

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

March 20-21, 2019

The March 20, 2019, meeting of the Kansas Board of Regents was called to order by Chair Dennis Mullin at 12:30 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  
Ann Brandau-Murguia  
Bill Feuerborn  
Mark Hutton  
Dave Murfin  
Daniel Thomas  
Allen Schmidt  
Helen Van Etten

### **EXECUTIVE SESSION**

At 12:30 p.m., Regent Bangerter moved, followed by the second of Regent Hutton, to recess into executive session in Conference Room B for 30 minutes to discuss matters of non-elected personnel. The subject of this executive session was a routine university CEO evaluation 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 President Garrett. At 1:00 p.m., the meeting returned to open session. Regent Bangerter moved to extend 15 minutes, and Regent Feuerborn seconded. The motion carried. At 1:15 p.m. the meeting returned to open session.

### **BREAK**

The Chair called for a break at 1:15 p.m. and resumed the meeting at 1:30 p.m. in the Board Room.

### **APPROVAL OF MINUTES**

Regent Feuerborn moved that the minutes of the February 20-21, 2019 meeting be approved. Following the second of Regent Schmidt, the motion carried.

### **TRIBUTE TO PRESIDENT BARDO**

In honor of President Bardo, Chair Mullin asked for a moment of silence.

Acting President Muma stated President Bardo will be greatly missed. Last Wednesday, the day after his death, the President's staff opened his office and invited University and community members to stop by and share their memories on cards that could be given to his wife Deborah and his family. Acting President Muma reported hundreds of notes have come in from visitors. Acting President Muma stated that President Bardo's legacy will continue because Dr. Bardo combined his experience in higher education with an eye on the future and an intense drive to change the University, Wichita, and Kansas for the better. President Bardo believed Wichita State has a special mission as the state's only urban public research university, where the University's primary

mission is to provide educational access to all, but also to help industry and agency partners solve some of their most pressing issues. Dr. Bardo's vision for Wichita State was to be a driver of prosperity, and he implemented this vision in many ways including the development of the Innovation Campus to bring businesses to campus and create applied learning experiences for students. President Bardo also had a vision to grow the University enrollment by way of the I-35 corridor. Following the Board's approval of Wichita State's Shocker City and Select Programs, the University has seen enrollment growth from this corridor. Acting President Muma stated WSU students, the City of Wichita, and the state have a better future because of John Bardo. He was a transformational President and a humble leader.

The Board members and university CEOs shared their memories of President Bardo and his impact on the University, the system, and the State. They extended their condolences to his wife and family and noted he will be missed.

(PowerPoint filed with Official Minutes)

## **GENERAL REPORTS**

### **REPORT FROM CHAIR**

Chair Mullin reported that this week Board staff delivered to the Legislature a joint letter signed by 31 business and industry partners along with a few standalone letters. These letters expressed their support of the system's higher education funding request. Chair Mullin noted it is anticipated that more businesses will sign on or write their own letters of support in the coming weeks. He thanked these businesses for their support.

### **AMEND AGENDA**

Regent Thomas moved to amend the agenda to remove from today's agenda the "Recommended Paid Parental Leave Policy" and add two items to Thursday's agenda: 1) a discussion on the Wichita State University Presidential Search, and 2) an additional executive session for personnel matters. Regent Murguia seconded, and the motion carried. These two items will follow the executive session that is already scheduled.

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

President Flanders announced that Jean Redeker, Vice President for Academic Affairs, will be leaving the Board office after the June meeting to begin a new position at the University of Kansas. President Flanders thanked Dr. Redeker for her years of service.

### **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. The Academic Officers reported the Transfer and Articulation Council will be reviewing, in the fall, an additional twelve courses for transfer. The Academic Officers provided updates on reverse transfer and Concurrent Enrollment Partnership, which saw a 35 percent increase in high school students' participation over the last five years. Performance agreements and open education resources were also discussed by the Academic Officers. Additionally, the System Council of Presidents received a proposed structure

for the Board's new strategic plan and will be providing feedback to Dr. Flanders over the next several months.

#### 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 (USS) Council. The Academic Officers approved unanimously Pittsburg State University's proposed Associate of Applied Science in Plastics Technology, which was also approved by the Council of Presidents. Fort Hays State University's proposed Master of Social Work and Kansas State University's proposed Master of Science in Physician Assistant Studies were not unanimously approved by the Academic Officers and will therefore be brought to the Council of Presidents in April for review. The Business Officers discussed the proposed Paid Parental Leave Policy. The Government Relations Officers provided a legislative update and the USS Council gave an update on its campus morale survey.

The Council of Presidents reviewed the student health insurance benefit and premium rate scenarios for plan year 2018-2019. The Council believes all the scenarios are difficult but recommend the approval of scenario two, which creates two separate risk pools: one for truly "voluntary" plan participants, which would see a rate increase of 114 percent, and another for those students who are incentivized to participate in the plan, who would see a rate increase of 4.11 percent. The Council also discussed the sports betting legislation. The Council will consider whether to endorse the NCAA's position and will discuss this further at its next meeting.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The report of the Council of Faculty Senate Presidents' meeting was presented by Clifford Morris. Last month the Council met with the Students' Advisory Committee (SAC) Chair, Kyle Frank, to discuss ways the faculty and students can work together on the open educational resources initiative. The SAC's proposed action plan on OER was reviewed and each member of the Council of Faculty Senate Presidents plans to take the proposed plan back to their respective campus for further discussion and feedback. The Council also discussed the proposed Board policy on paid parental leave, and the Council supports the policy as it is currently drafted. It was noted the proposed policy is aligned with the faculty reward structure.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Michael Webb presented the Students' Advisory Committee report. The Committee will be reviewing the data from the textbook affordability survey, which was distributed last month to students on the campuses. A final report on the survey results will be submitted to the Board in May. The Committee discussed the student insurance benefit and premium rate scenarios and concurred with recommending scenario two for approval. It was noted scenario two is the better option for those who are incentivized to participate in the plan. Chair Mullin also met with the Committee to discuss the success of the students' higher education day at the Statehouse, and the Committee is planning to return to the Statehouse on May 2 to continue its advocacy.

#### REPORT FROM THE COMMUNITY COLLEGES

President Calvert presented the community college report. He highlighted activities occurring at Labette Community College, Garden City Community College, Seward Community College,

Johnson County Community College, Kansas City Kansas Community College, Butler Community College, Cowley Community College, and Pratt Community College. President Calvert thanked everyone who was able to attend Phi Theta Kappa Scholarship luncheon.

#### REPORT FROM THE TECHNICAL COLLEGES

President Schears presented the report for the technical colleges. The technical college CEOs continue to be engaged with legislators about the importance of higher education. He noted if new money is appropriated, the technical colleges want any additional funds for the tiered and non-tiered programs to be distributed through the cost model. The colleges also support the legislation that would remove the Technical Educational Authority sunset clause. President Schears noted the technical college CEOs will begin to review the draft Board strategic plan structure that was provided to the System Council of Presidents.

#### REPORTS FROM THE UNIVERSITY CEOS

President Garrett reported the national debate tournament is next week and 78 teams around the nation are participating, including teams from Emporia State. The students on the ESU teams that will be competing are Kalese Warfield, a sophomore majoring in business administration; Niko Sims, a freshman majoring in political science; Squid Monteith, a senior majoring in speech and theatre education; and Keryk Kuiper, a freshman majoring in communications. President Garrett also recognized two outstanding ESU nursing students: Erin Buckner and Eadie Monagham. Erin will be working as a Nurse Associate Extern at the Marymount Hospital in Cleveland, Ohio, and Eadie will be working as a Heart and Vascular Institute Nurse Associate Extern at the Cleveland Clinic main campus.

Chancellor Girod announced Bryce Hoppel, a junior, won the 800-meter national title at the 2019 NCAA Indoor Track & Field Championships. On February 20<sup>th</sup> the University held its second annual 24-hour giving campaign: *One Day. One KU*. It was a successful campaign that raised \$1,084,032. Chancellor Girod reported Match Day is a nationwide annual event that takes place on the third Friday in March in which more than 30,000 graduating medical students learn which hospital they have been paired with via the National Resident Matching Program. This year a total of 198 KU Medical Center students were matched. On March 8<sup>th</sup>, the KU Law Enforcement Training Center graduated 51 new law enforcement officers. The graduates represented 38 municipal, county and state law enforcement agencies from across Kansas. Chancellor Girod also reported that Professor Kevin Willmott won the Academy Award for best adapted screenplay for *BlaKkKlansman*.

President Myers reported Professor Kevin Willmott will be speaking at Kansas State University's 'Art of Democracy' Engagement Symposium. He noted Kansas State will hold its first 24-hour giving campaign: *All in For K-State*. This event will take place on March 27 and the funds raised will go to help the University's food pantry, Cats' Cupboard. President Myers announced K-State's college radio station, 91.9 KSBD FM, won Best Community News Coverage, Best Show Promotional Poster and Best Podcast at the Intercollegiate Broadcasting System Conference, and he noted the University's Black Student Union was named the best in the Big 12 Conference for the 11<sup>th</sup> time in 14 years. President Myers also recognized the athletes on the men's and women's basketball teams who were selected to the Academic All-Big 12 Team.

President Scott reported he recently visited multiple universities in China, which is an important educational market. He noted he enjoyed meeting with university officials and looks forward to building on those connections in the future. President Scott stated the university CEOs continue to meet with legislators to discuss the importance of higher education and noted that university testimony in the various legislative budget committees has been completed. President Scott also reported the PSU Faculty Senate is working to align course work with the new general education curriculum called Pitt State Pathways. So far, the Faculty Senate has aligned over 100 courses.

Acting President Muma reported Wichita State University has been hosting visitors from multiple industry, academic and government agencies over the last several weeks. The National Institute for Aviation Research hosted a composites training class for U.S. Air Force Research Laboratory employees and the University's FirePoint Innovation Center hosted staff from the U.S. Army Combat Capabilities Development Command's Aviation and Missile Center to discuss the University's capabilities and potential future projects. Acting President Muma also reported the Higher Learning Commission recently had site visits at WSU and WSU Tech. The WSU visit was required due to the University's growth and the additions of WSU Old Town and WSU South. WSU Tech's was a reaffirmation visit. Additionally, Acting President Muma introduced two new University deans: Dr. Dennis Livesay – Dean of the College of Engineering, and Dr. Andrew Hippisley – Dean of Fairmount College of Liberal Arts and Sciences.

President Mason reported the Kansas Small Business Development Centers provide statewide business advice, management tools and information for small businesses. These Centers serve all of Kansas through the colleges and universities. President Mason announced the University has a three-plus-three partnership with Washburn University Law School, which allows FHSU students to transfer after three years to Washburn Law. The student's first year of law school will then reverse transfer back to Fort Hays and the FHSU undergraduate degree will be awarded. She also highlighted the University's new partnership with Farmers Insurance.

### BREAK

The Chair called for a break at 2:52 p.m. and resumed the meeting at 3:05 p.m.

## **STANDING COMMITTEE AND OTHER REPORTS**

### ACADEMIC AFFAIRS

Regent Murguia reported the Board Academic Affairs Standing Committee received the annual staff report on the private and out-of-state institutions. In FY 2017, there were 160 private and out-of-state institutions authorized to operate in Kansas, 31,000 students were enrolled, and the institutions awarded 16,000 certificates, 400 associate degrees and 400 university-level degrees. Board staff also presented the annual Concurrent Enrollment Partnerships (CEP) report. Over the last five years, high school student participation in CEP courses has increased 35 percent with the most popular course being Composition I. In Academic Year 2017, 15,120 high school students took systemwide transfer courses through CEP with a pass rate of 96.9 percent. The Committee received feedback from the institutions regarding the Board's goal to study service areas. Regent Murguia noted the community and technical colleges overwhelmingly supported retaining the current service areas for their sectors and universities had mixed feedback with most supporting the current structure and Kansas State recommending changes.

### FISCAL AFFAIRS AND AUDIT

Regent Feuerborn presented the Fiscal Affairs and Audit Standing Committee report. The Committee received information from Jim MacMurray on the financial data that Moody's uses when rating the state universities. Three state universities (Kansas State University, University of Kansas, and Fort Hays State University) presented their current year budget reports. KSU reported their current year revenues and expenditures match with projections but are flat. KU's expenses for instruction and physical plant have grown dramatically from greater online enrollments and new buildings coming online, but enrollments for all campuses have held steady. Fort Hays State reported on the current year revenues and expenditures, which are on track. The University wind turbines provide roughly 50% of the campus' electricity and the campus benefits from higher online enrollment again this year.

### GOVERNANCE

Regent Mullin reported the Governance Committee reviewed the student insurance benefit and premium rate scenarios, which is on the Board agenda for consideration, and supports the recommendation to approve scenario two. Board staff provided a progress update on the unified communication and advocacy plan for the system. The Committee also reviewed amendments to the following policies: Naming of Academic Units, Credit by Exam, and universities leasing space in developer-owned buildings on state or university property. The Committee discussed the proposed paid parental leave policy. Committee members had questions and proposed consideration of changes and directed the Council of Presidents to review their comments, which is why the policy was removed the Board agenda.

### RETIREMENT PLAN

Regent Bangertter reported the Board's Retirement Plan Committee met on Tuesday. Board Staff gave an overview on the Committee's fiduciary duties and the Kansas Tort Claims Act. The Plan consultant, ACG, provided the semi-annual analysis of the Board's Mandatory Retirement Plan which, as of December 31, 2018, had approximately \$3.6 billion in assets. ACG also provided analysis of proposed fund line-up changes to the Mandatory Plan for TIAA and Voya. The Committee's recommendations on these changes will be forwarded to the Board for consideration in April.

### APPROVAL OF CONSENT AGENDA

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

#### *Academic Affairs*

### MASTER OF SCIENCE IN ATHLETIC TRAINING AT EMPORIA STATE UNIVERSITY

Emporia State University received approval to offer a Master of Science in Athletic Training. There are no new expenditures associated with this program because the program is transitioning from the current Bachelor of Science in Athletic Training degree, which means there are no start-up costs.

BACHELOR OF APPLIED SCIENCE IN EXERCISE SCIENCE AT THE UNIVERSITY OF KANSAS

The University of Kansas received approval to offer a Bachelor of Applied Science in Exercise Science at the Edwards campus. There will be new personnel positions and start-up costs associated with the program, which will be funded with student tuition and fees.

Fiscal Affairs & Audit

AMENDMENT TO CAPITAL IMPROVEMENT PLAN FOR RECONSTRUCTION OF ENTRANCE TO MURPHY HALL – KUMC

The University of Kansas Medical Center received authorization to amend its FY 2020 Capital Improvement Plan to add the reconstruction of the Murphy Entrance. The Entrance will be updated to be ADA compliant. It is estimated the project will cost \$1.0 million, which will be financed with restricted fee funds and possibly private donations.

Other Matter

APPOINTMENT TO THE TECHNICAL EDUCATION AUTHORITY

Mark Hess, Vice President of Operations at Hess Services Inc., was appointed to service on the Technical Education Authority.

**CONSIDERATION OF DISCUSSION AGENDA**

Academic Affairs

AMENDMENTS TO BOARD POLICY: CREDIT BY EXAM

Jean Redeker, Vice President for Academic Affairs, introduced the proposed amendment to the Credit by Exam policy. Currently the policy requires the state universities to award credit based on standardized cut scores for Advanced Placement (AP) and College Level Examination Programs (CLEP) exams. The proposed amendment adds a standardized cut score of four and above for all International Baccalaureate (IB) exams. Dr. Redeker noted the Credit for Prior Learning Task Force, which had representation from the six state universities and the community and technical college sectors, recommended the proposed score based on the research they conducted on IB exam scores, practices and policies, and success rates of IB graduates. Dr. Redeker also noted the process for establishing higher systemwide credit by exam scores was amended and approved by the Council of Faculty Senate Presidents and the Council of Chief Academic Officers. Regent Feuerborn moved to approve, and Regent Bangarter seconded. Regent Van Etten abstained. The motion carried. The following policy amendments were approved:

**CHAPTER II: GOVERNANCE<sup>1</sup> – STATE UNIVERSITIES**

**A. ACADEMIC AFFAIRS** (see Chapter III., Section A. for additional academic affairs policies applicable to state universities)

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<sup>1</sup> See Chapter I., Section A.3. for definition of Governance.

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## 3. CREDIT BY EXAMINATION

- a. ~~College-Level Examination Program (CLEP) and Advanced Placement (AP)~~ Credit awarded by any state university in conformity with this policy shall be accepted by all other state universities.
- b. ~~Beginning July 1, 2017,~~ Except for exams with alternative scores set under paragraph c, each state university shall award:
  - i. Credit for all Advanced Placement (AP) examination scores of three (3) or above for the equivalent course or courses at their institution.
  - ii. Credit for all College-Level Examination Program (CLEP) examination scores at or above the American Council of Education's (ACE) credit-granting recommended score of 50 for the equivalent course or courses at their institution.
  - iii. Credit for all International Baccalaureate (IB) examination scores of four (4) or above on Higher Level (HL) exams and Standard Level (SL) exams for the equivalent course or courses at their institutions.
- c. Any academic discipline may establish a higher systemwide AP exam scores above three (3) and IB exam scores above four (4) using the process for establishing a higher ~~AP exam scores that was~~ systemwide score proposed by the Council of Faculty Senate Presidents and approved by the Council of Chief Academic Officers on May 18, 2016 and amended by the Council of Chief Academic Officers on February 20, 2019. Any academic discipline may review and change a higher systemwide AP exam score above (3) and a higher systemwide IB exam score above (4) using the process for reviewing and changing systemwide scores proposed by the Council of Faculty Senate Presidents and approved by the Council of Chief Academic Officers on January 17, 2018 and amended by the Council of Chief Academic Officers on February 20, 2019.
- d. All other Kansas public postsecondary educational institutions are encouraged to adopt this state university policy.
- e. Institutions shall have discretion on awarding additional credit for scores above three (3) on AP exams, and above four (4) on Higher Level or Standard Level IB exams, and scores above the ACE credit-granting recommended score of 50 for CLEP exams.

AMENDMENTS TO BOARD POLICY: NAMING OF ACADEMIC UNITS

Vice President Redeker presented the proposed amendments to the Naming of Academic Units policy. The amendments provide guidance to the universities on the criteria for a naming and the process to submit a request to the Board. Dr. Redeker noted the revisions are modeled after the



Board's Naming of Buildings policy. Chancellor Girod expressed concerns about having an individual's name released publicly in the Board Academic Affairs Standing Committee before it goes to the Board for consideration. He believes a request to name should be presented during a Board meeting and not a Committee meeting, which is how the Naming of Buildings policy and Honorary Degree policy work. The Board discussed the process and concurred that the nominations should go directly to the Board and not the Committee. Regent Murguia moved to approve the policy with the following amendments: remove the requirement that the nominations be presented to the Board Academic Affairs Standing Committee for a recommendation and add provisions for the nomination to be presented at a Board meeting. Regent Murfin seconded, and the motion carried. The following policy, as amended, was adopted:

## 9. NAMING OF ACADEMIC UNITS

~~Schools, Colleges, Institutes, Bureaus, Centers or other academic units shall be named for an individual, individuals or business entity by the Board upon the recommendation of the chief executive officer of the state university and the Board Academic Affairs Committee. No public communication of a proposed name shall be made until the name is presented for consideration to the open meeting of the Academic Affairs Committee.~~

The authority to name schools, colleges, institutes, bureaus, centers, or other academic units for an individual, individuals, or business entity is the province of the Board of Regents. The authority to re-name or remove the name of any state university academic unit also resides in the Board. Any documentation used by any state university or affiliate corporation of any state university for fund raising purposes shall clearly state that proposed names are subject to Board action and shall reserve to the Board the right to remove any name bestowed upon an academic unit. Possible reasons for removal of a name include, but are not limited to, circumstances causing damage to the reputation of the university, change of law regarding naming authority, or the dissolution or merging of the academic unit. For purposes of this policy, any time a proper noun name is to be displayed on the exterior of a building or facility, it will be treated as a naming and shall be submitted to the Board for consideration in accordance with this policy or in accordance with the Board policy on naming of buildings.

### a. Criteria

- i Academic units may be named for distinguished individuals who have made extraordinary contributions of a scholarly, professional, or public service nature related to the academic unit, or for major donors to the unit or the university.
- ii Before forwarding a name to the Board for consideration, the state university shall undertake a thorough degree of due diligence to avoid commercial influence or conflict of interest.

### b. Process

The chief executive officer of the state university shall recommend an appropriate name to the Board for consideration. At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed nomination, statement and materials individually to Regents and the Board President and Chief Executive Officer at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the nomination is to be considered. No public communication of a proposed nomination shall be made until the name is presented for consideration at the open meeting of the Board.

#### AMENDMENTS TO BOARD POLICY: DEFINITION OF BACCALAUREATE DEGREE

Vice President Redeker presented proposed amendments 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. Board members believe this change will benefit students. President Flanders recommended removing the sunset clause and adding an annual report to the Board Academic Affairs Standing Committee that should include information on the transfer agreements and the number of students using this exception. Regent Bangerter moved to approve the policy with President Flanders's recommendations incorporated. Regent Murfin seconded, and the motion carried. Regent Bangerter stated he would like the university CEOs to start discussing with their campuses ways to expand this policy. The following policy was adopted as amended:

### **CHAPTER III: COORDINATION – STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, WASHBURN UNIVERSITY AND/OR THE WASHBURN INSTITUTE OF TECHNOLOGY**

#### **A ACADEMIC AFFAIRS (See Chapter II. Section A. for additional academic affairs policies applicable to state universities)**

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#### **9. Degrees**

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#### **b. Standards**

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#### **ii. Curriculum**

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#### **(2) "Baccalaureate degree" means a degree:**

(a) Requiring the equivalent of at least four academic years of full-time postsecondary study consisting of courses totaling a minimum of 120 semester credit hours in the liberal arts, sciences or professional fields.

(b) Incorporating in its program design the equivalent of two or more academic years of full-time study consisting of courses totaling a minimum of 60 semester credit hours from institutions that have a majority of degree conferrals at or above the baccalaureate level, and a minimum of 45

semester credit hours in upper division courses. Institutions are not permitted to make programmatic exceptions, except as authorized in paragraph 2(e). Institutions may make a limited number of exceptions from the 60-hour requirement for individual students, up to a maximum of 6 hours.

(c) The degree shall require distinct specialization, i.e., a “major,” which should entail approximately the equivalent of one academic year of work in the main subject plus one academic year in related subjects, or two academic years in closely related subjects within a liberal arts interdisciplinary program.

(d) The equivalent of the first two academic years of full-time study (associate degree programs ordinarily require 64, but in some cases may extend up to 72, semester credit hours) may be from institutions that have a majority of degree conferrals below the baccalaureate level.

(e) The University of Kansas Edwards campus may have transfer agreements with Johnson County Community College that make programmatic exceptions to the requirement that a minimum of 60 semester credit hours be from institutions that have a majority of degree conferrals at or above the baccalaureate level. The University of Kansas and Johnson County Community College shall report annually to the Board Academic Affairs Standing Committee on the number and type of programs subject to transfer agreements entered into pursuant to this exception, the number of Johnson County Community College students transferring in more than 60 hours into such programs, and their success.

### Fiscal Affairs and Audit

#### NEW TUITION RATE – KSU

President Myers presented Kansas State University’s request to charge a reduced out-of-state tuition rate that is 150 percent of the resident tuition rate to first-time domestic undergraduate students from Arkansas, California, Colorado, Oklahoma and Texas. Students will be eligible for this reduced non-resident rate if they have a 3.25 overall high school GPA and a composite core of 22 on the ACT (1100 SAT). President Myers noted the University currently enrolls approximately 3,190 domestic, out-of-state, undergraduate students, which represents 17 percent of the undergraduate population, and the goal established in the University’s new Strategic Enrollment Management Plan is to increase out-of-state student enrollment to 20 percent by 2025. President Myers stated the University will need to increase enrollment by only 25 students in order to offset the tuition loss. Regent Hutton moved to approve, and Regent Van Etten seconded. The motion carried. Regent Feuerborn stated he would like to review all the tuition rates that are offered by the universities for out-of-state students.

### Governance

#### AMENDMENTS TO BOARD POLICY: NAMING OF BUILDINGS

General Counsel Julene Miller presented the proposed amendments to the Naming of Buildings policy. The amendments 1) clarify that anytime a proper noun name is to be placed on the exterior of a building or facility, the proposed name must be presented to the Board for approval in accordance with this policy; 2) recognize the appropriateness of naming buildings for major

donors; and 3) clarify that if a building is named for a university chief executive officer before becoming chief executive officer, the name is not required to be removed. General Counsel Miller noted the word “newly” in b.iii. should be underlined because it is new language. Regent Feuerborn moved to approve, and Regent Murguia seconded. The motion carried. The following amendments were adopted:

## CHAPTER II: GOVERNANCE – STATE UNIVERSITIES

### ... E FACILITIES

#### ... 12 NAMING OF BUILDINGS

##### a Authority for Naming

The naming of any state university building is the province of the Board of Regents. The authority to re-name or remove the name of any state university building also resides in the Board. Any documentation used by any state university or affiliate corporation of any state university for fund raising purposes shall clearly state that proposed names are subject to Board action, and shall reserve to the Board the right to remove any name bestowed upon a facility. Possible reasons for removal of a name include, but are not limited to, circumstances causing damage to the reputation of the university, change of law regarding naming authority, or if the building is razed or given over to a new use. For purposes of this policy, any time a proper noun name is to be displayed on the exterior of a building or facility, it will be treated as a building naming and shall be submitted to the Board for consideration in accordance with this policy.

##### b Criteria

i Generally, buildings are named for distinguished individuals who have made extraordinary contributions of a scholarly, professional, or public service nature related to the university’s mission, ~~or~~

~~ii In some cases, buildings may be named~~ for major donors to the construction of the building.

~~iii~~ ii Before forwarding a name to the Board for consideration, the state university shall undertake a thorough degree of due diligence to avoid commercial influence or conflict of interest.

~~iv~~ iii Buildings will not be newly named for sitting presidents, chancellors or Board members, however buildings named for a president or chancellor before appointment or between appointments to the position of president or chancellor need not be re-named.

##### c Process

The chief executive officer of the state university shall recommend an appropriate name to the Board for consideration. At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed name and a brief narrative individually to Regents and the President and Chief Executive Officer of the Board at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the name is to be considered. No public communication of a proposed name shall be made until the name is presented for consideration at the open meeting of the Board.

#### AMENDMENTS TO BOARD POLICY: ANNUAL AND MULTIPLE YEAR APPOINTMENTS

General Counsel Miller presented the proposed amendments to the Annual and Multiple Year Appointments policy. The amendments would require the university CEOs to seek the Board Chair's and Board President and CEO's approval before offering or extending a multiple year appointment to athletic directors or head coaches under specific circumstances that are listed in the policy. General Counsel Miller noted the Chair and Board President and CEO would not weigh in on the individuals applying for those positions or any other terms of the proposed appointment. President Myers expressed concerns with seeking approval of a new hire because the hiring process moves quickly. Regent Mullin stated the intent of the policy is to give the Board oversight when extending existing multiple year contracts, and he provided an example of a situation involving an extension that he believes the Board should have been made aware of before the contract extension was finalized. Following further discussion, the Board directed this policy go back to the Governance Committee for further review.

#### AMENDMENTS TO BOARD POLICY: RESPONSIBILITIES AND AUTHORITY DELEGATED BY THE BOARD TO THE BOARD PRESIDENT AND CHIEF EXECUTIVE OFFICER

General Counsel Miller presented proposed amendments to policies that establish the responsibilities and authorities delegated by the Board to the Board President and CEO. The policy amendments include the following: 1) clarifying the circumstances under which the Board President and Chief Executive Officer may negotiate and enter Board/Board Office contracts on behalf of the Board; 2) codifying the process for negotiating and submitting memoranda of agreement under the Public Employer/Employee Relations Act and identifying the Board President and Chief Executive Officer's role in that process; 3) adding to the Policy Manual the Board President and Chief Executive Officer's responsibilities and delegated authority to administer the Private and Out-of-State Postsecondary Educational Institutions Act; 4) eliminating an archaic reporting requirement; and 5) cleaning up several of the provisions within the set of policies dealing with the Board President and Chief Executive Officer's responsibilities and delegated authority. Regent Schmidt moved to approve, and Regent Van Etten seconded.

Regent Mullin noted the intent of the memoranda of agreement policy is to allow the Board the opportunity to be informed of what items are going to be negotiated at the beginning of the process, not to make the Board participate in the negotiations. President Scott stated the Board has delegated many campus employment issues to the university CEO, and he asked for clarification on why the university CEO cannot be the final signature on the employee memorandum of agreements and is there a desire by the Board to change it to make the university CEO the final

signature. General Counsel Miller stated a Kansas Supreme Court decision clarifies that the Board, as well as the university, is the employer for purposes of these agreements and Kansas statute also requires the Board to approve or reject and sign the agreements. A statutory amendment would need to be made to give the authority to the university CEOs to be the final signatures. Regent Murfin stated he likes the proposed policy because it allows the Board to understand what is being negotiated before a final agreement is placed on a Board agenda for consideration, and he believes the Board should have this oversight. Regent Bangerter stated he also likes the policy because under the current process the Board is asked to approve a contract that may have language in it that the Board does not necessarily agree with but because the agreement went through the negotiations, the Board believes it would be disruptive to not approve the agreement as negotiated, even though the Board has the authority to do so. He noted it is not unreasonable for the Board to be informed of what is going to be negotiated before a final agreement is placed on a Board agenda for action and this policy opens communications between the Board and university employer negotiators at the beginning of the process instead of the end. Following further discussion, the Board tabled the motion to approve and directed the Council of Presidents to review and provide feedback on the policy.

### Other Matters

#### STUDENT HEALTH INSURANCE BENEFITS AND PREMIUM RATES FOR PLAN YEAR 2019-2020

Madi Vannaman, Board Staff Affiliate, presented the Student Insurance Advisory Committee's recommendation for the student health insurance benefits and premium rates for plan year 2019-2020. The Committee looked at multiple scenarios because to retain the current plan and benefits, premiums would increase by 33.2 percent for all participants if it remains a single risk pool due to the plan's loss ratio – paid claims versus premiums collected – increasing dramatically over the last two years. She noted the data from the current plan indicates the students who are incentivized to participate in the plan (GTAs, GRAs, Gas, and international students) are subsidizing the students who enroll in the plan on a truly voluntary basis and their dependents. Based on the information gathered, the Committee recommended Scenario two because the “incentivized” students would be placed in their own risk pool and see a premium increase of 4.11 percent, a \$70 annual increase from the current \$1,702. The “voluntary” students and their dependents, placed in a separate risk pool, would see a premium increase of 114 percent with the current \$1,702 annual premium increasing to \$3,643. Regent Mullin noted none of the scenarios are ideal but since there are other options available to the “voluntary” students, he believes Scenario two is the best alternative. Regent Schmidt noted that under the Affordable Health Care Act, dependents can be covered by their parent's insurance up to the age of 26; however, dependents of military parents who are insured with TRICARE are only covered until the age of 23 if the child attends college and therefore these dependents if they are in the “voluntary” risk pool, would not have the option of staying on their parents' insurance. Following further discussion, Regent Feuerborn moved to approve the recommendation as brought forward by the Committee. Regent Schmidt seconded, and the motion carried. Regent Bangerter and Regent Schmidt voted no on the motion.

#### LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported this is the last week for non-exempt committees to complete their work. The House and Senate will then begin working bills on their

chamber floors. He noted the House Appropriations Committee passed its budget that included an additional \$10 million for the higher education system, and the Senate Ways and Means Committee passed its budget that included an additional \$5 million for the higher education system. These budgets will now go to the two Chambers for debate. Additionally, Director Casey noted advocacy efforts continue. This week letters signed by business and industry partners expressing their support of the higher education funding request were delivered to the Legislature and it is anticipated more businesses will be sending letters in the coming weeks.

#### **EXECUTIVE SESSION**

At 4:24 p.m., Regent Bangerter moved, followed by the second of Regent Feuerborn, to recess into executive session starting at 4:35 p.m. in the Kathy Rupp Conference Room for 60 minutes to discuss matters of non-elected personnel. The subject of this executive session was a routine university CEO evaluation 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 President Myers. At 5:35 p.m., the meeting returned to open session.

#### **RECESS**

The Chair adjourned the meeting at 5:35 p.m.

#### **RECONVENE**

Chair Mullin reconvened the meeting at 9:45 a.m. in the Kathy Rupp Conference Room.

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

#### **EXECUTIVE SESSION**

At 9:45 a.m., Regent Thomas moved, followed by the second of Regent Van Etten, to recess into executive session for 60 minutes to discuss matters of non-elected personnel. The subject of this executive session was a routine university CEO evaluation 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 President Mason. At 10:45 a.m., the meeting returned to open session.

#### **CONSIDERATION OF DISCUSSION AGENDA**

##### *Other Matters*

WICHITA STATE UNIVERSITY PRESIDENTIAL SEARCH PROCESS

President Flanders reviewed the Board's university CEO appointment process policy. The policy states the Board will determine the appropriate process for selecting a university CEO. The Board can appoint a search committee or lead the search itself. The process can be open or closed with the only difference being in an open search candidates visit the campus to meet constituents. The Board will also determine if it wants to hire a search consultant to help advertise and recruit applicants. The Board plans to decide on the process at a later date.

EXECUTIVE SESSION

At 11:07 a.m., Regent Hutton moved, followed by the second of Regent Bangerter, to recess into executive session for 30 minutes to discuss matters of non-elected personnel. The subject of this executive session was to discuss possible interim presidential candidates for Wichita State University and the purpose was to protect the privacy of the individual candidates. Participating in the executive session were members of the Board and President Flanders. At 11:37 a.m., the meeting returned to open session.

ADJOURNMENT

Chair Mullin adjourned the meeting at 11:37 a.m.

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Blake Flanders, President and CEO

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Dennis Mullin, Chair