

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

January 15, 2020

The January 15, 2020 meeting of the Kansas Board of Regents was called to order by Chair Shane Bangerter 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:

- Shane Bangerter, Chair
- Bill Feuerborn, Vice Chair
- Ann Brandau-Murguia
- Cheryl Harrison-Lee
- Mark Hutton
- Shelly Kiblinger
- Jon Rolph
- Allen Schmidt
- Helen Van Etten

### **WELCOME AND CHAIR REPORT**

Chair Bangerter welcomed everyone back from their holiday break. He announced the Board will be attending the Governor's State of the State Address later in the day, and that the Board is looking forward to seeing the Governor's budget recommendations, which will be released on Thursday.

### **APPROVAL OF MINUTES**

Regent Feuerborn moved that the minutes of the December 18, 2019 meeting be approved. Following the second of Regent Schmidt, the motion carried.

### **INTRODUCTIONS**

Matt Casey, Director of Government Relations, introduced Nate Shoemaker, who is a senior at the University of Kansas. Mr. Shoemaker is an intern with the Board office and will work with Director Casey during the legislative session.

### **GENERAL REPORTS**

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

President Flanders reported he will be presenting testimony on the public higher education system to the Senate Education Committee on Thursday. He also announced that the Board's Housing and Dining Taskforce was formed and will be chaired by Regent Rolph.

#### **REPORT FROM SYSTEM COUNCIL OF PRESIDENTS**

President Trzaska reported the System Council of Presidents received information from the System Council of Chief Academic Officers on transfer and reverse transfer. The Academic Officers reported that the new Transfer Kansas Portal will go live in February after all the course inventory is reviewed. It was also reported that over the last three years, 613 state university students have reverse transferred credits to two-year colleges resulting in the award of associate degrees. The System Council of Presidents then approved the proposed amendments to the Board's degree

policy that would allow community colleges to offer an Associate of Fine Arts. It was noted that this degree offering is emerging in multiple states and will create opportunities to expand 2+2 articulation agreements within the fine arts disciplines. President Trzaska reported the Council continued its discussion on program articulation and asked the Academic Officers to present a preliminary report at the May meeting on ways to improve the program articulation process between two-year colleges and universities. He also noted the Council received an update on the Board's new strategic plan.

With regard to the program articulation review, Regent Bangerter requested the Academic Officers also review the Board's definition of a bachelor's degree. He wants to explore expanding the pilot program that the Board approved last year between the University of Kansas Edwards Campus and Johnson County Community College. President Flanders noted the Board Academic Affairs Standing Committee will be receiving a progress report on the pilot in the spring.

#### REPORT FROM THE COMMUNITY COLLEGES

President Trzaska reported the community colleges identified the following legislative priorities for this year: 1) review the Excel in CTE initiative, 2) review tiered and non-tiered funding and how it relates to the cost model, 3) review the high wage, high demand programs that are offered on the campuses, 4) work on program articulation, 5) work on expanding concurrent enrollment, 6) continue to express the importance of local control and what it means, and 7) identify unfunded mandates.

#### REPORT FROM COUNCIL OF PRESIDENTS

President Garrett 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 Council of Student Affairs Officers. The Academic Officers reported on new program offerings and program name changes. The Business Officers continue to discuss deferred maintenance and the Board office is in the process of submitting an RFP for a space utilization study that will be conducted on the state university campuses. It was noted that Wichita State University will not be participating in the study because it recently completed a space utilization study. The Government Relations Officers reported that the Governor's budget recommendations will be released on Thursday, and the Student Affairs Officers continue to work on improving access to student mental health services. The Council of Presidents approved Fort Hays State University's Master of Science in Athletic Training program, which will be forwarded to the Board for consideration.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Greg Schneider reported the Council of Faculty Senate Presidents appreciated having breakfast with the Board last month. At the breakfast, Regent Hutton asked the Council to think about ways education may change over the next ten years. The Council discussed budgetary issues, changes in programs, and because of the changes to the state's demographics, the possibility of serving more students from underrepresented populations.

#### REPORT FROM THE TECHNICAL COLLEGES

President Genandt presented the report for the technical colleges. He highlighted activities happening on the campuses. An Excel in CTE student from North Central Kansas Technical

College received the CNA Hero Award and was featured on CNA TV. Salina Area Technical College is working with the Kansas National Guard to expand their Synchronous Training and Credit partnership. Northwest Kansas Technical College launched a new equipment program in Precision Agriculture called Farm Robotics, which is a device that allows students and faculty to grow crops in a controlled environment. The Automotive program at Manhattan Area Technical College recently was accredited by the National Automotive Technicians Education Foundation. President Genandt also reported on Georgetown's Return on Investment report, which ranks 4,500 colleges and universities across the nation. One category that was analyzed was ten-year earnings rank. All of the Kansas state universities and many of the Kansas technical colleges were ranked in the top third in this category. Regent Van Etten asked to receive the Georgetown data.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Schmidt presented the Board Academic Affairs Standing Committee report. Wichita State University and the University of Kansas presented information on their advising practices and Fort Hays State University presented its proposed programs for the Board strategic program alignment process. Regent Schmidt noted the Board will act on the proposed programs from Emporia State University, Kansas State University and Fort Hays University later in the agenda. The Committee approved Seward County Community College's Academic Year 2018 performance funding report and granted Wichita State University's and Dodge City Community College's requests to revise their performance funding agreements. The Committee also discussed how it will examine the challenges and opportunities associated with program transfer. In the coming months, Board staff will provide to the Committee program transfer data and analysis, information on how current Board policy affects transfer opportunities, and a summary of program transfer strategies and initiatives in other states.

Regent Bangerter noted that both the Academic Affairs Standing Committee and the System Council of Presidents are reviewing the program articulation process. He asked Board staff to coordinate with the two groups, so work is not duplicated.

### **FISCAL AFFAIRS AND AUDIT**

Regent Hutton reported that each of the internal auditors at the state universities presented their annual report to the Fiscal Affairs and Audit Standing Committee. Emporia State discussed how emergent reviews can rise to the auditor's attention. Fort Hays State explained how the affiliated corporations are reviewed. Kansas State is in the process of updating its internal audit charter. The University of Kansas is building its resources to address IT security, which is a challenge for every major research university. Pittsburg State discussed its review of the athletics department, which will be delayed because of staffing changes, and Wichita State discussed the steps they are taking to be more proactive in ensuring that proper controls are in place, which will mitigate university risk. Regent Hutton noted the Committee also reviewed the fiscal items on today's Board agenda.

### **GOVERNANCE**

Regent Bangerter reported the Governance Committee discussed a proposed amendment to the Board member conflict of interest policy. The Committee plans to continue its discussion on these

changes at future meetings. President Flanders briefed the Committee on the progress of the new strategic plan and noted the Board will receive additional information on the plan at the February meeting. Additionally, the Committee went into executive session to receive Kansas State University's and Fort Hays State University's annual campus safety and security reports.

### **APPROVAL OF CONSENT AGENDA**

Regent Rolph moved, with the second of Regent Harrison-Lee, that the Consent Agenda be approved. The motion carried.

#### *Academic Affairs*

#### **BACHELOR OF INTERDISCIPLINARY STUDIES IN ETHNIC, GENDER, AND IDENTITY STUDIES – ESU**

Emporia State University received approval to offer a Bachelor of Interdisciplinary Studies in Ethnic, Gender, and Identity Studies. The program's total number of semester credit hours total 120. The estimated costs for the first three years are as follows: year one - \$248,910, year two - \$253,889, and year three - \$258,966. This program will be funded with student tuition and fees.

#### *Other Matters*

#### **RENAME THE UNIVERSITY OF KANSAS MEDICAL CENTER'S HOGLUND BRAIN IMAGING CENTER**

The University of Kansas Medical Center received authorization to change the name of the Hogleund Brain Imaging Center to the Hogleund Biomedical Imaging Center. This change more accurately defines the scope of work being performed in the Center.

### **CONSIDERATION OF DISCUSSION AGENDA**

#### *Academic Affairs*

#### **PROGRAMS FOR STRATEGIC PROGRAM ALIGNMENT REVIEW – KSU, ESU, AND FHSU**

Daniel Archer, Vice President for Academic Affairs, stated the Board adopted its Strategic Program Alignment Review (SPAR) policy in 2018. The policy outlines a process for the Board to approve programs to move through a campus level review. After completing the review, the state universities make recommendations to the Board on whether the identified programs should be continued, further evaluated, discontinued, or merged. The Board then determines the final outcome for the programs. Vice President Archer noted Wichita State University and the University of Kansas piloted the policy and are currently in the process of reviewing the programs the Board approved for SPAR. Kansas State University, Emporia State University, and Fort Hays State University have identified the programs noted below to go through the process, and Vice President Archer stated the Board Academic Affairs Standing Committee reviewed the identified programs over the last several months.

**Kansas State University**

- Bachelor of Science in Computer Science
- Master of Science in Software Engineering

**Emporia State University**

- Master of Science in Rehabilitation Counseling
- Master of Science in Industrial/Organizational Psychology

**Fort Hays State University**

- Associate in Applied Science in Technology and Leadership
- Bachelor of Science in Technology and Leadership
- Bachelor of Science in Information Systems Engineering

Provost Taber gave an overview of the program review processes at Kansas State University. The University reviews all academic programs at least once every eight years, which is in accordance with Board policy. Departments can also initiate a review of any program at any time based on changes in the field of study. Provost Taber noted the University's new budget model will also be a powerful tool in the program review process because colleges are now funded based on their student credit hour production in programs. For the strategic program alignment review process, Provost Taber stated that KSU identified its Bachelor of Science in Computer Science to move through the process because the program's prerequisite framework creates a barrier for some students and KSU wants to explore a potential new degree format. The Master of Science in Software Engineering was also identified because it has yielded low enrollment in recent years.

Provost Cordle stated Emporia State University uses a similar review process to what Kansas State described. He noted for the strategic program alignment review process, the University used the following criteria to select its programs: 1) changes in student demand for the program, 2) changes in the workforce's or profession's need for the program, 3) changes in the University's ability to staff the program with highly-qualified faculty, and 4) changes in specialized accreditation. Provost Cordle stated the University's Master of Science in Rehabilitation Counsel was identified for the process because it has decreased in enrollment and the accreditor is requiring the program to increase its credit hours from 48 to 60, which will increase the cost of the program. He also noted the Master of Science in Industrial/Organizational Psychology was identified because it has decreased in enrollment and has staffing challenges.

Provost Arensdorf stated Fort Hays State University uses similar criteria and processes to evaluate programs. The University is on a five-year program review cycle, which allows for a deeper review. The Provost also noted that program data is reviewed every year by the deans. For the strategic program alignment review process, the University used the following criteria to select its programs: 1) KBOR minima report, 2) connection to the mission of the University, 3) alignment of the program to current external demand, 4) quality of faculty, and 5) cost of program. Based on that process, Fort Hays identified its Associate in Applied Science in Technology and Leadership and Bachelor of Science in Technology Leadership because neither program meets all the required KBOR minima requirements with regard to enrollments and graduates. The Bachelor of Science in Information Systems Engineering was selected because it currently has no enrollments.

Regent Bangerter asked President Flanders to summarize the Board's involvement in the review processes. President Flanders stated that the Board's regular program review process requires universities to review approved programs at least once every eight years to ensure academic quality. The Board then receives a detailed report on the outcomes of those reviews. The strategic program alignment review process was implemented to allow the Board or universities to identify and review programs at an accelerated rate, rather than waiting for the eight-year review process. President Flanders did note the universities do have other review processes in place at the campus level that allow them to evaluate programs outside of the Board's program review process. However, the strategic program alignment review process allows the Board to decide what programs to evaluate, and the Board makes the final determination on the outcome of a program. Regent Bangerter believes that the Board needs more data on programs in order to make any decisions on outcomes. The Board asked President Flanders to provide, by the February meeting, a list of programs sorted by university, data on enrollment levels for each program, and data on how enrollments in similar programs compare between the universities.

Following discussion, Regent Van Etten moved to approve the programs presented to move through the strategic program review process. Regent Schmidt seconded, and the motion carried.

#### BREAK

The Chair called for a break at 2:44 p.m. and resumed the meeting at 3:00 p.m.

#### Fiscal Affairs and Audit

#### DISTRIBUTIONS OF STATE FUNDS FOR TECHNICAL EDUCATION (EXCEL IN CTE AND AO-K PROVISIO)

Elaine Frisbie, Vice President for Finance and Administration, presented the proposed distribution of state funds for Technical Education (Excel in Career Technical Education and the Accelerating Opportunity-Kansas proviso). She noted the amounts are based on current FY 2020 enrollments and appropriations available to finance the program. 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, and Regent Schmidt seconded. The motion carried. The following distributions were approved:

#### **Excel in CTE**

Institution	FY 2020 Distribution for Fall 2019 Enrollment	FY 2019 (Prior Year) Reconciliation	FY 2020 Proposed Net January Distribution
Allen County Community College	\$521,973	-\$27,009	\$494,964
Barton County Community College	\$217,071	-\$6,765	\$210,306
Butler Community College	\$381,942	\$19,248	\$401,190
Cloud County Community College	\$173,948	-\$2,175	\$171,773
Coffeyville Community College	\$484,906	\$4,842	\$489,748
Colby Community College	\$221,047	-\$2,915	\$218,132

Cowley County Community College	\$421,779	\$8,873	\$430,652
Dodge City Community College	\$206,466	-\$1,134	\$205,332
Flint Hills Technical College	\$1,203,077	\$12,438	\$1,215,515
Fort Scott Community College	\$564,455	-\$2,823	\$561,632
Garden City Community College	\$184,960	-\$5,358	\$179,602
Highland Community College	\$793,945	\$21,776	\$815,721
Hutchinson Community College	\$1,260,753	\$1,453	\$1,262,206
Independence Community College	\$136,652	\$2,920	\$139,572
Johnson County Community College	\$1,049,787	-\$10,637	\$1,039,150
Kansas City Kansas Community College	\$1,825,050	-\$38,449	\$1,786,601
Labette Community College	\$249,535	\$1,758	\$251,293
Manhattan Area Technical College	\$305,637	\$4,286	\$309,923
Neosho County Community College	\$665,426	-\$2,831	\$662,595
North Central Kansas Technical College	\$166,786	-\$232	\$166,554
Northwest Kansas Technical College	\$466,019	-\$2,330	\$463,689
Pratt Community College	\$211,388	-\$2,467	\$208,921
Salina Area Technical College	\$468,652	\$5,783	\$474,435
Seward County Community College	\$465,024	\$60,418	\$525,442
Washburn Institute of Technology	\$2,663,502	-\$11,276	\$2,652,226
WSU Campus of Applied Sciences & Technology	\$3,069,439	-\$27,394	\$3,042,045
<b>Total</b>	<b>\$18,379,219</b>	<b>\$0</b>	<b>\$18,379,219</b>

### Accelerating Opportunity: Kansas

Institution	FY 2020 Distribution for Fall 2019 Enrollment	FY 2019 (Prior Year) Reconciliation	FY 2020 Proposed Net January Distribution
Allen County Community College	\$0	\$0	\$0
Barton County Community College	\$50,336	-\$2,123	\$48,213
Butler Community College	\$3,310	-\$356	\$2,954
Cloud County Community College	\$0	\$0	\$0
Coffeyville Community College	\$0	\$0	\$0
Colby Community College	\$36,080	\$0	\$36,080
Cowley County Community College	\$1,722	\$0	\$1,722
Dodge City Community College	\$0	\$839	\$839
Flint Hills Technical College	\$0	\$0	\$0
Fort Scott Community College	\$3,432	-\$696	\$2,736
Garden City Community College	\$7,792	-\$71	\$7,721

Highland Community College	\$40,573	-\$1,081	\$39,492
Hutchinson Community College	\$0	\$1,229	\$1,229
Independence Community College	\$0	\$0	\$0
Johnson County Community College	\$10,961	-\$971	\$9,990
Kansas City Kansas Community College	\$5,720	\$0	\$5,720
Labette Community College	\$0	\$0	\$0
Manhattan Area Technical College	\$0	\$0	\$0
Neosho County Community College	\$0	-\$171	-\$171
North Central Kansas Technical College	\$0	\$0	\$0
Northwest Kansas Technical College	\$0	\$0	\$0
Pratt Community College	\$0	\$0	\$0
Salina Area Technical College	\$7,388	-\$1,111	\$6,277
Seward County Community College	\$10,360	\$6,659	\$17,019
Washburn Institute of Technology	\$145,173	-\$12,471	\$132,702
WSU Campus of Applied Sciences & Technology	\$27,341	\$10,324	\$37,665
<b>Total</b>	<b>\$350,188</b>	<b>\$0</b>	<b>\$350,188</b>

#### EPSCoR PROPOSALS

Vice President Archer presented three Experimental Program to Stimulate Competitive Research (EPSCoR) proposals. The EPSCoR Review Committee recommends funding the following:

- For Dr. Doug Wright at the Kansas IDeA Network of Biomedical Research Excellence (located at the University of Kansas Medical Center), the Committee recommends awarding \$125,000 to support four grant proposals to increase their competitiveness for National Institutes of Health funding. This award provides a 32.7:1 leverage for state funds (federal:state).
- For Dr. Erik Lundquist at the Center for Molecular Analysis of Disease Pathways (located at the University of Kansas), the Committee recommends awarding \$300,000 over three years. This award provides a 22.4:1 leverage for state funds (federal:state).
- For Dr. Kevin Leonard at the Center for Environmentally Beneficial Catalysis (located at the University of Kansas), the Committee recommends awarding \$200,000. This award provides a 2.3:1 leverage for state funds (federal:state).

Regent Rolph moved to approve the Committee's recommendations. Regent Kiblinger seconded, and the motion carried.

#### Governance

#### AMENDMENTS TO BOARD POLICIES; ON-CAMPUS SERVICE, SALES AND CONSUMPTION OF ALCOHOL AND CEREAL MALT BEVERAGES

General Counsel Julene Miller presented the proposed amendments to the Board policies on Service and Sale of Alcohol in Non-Classroom Areas and Cereal Malt Beverages (3.2% or less alcohol by weight). She noted these recommendations were made by the Council of Presidents



and reviewed by the Governance Committee. The first recommendation is to eliminate the Cereal Malt Beverages policy because changes in the law have resulted in a significant decrease in its distribution in Kansas. For the Service and Sale of Alcohol in Non-Classroom Areas policy the following recommendations were made: 1) clarify that sales, as well as service and consumption, are allowed in non-classroom areas designated by the university CEO, 2) update a statutory reference, 3) distinguish between the Board's authorization of consumption of alcohol on state university property as required by K.S.A. 41-719(g), and allowance of service and sales of alcohol, 4) clarify that only sales for on-premise consumption are allowed (as opposed to sales in the original package for consumption off the premises), 5) clarify that any appropriate licenses or permits must be obtained in order to serve or sell alcohol in non-classroom areas specified by university CEOs, and 6) define alcoholic liquor by reference to the state liquor laws. General Counsel Miller stated the proposed amendments were reviewed by the university attorneys and the Assistant Attorney General assigned to the Division of Alcoholic Beverage Control. Regent Kiblinger moved to approve the amendments. Regent Harrison-Lee seconded, and the motion carried. The following amendments were approved:

## **E FACILITIES**

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### **16. CONSUMPTION, SERVICE AND SALE OF ALCOHOL IN NON-CLASSROOM AREAS**

In accordance with K.S.A. ~~2011~~ 2018 Supp. 41-719(~~f~~) (g), and amendments thereto, state universities are permitted to allow consumption of alcoholic liquor on state university property under authorized and appropriately controlled conditions and guidelines to be determined by the chief executive officer of each university and set forth in an institutional policy on service of alcoholic liquor.

In addition to authorizing consumption in accordance with K.S.A. 2018 Supp. 41-2018, any service or sale of alcoholic liquor on campus must be approved, in advance, by the chief executive officer of the institution, or the chief executive officer's designee, and may only be allowed in those non classroom areas, and outside grounds immediately adjacent thereto, that are specifically designated for such activities in the institutional policy on service of alcoholic liquor. Service and sale of alcoholic liquor on campus shall be in compliance with the Kansas Club and Drinking Establishment Act, including but not limited to acquisition of the appropriate license or permit for each designated area, and may only be for on-premise consumption.

Each institution shall file and maintain a current copy of its policy on service of alcoholic liquor with the President and Chief Executive Officer on behalf of the Board.

For purposes of this policy, alcoholic liquor has the meaning specified in K.S.A. 2018 Supp. 41-102 and includes beer, wine and spirits.

### **~~17. CEREAL MALT BEVERAGES~~**

~~Use and sale of cereal malt beverages (3.2% beer) may be permitted under authorized and appropriately controlled conditions and regulations to be determined by the chief executive officer~~

~~of each state university. Each state university shall maintain a current copy of said conditions and guidelines with the President and Chief Executive Officer of the Board.~~

Other Matters

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported that the legislative session began on Monday, January 13. Governor Kelly will deliver her State of the State Address this evening and Thursday her budget will be presented to the Legislature.

BREAK

At 3:08 p.m., Chair Bangerter announced that Board will recess until 4:20 p.m. During this break the Regents will meet with their three person CEO committees. At 4:20 p.m., the Board reconvened its meeting in suite 530.

LEGISLATIVE DISCUSSION

The Board met with the University CEOs to discuss the legislative session.

ADJOURNMENT

Chair Bangerter adjourned the meeting at 5:20 p.m.

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Blake Flanders, President and CEO

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Shane Bangerter, Chair