

KANSAS BOARD OF REGENTS

MINUTES

January 16, 2019

The January 16, 2019, meeting of the Kansas Board of Regents was called to order by Chair Dennis Mullin at 1:30 p.m. The meeting was held in the Board Office located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT: Dennis Mullin, Chair
Shane Bangerter, Vice Chair
Bill Feuerborn
Mark Hutton
Dave Murfin
Daniel Thomas
Allen Schmidt
Helen Van Etten

MEMBER ABSENT: Ann Brandau-Murguia

APPROVAL OF MINUTES

Regent Feuerborn moved that the minutes of the December 12-13, 2018 meeting be approved. Following the second of Regent Murfin, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Mullin reported President Flanders, Matt Casey, and he met with Governor Kelly last week to discuss the priorities of the higher education system. He noted the Board looks forward to working with the Governor and the Legislature this year. The Chair announced the Board will be attending the Governor's State of the State Address that evening and will have breakfast with legislators on Thursday at the Statehouse. Chair Mullin stated because of the State of the State Address, the Board's dinner with the two-year colleges was moved to February 20. He noted this dinner gives the Board a valuable opportunity to hear from the leaders of the colleges and that the Board is looking forward to the discussion in February.

REPORT FROM PRESIDENT AND CEO

President Flanders reported he met last week with Kyle Frank, Pittsburg State University's student body president, and Noah Ries, the University of Kansas's student body president, to discuss the Students' Advisory Committee's interest in increasing the use of open educational resources (OER) to reduce textbook costs for students. President Flanders noted the students have developed an action plan, and he encouraged the universities and colleges to review it. President Flanders stated last month the Governor's Education Council submitted its recommendations to Governor Colyer. One of the recommendations from the Council was to study the student fee structure and review the technical programs that qualify for state funding in the Excel in CTE Program. President Flanders noted the Technical Education Authority is currently working on reviewing technical programs that qualify for this program. Moving forward, President Flanders anticipates

that Governor Kelly will form an education council similar to this one. He also thanked Regent Van Etten, Regent Thomas, and Board staff for their work on the Council. President Flanders announced the University of Kansas Health System has partnered with Kansas City Kansas Community College on a GED program that allows employees at the KU Health System to earn a GED while on the job. He also announced the Board office secured a \$463,500 grant from the Walmart Foundation that will be used to create programs that will provide service-sector workers with a pathway to gain their high school diploma, improve English skills, and ultimately be promoted within their company. Kansas adult education providers will be selected to collaborate with employers to create these programs.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Calvert presented the System Council of Presidents report. The Council received an update from the System Council of Chief Academic Officers regarding transfer and articulation, the reverse transfer communication plan, and the Kansas Teacher Service Scholarship. The Council then discussed a proposed amendment to the Board's policy that defines baccalaureate degree. The amendments would authorize programmatic exceptions to the minimum 60 semester credit hour requirement for the institution awarding the baccalaureate degree in certain transfer agreements between the University of Kansas Edwards campus and Johnson County Community College. The Council believes making this exception for these institutions will be beneficial to students, but the Council would like to receive regular updates on the progress of these agreements. After the discussion, the proposed amendments were approved by the Council. The Council also approved the proposed guidelines to the State Authorization Reciprocity Agreement.

REPORT FROM COUNCIL OF PRESIDENTS

President Scott 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, and the University Support Staff Council. The Academic Officers reviewed proposed amendments to the Credit by Exam policy and reviewed program requests. The Business Officers are working with their human resource and budget staff to estimate the cost of implementing a parental leave policy and will present information to the Council at its February meeting. The Business Officers are also working on the Board's efficiency goal and looking at property insurance. The Government Relations Officers provided a legislative update and noted bills have been drafted pertaining to reducing sale tax on textbooks and authorizing sports betting in the state. The Council of Presidents discussed the potential impact of legalizing sports betting in Kansas and noted this bill needs to be monitored as it moves through the legislative process. Additionally, the Council of Presidents approved the proposed amendments to the Naming of Academic Units policy and the proposed amendments to the Expedited Program Approval Process policy.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The report of the Council of Faculty Senate Presidents' meeting was presented by Clifford Morris. The Council discussed how each campus is currently using open educational resources and ways the faculty can partner with the Students' Advisory Committee on this initiative. The Council also reviewed the proposed amendments to the Credit by Exam policy and discussed math pathways.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Kyle Frank presented the report for the Students' Advisory Committee. The Committee continues to discuss setting up a student diversity council that will allow student diversity officers to share information. The students approved their legislative priorities for the year, which include pursuing affirmative consent legislation and advocating for the reduction of sales tax on textbooks. The Committee continues to work on its open educational resources (OER) initiative. The students drafted a proposed OER Action Plan for the Kansas higher education system. Some of the items in the Plan include having the Board incorporate OER expansion and textbook affordability into its strategic plan, creating a systemwide task force to address the cost of textbooks, and encouraging the provosts at each state university to submit semiannual reports on the number of OER courses offered to the Council of Chief Academic Officers and/or the systemwide task force. It was noted the student senate at the University of Kansas adopted a resolution in support of expanding OER use and the Action Plan. The Board thanked the students for their work on this topic and will review the proposed Action Plan.

(Proposed Action Plan Attached to Official Minutes)

REPORT FROM UNIVERSITY SUPPORT STAFF COUNCIL

Michael Woodrum reported the University Support Staff Council continues to work on their morale survey. The concept of this survey started last year and since then, questions have been drafted. The Docking Institute will create the survey, which will be sent to all USS and unclassified employees at five of the six state universities. He noted the University of Kansas has opted not to participate in the survey. The Council hopes to have results to review by the end of the academic year. Additionally, the Council supports implementing a parental leave policy and noted it supports the Board's legislative budget request.

REPORT FROM UNCLASSIFIED STAFF COUNCIL

Lindell Haverstic thanked the Board for allowing the Unclassified Staff Council to present a report twice a year. He noted this Council represents the largest number of employees on the campuses and believes this direct line of communication provides a crucial voice on important topics. The unclassified staff asked the Board to continue to advocate for full funding of the restoration and would like the campuses to continue to review compensation classifications and salary compression corrections. The Council continues to be concerned with the rise in healthcare costs and asked the Board to advocate for reducing rates.

REPORT FROM THE COMMUNITY COLLEGES

President Calvert presented the community college report. He highlighted activities occurring at Garden City Community College, Butler Community College, Neosho County Community College, Colby Community College, Allen County Community College, and Highland Community College. President Calvert noted the colleges are looking forward to participating in higher education day at the Statehouse on Thursday.

REPORT FROM THE TECHNICAL COLLEGES

President Schears presented the report for the technical colleges. The colleges continue to review and discuss their service areas to determine if the educational needs of Kansas are being met with the current policy. President Schears noted the technical colleges believe service areas are still

relevant; however, there may be specific locations in Kansas where the policy needs to be adjusted to address specific educational needs. The colleges will continue to work with Board staff on this topic. President Schears reported the colleges are looking forward to their dinner with the Board next month and will be busy at the Statehouse advocating for higher education during the session.

REPORT FROM THE UNIVERSITY CEOS

Chancellor Girod reported 71 faculty and staff from all of the KU campuses participated in the KU Visioning Day event on the KU Edwards campus. The faculty and staff created a vision of what the University could look like in the future. The Chancellor announced that Arvin Agah was selected as the new Dean of Engineering; Mark Shiflett, Foundation Distinguished Professor of Chemical & Petroleum Engineering, was named as a National Academy of Inventors Fellow; and Kathryn Ammon is the first KU student to receive a George J. Mitchell Scholarship. Chair Mullin thanked the Chancellor for his leadership during these difficult budgetary times.

President Garrett reported that Dr. Kevin Rabas, Chair of the English, Modern Languages, and Journalism Department, read one of his poems at the Governor's inauguration and Max McCoy, Assistant Professor of Journalism, received several national awards for his travel memoirs. President Garrett reported the University received the Higher Learning Commission's report regarding its recent campus visit. The report is positive, and President Garrett thanked Provost Cordle for all his work on this process. President Garrett provided an update on the ESU debate team and women's basketball team. She also reported funds were raised to establish endowed chairs for Dr. John Rich and Dr. James Calvert.

President Myers read segments of a letter written by Coach Bill Snyder addressed to the University. In it, Coach Snyder thanked the campus for its support over the years and noted the KSU football program over the last 30 years had graduation rates over 80 percent, which was among the highest for any major public program. President Myers announced that Susan Sun, University Distinguished Professor of Grain Science and Industry, was named as a National Academy of Inventors Fellow, and Hill's Pet Nutrition made a major donation to the College of Veterinary Medicine. The donation will be used to convert building space into classroom, research, and training space in Mosier Hall. President Myers reported the K-State License Plate program exceeded 10,000 plates, which has produced \$4 million in student scholarships. He also reported the Kansas State Polytechnic campus is the first university to receive authorization from the FAA to fly unmanned drone beyond the line of sight.

President Scott reported the University has begun a process of reviewing the mix of academic program offerings. The goals for this initiative are to categorize programs for enhancement, maintenance, or monitoring/discontinuance using objective criteria; identify possible new programs with emphases on those with the potential for enrollment growth and revenue generation; and identify opportunities for reorganization within the Division of Academic Affairs in order to optimize efficiencies and enhance delivery of educational programs. President Scott noted this initiative is being led by Provost Olson, who will be retiring at the end of the academic year.

President Scott stated at the Board Retreat this year the Board directed the university CEOs to coordinate meetings with legislators during the session in order to increase the system's advocacy efforts. President Scott reported on Tuesday President Mason, President Garrett, and he met with

seven legislators at the Statehouse. At these meetings, the issues surrounding the state's budget and the importance of the higher education system were discussed. Chancellor Girod reported that he and President Myers will visit with legislators after Thursday's breakfast. He also noted the CEOs have been busy advocating for higher education in their local regions by talking with elected officials and business leaders. Chair Mullin thanked the CEOs and encouraged everyone to keep advocating for the higher education system.

Provost Muma reported Spirit Aerosystems is adding 1,400 jobs and is partnering with Wichita State University for training. He announced that WSU Tech received a \$100,000 Metallica Scholars Initiative grant, which will be used to support students preparing to enter the workforce. This grant is funded by Metallica's All Within My Hands Foundation. Provost Muma reviewed the current partnerships on the Innovation Campus and stated the University received its largest federal grant (\$15.95 million) from the Department of Defense to work on the F/A-18 aircraft sustainment program.

President Mason reported the Fort Hays State University Transition to Teaching program is breaking enrollment records year after year. The program has more than 180 new teachers who have been hired by Kansas schools in 90 districts. She shared the University's undergraduate career outcomes data and the Division of Student Affairs *Story of Excellence*. President Mason also reported the University's distance education program is in every state and 20 countries.

AMEND AGENDA

Regent Van Etten moved to amend the agenda to make Commissioner Watson's presentation the next item on the agenda. Regent Bangerter seconded, and the motion carried.

BREAK

The Chair called for a break at 3:00 p.m. and resumed the meeting at 3:11 p.m.

Presentations

UPDATE ON THE KANSAS DEPARTMENT OF EDUCATION

Commissioner Watson presented an update on the Kansas Department of Education (KSDE) and the Kansas Board of Education. There are ten elected members on the Board and each represents a district comprising four contiguous senatorial districts. The vision of the Board is for Kansas to lead the world in the success of each student. Commissioner Watson stated the Board is defining and measuring "success" on how well students perform after high school. The Department of Education collects data on students who enter a higher education institution. This data allows KSDE and school districts to capture how many students are entering higher education, how many are retained through the years, how many return after leaving for a period of time, how many leave and do not return, and how many graduate with a degree. KSDE then uses this data to determine the "effective rate" for each high school graduating class. Effective rate is defined as the percent of students in a graduating high school class who went on to be "successful." Success is defined as students who meet one of the following four outcomes within two years of high school graduation: 1) earned an industry recognized certification while in high school, 2) earned a postsecondary certificate, 3) earned a postsecondary degree, or 4) enrolled in a postsecondary

institution in both the first and second year following high school. The State Board's goal is to have an overall effective rate between 70-75 percent for the state.

The Commissioner reviewed some of the initiatives the Board of Education and the Board of Regents have collaborated including transition to College Algebra, standard acceptance for advanced placement credits, and systemwide transfer of courses. He noted a strong partnership between the two Boards will help drive mutual goals. The Regents asked questions regarding funding for early childhood development and the Commissioner noted these funds are separate from the funding formula. The Regents also asked questions about ACT testing. The Commissioner stated this year the state is paying for one ACT test or WorkKey assessment for Kansas juniors. These tests are administered in February and the students will receive their results before starting their senior year. Chair Mullin thanked the Commissioner for his update.

(PowerPoint filed with Official Minutes)

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Thomas reported the Board Academic Affairs Standing Committee received the annual report on Qualified Admissions detailing the number and percent of exceptions the universities made to the minimum admission standards in Academic Year 2017. No university exceeded the ten percent exception threshold. The Committee also received the annual Quality Assurance Report from the Transfer and Articulation Council. The data indicates that overall transfer students taking the same classes as native students do as well or better than the native students. The Committee approved Independence Community College's appeal to move from the 75 percent funding tier to the 90 percent funding tier for its academic year 2017 performance report. The University of Kansas Medical Center also received approval to drop one indicator from its performance agreement so that it has six indicators like the other campuses.

FISCAL AFFAIRS AND AUDIT

Regent Feuerborn reported the Fiscal Affairs and Audit Standing Committee received the annual updates from five state university internal auditors. He noted Emporia State has arranged to present to the Committee in March. The Committee received information on how the auditors set their priorities and whether the auditors feel they have enough access to this Committee. The Committee made it clear that the auditors should contact members directly about any concerns on their campus. The Council of Business Officers presented a report to the Committee on efficiency and collaborative work the Council has developed. The Committee also received additional information on the costs to provide high school students with postsecondary classes, which was presented to the Board last month. Several colleges updated their figures and five universities provided data. The median cost for providing the classes increased to \$81 per credit hour from \$76, while the median reported cost for Composition I became \$71.

GOVERNANCE

Regent Mullin reported the Governance Committee received an update on the unified communication and advocacy plan for the system. The Committee reviewed a Conflict of Interest reported by Regent Hutton, which will be on the Board's February agenda for action. The

Committee continued its review of proposed policy amendments in the following areas: building namings, universities leasing space in developer-owned buildings on state or university property, Board oversight of certain multiple year appointments, and policies related to the Board's delegation of authority to the Board President and CEO. The Committee also reviewed the timeline for the 2019 Board CEO assessment process and received an update on the ongoing study of the university and college service areas.

APPROVAL OF CONSENT AGENDA

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

Academic Affairs

MASTER OF SCIENCE IN NURSING AT EMPORIA STATE UNIVERSITY

Emporia State University received approval to offer a Master of Science in Nursing. The degree will provide students with three online options: Healthcare Management, Nursing Education, and a blended Healthcare Management/Education option. The anticipated cost of the first three years of the program are as follows: year 1 - \$277,185; year 2 - \$285,308; and year 3 - \$295,419. The program will be funded with tuition, state funds, and the President's Incentive Program. By year four the program should be self-sustaining.

Fiscal Affairs & Audit

AMENDMENT TO CAPITAL IMPROVEMENT PLAN AND APPROVAL OF ARCHITECTURAL PROGRAM STATEMENT FOR LAW ENFORCEMENT TRAINING CENTER – KU

The University of Kansas received approval to amend its FY 2019 Capital Improvement Plan to include a rehabilitation and repair project at the Kansas Law Enforcement Training Center (KLETC). The project includes reconstructing the aged and damaged pavement on the training courses and parking lots. The estimated cost of the project is \$983,775, which will be funded with KLETC operating budget. The Architectural Program Statement for the project was also approved.

CONSIDERATION OF DISCUSSION AGENDA

AMEND AGENDA

Regent Van Etten moved to amend the agenda to table the annual *Foresight 2020* Progress Report to the February Board meeting. Regent Murfin seconded, and the motion carried.

Academic Affairs

ADDITIONAL SYSTEMWIDE TRANSFER COURSES

Jean Redeker, Vice President for Academic Affairs, presented the Transfer and Articulation Council recommendation to approve seven new courses, which are listed below, for inclusion in

the systemwide transfer matrix. If approved, the total number of courses eligible for system transfer will increase to 91. Regent Van Etten moved to approve, and Regent Schmidt seconded. The motion carried. These courses will be eligible for transfer effective summer 2019.

- American Literature I
- American Literature II
- Comparative Politics
- Introduction to Early Childhood Education
- Marriage and Family
- Music Theory II
- Principles of Leadership

PERFORMANCE REPORTS FOR ACADEMIC YEAR 2017

Vice President Redeker presented the Performance Reports for Academic Year 2017. The institutional performance agreements are approved on a three-year cycle and consist of indicators that support elements of *Foresight 2020*. Progress on performance is measured against a baseline that is established for each indicator and new funds are awarded based on the level of compliance. Vice President Redeker reported the Board Academic Affairs Standing Committee reviewed all the reports and heard appeals from eight institutions that qualified for less than 100 percent of funding. The Committee recommended the following funding levels for each institution:

Institution	Funding Recommendation
Emporia State University	100% funding
Fort Hays State University	100% funding
Kansas State University	100% funding
Pittsburg State University	100% funding
University of Kansas	100% funding
University of Kansas Medical Center	100% funding
Wichita State University	100% funding
Washburn University/Washburn Institute of Technology	100% funding
Allen County Community College	100% funding
Barton County Community College	100% funding
Butler Community College	90% funding
Cloud County Community College	100% funding
Coffeyville Community College	100% funding
Colby Community College	100% funding
Cowley County Community College	100% funding
Dodge City Community College	100% funding
Fort Scott Community College	100% funding
Garden City Community College	100% funding
Highland Community College	100% funding
Hutchinson Community College	100% funding

Independence Community College	90% funding
Johnson County Community College	100% funding
Kansas City Kansas Community College	100% funding
Labette Community College	100% funding
Neosho County Community College	100% funding
Pratt Community College	75% funding
Seward County Community College	90% funding
Flint Hills Technical College	100% funding
Manhattan Area Technical College	100% funding
North Central Kansas Technical College	100% funding
Northwest Kansas Technical College	100% funding
Salina Area Technical College	100% funding
Wichita State University Campus of Applied Sciences and Technology	100% funding

Regent Schmidt moved to approve, and Regent Van Etten seconded. Regent Bangerter expressed his concerns with how performance is currently measured. President Flanders noted that as the Board develops its new strategic plan, it can adjust how performance is measured.

Fiscal Affairs and Audit

DISTRIBUTION OF STATE FUNDS FOR TECHNICAL EDUCATION (EXCEL IN TECHNICAL EDUCATION AND AO-K PROVISIO) AND POSTSECONDARY EDUCATION PERFORMANCE-BASED INCENTIVES FUND (GED ACCELERATOR)

Elaine Frisbie, Vice President of Finance and Administration, presented the proposed distribution of state funds for Technical Education (Excel in Career Technical Education and the Accelerating Opportunity-Kansas proviso) and the Postsecondary Education Performance-Based Incentives Fund (GED Accelerator). She noted the amounts are based on current FY 2019 enrollments and that the second distribution will be made at the June meeting. The distribution amounts are also contingent upon the Board's assessment of each institution's performance pursuant to the performance agreement process. Regent Feuerborn moved to approve. Regent Thomas seconded, and the motion carried. The following distributions were approved:

Institution	Excel in CTE	AOK Proviso Adult Tuition	GED Accelerator
Allen County Community College	\$513,490	\$ --	\$ --
Barton County Community College	237,496	52,780	(1,075)
Butler Community College	344,494	8,015	2,680
Cloud County Community College	107,755	--	--
Coffeyville Community College	450,262	--	--
Colby Community College	217,661	--	--
Cowley County Community College	436,784	--	--
Dodge City Community College	192,915	(7,375)	(160)

Flint Hills Technical College	936,368	--	--
Fort Scott Community College	537,115	7,619	(129)
Garden City Community College	99,874	(85)	(1,000)
Highland Community College	883,732	41,590	2,010
Hutchinson Community College	1,438,378	3,524	(578)
Independence Community College	102,246	--	--
Johnson County Community College	1,024,663	26,124	8,906
Kansas City Kansas Community College	1,504,395	(914)	(129)
Labette Community College	210,261	--	--
Manhattan Area Technical College	139,714	--	--
Neosho County Community College	568,652	3,197	2,779
North Central Kansas Technical College	174,365	--	--
Northwest Kansas Technical College	548,956	--	--
Pratt Community College	214,346	--	--
Salina Area Technical College	463,748	23,342	7,940
Seward County Community College	462,161	19,027	(17)
Washburn Institute of Technology	2,183,927	147,557	18,152
WSU Campus of Applied Sciences & Technology	2,355,687	81,749	7,871
Total	\$16,349,445	\$406,150	\$47,250

Other Matters

NON-BUDGETARY LEGISLATIVE ITEMS AND LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported at the December meeting the Board reviewed legislative proposals to request the authority to purchase cyber security insurance for the Board of Regents Office and to request the authority for the University of Kansas to sell Oldfather Studio, 1621 West 9th in Lawrence. Regent Bangerter moved to approve, and Regent Feuerborn seconded. The motion carried.

EXECUTIVE SESSION

At 4:15 p.m., Regent Bangerter moved, followed by the second of Regent Van Etten, to recess into executive session starting at 4:25 p.m. in the Kathy Rupp Conference Room for 30 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was personnel matters and the purpose was to protect the privacy of the individual Board employee involved. Participating in the executive session were members of the Board, President Flanders, and Chancellor Girod. At 4:55 p.m., the meeting returned to open session.

ADJOURNMENT

The Chair adjourned the meeting at 4:55 p.m.

Blake Flanders, President and CEO

Dennis Mullin, Chair