior guidance and authorized the state universities to continue subsidizing the graduate student health insurance plan. The Government Relations Officers reported the Legislature will be choosing their leaders on December 5, 2016. The Council of Student Affairs Officers discussed the need for additional mental health services for students, the proposed university housing rates, and campus climate. The Council of Presidents was informed that the Students' Advisory Committee is discussing how students can be more involved with the Board of Regent processes. Chancellor Gray-Little also reported that the University Support Staff Council is discussing systemwide tuition exchange for university staff and drafting a mission statement for their council.

Regent Bangerter asked who will be conducting and paying for the concealed carry climate survey. This information has not yet been provided to the Council because the faculty are still working out the details.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Pam Keller presented the report for the Council of Faculty Senate Presidents. The Council discussed the campus concealed carry policies and the Credit by Examination policy. The faculty understand that the proposed changes to the Credit by Examination policy were made to align the College-Level Examination Program (CLEP) examination scores with the intent of the statute.

Ms. Keller stated the faculty will continue to work on systemwide Advanced Placement (AP) examination scores for academic disciplines. She noted the Council discussed drafting a proposal to create a sabbatical position in the Board of Regents office. Currently, there is not consensus in the Council to move forward with the proposal. Additionally, Ms. Keller stated the campus concealed carry climate survey is being discussed because faculty are interested in collecting data over several years to determine what impact concealed carry may have on the campuses.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Stephonn Alcorn reported that the Students' Advisory Committee was pleased to hear that the universities will be able to continue subsidizing the graduate student health insurance plan. He noted some of the SAC members attended a national meeting where students from around the country discuss how the different higher education governing systems are organized. Some states have student representation on their governing boards. The SAC discussed their role and how they can be more involved with the Board and the Board committees. The Committee also discussed the post-election climate on the campuses and the campus concealed carry policies.

#### INTRODUCTIONS

Matt Casey, Director of Government Relations, introduced the following legislators: Senator Jeff Longbine, Representative Elect Mark Schreiber, Representative Elect Eric Smith, and Former Speaker of the House Melvin Neufeld.

#### STANDING COMMITTEE AND OTHER REPORTS

##### ACADEMIC AFFAIRS

Regent Van Etten reported the Board Academic Affairs Standing Committee met by conference call on November 1, 2016. The Committee approved forwarding Wichita Area Technical College's request to offer a Computer Support Specialist degree and certificate. The Committee also completed its review of the institutional performance agreement reports, which will be presented to the Board at the December meeting.

##### FISCAL AFFAIRS AND AUDIT

Regent Bain presented the Board Fiscal Affairs and Audit Standing Committee report. The Committee reviewed the housing and dining proposals, which are on the Board's agenda for first read today. The Committee noted that the overall percentage increase shown to compare next year with this year is not necessarily a good comparison because several of the campuses had structural changes to their meal plan. The Committee discussed Wichita State University's request to offer in-state tuition to residents of the nine Kansas City metropolitan area counties. Regent Bain noted the Committee members hope in the future that the universities discuss and work together on proposals that may impact the university system before the proposals are brought to the Committee for review. This item is also on the Board's agenda for consideration. Additionally, Board staff presented proposed changes to the facilities policies. The Committee recommended forwarding the proposed changes to the Governance Committee.

##### GOVERNANCE

Regent Feuerborn reported the Governance Committee reviewed proposed amendments to the Qualified Admissions regulations. These amendments will be forwarded to the Board for

consideration at the December meeting. The Committee also continued its review of the campus concealed carry policies.

### **APPROVAL OF CONSENT AGENDA**

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

#### *Academic Affairs*

#### **DEGREE AND CERTIFICATE PROGRAMS FOR WICHITA AREA TECHNICAL COLLEGE**

Wichita Area Technical College received approval to offer an Associate of Applied Science degree (62 credit hours), Technical Certificate B (41 credit hours), and a Technical Certificate A (16 credit hours) in Computer Support Specialist (11.1006). The estimated initial cost of the program is approximately \$11,800, which will be funded by institutional funds. The College plans to begin the program in January 2017.

### **CONSIDERATION OF DISCUSSION AGENDA**

#### *Presentation*

#### **UPDATE ON EMPORIA STATE UNIVERSITY'S CAMPUS MASTER PLAN AND NOW & FOREVER CAMPAIGN**

President Garrett presented an update on Emporia State University's Campus Master Plan. The University's plan was approved by the Board in 2014. Since then enhancements have been made to classrooms, laboratories, landscaping, and exterior infrastructure. President Garrett spoke about the upgrades to student housing including the plan to replace Central and Northeast Morse Hall with a new residence hall.

President Garrett also gave an update on Emporia State University's Now & Forever Campaign. The campaign was launched in 2013 with the goal of collecting \$45 million by December 2016. She was pleased to report that the University surpassed their targeted goal by \$5 million. President Garrett noted the campaign funds are being used for scholarships, departmental and program support, and campus improvements.

(PowerPoint filed with Official Minutes)

#### *Fiscal Affairs and Audit*

#### **FY 2018 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSALS SUBMITTED BY STATE UNIVERSITIES (FIRST READ)**

Proposed rates for housing and food service for FY 2018 were presented by Vice President Frisbie. She noted these operations are self-funded. The Board asked about occupancy rates, late fees, and the correlation between housing and recruiting students. The Board will act on the proposed rate adjustments at its December meeting.

TUITION PROPOSAL FOR KANSAS CITY, MISSOURI METROPOLITAN AREA STUDENTS TO PAY RESIDENT TUITION RATE – WSU

President Bardo presented Wichita State University's request to allow the University to charge in-state tuition to residents in the nine-county Kansas City, Missouri metropolitan area. The nine counties are: Jackson, Platte, Cass, Clay, Clinton, Caldwell, Ray, Lafayette, and Bates. President Bardo stated this request is a key component for the University to continue to promote the development of relationships within the metropolitan areas connected to Wichita along the emerging I-35 region, which is composed of both the Texas Triangle and the Central Plains. In October 2015, WSU received authorization to offer in-state tuition to residents within the metropolitan areas of Tulsa and Oklahoma City. Since then, enrollment of Oklahoma residents has increased from 17 students in 2015 to 61 students in 2016. In June 2016, the Board authorized WSU to offer in-state tuition to residents in the Dallas-Fort Worth area and enrollment increased has from 43 to 66 students. President Bardo stated that by encouraging recruitment of out-of-state students, tuition policy can enhance the regional workforce, and if jobs are available, some out-of-state students will then remain in the state after graduation.

Some Board members expressed concerns about the potential enrollment and financial impact this request may have on WSU and the other state universities. Following discussion, it was determined more data will be needed in order to determine if WSU's in-state tuition request for Kansas City, Missouri residents will have a net gain to the system's enrollment. Regent Murguia reemphasized the Board Fiscal Affairs and Audit Standing Committee's position that the universities need to communicate and work together on tuition proposals that may impact the system. Regent Bangerter noted the Board has not spent a lot of time examining the impact of out-of-state tuition and requested the Council of Presidents review non-resident tuition policies and strategies.

Regent Mullin moved to approve the request on the condition that in four years WSU provide Board staff the data on the program's impact. Regent Feuerborn seconded, and the motion carried.

BREAK

Chair Newton called for a break at 2:53 p.m. and resumed the meeting at 3:11 p.m.

Other Matters

APPOINTMENT TO THE JOHNSON COUNTY EDUCATION RESEARCH TRIANGLE AUTHORITY

President Flanders stated in 2008 Johnson County residents voted to impose a one-eighth cent sales tax to support programs at the University of Kansas Edwards campus, the University of Kansas Medical Center, and the Kansas State University Olathe campus. The Johnson County Education Research Triangle Authority was created to oversee the imposition, collection and distribution of the sales tax. By statute, the Board appoints one member to the Authority and that member is required to be an elected official of Johnson County. Ed Eilert has served as the Board's appointment and his second term expires on November 30, 2016. Board staff recommends appointing Olathe, Mayor Michael Copeland to serve a four-year term on the Authority. Regent

Feuerborn moved to approve, and Regent Van Etten seconded. The motion carried. Mayor Copeland's four-year term will begin on December 1, 2016.

#### REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY AND APPOINTMENTS TO THE AUTHORITY

Ray Frederick, Chair of the Kansas Postsecondary Technical Education Authority (TEA), presented the TEA report. At the October meeting, the TEA approved the State Innovative Technology grants for Flint Hills Technical College and Johnson County Community College. The TEA discussed the following priorities for the upcoming year: 1) proposed legislation to reauthorize the Authority for a five-year period beginning July 1, 2017, 2) review and determine if residency requirements should be the same for community and technical colleges, 3) look at measuring college outcomes and inputs, 4) identify and reduce obstacles standing in the way of institutional collaboration, 5) streamline and better define the new program approval process, and 6) determine how to get more business and industry engagement. Additionally, Chair Frederick announced residents of Sumner County voted to adopt a sales tax, which will allow Cowley Community College to build a branch campus in Wellington, Kansas.

At the October 2010 meeting, the Board adopted a process for appointing their members to the TEA. Chair Frederick stated the Board's technical college representative, Steve Kearney, and community college representative, Linda Fund, will be completing their terms as TEA members at the end of December. After consultation with the technical colleges and community colleges, the following individuals were nominated to fill the positions: Rita Johnson – representing the technical colleges, and Mike Johnson – representing the community colleges. Regent Feuerborn moved to approve both appointments, and Regent Bangerter seconded. The motion carried. Both will serve a three-year term beginning on January 1, 2017.

#### NON-BUDGETARY LEGISLATIVE PROPOSALS

Matt Casey, Director of Government Relations, presented the proposed non-budgetary legislative items. Last month the Board reviewed the following proposals: 1) Foresight 2020 Strategic Plan Concurrent Resolution, 2) Proposed Private and Out-of-State Postsecondary fee statute amendments, 3) Authority to sell multiple properties – KSU, and 4) Wichita State University property exchange with Kansas Gas and Electric Company (KG&E), a wholly-owned subsidiary of Westar Energy, Inc. Regent Murguia moved to approve these non-budgetary legislative proposals. Regent Thomas seconded, and the motion carried.

#### ADDITIONAL NON-BUDGETARY LEGISLATIVE PROPOSALS (FIRST READ)

Director Casey stated the Kansas Postsecondary Technical Education Authority is scheduled to sunset on June 30, 2017. The proposed legislation would reauthorize the Authority for a five-year period beginning July 1, 2017. The Board will take action on this item at the December meeting.

#### WICHITA AREA TECHNICAL COLLEGE AND WICHITA STATE UNIVERSITY MERGER PROPOSAL (FIRST READ)

Director Casey stated this is the first read of the Wichita Area Technical College and Wichita State University merger proposal and noted that the last sentence under the Fiscal Note "Tiered technical funding will only be for programs currently authorized and in existence at the time of

the merger” needs to be removed. The current draft legislative language allows new program courses eligible for the postsecondary tiered technical education state aid.

President Bardo stated the proposed merger would create a new School of Applied Sciences and Technology within Wichita State University and would serve as an economic driver for the greater public good and create a better trained workforce. The Wichita Area Technical College Board of Trustees and the business community understand this merger can address emerging workforce needs especially in advanced manufacturing. WATC and WSU have been working out the details of the merger including admissions requirements and funding. President Bardo stated WATC’s Board of Trustees requested the merger bill include language that allows the merged School to remain eligible for the postsecondary tiered technical education state aid for any qualified new program. The Trustees and the business community do not believe there should be limitations placed on program courses that would have remained eligible for the postsecondary tiered technical education state aid if WATC remained a stand alone college.

Regent Bangerter asked about the funding discussions with the community and technical colleges. President Flanders reported last year when the merger was introduced several conversations occurred with community and technical college leadership. At that time the group discussed and agreed to the following parameters: 1) the merged School should receive the amount for the non-tiered funds for the initial year of the merger, 2) all courses in existing programs (before the merger) would remain eligible for SB 155 funding and tiered technical funding, and 3) after the merger, any unique courses in new programs would not be eligible for the postsecondary tiered technical education state aid. The new programs after the merge would need to be self-supported. President Flanders stated the WATC Board of Trustees now feels the courses in the eligible programs should remain eligible for tiered technical funding and noted the Trustees pointed out that such funding restrictions were not placed on the affiliation between Washburn University and Washburn Institute of Technology. President Flanders also clarified the distribution of state funds is based on enrollment in program course.

President Krull, Butler Community College, and Marvin Chance Jr., Kansas Association of Community College Trustee, spoke on behalf of the community colleges regarding the merger. President Krull stated the community colleges are supportive of the merger but have concerns regarding the funding streams. Community and technical colleges have limited state funds in their operating budgets and the concern is that a state university would have access to those limited funds through the merger. She noted the last time new funds were appropriated to tiered funding was in 2013 when the Legislature added \$8 million. Currently for FY 2017, there is approximately \$56 million appropriated for the tiered funding and approximately \$73 million appropriated in the non-tiered funding. As a comparison in FY 2015, Wichita State University’s state general fund request was approximation \$71 million. The community colleges are requesting that current funding streams for the two-year sector be protected by ensuring a state university’s access to these funds come with restrictions.

President Burks, North Central Kansas Technical College, stated the technical colleges are supportive of the merger. However, he and his colleagues need more time to review the proposed merger language before taking a position regarding the funding. The technical colleges are

meeting on December 7 and 8 to discuss the language and will provide the Board with feedback at the December meeting.

Regent Newton thanked the two-year college representatives for attending. The Board will continue the discussion on the merger at the December meeting.

#### UNIVERSITY OF KANSAS CHANCELLOR SEARCH

Regent Newton reported over the next several weeks steps will be taken to select and finalize the membership of the University of Kansas Chancellor Search Committee. Board policy states the Board will establish the appropriate process for selecting a university chief executive officer. Regent Mullin spoke about the importance of conducting a closed search. He believes the pool of candidates is stronger during a closed search and noted candidates for the Kansas State University presidential search told him they would not have applied if the search had been open. The Board concurred that the Chancellor search should be closed and committee-led. Regent Mullin then moved to appoint David Dillon as Chair of the University of Kansas Chancellor Search Committee and to hire R. William Funk & Associates as the search consultant. Regent Bain seconded, and the motion carried.

#### EXECUTIVE SESSION

At 4:00 p.m., Regent Bain moved, followed by the second of Regent Murguia, to recess into executive session for 30 minutes starting at 4:05 p.m. to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board and President Flanders. At 4:35 p.m., the meeting returned to open session. Regent Bain moved to extend 15 minutes, and Regent Murguia seconded. The motion carried. At 4:50 p.m. the meeting returned to open session.

#### ADJOURNMENT

The Chair adjourned the meeting at 4:50 p.m.

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Blake Flanders, President and CEO

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Zoe F. Newton, Chair