

KANSAS BOARD OF REGENTS

MINUTES

May 19-20, 2021

The May 19, 2021, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn 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:

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

EXECUTIVE SESSION

At 12:30 p.m., Regent Harrison-Lee moved, followed by the second of Regent Rolph, to recess into executive session in the Kathy Rupp Conference Room for 45 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was to prepare for university CEO evaluations and the purpose was to protect the privacy of the individual Board employees involved. Participating in the executive session were members of the Board, President Flanders, and General Counsel Julene Miller. The motion carried. At 1:15 p.m., the meeting returned to open session.

BREAK

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Murguia moved that the minutes of the April 14, 2021 meeting be approved. Following the second of Regent Kiblinger, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Feuerborn reported that this month the Board has been very busy. At the beginning of May, the Board named Dr. Muma as the 15th President of Wichita State University. Chair Feuerborn congratulated President Muma. He also reported that May is when the system celebrates student success with commencement ceremonies and noted that many Regents participated in university

graduation ceremonies. On behalf of the Board, he congratulated all the graduates and their families.

REPORT FROM PRESIDENT AND CEO

President Flanders announced that on Thursday, Board staff will conduct a webinar to provide preliminary information and gather questions on the implementation of the Kansas Promise Scholarship Act, which was enacted by the Legislature and signed by the Governor on April 23rd. This Act awards service scholarships to students who attend an “eligible postsecondary educational institution” (which for this Act includes the community colleges, technical colleges, Washburn Institute of Technology and the Kansas independent institutions) and who are enrolled in specified programs. President Flanders noted there are many elements in this legislation that need to be addressed, and that he looks forward to working with the colleges on the implementation of the Act. President Flanders also reported that he is a member of the State Higher Education Executive Officers Association (SHEEO), which recently completed a systematic review that rigorously measured the impacts of state appropriations to institutions and student financial aid programs on institutional and student outcomes. The findings showed that state funding to both institutions and student financial aid has clear and direct impacts on student enrollment patterns, retention and completion rates, and post-college success. President Flanders stated the results of the review is evidence that state support is important if a state wants to increase access to higher education and maintain services for students so they can be successful.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle presented the System Council of Presidents report. The Council received a report from the System Council of Chief Academic Officers on transfer and articulation, developmental education, and the AY 2022 performance agreements. The Academic Officers also reviewed the data on high school GPA and college course success. President Flanders provided an update to the Council on how the system is developing strategies to address the equity gap metric in the Board’s strategic plan, *Building a Future*. It was noted that Georgia State University’s National Institute for Student Success will be working with the system and will conduct an equity gap analysis at a community college and a state university. The CEOs then received an update on the pilot program that authorized programmatic exceptions to the minimum 60 semester credit hour requirement for the institution awarding the baccalaureate degree for certain transfer agreements between the University of Kansas Edwards Campus and Johnson County Community College (JCCC). The data gathered from the pilot program shows that students who transferred from JCCC to the KU Edwards campus are successful at the university level. The Council will continue to review this program to determine if it should recommend expansion of it to other institutions. The Council also discussed the Kansas Promise Scholarship Act and its anticipated impact on the system.

REPORT FROM COUNCIL OF PRESIDENTS

President Muma presented the report for the Council of Presidents. The Council received reports from the Council of Chief Academic Officers, Council of Student Affairs Officers, Council of Government Relations Officers, Council of Chief Diversity Officers, and Unclassified Professional Senate Council. The Academic Officers reported on program and degree name changes at the universities. The Government Relations Officers provided a summary of the legislative session including information on the maintenance of effort requirements that the State

must meet to be eligible for federal stimulus dollars. The Diversity Officers continue to work on the Tilford Conference. The Student Affairs Officers discussed the future of the campus bookstores and reviewed the plans for returning to the campuses in the fall. The Unclassified Professional Senate (UPS) Council requested changes to their reporting structure which would allow them to report to the Council of Presidents during its monthly meetings in September, November, February, and May. Currently, the Council has the opportunity to report to the Board twice a year at the September and January meetings, and the UPS would like the opportunity to continue to report to the Board on any substantive issues such as the employee satisfaction survey. However, the UPS believes shifting its report to the Council of Presidents will allow the Council the opportunity to advocate on behalf of all staff, bring forward challenges or areas of concern staff are facing across all six institutions, and raise questions that spur dialogue with and feedback from the CEOs. President Muma stated that the Council of Presidents approved this request and the reporting change will begin during the 2021-2022 academic year.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn presented the report for the Council of Faculty Senate Presidents. The Council discussed the fall semester's return to campus planning for each state university and the level of faculty involvement with those plans. He noted the universities are encouraging individuals on the campuses to get a COVID-19 vaccine and some of the universities will be tracking, through the student health centers, the number of individuals who are receiving the vaccination. The Council then discussed ways to support non-tenure track faculty. It was noted that Kansas State University is currently looking at whether it can provide sabbatical leave to non-tenure track faculty and Wichita State is reviewing whether it can offer longer appointment terms for non-tenure track faculty. Dr. Sternfeld-Dunn stated that as the campuses move forward with these initiatives, they will be reviewing the Board policies to make sure there are no conflicts. The Council also discussed the Board's General Education Package initiative. The members reviewed the general education packages implemented in Nebraska, Missouri, and Oklahoma. The Council preferred the Oklahoma model because their system awards freshmen and sophomore general education credits to students who have completed an associate degree and transfers to a university. The university is also allowed to require transfer students to complete additional general education courses and upper division requirements for their degree. Dr. Sternfeld-Dunn stated that this model aligns with the work of the Kansas Core Outcome group but noted that some universities will need to add the component of accepting the completed associate degree requirement. He also stated that the biggest concern for the faculty is putting a specific number requirement on general education course requirements.

On behalf of the Board, Chair Feuerborn thanked Dr. Sternfeld-Dunn for his leadership this year and presented him a certificate of appreciation. Regent Hutton thanked Dr. Sternfeld-Dunn for his work this year and noted that Dr. Sternfeld-Dunn was recently named the new Dean of the College of Arts and Sciences at the University of Wisconsin-Eau Claire.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan was unable to attend the Board meeting but submitted a written report for the Students' Advisory Committee. On behalf of the Board, Chair Feuerborn thanked Ms. Khan for her leadership this year and presented her a certificate of appreciation.

(Report filed with Official Minutes)

REPORT FROM THE COMMUNITY COLLEGES

President Rittle reported that the leaders of the community colleges are discussing the implementation of the Kansas Promise Scholarship Act, which takes effect on July 1, 2021. President Rittle encouraged individuals to read the legislation because there are many components to it including eligibility requirements. The Act also requires students to complete the Free Application for Federal Student Aid (FAFSA) form, enter into an agreement with an eligible institution, and enroll in, and complete within 30 months of being awarded the scholarship an eligible program at an eligible institution. Dr. Rittle stated this Act supports many of the goals in the Board's strategic plan, *Building a Future*, and noted that the community colleges look forward to working with the Board office and the other institutions on this program.

REPORT FROM THE TECHNICAL COLLEGES

President Genandt reported that the technical colleges are also reviewing the Kansas Promise Scholarship Act and are looking forward to working with Board staff on its implementation. President Genandt stated that President Utash was named as the new Chair of the National Coalition of Certification Centers (NC3), will be holding a leadership conference on July 13-15, 2021. He then reported that the vaccination rates for faculty on the technical college campuses range from 40 to 70 percent but noted that none of the colleges are requiring faculty to disclose whether they have received the vaccine. President Genandt stated the technical colleges are seeing increased application and enrollment numbers for the summer and fall semesters. He then reviewed activities and accomplishments on the different campuses: Salina Area Technical College awarded 60 Associate of Applied Science degrees, which is a new record for the College; Flint Hills Technical College graduated 230 students at its 2021 spring commencement ceremony; North Central Kansas Technical College's nursing students volunteered to help at a COVID vaccine clinic in Hays; and Manhattan Area Technical College has completed its visit from the Higher Learning Commission.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Kiblinger reported that the Board Academic Affairs Standing Committee discussed developing a potential policy to require each state university to have an instructional workload standard policy. The Committee approved a plan to extend the existing bridge performance agreements to cover one more year, which will allow AY 2022 performance agreements to continue without disruption. The extension will also allow the system to gain insight from the seven institutions that are participating in the National Institute for Student Success benchmark process. The Committee then reviewed enrollment progress reports of programs that were approved over the last three years, which allowed the members to compare the actual number of students who majored in a new academic program against the number of majors that the university projected when it proposed the program. The Committee received an update on the Advantage Kansas Council's work, and Regent Schmidt provided an update on Wichita State University's Direct Support Professionals work. He noted that WSU has designed eight badges that will allow

high school students to earn college credit and stated that the program will be implemented in high schools in Sedgwick County this fall.

FISCAL AFFAIRS AND AUDIT

Regent Rolph presented the Fiscal Affairs and Audit Standing Committee report. The Committee reviewed the fiscal items on today's Board agenda and members noted that the universities' five-year plans will be updated as the Board develops its capital renewal initiative. Regent Rolph stated that Kansas State University's request to "Sell Real Property" needs to be pulled from the Board's consent agenda and placed on the discussion agenda because new information has been gathered since the agenda was published.

Regent Rolph moved to amend the agenda to remove the Request to Sell Real Property and Execute Instruments of Conveyance for Kansas State University from the consent agenda and move it to the discussion agenda as item VII.B.2., immediately after the master plan discussion with the law enforcement training center. Regent Harrison Lee seconded, and the motion carried.

Regent Rolph stated the Committee then discussed the state university tuition and fee proposals that the Board will review later today. He noted the Committee appreciated the many hours of work that the students, administrators and finance teams at each campus dedicate to this process. After reviewing the proposals, the Committee asked for additional information on health centers' revenue structures and discussed the general trend toward students taking more courses online. Regent Hutton then shared with the Committee that he has prepared recommendations to amend Board regulations related to residency status for the Tuition Work Group to consider prior to the June 16th meeting.

GOVERNANCE

Regent Feuerborn presented the Governance Committee report. The Committee reviewed and authorized the Board President to execute the five contracts for collection services that can be used by the Board office and the state universities. The Committee also discussed the orientation processes for new Regents and new university CEOs.

BREAK

Chair Feuerborn called for a break at 2:12 p.m. and resumed the meeting at 2:20 p.m.

APPROVAL OF CONSENT AGENDA

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

Academic Affairs

BACHELOR OF SCIENCE IN ENVIRONMENTAL SCIENCE – KSU

Kansas State University received approval to offer a Bachelor of Science in Environmental Science. This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$160,180, year two - \$149,032, and year three - \$150,397. Student tuition and fees will finance the program.

MASTER OF ARTS IN ORGANIZATIONAL COMMUNICATION – KU

The University of Kansas received approval to offer a Master of Arts in Organizational Communication. This will be an online program, will total 30 semester credit hours, and the estimated cost of the program for the first three years is as follows: year one - \$156,366, year two - \$168,744, and year three - \$221,784. Student tuition will finance the program.

2020 ACCREDITATION REPORT

The 2020 Accreditation Report was approved.

(Reports for Each State University Filed with Official Minutes)

*Fiscal Affairs & Audit*MEMORANDUM OF AGREEMENT BETWEEN THE UNIVERSITY OF KANSAS MEDICAL CENTER AND THE FRATERNAL ORDER OF POLICE LODGE 37 – KUMC

The amended Memorandum of Agreement between the University of Kansas Medical Center and the Fraternal Order of Police Lodge 37 was approved. The amendments went through the meet and confer process and include changes to address wage increases, increase shift differential, identify a new entity to provide the list of individuals qualified to serve as arbitrators, reallocate sharing of arbitration expenses, establish a residential requirement, set forth an appeal process in connection with performance ratings, and to establish a labor management committee, as well as a few minor changes to formatting and article titles. The Chair of the Board is authorized to execute the amended Agreement on behalf of the Board.

*Technical Education Authority*DEGREE AND CERTIFICATE PROGRAM SUBMITTED BY WICHITA STATE UNIVERSITY CAMPUS OF APPLIED SCIENCES AND TECHNOLOGY

Wichita State University Campus of Applied Science and Technology received authorization to offer a Technical Certificate B (30 credit hours) and an Associate of Applied Science (63 credit hours) in Culinary Arts (12.0503). The estimated cost of the program is \$180,477, which will be funded by institutional funds. The program will begin in the fall of 2021.

EXCEL IN CTE FEES FOR WICHITA STATE UNIVERSITY CAMPUS OF APPLIED SCIENCES AND TECHNOLOGY'S CULINARY ARTS PROGRAM

The following Excel in CTE fees for Wichita State University Campus of Applied Science and Technology's Culinary Arts program were approved.

| | |
|--------------------------|--|
| Institution Name: | Wichita State University Campus of Applied Sciences and Technology |
| Program Title: | Culinary Arts |
| Program CIP Code: | 12.0503 |

| | | |
|---|--|----------------------|
| <i>Please list all fees associated with this program: Only list costs the institution is charging students.</i> | | |
| <i>Fee</i> | <i>Short Description</i> | <i>Amount</i> |
| | <i>There are no fees associated at the program level</i> | |

| | | |
|--|---|----------------------|
| <i>Please list all courses within the program and any fees associated to those courses: Only list costs the institution is charging students. Do not duplicate expenses.</i> | | |
| <i>Course ID</i> | <i>Short Description</i> | <i>Amount</i> |
| CUL 105 | Culinary Fundamentals | \$ - |
| CUL 110 | Introduction to Gastronomy & Sustainability | \$ - |
| CUL 115 | Culinary Nutrition | \$ - |
| CUL 120 | Modern Banquet Cookery | \$ - |
| CUL 125 | Baking & Pastry Skill Development | \$ - |
| CUL 130 | Culinary Innovation & Sustainability | \$ - |
| CUL 135 | Cuisines and Cultures of the United States | \$ - |
| CUL 140 | Global Cuisines | \$ - |
| CUL 145 | Cuisines and Cultures of the Mediterranean | \$ - |
| CUL 150 | Cuisines and Cultures of Northern Europe | \$ - |
| CUL 155 | Cuisines and Cultures of Asia | \$ - |
| CUL 160 | Garde Manger | \$ - |
| CUL 165 | Culinary Arts Internship | \$ - |
| CUL 170 | Advanced Baking: Chocolate & Confectionary Techniques | \$ - |
| CUL 175 | Advanced Baking: Cakes and Desserts | \$ - |
| CUL 180 | Advanced Baking: Breads and Rolls | \$ - |
| PDV 105 | Blueprint for Personal Success | \$30.00 |
| | 15 credits of General Education (\$123 X 15 credit hours) | \$1,845.00 |

| | | |
|--|---------------------------------|--------------------------------|
| <i>Please list items the student will need to purchase on their own for this program: Institution is not charging students these costs, rather students are expected to have these items for the program.</i> | | |
| <i>Item</i> | <i>Short Description</i> | <i>Estimated Amount</i> |
| | <i>There are no other costs</i> | |

KANSAS NURSING INITIATIVE GRANT AWARDS

The FY 2022 distributions of the Kansas Nursing Grant initiative were approved.

The following amounts will be awarded:

| Institution | Project Summary | Award |
|---------------------------------------|--|--------------|
| <i>NCLEX score improvement</i> | | |
| Colby Community College | - Salary support for new faculty - Faculty professional development - Tutoring services for students - NCLEX preparation sessions for students | \$31,080 |
| Pratt Community College | - Professional development for faculty - Test review and preparation services for students | \$45,841 |
| Neosho County Community College | - Faculty professional development - Development of student remediation plan and resources - NCLEX practice exam services for students | \$14,845 |
| Seward County Community College | - Faculty professional development - Test preparation resources for students | \$69,648 |
| <i>Full Application</i> | | |
| Baker University | - Professional development for faculty - Consumable laboratory supplies | \$9,009 |
| Barton Community College | - Professional development for faculty - Consumable laboratory supplies - High-fidelity nursing simulator | \$52,000 |
| Benedictine College | - Curriculum development - Test preparation resources for students - Pediatric simulator | \$74,850 |
| Butler Community College | - Professional development for faculty - Consumable laboratory supplies | \$33,700 |
| Cloud County Community College | - Professional development for faculty - Test preparation resources for students - Consumable laboratory supplies - Labor/delivery and newborn high-fidelity simulator | \$61,042 |
| Emporia State University | - Faculty professional development - Subscription to virtual reality clinical simulation service - Simulation laboratory equipment | \$80,000 |
| Fort Hays State University | - Curriculum revision and development - Faculty professional development - Test review and preparation services for students - Consumable laboratory supplies - Health assessment models for the classroom | \$164,479 |
| Fort Scott Community College | - Professional development for faculty - Test review and preparation services for students - Consumable laboratory supplies | \$24,013 |
| Garden City Community College | - Labor/delivery and newborn simulator - Simulation training for faculty | \$30,000 |

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|--|---|-----------|
| Hesston College | <ul style="list-style-type: none"> - Faculty professional development - Curriculum development - Consumable laboratory supplies - Auscultation manikin and CPR manikins | \$19,119 |
| Highland Community College | <ul style="list-style-type: none"> - Professional development for faculty - On-campus professional development/invited speaker | \$11,600 |
| Hutchinson Community College | <ul style="list-style-type: none"> - Faculty professional development - Subscription to nursing scenario software - Consumable laboratory supplies | \$7,649 |
| Johnson County Community College | <ul style="list-style-type: none"> - Professional development for faculty - Simulation laboratory equipment | \$42,536 |
| Kansas City Kansas Community College | <ul style="list-style-type: none"> - Salary support for new faculty - Subscription to teaching resources - Faculty professional development - Tutoring and support for at-risk students - Consumable laboratory supplies - Labor/delivery and newborn simulator | \$88,042 |
| University of Kansas | <ul style="list-style-type: none"> - New faculty salaries - Test preparation and academic support for students - Consumable laboratory supplies - Nursing simulator with body skin accessories - Injection models | \$162,777 |
| Kansas Wesleyan University | <ul style="list-style-type: none"> - Salary support for nursing faculty - Faculty professional development - Mentoring program for new faculty - Test review and preparation services for students - Consumable laboratory supplies - Simulation laboratory equipment | \$37,767 |
| Labette Community College | <ul style="list-style-type: none"> - Salary for a new faculty member - Faculty simulation training - Digital examination software for students - Consumable laboratory and simulation supplies - Nursing simulator | \$50,833 |
| MidAmerica Nazarene University | <ul style="list-style-type: none"> - Professional development for faculty - High-fidelity simulator | \$30,000 |
| North Central Kansas Technical College | <ul style="list-style-type: none"> - Faculty professional development - Subscription to teaching resources - Newborn simulator | \$31,257 |
| Ottawa University | <ul style="list-style-type: none"> - Professional development for faculty - Development of cultural competency training materials - New faculty salary support - Curriculum development - Online clinical support for students | \$72,065 |
| Pittsburg State University | <ul style="list-style-type: none"> - Salary support for new faculty - Professional development for faculty - Live review for pre-licensure students - Consumable laboratory supplies | \$103,088 |

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|--------------------------|--|--------------|
| University of St. Mary | <ul style="list-style-type: none"> - New faculty salary support - Curriculum revision for the Next Generation NCLEX - Professional development for faculty - Subscriptions to teaching resources - Test review and preparation resources for students - Consumable laboratory supplies - Laboratory equipment | \$ 197,669 |
| Washburn University | <ul style="list-style-type: none"> - Faculty professional development - Subscription to teaching resources - Access to simulation development resources for faculty - Tutoring services for students - Consumable laboratory supplies - Newborn neonatal simulator | \$ 141,778 |
| Wichita State University | <ul style="list-style-type: none"> - Salary support for new faculty - Faculty professional development - Consumable laboratory supplies | \$ 64,800 |
| | Total | \$ 1,751,487 |

CONSIDERATION OF DISCUSSION AGENDA

Other Matters

LEGISLATIVE AND BUDGET UPDATE

Matt Casey, Director of Government Relations, reported that the Legislature completed its veto session and Sine Die is scheduled for May 26, which is the official end to the 2021 Session. The state budget was approved and for the higher education system the following items were included: 1) \$2.1 million for Excel in CTE for FY 2021, 2) \$8.3 million for Excel in CTE for FY 2022, 3) \$25 million for the higher education system, and 4) \$1.4 million for the National Guard Scholarship program. During its veto session, the Legislature discussed the maintenance of effort requirements that the state must meet to be eligible for federal stimulus dollars. Governor Kelly issued a memo that outlined the issues with the maintenance of effort requirement dealing with the amount of State General Fund support going to higher education and calculated that the higher education system needed to receive an additional \$106 million for the next two years in order to meet the requirement. The Governor issued a Governor's Budget Amendment adding \$53 million to the higher education system for this coming year along with a waiver request for the remainder of the \$53 million for FY 2022. Director Casey stated that the Legislature adopted the Governor's proposal and appropriated the funds to be used in the following ways: \$15 million to the postsecondary education operating grant, \$10 million to the Board for need-based aid and student recruitment at the public universities, \$8 million to the comprehensive grant program, \$5 million to the community colleges, \$4.3 million to the technical colleges for capital outlay, which must be used on equipment, and \$10 million for the Kansas Promise Scholarship Act. Director Casey stated that the Legislature made it clear that these funds are for one time use in the two years with an MOE requirement, and that they intend to pull these dollars back in FY 2024.

Director Casey reported that the following non-budgetary items passed this year: SB 64 – amending the Private and Out-of-State Postsecondary Education Institution Act, SB 32 – authorizing school districts to pay the tuition for a student's dual or concurrent enrollment in a postsecondary institution, HB 2101 – extending the university engineering initiative, and HB 2064

– Kansas Promise Scholarship Act. Regent Hutton asked whether any school districts are planning to implement SB 32, and it was noted that the Wichita Unified School District requested the legislation and plans to use it. Regent Schmidt asked about the maintenance of effort waiver process. Elaine Frisbie, Vice President for Finance and Administration, stated that the waiver must be filed by the State of Kansas with the U.S. Department of Education by December 31, 2021. She also noted that if the waiver is denied, the Legislature will need to take up the issue in January 2022 with any new funding having to be expended by June 30, 2022.

Fiscal Affairs and Audit

KANSAS LAW ENFORCEMENT TRAINING CENTER MASTER PLAN

Chancellor Girod stated that the Kansas Law Enforcement Training Center (KLETC) serves as the headquarters for all law enforcement training in Kansas. He introduced Darin Beck, Executive Director of KLETC, to present the proposed Campus Master Plan for the Training Center. Director Beck stated the existing campus is comprised of 14 buildings and features an arrival plaza, residential commons, skills pad, skid pad, and emergency vehicle driver training course (“EVOC”). The condition of the buildings was assessed, and the majority of current buildings are in good to fair condition. However, the administrative building, KREC Hall, Quonset Building and Firearms Building are recommended for removal because of their poor condition rating. Director Beck stated the new Campus Master Plan features 19 buildings, a campus entrance, arrival plaza, campus mall, dining terrace, residential commons, skills pad, skid pad, EVOC driver training course, and tactical village. He noted the Plan addresses spacing needs, eliminates deferred maintenance, and incorporates a joint training facility, which will allow fire, EMS, and law enforcement to train together. Regent Rolph moved to approve the Campus Master Plan, and Regent Murguia seconded. The motion carried.

(PowerPoint filed with Official Minutes)

SELL REAL PROPERTY – KSU

General Counsel Julene Miller introduced Kansas State University’s request to authorize the sale of and execute documents conveying two adjacent and related parcels of land in Cherokee County, Kansas that it formerly used for pecan research. The first parcel is a roughly 45-acre plot gifted to K-State in 1962 (“Gifted Land”), and the second parcel is a roughly 35-acre plot K-State purchased in 1965 (“Purchased Land”). General Counsel Miller stated that Board approval should include authorization for the Board Chair and Board President and CEO to execute the quit claim deed conveying the Gifted Land to the Brewster heirs, and the contract for sale and quit claim deed conveying the Purchased Land to the purchaser. Regent Rolph moved to approve and authorized the Board Chair and Board President and CEO to execute the documents. Regent Hutton seconded, and the motion carried.

CAPITAL IMPROVEMENT REQUESTS FOR FY 2023 AND FIVE-YEAR PLANS

Chad Bristow, Director of Facilities, stated that last month the Board reviewed the proposed Capital Improvement Requests for FY 2023 and Five-Year Plans for the state universities. Since then, the University of Kansas has requested adding a reroofing project for Budig Hall to its five-year plan. Director Bristow also noted that as the Board develops its Capital Renewal Initiative priorities, amendments to the five-year plans may be needed. He then stated that staff is

recommending approval of the following: 1) all projects funded by non-state funds as submitted, 2) the university system request for spending authority for Rehabilitation & Repair projects from the Educational Building Fund, and 3) revising the proposed funding source of the individual building/infrastructure projects requesting state appropriations in FY 2023 and designating them as 'To Be Determined' (TBD). Regent Rolph moved to approve the staff recommendations, and Regent Murguia seconded. The motion carried.

(Tables 1 filed with Official Minutes)

JOHNSON COUNTY RESEARCH TRIANGLE FY 2022 BUDGETS – KU, KUMC, & KSU

Vice President Frisbie presented the Johnson County Education Research Triangle FY 2022 budgets for the University of Kansas Edwards Campus, the University of Kansas Medical Center, and Kansas State University Olathe Campus. Regent Harrison-Lee moved to approve the budgets. Regent Rolph seconded, and the motion carried.

(Budgets filed with Official Minutes)

UNIVERSITY TUITION AND FEE PROPOSALS (FIRST READ)

Vice President Frisbie reviewed the tuition and fee proposals for each state university. The University of Kansas for the third year in a row is proposing no tuition rate increase for resident undergraduate students, and it was noted that this will be the second year that tuition will remain the same for non-resident undergraduate students. KU's Student Senate is proposing a 6.3 percent increase to required campus fees at the Lawrence Campus. Syed Hammad Hussain, Chair of Finance for the KU Student Senate, presented information on the proposed student fees for AY 2021-2022. The primary fee increases are to support Watkins Health (\$10.00), Counseling & Psychological Services (\$2.05), Sexuality & Gender Diversity programming (\$2.90) and the Kansas Memorial Union (\$10.00). The Board discussed the proposed fee increases and it was noted that online students will be required to pay the proposed fees. Regent Schmidt asked about funding for student mental health services. President Flanders stated that the Board received a Grant Award Notification from the U.S. Department of Education under the Governor's Emergency Education Relief (GEER) Fund round two program and recommended using a portion of those funds to address student well-being. However, the Board office is still waiting for guidance on how those funds can be spent.

Kansas State University is restructuring its tuition and fee model to make it more transparent and easier to understand while remaining both market comparable and competitive. As part of its redesign, KSU eliminated the Global Campus online course fee, eliminated the summer and intersession fees, eliminated the Olathe campus fee, reduced the campus privilege fee rates for the Manhattan and Polytechnic campuses, merged the Manhattan campus-wide academic infrastructure fee into the base tuition rate, merged online college fees into the existing college fee structure, and created a separate market-competitive pricing structure for fully online/distance programs. As a result, undergraduate *tuition* rates will increase 1.2% because the academic infrastructure *fees* will be merged into the base tuition. This model also allows students to choose the course types that best fit their schedule and desired educational experience, without impacting their cost.

Wichita State University is proposing that tuition remain flat for FY 2022. The proposal also includes an increase in all combined mandatory student fees (\$13.39 per credit hour) for a full-time 15-credit-hour-or-more students. The increase is driven predominantly by a request to eliminate the existing non-mandatory online fee of \$97.25.

Emporia State University is proposing a change to its current flat-rate structure for undergraduate students that will include increasing the minimum number of credit hours taken for full-time to 12 instead of 10, with at least one credit hour being taken face-to-face on campus. The proposal also reduces the on-campus non-resident rate from 3.7 times the resident rate to 2.5 times the resident rate. For FY 2022, ESU is proposing holding tuition flat for resident undergraduate and graduate students, except for a modest tuition increase for the School of Business accelerated online masters degree programs.

Pittsburg State University is proposing no tuition increase for FY 2022. The PSU Student Government is requesting an \$8 per semester increase to the campus privilege fee to expand mental health services to students. PSU also proposed revising its Gorilla Advantage program in order to draw significantly more students into the unique and valuable College of Technology programs. The revised Gorilla Advantage will offer tuition at the same rate as Kansas students and will be offered to undergraduate students from 32 states. The immediate cost of the new program is the write-down of tuition revenue for existing students from impacted areas, which is estimated at \$300,000 per year. Growth of 51 students will be required to offset this impact and PSU expects to exceed that amount in two years or less.

Fort Hays State University is proposing no increase per credit hour for any tuition rate in FY 2022. The University also proposed changing its tuition structure beginning in FY 2023 by expanding its contiguous states tuition rate for on campus students only. The University would plan to reduce the contiguous state rate to equal the approved state rate beginning in the Fall of 2022. The expansion will include the following states: Texas, Utah, Arizona, Wyoming, New Mexico, Arkansas, Illinois, Iowa and South Dakota. Students from these states, in addition to Colorado, Nebraska, Oklahoma and Missouri, would pay the in-state rate. The new rate, referred to as the regional rate, would apply to all undergraduate and graduate students from the included states.

The Board will act on the state university tuition and fee proposals at the June 2021 Board meeting.

(Tuition and Fee Proposals filed with Official Minutes)

Regent Rolph stated that while reviewing the funding for the higher education sectors, he noted that the funds for the programs offered at the colleges seem to be unbalanced. President Flanders stated that the Excel in CTE program has been fully funded but there are funding gaps in the tiered and non-tiered funding lines. Regent Rolph asked whether the Board had the authority to use the \$5 million in the maintenance of effort fund for the community colleges to fill the gaps. Vice President Frisbie stated that the Technical Education Authority will be reviewing the maintenance of effort funds and will provide recommendations for the Board to consider, which could include filling the gaps.

EXECUTIVE SESSION

At 3:42 p.m., Regent Harrison-Lee moved, followed by the second of Regent Schmidt, to recess into executive session in the Kathy Rupp Conference Room for 60 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was a regular 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. The motion carried. At 4:42 p.m., the meeting returned to open session.

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 4:42 p.m.

RECONVENE

Chair Feuerborn reconvened the meeting at 8:45 a.m. on Thursday, May 20, 2021

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

EXECUTIVE SESSION

At 8:45 a.m., Regent Harrison-Lee moved, followed by the second of Regent Kiblinger, to recess into executive session in the Kathy Rupp Conference Room for 30 minutes to discuss matters deemed privileged in the attorney-client relationship. The subject of this executive session was to seek and receive legal advice on a matter for which the Board is represented by outside counsel and the purpose was to protect the attorney/client privilege. Participating in the executive session were members of the Board, President Flanders, Attorneys and designated staff from Cozen O'Connor, General Counsel Julene Miller, and Associate General Counsel Natalie Yoza. The motion carried. At 9:15 a.m., the meeting returned to open session. Regent Harrison-Lee moved to extend the session for 15 minutes. Regent Van Etten seconded, and the motion carried. At 9:30 a.m. the meeting returned to open session. Regent Harrison-Lee moved to extend the session for 10 minutes. Regent Van Etten seconded, and the motion carried. At 9:40 a.m., the meeting returned to open session. Regent Harrison-Lee moved to extend the session for 10 minutes. Regent Van Etten seconded, and the motion carried. At 9:50 a.m., the meeting returned to open session.

BREAK

The Chair called for a break and resumed the meeting at 9:56 a.m. in the Board room.

REPORTS**REPORT FROM THE UNIVERSITY CEOS**

President Scott shared three stories of how Pittsburg State University has positively impacted individuals and the community its services. Recently Carol Essex, Ottawa Tribe Childcare and Development Fund Director, contacted Pittsburg State to develop a new scholarship for students interested in early childhood education. The Miami, Shawnee and Ottawa tribes in Oklahoma have launched the Tribes Scholars Program in hopes to produce more early childhood educators for 41 counties within the four states. President Scott reported that this weekend the University will host the Four State Farm Show at the Robert W. Plaster Center and the parking lot and grounds adjacent to the Plaster. This event was located in an all-outdoor venue and often had weather issues. President Scott noted this show is a valuable resource for vendors, attendees, and the community. President Scott also reported that a team of six engineering technology students created their own Thor's hammer for a global competition. The team's hammer was put through a series of rigorous performance tests and PSU's team was declared the winner of the 2021 Cast in Steel Competition by the Steel Founders Society of America.

President Mason announced that Fort Hays State University held four face-to-face and two virtual commencement ceremonies. The University graduated 1,081 undergraduate students and 569 graduate students – including 16 students graduating with their doctorate in nursing practice degree, which is the University's second class. President Mason thanked Regent Schmidt for his commencement remarks. President Mason then recognized the accomplishments of Israel Smitherman who was a full-time custodian in the University's residential life department and was able to qualify for the University's employee tuition assistance program. Israel took two classes a semester and eventually transitioned to a full-time, online psychology student. He graduated, summa cum laude, this past weekend and has plans to begin a graduate program in psychology. The University also held its completion ceremony for its KAMS/AMS students earlier this month. Thirty-one students completed the program – 19 from Kansas, eight from China, and four from South Korea. Fort Hays State held its Day of Giving on April 22. President Mason reported that the University received over 600 donations within 48 hours and raised over \$270,000. President Mason also recognized the University's track teams and thanked the University's shared governance leaders for all their work this year.

President Garrett reported that Emporia State University held its commencement ceremony last weekend and graduated around 1,000 students. She announced that the ESU's Theatre Department did a fabulous job adjusting to the pandemic environment by conducting both face-to-face and online productions throughout the year. Six ESU theatre students will compete in the annual Kennedy Center American College Theatre Festival. President Garrett stated that four Emporia State University students won awards during the American Chemical Society Wichita Section Virtual Symposium. She also reported that the ESU Business School's honor society Beta Gamma Sigma received high honors from the Association to Advance Collegiate Schools of Business for the fifth straight year and six business students are competing in Phi Beta Lambda national events.

CONSIDERATION OF DISCUSSION AGENDA*Fiscal Affairs and Audit***ENROLLMENT REPORT**

Elaine Frisbie, Vice President of Finance and Administration, presented the report on system enrollments for Academic Year (AY) 2020 and noted this data is pre-pandemic. In 2020, the enrollment headcount for public higher education sector was 238,000 and the full-time equivalency (FTE) student count was 133,343. Vice President Frisbie noted the headcount enrollment for the public higher education system is down 1.8 percent from AY 2019 and is down 8.1 percent from its peak enrollment in AY 2012. FTE is also down 4.8 percent from last year. For state universities, headcount and FTE have held steady over the last ten years. The universities' international student enrollments have increased 9.8 percent over the last ten years but have experienced losses from the peak enrollment year in 2015 (-8.0 percent). Washburn University's headcount is down 11.6 percent from 2010 and decreased four percent from last year. Its FTE has also decreased 11.2 percent from 2010 and 4.5 percent from last year. The community colleges are experiencing similar enrollment trends with headcount down 20.1 percent and FTE down 18.4 percent since 2010. Vice President Frisbie stated the community colleges are more susceptible to economic changes because they have more part-time, adult students enrolled, and these individuals tend to enter the workforce when the economy is strong. The technical colleges have experienced the highest gains in headcount (75.7 percent) and FTE (49.6 percent) over the last decade. It was noted that this sector is less likely to be impacted by economic cycles and has seen increased enrollment related to the Excel in CTE program. Vice President Frisbie also reviewed the system's overall enrollments by race/ethnicity, age, and residency. She noted that the demographics of the Kansas population are changing, and the system can expect more persons declaring Hispanic as their ethnicity and fewer declaring White as their race.

Vice President Frisbie reviewed the College-Going Rate, which is the percent of high school students entering postsecondary. Over the last five years this rate has been trending downward in Kansas and has decreased for every race over the last ten years with only the American Indian category seeing an increase from five years ago. The most alarming gaps are in the Hispanic and Black groups. The Hispanic college-going rate for 2014 was seven percentage points lower than their White peers and current gap is 14 percentage points. Vice President Frisbie noted that the Hispanic population is also growing in Kansas. For Black students in 2014, the gap was five percentage points and is currently at 13 percentage points. It was noted that the Board's strategic plan, *Building a Future*, has metrics that focus on equitable access to higher education.

Vice President Frisbie also reviewed data regarding Kansas high school graduates entering college. One of the metrics that is tracked is the percent of high school students meeting ACT benchmarks. She noted 82 percent of 2020 high school graduates (not all high school students) took the ACT resulting in an average composite of 20.4 with 23 percent meeting all four benchmarks. She stated Kansas high school juniors and seniors can now take the ACT for free. States that have implemented similar policies have seen the benchmark percentages decrease as more students test and Kansas is now seeing a similar trend. She also noted that this year Kansas has fallen below the national average in every subject area assessed by the ACT test by one percentage point. ACT also recently changed its policy to allow students to retake a single subject without retaking the

entire test, starting September 2020. The impact of this change may improve benchmarks for the 2021 class.

Vice President Frisbie stated that affordability is a key focus in the Board's strategic plan and additional time to degree is costly for families and students. For typical academic load and financial aid purposes, undergraduate students are considered full-time at 12 hours per fall and spring semester (24 hours). However, to earn a bachelors degree within four years, students must earn a minimum 120 hours or 30 hours per academic year. She noted for the state universities, only 55 percent of the full-time undergraduate students who enroll in at least 24 hours take a load of 30 hours, or what it takes to graduate on time. It was noted that Emporia State and Pittsburg State offer a flat-rate tuition program that allows full-time undergraduate students (enrolled in at least 12 credit hours) to pay a single tuition rate regardless of the number of total credits taken, which may be why their academic load enrollments are higher than the other universities. President Scott noted that the flat rate allows the student to take additional courses, but it does not mean the university's graduation rate will increase. Vice President Frisbie then reviewed data regarding developmental education, dual enrollment, and distance education.

Vice President Frisbie also reviewed the fall 2020 enrollment data that shows the impact of the pandemic. According to the fall census report, the system had substantial losses in high school dual enrollments and considerable losses in undergraduate enrollment. Based on the fall preliminary data, headcount for the system is down 7.8 percent from the previous year. The community college sector experienced the greatest losses in headcount (14 percent). Vice President Frisbie noted that graduate enrollment grew slightly during the one-year period.

(PowerPoint filed with Official Minutes)

FUNDING SCENARIOS FOR CAPITAL RENEWAL INITIATIVE

Chad Bristow, Director of Facilities, reviewed different approaches and funding scenarios for the Board's capital renewal initiative. He stated that the state universities have \$1.2 billion in deferred maintenance backlog for Educational Building Fund (EBF)-eligible mission critical buildings. The Board has devoted the EBF to deferred maintenance for years, but it is not enough to reverse the backlog.

At the March meeting, Director Bristow reviewed several policy concepts that the Board could implement to help address the backlog. The first was to establish a policy that requires each university to hold the Maintenance Assessment Fund and a Maintenance Reserve Fund at the campus level. The Board also discussed setting space standards and management guidelines along with facilities condition data guidelines.

Director Bristow then reviewed several funding scenarios that the Board could implement to address the deferred maintenance backlog. Under the first scenario, Director Bristow showed the results of only using the EBF to address deferred maintenance on the campuses. He noted the EBF is expected to generate almost \$1.1 billion (cumulative) in the next 20 years and it is projected that the backlog will grow steadily by at least \$4 billion in the same timeframe. Under this scenario, systemwide facility condition average will decline from fair to poor/deficient. The second scenario adds the Maintenance Assessment Fund with the EBF. The universities would contribute from

their non-EBF revenues to their facilities' maintenance over time to at least two percent of replacement value of academic buildings. However, if implemented the condition the buildings would not improve because of the scale of the backlog. Scenario three adds a 15 percent footprint reduction to the formula that already includes the EBF and the Maintenance Assessment Fund. Director Bristow noted that if the campuses reduce their footprint within the first five years, their overall facility conditions would improve; however, the deferred maintenance backlog would continue to grow without additional resources. Under scenario four, the universities would add additional resources on top of the Maintenance Assessment Fund and the EBF. Director Bristow stated that the EBF and Maintenance Assessment combined could amount to approximately \$3.2 billion over 20 years, but in order to hold the condition of the academic buildings flat over the next 20 years, the campuses would need an additional \$760 million. Scenario five combines all the funding (EBF, Maintenance Assessment Fund, and additional funds) with reducing the campuses' footprint by 15 percent. Under this model, it will take in excess of \$5 billion over 20 years to improve the condition of the campus facilities from fair to excellent. Director Bristow stated that seeking an excellent rating for all facilities is probably not the goal for the system and noted by changing the timeline and funding amounts, the facility condition rates can improve over time, which he showed in scenarios six, seven and eight.

President Flanders stated that financing the cost of deferred maintenance on the campuses will need to be addressed in order to solve the backlog problem. Regent Schmidt stated the funding for deferred maintenance needs to be a partnership between the Legislature and the Board. He noted that the universities will not be able to cover the financing without state support. Regent Hutton wanted to know when the Board would discuss the draft policies that Director Bristow outlined in the written agenda materials. President Flanders indicated that the policies would be placed on the June Board agenda for discussion.

Jeff DeWitt, KU's Chief Financial Officer, stated that he has learned many lessons dealing with deferred maintenance issues while working for different entities throughout his career. He reviewed some of the best practices that organizations have implemented to eliminate deferred maintenance backlog. The first step is to identify the scope of an organization's deferred maintenance issues, which the Board has already done with its two studies. Then the organization needs to prioritize and rank the facilities because not all facilities will be in the same condition. He also noted that a financial plan will need to be developed to fund the projects. CFO DeWitt stated that it will be important to have the university operational staff along with the Chief Financial Officers involved in this process.

(PowerPoint filed with Official Minutes)

BOARD'S UNIFIED FY 2023 BUDGET REQUEST PREPARATIONS

Vice President Frisbie stated the Kansas Higher Education Coordination Act requires the Board of Regents to develop and present to the Governor and Legislature a unified request for state appropriations for postsecondary education each year. The Board's request must be submitted by October 1. Vice President Frisbie reviewed the proposed calendar below.

Unified Appropriation Request Schedule

| | |
|------------------------------|---|
| April 2021 Board Meeting | Capital improvement requests for state universities (First Reading) |
| May 2021 Board Meeting | Board acts on capital improvement requests for July 1 |
| June 2021 Board Meeting | Board staff reviews potential areas of request. Board receives institution and sector specific requests. (Sector and institutions' proposals are requested to be submitted to the Board Office by Tuesday, June 1.) |
| Summer 2021 Board Retreat | Board conducts budget session to discuss FY 2023 requests. Board continues discussion of system, institution, and sector specific requests and indicates preference for inclusion in the FY 2023 Budget Request. |
| September 2021 Board Meeting | Board officially approves FY 2023 unified budget request |
| October 1, 2021 | Board's FY 2023 unified budget request submitted |

Other MattersFY 2022 BOARD CHAIR AND VICE CHAIR

Regent Van Etten moved to elect Regent Cheryl Harrison-Lee as Chair of the Board for FY 2022. Regent Bangerter seconded. The motion carried.

Regent Bangerter moved to elect Regent Jon Rolph as Vice Chair for FY 2022. Regent Hutton seconded, and the motion carried.

EXECUTIVE SESSION

At 12:08 p.m., Regent Harrison-Lee moved, followed by the second of Regent Hutton, to recess into executive session in the Kathy Rupp Conference Room for 60 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was a regular 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, and President Flanders. The motion carried. At 1:08 p.m., the meeting returned to open session. Regent Harrison-Lee moved to extend the session ten minutes. Regent Van Etten seconded, and the motion carried. At 1:18 p.m., the meeting returned to open session. Regent Van Etten moved to extend the session by five minutes. Regent Harrison-Lee seconded, and the motion carried. At 1:23 p.m. the meeting returned to open session

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 1:23 p.m.

 Blake Flanders, President and CEO

 Bill Feuerborn, Chair