

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

January 18-19, 2023

The January 18, 2023, meeting of the Kansas Board of Regents was called to order by Chair Jon Rolph at 1:33 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:

- Jon Rolph, Chair
- Carl Ice, Vice Chair
- Blake Benson
- John Dicus
- Cheryl Harrison-Lee
- Shelly Kiblinger
- Cynthia Lane
- Diana Mendoza
- Wint Winter

### **APPROVAL OF MINUTES**

Regent Harrison-Lee moved that the minutes of the December 14-15, 2022 meeting be approved. Following the second of Regent Winter, the motion carried.

### **INTRODUCTIONS**

President Muma introduced Wichita State University's new Athletic Director, Kevin Saal. He also announced that the National Science Foundation released its 2021 university research and development data and noted that WSU was ranked 20<sup>th</sup> in engineering R&D (\$157 million), third in total aerospace R&D (\$153 million), and first in industry-funded aerospace R&D (\$75 million).

### **GENERAL REPORTS**

#### **REPORT FROM CHAIR**

Chair Rolph congratulated Wichita State University on increasing its research footprint and the work being done at its National Institute for Aviation Research (NIAR) facility. Regent Rolph then announced that he was amending the dress code for Board meetings to make ties optional for the remainder of his chairmanship. Chair Rolph highlighted that later in the Board meeting, the Regents will discuss and consider approving the voluntary affiliation legislation that would allow Fort Hays State University to affiliate with Northwest Kansas Area Technical College and affiliate with North Central Kansas Area Technical College. He noted that next week many of the Regents will attend the Governor's State of the State address and stated that Director Casey will review the Governor's budget recommendations, which were released last week, at the end of today's agenda. Chair Rolph reminded everyone that tomorrow the Board will participate in a mid-year retreat to discuss the system's progress and set future goals. Additionally, he reported that he had a productive interview with the AAUP regarding their investigation of Emporia State University's workforce management decisions, and he met with ESU's leadership team. Chair Rolph noted that there were many representatives from the different shared governance groups involved in this meeting and believes their leadership will help shape the future of ESU.

### REPORT FROM PRESIDENT AND CEO

President Flanders introduced the Board Office's new Director of Finance and Administration, Becky Pottebaum. Director Pottebaum previously worked for the University of Missouri at Kansas City (UMKC) serving their Student Affairs Division as well as their medical school in finance roles. She has degrees from Tulsa Community College and Northeastern State University in Oklahoma, and her Master of Science in Accounting degree from UMKC. President Flanders announced that he and other system leaders have been engaged with Panasonic, which is building an EV Battery Factory in Kansas, to help them have a successful launch and meet their workforce needs. Last week, President Flanders presented an overview of the public higher education system to the House Higher Education Budget Committee, and he noted that the Committee is interested in learning more about the research initiatives at the state universities. President Flanders highlighted that he and several other Regents attended the K-State 105 event at the Statehouse earlier this week and noted that Regent Harrison-Lee was a keynote speaker. He believes that the economic prosperity efforts that the colleges and universities are pursuing with the private sector are essential to help the state grow. President Flanders also announced that the Board's data team has published the 2022 state university databook, which can be found on the Board's website. President Flanders concluded by stating that the Board Office will follow Governor Kelly's executive order banning TikTok on state devices, which means anyone connected to the Board Office's network will not be allowed to connect with the TikTok platform.

### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Nate Brunsell reported that the Council of Faculty Senate Presidents is in the process of reviewing the report from rpk Group and will provide feedback to the Board before the February deadline. He stated that the Council looks forward to working with the Board in the new year.

### REPORT FROM STUDENTS' ADVISORY COMMITTEE

Sadie Williams presented the Students' Advisory Committee report. Last month, the Board asked the Committee to identify what students believe is going right, going wrong, is confusing, and is missing in the Kansas Higher Education System. Student Body President Williams provided a handout that highlighted each university's response to this question. She stated collectively the Committee believes the implementation of the Board's General Education packet along with transfer have been positive for students. The Committee appreciates that the system offers a variety of opportunities for students to seek different types and levels of degrees and certificates. Regarding what needs improvement or is missing in the system, the Committee believes there needs to be more institutional collaboration at all levels, more access to high school dual and concurrent enrollment opportunities, and more of a focus on the universities' education mission. Student Body President Williams stated that students are also interested in providing feedback to help shape academic offerings and faculty accountability structures. Student Body President Williams also reported that the students' higher education day at the Statehouse is scheduled for February 15, 2023. Regent Winter asked whether class offerings have shifted back to in person or if the majority are still taught online. Student Body President Williams stated many have shifted back to in person, but some are only offered online. Regent Lane asked the Committee to think about what a collaborative system would look like and asked the Committee to share their ideas at the next meeting. Regent Lane also highlighted the work being done by the Kansas First/Diploma

Plus Work Group regarding high school access to college level courses and stated she would share that information with the Committee.

#### REPORT FROM UNIVERSITY SUPPORT STAFF/UNCLASSIFIED STAFF

Jennifer Whitmer, representing the University Support Staff (USS)/Unclassified Staff Council (UPS), and Michael Walker, with the Docking Institute, presented the findings of the Staff Climate Survey for the six state universities. Mr. Walker stated in the spring of 2022 a climate survey was deployed to 9,190 staff members. The Docking Institute received 4,053 completed surveys, which is a 44.1% response rate. Each university received two reports: one with the information from the USS employees and one with information from the UPS employees. The Board received the system-level report. Mr. Walker stated that the survey questions focused on workforce satisfaction, wages, incentives, budget impacts, morale, and performance. He then reviewed some of the system findings. On the positive side, 84 percent of employees enjoy the work they are doing, about 75 percent believe they work in a positive environment, 53 percent believe they have reasonable workloads, and 60 percent rate their work morale as somewhat to extremely positive. Areas of concern include how the surveyed employees feel about their wages (51.2 percent believe their wages are unreasonable) and the number of employees seeking other job opportunities (41.5 percent answered that they are looking for another job and of those 90 percent are looking for work off campus). Mr. Walker emphasized that these percentages represented the system and that the percentages at each institution will vary. Ms. Whitmer stated that this information was also presented to the Council of Presidents at its morning meeting and noted that the Staff Council worked with the Docking Institution to draft actionable recommendations to address some of the findings. These recommendations focused on improving partnership, listening, and acting. Regent Harrison-Lee thanked the Council and the Docking Institute for their work and noted her concern that 41.5 percent of respondents are looking for another job. She believes the Regents need to review this data to determine if there is anything at the Board level that can be done to help retain university employees. Regent Lane asked about trend data and Mr. Walker stated that a trend analysis was not performed, but it could be a next step.

(Survey Report Filed with Official Minutes)

#### STANDING COMMITTEE AND OTHER REPORTS

##### ACADEMIC AFFAIRS

Regent Kiblinger reported that the Board Academic Affairs Standing Committee reviewed several items on today's Board agenda including the proposed changes to the Board's service area policy and the Educator Work Force Task Force final report. Board staff provided an update on the implementation of the General Education Framework, and the Committee discussed revising the academic program review process. The Committee will continue to work on these two projects over the next several months.

##### FISCAL AFFAIRS AND AUDIT

Regent Ice reported that the internal auditors at four of the universities presented their annual audit plans and outcomes of the past year with the Committee and noted that the other two university auditors will present their findings later this year. The Committee received information from the Kansas State Veterinary Medical Center and the K-State Global Food Systems on how the

additional state investment has impacted their programs. KSU highlighted that the \$5 million state appropriation has provided support for the Biosecurity Research Institute where research studies are conducted on high-consequence diseases of food animals. Regent Ice also reported that last month there was one finding in the state’s annual financial report concerning Fort Hays State University. The University provided its financial statement information later than requested but assured the Committee it will submit the information in a timely manner in the future.

AMEND AGENDA

Regent Ice stated that the title for Fort Hays State University’s Gross Memorial Coliseum project on the Board’s consent agenda needs to be amended to reflect the action being requested. He stated the University is only requesting approval for its project program statement. He moved to amend the title to “Act on Request to Approve the Program Statement for the Gross Memorial Coliseum Parking Lot.” Regent Harrison-Lee seconded, and the motion carried.

GOVERNANCE

Regent Rolph presented the Governance Committee report. Representatives from Wichita State University presented the University’s safety and security report. The Committee reviewed the proposed rules and regulations to implement and administer the Kansas Promise Scholarship Act and discussed a Board leadership selection process that would allow Regents to know who is interested in being the chair and vice chair prior to deciding who they want to support. The Committee also reviewed the Board’s policy on state university affiliations.

APPROVAL OF CONSENT AGENDA

Regent Benson moved, with the second of Regent Kiblinger, that the Consent Agenda be approved as amended. The motion carried.

Academic Affairs

PERFORMANCE REPORTS FOR ACADEMIC YEAR 2021

The performance reports for academic year 2021 and the below funding recommendations were approved.

<b>Institution</b>	<b>Funding Recommendation</b>
Emporia State University	100% funding
Fort Hays State University	100% funding
Kansas State University	100% funding
Pittsburg State University	100% funding
University of Kansas	100% funding
University of Kansas Medical Center	100% funding
Wichita State University	100% funding
Washburn University/Washburn Tech	100% funding
Allen Community College	100% funding
Barton Community College	100% funding

Butler Community College	100% funding
Cloud County Community College	100% funding
Coffeyville Community College	100% funding
Colby Community College	100% funding
Cowley Community College	100% funding
Dodge City Community College	100% funding
Fort Scott Community College	100% funding
Garden City Community College	100% funding
Highland Community College	100% funding
Hutchinson Community College	100% funding
Independence Community College	100% funding
Johnson County Community College	100% funding
Kansas City Kansas Community College	100% funding
Labette Community College	100% funding
Neosho County Community College	100% funding
Pratt Community College	100% funding
Seward County Community College	100% funding
Flint Hills Technical College	100% funding
Manhattan Area Technical College	100% funding
North Central Kansas Technical College	100% funding
Northwest Kansas Technical College	100% funding
Salina Area Technical College	100% funding
Wichita State University Campus of Applied Science and Technology	100% funding

Fiscal Affairs and Audit

ACCEPT PROGRAM STATEMENT FOR KIRMAYER FITNESS CENTER HVAC REPLACEMENT – KUMC

The University of Kansas Medical Center received authorization to amend its FY 2023 Capital Improvement Plan to include the Kirmayer Fitness Center HVAC replacement project. The estimated cost of the project is \$1,515,816. Originally, KUMC was planning to use FY 2023 State Universities Facilities Capital Renewal Initiative funds to finance this project; however, with the construction planned to start in July 2023, these funds might not be available. KUMC is working to identify new funding sources. The project statement for this project was also approved.

LEASE FOR THE CATS’ CUPBOARD – KSU

Kansas State University received authorization to enter a ten-year lease with the KSU Foundation for property located at 1021 Denison Avenue in Manhattan. The annual lease cost is \$50,000, which is equivalent to \$5.22 per square foot. The lease also includes 22 off-street parking spaces. The lease will be financed with philanthropic funds. KSU will use the property to house its Cats’ Cupboard, the University’s food pantry for students and employees.

RAZE MORSE HALL CENTRAL AND ALLOCATION OF FY 2023 BUILDING DEMOLITION FUND – ESU

Emporia State University received approval to raze Morse Central, which is located at 1300 Morse Drive in Emporia, and was authorized to use the FY 2023 Building Demolition Fund to finance a portion of the cost. The razing of Morse Central will complete the third of four phases of Emporia State's plan to reduce campus gross square footage by 15%. The demolition cost is estimated at \$750,000. ESU plans to use \$285,000 of the FY 2023 Building Demolition Fund to fund a portion of the cost and the remaining \$465,000 is contingent on an additional appropriation of this funding in FY 2024.

PROGRAM STATEMENT FOR GROSS MEMORIAL COLISEUM PARKING LOT – FHSU

Fort Hays State University's program statement for its Gross Memorial parking lot replacement project was approved. The estimated project cost is \$5.3 million, which will be funded with university resources (parking fees and tuition). Construction is anticipated to begin in May 2024 and be completed over two consecutive summers with project completion scheduled for September/October 2025.

Technical Education Authority

NEW PROGRAM FROM NORTH CENTRAL KANSAS TECHNICAL COLLEGE: POWERSPORTS TECHNOLOGY; NORTHWEST KANSAS TECHNICAL COLLEGE: POWERSPORTS TECHNOLOGY; AND WASHBURN INSTITUTE OF TECHNOLOGY: EARLY CHILDHOOD EDUCATION

North Central Kansas Technical College received approval to offer a Technical Certificate C (44 credit hours) in Powersports Technology (47.0606). The College estimates the initial cost of the program at approximately \$80,745. Institutional general funds, Perkins grant funds, and donations will finance the program. The College plans to begin offering the program in the fall of 2023.

Northwest Kansas Technical College received approval to offer a Technical Certificate A (24 credit hours), Technical Certificate C (48 credit hours), and an Associate of Applied Science (63 credit hours) in Powersports Technology (47.0606). The estimated initial cost for the program is \$69,000, and the College will fund the program using institutional funds. The program will be offered in the fall of 2023.

Washburn University Institute of Technology received authorization to offer a Technical Certificate A (24 credit hours) and a Technical Certificate C (48 credit hours) in Early Childhood Education (19.0709). The College estimates the initial cost of the program at approximately \$94,500 and will finance the program using institutional funds. The program will be offered in the fall of 2023.

EXCEL IN CTE FEES FOR NORTHWEST KANSAS TECHNICAL COLLEGE:  
POWERSPORTS TECHNOLOGY; AND WASHBURN INSTITUTE OF  
TECHNOLOGY: EARLY CHILDHOOD EDUCATION

Excel in Career Technical Education fees for the below programs were approved:

- Northwest Kansas Technical College: Powersports Technology total \$4,525.00. Fees include \$25 for uniforms, \$850 in textbooks, \$3,000 for tools, and \$650 for an iPad.
- Washburn University Institute of Technology: Early Childhood Education total \$308. Fees include \$53 for First Aid/CPR certification, \$70 for uniforms, and \$185 for textbooks.

PROMISE ACT PROGRAM FOR WASHBURN INSTITUTE OF  
TECHNOLOGY: EARLY CHILDHOOD EDUCATION

The below program was approved to become a Promise Eligible program:

- Washburn University Institute of Technology: Early Childhood Education (19.0709), which falls under the Early Childhood Education and Development category specified in legislation.

**CONSIDERATION OF DISCUSSION AGENDA**

*Academic Affairs*

**RECOMMENDATIONS FROM THE EDUCATOR WORK FORCE TASK FORCE**

Regent Kiblinger introduced and thanked the members of the Educator Work Force Task Force – Joan Brewer, Dean, Emporia State University; Paul Adams, Dean, Fort Hays State University; Debbie Mercer, Dean, Kansas State University; James Truelove, Dean, Pittsburg State University; Rick Ginsberg, Dean, University of Kansas; Cherry Steffen, Department Chair, Education, Washburn University; and Clay Stoldt, Interim Dean, Wichita State University. Dean Ginsberg stated that the Task Force recommendations, which are listed below, identify ways to attract more students into the education programs, retain current teachers, and eliminate barriers.

**I. Priorities for KBOR and Regents Institutions to Pursue to Address Work Force Issues**

- Enhance funding to support teacher recruitment and retention - student scholarships, marketing and communications plan, paid student teaching, teacher licensure examination costs
- Support implementation of the universal elementary education licensure degree transfer program in partnership with A.A. degrees in elementary education

**II. Priority for Addressing Kansas Student Performance**

- Develop a structured literacy plan and training for pre-service and in-service teachers

**III. Other Teaching Work Force Recommendations**

- Develop tiered-work force options for educators

- Collaborate with KSDE to create a system-wide approach to the Registered Apprenticeship Program with KSDE serving as the intermediary
- Create an innovation fund for new teacher preparation approaches
- Strengthen induction and mentoring programs for novice teachers to support their retention
- Examine assessments utilized in Kansas for students, teacher evaluation and licensure
- Strengthen inter-state teacher licensure transferability
- Increase teacher base salary
- Resolve concurrent teaching concerns
- Address disincentives in KPERS for retirees returning to teaching

Dean Ginsberg noted that the recommendation to develop a structured literacy plan would require a work group to be formed that includes representatives from the universities and the Kansas Department of Education. The group would be charged to develop a comprehensive literacy plan for Kansas based on the recommendations in the National Reading Panel Report in 2000 and would be asked to bring its recommendations to the Board of Regents and the Kansas Department of Education by the end of the current academic year (June 2023). Regent Lane thanked the Task Force for creating a report that contains actions steps that will help address the educator workforce needs of the state. She acknowledged that there is still a lot of work that needs to be done and then moved to accept the report and directed President Flanders to bring a priority list of the recommendations along with implementation plans back to the Board for consideration. Regent Kiblinger seconded. Several of the Regents commented that creating a literacy plan is a priority and will positively impact students. Regent Ice asked the community colleges if they have reviewed the recommendation on creating a universal elementary education licensure A.A. elementary education degree transfer program. President File stated that the community colleges have not discussed this specific recommendation but are in favor of increasing transfer opportunities between the colleges and universities. Regent Rolph thanked the group for its work and noted the importance of working with the State Board of Education to address the licensure issues. Following discussion, the motion carried.

(Educator Work Force Task Force Report Filed with Official Minutes)

### BREAK

Chair Rolph called for a break at 2:46 p.m. and resumed the meeting at 3:05 p.m.

### BACHELOR OF ARTS/BACHELOR OF SCIENCE IN CRIMINOLOGY – KSU

Provost Taber introduced Kansas State University's request to offer a Bachelor of Arts and a Bachelor of Science in Criminology (45.0401). The Department of Sociology, Anthropology and Social Work is proposing to convert its Criminology specialization that exists in the Sociology program into a Criminology major. Provost Taber stated that data from K-State Admissions and the National Student Clearinghouse indicate that from Spring 2010 to Fall 2020, 464 students applied and were admitted to K-State but enrolled elsewhere to pursue Criminology and Criminal Justice degrees. The University believes converting its specialization in criminology to a major will better serve existing students, increase enrollments, and increase students' pathways to gainful employment. The Provost noted that Emporia State University opposed the request because of concerns with duplication. Provost Taber noted that some duplication is productive and that universities need to analyze key indicators like market demand and value for students when

considering adding a program that is offered at other institutions. Regarding this specific program, the national and regional data shows an increasing demand for Criminology and related degrees. Regent Kiblinger stated that BAASC reviewed the proposal and agrees with Provost Taber that productive duplication is not bad. She stated that the Committee asked for student enrollment data from KSU and ESU and found that generally it is local students in the institution's region who are enrolling in these types of programs. She believes this program is meeting a workforce need in a region and supports approving it. Regent Kiblinger also noted the Committee is reviewing the Board's academic program review process and the new program approval process to determine if the appropriate questions are being asked to allow the Board to make decisions. Regent Ice noted that since KSU already offers a Criminology specialization, the cost to transition this into a program is low, and he believes that cost is also a factor that the Board needs to consider when reviewing new program requests. Regent Benson asked what factors are driving increased market demand for these types of programs. Provost Taber stated that the criminal justice system is increasing its educational requirements for law enforcement officers because of the changing environment, and Regent Harrison-Lee highlighted that it is difficult for cities and counties to find qualified law enforcement officers that have a degree. Following discussion, Regent Lane moved to approve. Regent Kiblinger seconded, and the motions carried.

#### AMENDMENTS TO THE OFF-CAMPUS DELIVERY OF ACADEMIC COURSES AND PROGRAMS POLICY

Scott Smathers, Vice President of Workforce Development, presented proposed amendments to the Off-Campus Delivery of Academic Courses and Programs policy. The amendments add to section f. a statutory reference (K.S.A. 74-32,433) and language that would require institutions that wish to offer any off-campus face-to-face academic courses for credit in a service area other than its own, to seek approval from the CEOs assigned to that service area no later than 30 days prior to the course(s) starting and notify the Board office no later than 30 days prior to the course(s) starting. Vice President Smathers stated that the 30-day timeline will allow the institutions and Board staff enough time to react to the request. Regent Ice moved to approve, and Regent Lane seconded. The motion carried. The following policy amendments were adopted:

### **CHAPTER III: COORDINATION OF INSTITUTIONS**

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

#### **8. OFF-CAMPUS DELIVERY OF ACADEMIC COURSES AND PROGRAMS**

...

f Community Colleges, Technical Colleges and Washburn Institute of Technology

- i The provisions in this policy dealing with community colleges, technical colleges and Washburn Institute of Technology are adopted pursuant to the Board's authority conferred by K.S.A. 71-601, 71-609, 71-620, 71-1801 *et seq.*, 72-4480, 72-4482, and 74-3205d and K.S.A. 74-32,433.

## ii Service Areas; In-State Responsibilities and Requirements

(1) The areas shown in the "Map of Service Areas for Kansas Community Colleges" and the "Map of Service Areas for Kansas Technical Colleges," both of which are at the end of this policy, shall be considered the service areas for community colleges and technical colleges for purposes of this policy. The service area for the Washburn Institute of Technology shall be Shawnee County for purposes of this policy.

(2) Assignment of particular service areas to specific colleges and the Washburn Institute of Technology applies only to off-campus academic courses and programs that are offered for credit and submitted for state reimbursement, and delivered on a face-to-face basis. These service areas do not apply to distance education courses or programs. These service areas and this geographic jurisdiction policy do not apply to courses, whether face-to-face or distance, delivered on a military reservation, installation or enclave pursuant to a contract with the federal government.

(3) The community college and technical college in a service area have primary responsibility for meeting the needs of that area that are within the college's mission, and have priority over other community colleges and technical colleges in offering off-campus face-to-face academic courses and programs within that area.

(4) The colleges in a service area have the responsibility to request that other public institutions in Kansas serve identified or expressed needs in that area when the home institutions are unable to do so.

(5) To maintain eligibility of the course for state reimbursement, prior to offering any off-campus face-to-face academic courses for credit in a service area other than its own, each community college, technical college and Washburn Institute of Technology shall seek approval for offering the course or program from the chief executive officer of each two-year college assigned to that service area no later than 30 days prior to the course(s) starting. In addition, to maintain eligibility of the course for state reimbursement, prior to offering any new off-campus face-to-face academic courses for credit in a service area other than its own and in a county in which the main campus of a state university or Washburn University is located, each community college, technical college and Washburn Institute of Technology shall seek approval for offering the course or program from the chief executive officer of that university no later than 30 days prior to the course(s) starting. Each institution from which approval is required shall have the option to offer the course or program itself, approve the request of the out-of-service-area institution, or reject the request of the out-of-service-area institution. If each home institution is unable or chooses not to offer the course or program and approves the request, or does not respond to the request within 30 days, then the out-of-service-area

institution may proceed in accordance with Board policy. If a home institution rejects the out-of-service-area institution's request, the out-of-service-area institution may appeal in accordance with paragraph g.

(6) Institutions shall maintain a record of off-campus academic courses and programs and provide notice to the Board of all agreements allowing off-campus face-to-face academic courses outside an institution's service area, including those agreements with the federal government for delivery of courses on a military reservation, installation or enclave no later than 30 days prior to the course(s) starting.

### Fiscal Affairs and Audit

#### NEW STUDENT FEE – ESU

Elaine Frisbie, Vice President of Finance and Administration, introduced Emporia State University's request to create a textbook fee that will allow undergraduate students to have all course materials bundled at a per credit hour rate, which is adjustable annually based on average annual purchases by students. The new program titled *First Day Complete* will be a partnership between ESU and Barnes & Noble Bookstore. ESU anticipates that students who wish to participate in this program can save on average between 35%-50% on course materials throughout their academic careers. Vice President Frisbie noted that students can "opt-out" of this program and purchase their textbooks on a per-book model. If approved, the program will begin in the Fall of 2023. Regent Ice noted that the program aligns with the Board's strategic plan with regards to improving access and addressing affordability. Regent Benson stated that this program will benefit students and commended ESU for bringing it forward. Vice President Frisbie stated that the universities are also looking at adding more OER (Open Educational Resources) options using GEER II federal funds and noted that these materials would be free to students. Regent Lane praised ESU for creating this option for students and believes it will have an impact on affordability. Following discussion, Regent Benson moved to approve. Regent Kiblinger seconded, and the motion carried.

### Other Matters

#### UPDATE ON THE BOARD'S ADULT EDUCATION PROGRAM

Hector Martinez, Director for Adult Education, presented an update on the Board's Adult Education Program. Adult Education is designed to provide services to individuals 16 years of age and older who are no longer in school, with or without a high school diploma, who lack basic skills and are looking to pursue higher education, enter a technical career, and/or join the workforce. Director Martinez stated in Kansas approximately 190,000 adults lack a high school diploma, and approximately 160,000 speak languages other than English with almost a third having limited English proficiency. He noted that 17 percent of adult learners struggle with literacy and 25 percent struggle with math. To help adult learners, Kansas has 20 Adult Education Centers located throughout Kansas. In FY 2022, these centers served over 5,200 learners both in person and online, which was a 20 percent increase from the previous year. In that same year, Adult Education helped 742 individuals earn a high school diploma through GED or Kansas Pathway to Career.

Director Martinez reported that the Adult Education Program receives both federal (\$4.35 million) and state (\$1.46 million) funding, which is distributed to the programs based on a funding formula. Performance outcomes of local programs account for 70 percent of the funding distributions. He highlighted that in FY 2021, Kansas ranked nationally in the top five for three primary skills outcomes - #4 in measurable skill gains, #2 in employment in the second quarter after exiting, and #3 in employment in the fourth quarter after exiting. Director Martinez then reviewed the Accelerating Opportunity: Kansas (AO-K) program, which is a program designed to deliver both career technical education and adult basic skills within a career pathway. He noted that students complete short-term certificate programs aligned with labor market needs, leading to industry-recognized credentials and immediate jobs. The Kansas Board of Regents and the Kansas Department of Commerce work together to implement this program and so far, 72 career pathways have been approved for the program. Director Martinez concluded by noting that Adult Education is also struggling to find qualified teachers and has implemented a Cross-Teaching Remote Education in Kansas initiative that allows students from multiple programs to join classes virtually even if the instructor is from another program. Regent Winter asked about the types of courses being taught in the Adult Education Program. Director Martinez stated that Adult Education first concentrates on reading and math skills and then moves to the other skills needed to obtain a high school diploma. He noted that Adult Education also concentrates on helping students who have limited English proficiency skills. Regent Lane thanked Director Martinez and his team for their work and commended the team for finding ways to help address the program's teacher shortage issues.

(PowerPoint Filed with Official Minutes)

#### NEW AND REVISED PRIVATE AND OUT-OF-STATE POSTSECONDARY EDUCATIONAL INSTITUTION ACT REGULATIONS

Gage Rohlf, Associate General Counsel, presented the new and revised Private and Out-of-State Postsecondary regulations – K.A.R. 88-28-1, 88-28-2, 88-28-3, 88-28-4, 88-28-8, 88-28-9 and 88-28-10. He noted the proposed changes add clarifying language, enhance consumer protection, and strengthen the Board's oversight. The regulations also capture the changes that the Legislature made to the Private and Out-of-State Postsecondary Educational Institution Act in 2021. Associate General Counsel Rohlf highlighted some of the proposed changes including the two new regulations – K.A.R. 88-28-9 and 88-28-10. Regent Lane wanted to know how many institutions have been approved to operate in Kansas under the Act. It was noted that 110 institutions have been approved. She also stated that there is a timely notification requirement for any adverse actions taken by the institution's accreditor or the United States Department of Education in the regulations and wanted to know if "timely notification" is defined. Associate General Counsel Rohlf stated that Crystal Puderbaugh, the Director of the Private Postsecondary unit, is having technical difficulties but will follow-up with Regent Lane on this question. Regent Winter moved, and Regent Benson seconded, that the proposed new and amended permanent regulation be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Ice, Regent Benson, Regent Dicus, Regent Kiblinger, Regent Lane, Regent Mendoza, Regent Winter, and Regent Rolph. The motion carried. Regent Harrison-Lee was absent.

LEGISLATION AUTHORIZING VOLUNTARY AFFILIATION BETWEEN FORT HAYS STATE UNIVERSITY AND NORTHWEST KANSAS TECHNICAL COLLEGE, AND BETWEEN FORT HAYS STATE UNIVERSITY AND NORTH CENTRAL KANSAS TECHNICAL COLLEGE

President Mason, Fort Hays State University (FHSU), President Burks, North Central Kansas Technical College (NCK Tech), and President Schears, Northwest Kansas Technical College (Northwest Tech), presented legislation that would authorize FHSU to affiliate with NCK Tech and with Northwest Tech. President Mason stated that the three institutions were interested in developing an affiliation model that would benefit students, businesses, industries, and communities. With declining population and significant economic pressures impacting rural Kansas, the institutions believe these affiliations can be impactful to drive change. The proposed affiliations will benefit students by increasing program offerings at multiple locations, expanding experiential learning opportunities, integrating student advising, and implementing seamless transfer processes. Businesses will have increased access to prospective employees and will have access to employee development opportunities, and communities will have opportunities to partner on economic development initiatives and will work with the institutions to keep graduates in the region.

President Burks and President Schears noted that each of their governing boards discussed and approved the affiliation legislation and the Memorandum of Understanding between the parties. President Schears noted that the state has a history of institutional mergers and affiliations. In the early 2000s, legislation was passed requiring the technical schools to either merge or affiliate with a postsecondary educational institution or become an accredited technical college. He also noted that in 2018 Wichita Area Technical College finalized its voluntary affiliation with Wichita State University. President Schears stated that the proposed affiliations between the technical colleges and the university is not new and that the voluntary approach is the preferred model rather than the well-intended legislative action that forced change. The three CEOs also reported that their faculty and staff were informed of the proposed affiliations and believe there are some concerns but also a lot of excitement about the future.

The Board discussed the two affiliation proposals, and the Regents believe that the proposed model will benefit students and the economy. Regent Lane thanked the institutions for putting the needs of students, families, and communities first. Regent Harrison-Lee stated that it takes tremendous leadership to bring this type of proposal forward and thanked the institutional leaders along with the two governing boards for moving the concept forward. Regent Rolph stated in recent years, the system has had two successful affiliations that have positively impacted students, businesses, communities, and the state, and he is excited to see these affiliations move forward. Following discussion, Regent Rolph moved to approve the legislative authorizing the affiliation between Fort Hays State University and North Central Kansas Technical College and the affiliation between Fort Hays State University and Northwest Kansas Technical College. He also moved to approve the Memorandum of Understanding between the parties. Regent Dicus seconded, and the motion carried.

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported that the Governor released her budget recommendations last week. For the higher education system, the Governor included

approximately \$108 million in funding for different items including the National Institute of Student Success (NISS) playbooks to improve student outcomes, financial aid, mandatory inflationary expenses, IT infrastructure for both the universities and the colleges, facilities renewal, and some project specific requests at the institutions. Director Casey also noted that the Governor is recommending a five percent pay adjustment for state employees. Regarding the \$20 million student financial aid request, Director Casey stated that it would be helpful for the universities to know the estimated amounts so they can calculate the number of students who may benefit from these funds and communicate that information to legislators. Last year the Board approved a Pell Grant index formula to distribute the funds. Regent Rolph asked for a breakdown of the funds using the formula. Director Casey stated that based on the formula, which includes an adjustment for the Medical Center since graduate students are not eligible for Pell, the universities would receive the following amounts: Emporia State University - \$1.2 million, Fort Hays State University - \$3.5 million, Kansas State University - \$3.9 million, Pittsburg State University - \$1.8 million, University of Kansas - \$4.0 million, University of Kansas Medical Center - \$1.1 million, and Wichita State University - \$4.2 million. Regent Rolph stated that he supports using the Pell Grant index formula and the other Regents concurred. Regent Rolph then thanked the Governor for supporting the higher education system in her budget recommendations.

### **ADJOURNMENT**

Chair Rolph adjourned the meeting at 4:27 p.m.

### **CALL TO ORDER**

The January 19, 2023, mid-year retreat of the Kansas Board of Regents was called to order by Chair Jon Rolph at 9:24 a.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:

- Jon Rolph, Chair
- Blake Benson
- John Dicus
- Cheryl Harrison-Lee
- Shelly Kiblinger
- Cynthia Lane
- Diana Mendoza
- Wint Winter

MEMBER ABSENT: Carl Ice, Vice Chair

### **WELCOME AND OPENING REMARKS**

Chair Rolph welcomed everyone and stated that the goal of the mid-year retreat is to reflect on the work being done in the system and discuss the future. He introduced Ryan Bond, who will be facilitating the discussions, and thanked the university and the community and technical college CEOs for participating in today's discussions.

### FACILITATED DISCUSSION ON THE SYSTEM'S VISION FOR HIGHER EDUCATION

Ryan Bond, Chief People Officer for Thrive Restaurant Group, stated that at the July retreat the group went through a session that identified outcomes that the system wants to avoid. These outcomes included being zombies (satisfied with the status quo), being reactive, creating barriers, creating silos, and being non-responsive to stakeholders. The group discussed the importance of being able to adjust to the evolving educational environment. There needs to be more urgency to implement changes to address student and workforce needs, and it was noted that new entities are entering the educational market that will be competing for students. The group identified the following barriers that the institutions and the Board need to further examine – student prerequisite requirements, standardized tests, costs to attend an institution, internal cultural philosophies like weeding out students in a program, societal perceptions that devalue the worth of higher education, and enrollment holds on student accounts. President Shipp stated at Pittsburg State University he and his team are reviewing their enrollment hold practices because right now 80 departments can put holds on a student account and prevent that student from continuing his or her education. Chancellor Girod stated that the Board has a policy on outstanding payment and fee collections, and President Flanders noted that the payment and fees provision in the Tuition and Fee policy was adjusted during the pandemic and then permanently amended to give the universities more flexibility on collecting outstanding payments owed. Regent Lane stated that the policies and procedures at the institutions and at the Board level need to be reviewed for barriers, and it needs to be done more quickly. President Flanders stated the system does a really good job of listening to issues but tends to move slowly when addressing them. He stated that the report from the Students' Advisory Committee yesterday identified challenges that the students believe need to be addressed in the system, and he believes the system needs to examine and respond to their concerns.

The group also discussed the value of higher education. They want students to feel a sense of belonging while completing their educational goals. They believe that higher education is a key component in helping businesses grow and improving the state's economy. The group also understands that institutional practices regarding wraparound services need to evolve and increase to help students persist and graduate.

### BREAK

Chair Rolph called for a break at 10:25 a.m. and resumed the meeting at 10:41 a.m.

### MESSAGING STRATEGIES

Chair Rolph stated at the July retreat the Board expressed an interest in hiring a firm to look at the effectiveness of the Board's messaging strategies, and MB Piland was engaged to conduct this work. He introduced Alex Reilly, Vice President of MP Piland, to present their findings. Vice President Reilly stated that MB Piland was asked to examine the following key questions: 1) How do we frame the value of higher education? 2) Are we talking about the right things? 3) Are we compelling and convincing? and 4) Where do we have gaps in our communications? To answer these questions, MB Piland conducted discovery interviews with Board leadership and key Board staff members, reviewed the Board's strategic plan, *Building a Future*, examined collateral materials, looked at the Board's website, and reviewed the websites of comparative states. Vice President Reilly then highlighted the following recommendations: 1) create a messaging pyramid that begins with the most important message at the top and then drills down to secondary messages;

2) rework materials to make sure they include the overarching messaging and can be understood without explanation; 3) develop a Kansas Board of Regents 101 handout for new legislators and staffers so they can get a basic understanding of the system, 4) collect stories of success to share that fit within each pillar in the strategic plan, and 5) proof and edit content on the Board's website and materials to ensure that they includes all institutions in the system.

The group discussed the recommendations and likes the idea of having a central message that flows through the institutions. Chancellor Girod asked if there is data on the number of individuals who visit the Board's website. Matt Keith, Director of Communications, stated that the site receives approximately 300,000 visitors every year and that a lot of the hits occur on the student scholarship page. President Flanders stated that staff is in the process of reviewing the Board's website to determine what revisions are needed to make it more effective for users. Regent Benson commented that Wichita State's marketing materials are impactful and noted that the University does a good job incorporating the Board's three messaging pillars in *Building a Future*. Regent Harrison-Lee stated the messaging needs to highlight the fact that the higher education institutions play a key role in bringing new businesses like Panasonic and Scorpion to Kansas. Following discussion, Regent Rolph thanked MB Piland for their work.

(Report Filed with Official Minutes)

### BREAK

Chair Rolph called for a lunch break at 11:30 a.m. and resumed the meeting at 12:23 p.m.

### CURRENT PROJECTS AND TIMELINES

The group reviewed the progress of each of the Board's 2022-2023 goals listed below. The Board and CEOs labeled each goal as either green – progress has been made and there are no visible barriers to completing it; yellow – progress has been made but there may be some barriers that need to be addressed before it is completed; and red – there are significant barriers that need to be addressed and it may take additional time.

#### **Access – College Going Rate**

1. Initiate a model with our K-12 partners that scales early college programs.
  - The community and technical colleges reported that some colleges have models in place with their K-12 partners and progress in being made to increase collaborations. Regent Lane spoke about the work of the Concurrent Committee that is focusing on creating a financial plan to ensure that all students who qualify for free and reduced lunch would have access to concurrent classes. The work continues but the focus has pivoted to create a system where every student in Kansas has access to concurrent courses. She noted that part of the work requires creating backwards mapping from the end of a two-year degree into the junior year of high school. The group labeled this goal as yellow because there are pockets of success and progress is being made but there are also barriers that need to be addressed.

#### **Affordability – On Time Graduation**

2. Formulate systemwide math general education courses and meta majors for the purposes of math pathways and define the systemwide general education math course that is required for each respective systemwide meta major.
  - Regent Kiblinger noted that work has begun on this goal. Board staff is working with the Dana Center at the University of Texas and a math faculty advisory working group. Vice President Archer noted that other systems have implemented math pathways, but it does take time. He anticipates having a framework to the Board in the fall. The group labeled this goal as red since there is still a lot of work to be done and it will not be completed by June 2023.
3. Develop a statewide transfer associate degree in pre-education. The system will identify at least 60 credit hours (using the systemwide general education, pre-major, and early major courses) that: a) complete the requirements for the transfer associate degree at community colleges; and b) transfer and apply toward satisfying baccalaureate degree course requirements at the six state universities (without loss of credit).
  - Regent Kiblinger and Regent Lane stated that the Educator Work Force Task Force address this goal in its report and believes it is green. The group concurred.

#### **Success – Degree and Certificate Earned**

4. Each state university will implement the National Institute for Student Success (NISS) best practice recommendations regarding academic advising services, training, and technology resources.
  - The state universities are in the process of creating implementation plans but noted that the actual implementation of the recommendations will take time. The group labeled this goal as green.

### **BUILDING A FUTURE – HELPING KANSAS BUSINESSES**

#### **Talent Pipeline – Graduates in High Demand, Sustaining Wage Fields**

5. Work with industry partners to develop initiatives addressing teacher and healthcare workforce shortages.
  - Regent Lane noted that the Educator Work Force Task Force presented its recommendations to the Board at yesterday's meeting. President Flanders stated that Board staff has created an advisory group to look at the healthcare workforce shortages. He noted it will take time because there are many different academic pathways in the healthcare field but anticipates recommendations by June. The group labeled this goal as green.

### **GOVERNANCE**

#### **Bedrock Goals**

6. A Task Force will review current practices to ensure adequate oversight of health care administered to student athletes at the six state universities' athletics departments, with the assistance of a third-party consultant. At the June 2023 Board meeting, the Task Force will present a report that will contain its findings and recommendations.

- President Flanders stated that a Task Force was formed, and it is on schedule to meet its deadline. The group labeled this goal as green.
7. Utilize rpk GROUP's report and recommendations to a) increase the efficiency of the system's academic program inventory and strengthen the academic program review process; and b) develop systemwide instructional workload standards for research and regional universities.
    - President Flanders stated that he believes two of the three items can be completed by the end of the year – strengthening the academic program review process and developing systemwide instructional workload standards. He believes the work to increase the efficiency of the system's academic program inventory will require more time. Regent Harrison-Lee and Regent Lane concurred. The group labeled this goal as yellow.
  8. Develop a dashboard to track progress on Building a Future, the Board's strategic plan. The Regents will review the plan's current metrics and determine what metrics should be added to assist the Board in monitoring the implementation of system approaches.
    - Regent Lane stated that the work group is gathering feedback from the campuses but plans to have the dashboard for Pillar I on the website in February. The work group will then start working on Pillar II. The group labeled this goal as green.

Chair Rolph stated that he was pleased that many of the goals are on track to be completed by the end of the year and thanked everyone for their work.

#### BREAK

Chair Rolph called for a break at 1:20 p.m. and resumed the meeting at 1:31 p.m.

#### LONG TERM GOALS FOR THE HIGHER EDUCATION SYSTEM

The Board and CEOs brainstormed about long-term goals for the state's higher education system. The system will need to adjust to serve more first generation and non-traditional students, engage new technologies, strategize about ways to increase student financial aid, become more relevant to business partners, and be more creative in attracting in- and out-of-state students. Chair Rolph stated that implementing change can be difficult but believe the work the system is doing will be impactful.

#### ADJOURNMENT

Chair Rolph adjourned the meeting at 2:28 p.m.

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Blake Flanders, President and CEO

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Jon Rolph, Chair