

# **MAY 16-17, 2012**

## **Kansas Board of Regents**

2011-2012  
Ed McKechnie, Chair  
Tim Emert, Vice Chair

### **KANSAS BOARD OF REGENT MEMBERS:**

Christine Downey-Schmidt

Mildred Edwards

Tim Emert

Fred Logan

Dan Lykins

Ed McKechnie

Robba Moran

Janie Perkins

Kenny Wilk

### **FORESIGHT 2020**

A Strategic Agenda for the State's Public Higher Education System

- |   |                                       |
|---|---------------------------------------|
| 1. Align Systems & Institutions         | 4. Enhance Student Success            |
| 2. Increase Participation               | 5. Align with Kansas Workforce Needs  |
| 3. Improve Retention & Graduation Rates | 6. Ensure State University Excellence |

# FORESIGHT 2020

## *A 10-Year Strategic Agenda for the State's Public Higher Education System*



*Foresight 2020* is a 10-year strategic agenda for the state's public higher education system. Adopted by the Kansas Board of Regents in September 2010, the plan sets long-range achievement goals that are measurable, reportable, and ensure the state's higher education system meets Kansans' expectations.

### ALIGN SYSTEMS & INSTITUTIONS

Achieve alignment between the state's preK-12 and higher education systems and continue to enhance alignment between higher education institutions.

- 1.1 By December of 2010, the Board of Regents and its staff in cooperation with the P-20 Education Council and the Kansas State Department of Education will identify gaps that currently exist between preK-12 completion and higher education preparation expectations.
- 1.2 By August of 2011, all higher education institutions will have had discussions with local preK-12 partner high schools regarding these gaps and a plan to eliminate them.
- 1.3 By June of 2011, the Board of Regents will adopt a revised set of university admissions standards designed to identify a level of high school preparation that significantly enhance student success at the state's higher education institutions.
- 1.4 During the 2010-11 academic year, the Board will create a task force to review progress on alignment of higher education institutions and charge the task force with developing recommendations for additional enhancements needed to ensure greater alignment.
- 1.5 Beginning in the 2011-12 academic year, the Board and its staff will work with the Kansas State Department of Education and local school districts to inform parents, students, and counselors of new qualified admissions requirements and request that high school transcripts begin reflecting a student's grade point average in the Qualified Admissions Precollege Curriculum for those students who will be required to meet the revised admissions standards that go into effect in 2015.
- 1.6 Regents' universities will demonstrate increased collaboration including alignment within the Kansas higher education system through a biennial report beginning in the spring of 2013.

### INCREASE PARTICIPATION

Achieve participation in the state's higher education system that better reflects the state's demography and more fully engages adult learners.

- 2.1 By 2020 or before, Kansas will improve levels of participation, within each higher education institution and across the system, that reflect the racial, ethnic, and economic demography of the state with a special focus on the most underrepresented students as measured by biannual progress on the baseline year of 2010.
- 2.2 By 2020 or before, Kansas will achieve "first in the nation" state status for in-state postsecondary participation among "traditional" students.
- 2.3 By 2020 or before, Kansas will achieve "top five" state status for participation of adults between the ages of 25-39 with only a high school diploma.
- 2.4 By 2020 or before, Kansas will achieve "top five" state status for participation of adults between the ages of 40-64 with only a high school diploma.
- 2.5 By 2020 or before, Kansas will achieve the national average for enrollment of those with less than a high school diploma in the state-administered Adult Basic Education (ABE) programs.
- 2.6 By 2020 or before, Kansas will achieve the national average for enrollment of those with limited or no English language proficiency in English as a Second Language (ESL) programs.
- 2.7 By 2020 or before, Kansas will double the percentage of Kansas ABE participants who achieve the goal of continuing on to postsecondary education after completion of their ABE programs.
- 2.8 By January of 2011, the Board of Regents will develop and submit for legislative consideration a proposal that would authorize new state funding to provide need-based assistance to students at public universities.
- 2.9 By September of 2012, the Board of Regents, in cooperation with state university leaders, will develop an initiative aimed at bringing additional out-of-state students into Kansas to pursue their postsecondary studies.

- 2.10** By January of 2012, the Board of Regents will develop and submit for legislative consideration a proposal that would authorize new state funding to expand the state's Comprehensive Grant Program to provide need-based student assistance for two-year, certificate, and part-time students with an initial focus on those students who pursue studies that lead to jobs in high demand areas of the state's economy.
- 2.11** By the summer of 2012, Regents' institutions will have an approved plan to meet the Regent's policy on distance education which includes the use of alternative delivery systems to accommodate the variety of student educational needs.

## IMPROVE RETENTION & GRADUATION RATES

Achieve measurable improvement in persistence and completion rates for higher education institutions across the state.

- 3.1** By September of 2012, the Board of Regents, in cooperation with higher education institutional leaders, will develop an initiative aimed at identifying and recruiting back into the higher education system working adults who have earned substantial credit but have not finished the work necessary to earn a credential or degree.
- 3.2** By 2020 or before, Kansas will achieve a 10 percentage point increase in first-to-second year retention rates across the higher education system.
- 3.3** By 2020 or before, Kansas will achieve a 10 percentage point increase in the six-year graduation rate for public universities and the three-year graduation rate for community and technical colleges.
- 3.4** By 2020 or before, Kansas will achieve "top 10" state status for the percentage of students who have earned an associate degree or higher.

## ENHANCE STUDENT SUCCESS

Ensure that students earning credentials and degrees across the higher education system possess the foundational skills essential for success in work and in life.

- 4.1** During the 2010-11 academic year, the Board of Regents' system-wide learner outcomes task force, in consultation with the university Chief Academic Officers, shall make recommendations regarding the identification and measurement of foundational skills (such as oral and written communication, technical and numerical literacy, critical thinking and problem-solving) which institutions will report to the Board.

- 4.2** During the 2011-12 academic year, the System Council of Chief Academic Officers will finalize a proposal for assessment of a set of common learner outcomes for the KBOR system, submit it to the Board Academic Affairs Standing Committee for review and approval, and then forward to the Board for approval.
- 4.3** Beginning in FY 2014, each Regents institution will report on assessment of the learner outcomes to the Board and based on the initial results, develop goals for each outcome to be included in performance agreements.

## ALIGN WITH KANSAS WORKFORCE NEEDS

Enhance alignment between the work of the state's higher education system and the needs of the Kansas economy.

- 5.1** By December of 2011, the Board will begin receiving an annual report on the workforce needs of the state and the number of persons educated in the higher education system to fill those needs to determine alignment and gaps.
- 5.2** By December of 2012, the Board will begin receiving an annual report on university research initiatives designed to meet the needs of the Kansas economy.
- 5.3** By 2020 or before, Kansas will achieve or exceed the regional average for percentage of credentials or degrees awarded in science, technology, engineering, and mathematics (STEM) fields.

## ENSURE STATE UNIVERSITY EXCELLENCE

Enhance the regional and national reputation of Kansas universities through aspirational initiatives.

- 6.1** By June of 2011, Regents' universities will identify benchmarks of excellence in comparison with peer institutions and establish goals to pursue in order to increase regional, national, and/or peer rankings.
- 6.2** By June of 2012, Regents' universities, according to mission, will identify areas for expansion of research capacity and/or focus and will establish goals to pursue.

Learn more about the Kansas Board of Regents and find additional *Foresight 2020* information at [www.kansasregents.org/foresight\\_2020](http://www.kansasregents.org/foresight_2020).

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# MEETING INFORMATION AND SCHEDULE

Unless noted, all meetings take place at the Curtis State Office Building (CSOB) at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612 in the meeting room indicated. Addresses for offsite meetings can be obtained by contacting the Kansas Board of Regents office at 785-296-3421.

## Wednesday, May 16, 2012

Time		Committee/Activity	Location
7:30 am - 8:15 am		Breakfast <i>Board of Regents, President Tompkins, &amp; Council of Faculty Senate Presidents</i>	Suite 530
8:30 am - 9:30 am		Governance Committee	Conference Room B
8:15 am - 9:00 am		System Council of Chief Academic Officers	Kathy Rupp Room
9:00 am or Adjournment		Council of Chief Academic Officers	Kathy Rupp Room
9:45 am - 11:50 am		Academic Affairs Standing Committee	Kathy Rupp Room
10:00 am - Noon		Council of Faculty Senate Presidents	Kan-Ed Conference Room
10:00 am - Noon		Students' Advisory Committee	Workforce Development Conference Room
10:00 am - 11:00 am		System Council of Presidents	Suite 530
11:00 am or Adjournment		Council of Presidents	Suite 530
11:00 am - 11:50 am		Fiscal Affairs & Audit Standing Committee	Board Room
Noon - 1:15 pm		Lunch <i>Council of Chief Academic Officers</i>	Suite 530
Noon - 12:40 pm		Lunch <i>Board of Regents &amp; President Tompkins</i>	Kathy Rupp Room
12:40 pm - 1:15 pm		Executive Session – Personnel Matters <i>Board of Regents &amp; President Tompkins</i>	Kathy Rupp Room
1:30 pm		Board of Regents Meeting	Board Room
6:00 pm		Dinner <i>Board of Regents, President Tompkins, and State University CEOs</i>	3911 SW Clarion Park Drive, Topeka, KS

## Thursday, May 17, 2012

Time		Committee/Activity	Location
7:30 am		Breakfast <i>Board of Regents, President Tompkins, and Private Postsecondary Advisory Commission</i>	Suite 530
8:30 am		Board of Regents Meeting	Board Room
11:30 am		Lunch <i>Board of Regents &amp; President Tompkins</i>	Conference Room B

# MEETING AGENDA

The Kansas Board of Regents will meet in the Board Room located in the Curtis State Office Building at 1000 SW Jackson, Suite 520, Topeka, Kansas, 66612.

## Wednesday, May 16, 2012

- |  |   |       |
|--|---|-------|
| <b>I. Call To Order</b>  | Regent McKechnie, Chair                         |       |
| A. <i>Approve Minutes</i>  |   |       |
| April 13, 2012 Special Meeting   |   | p. 6  |
| April 18-19, 2012 Meeting  |   | p. 7  |
| April 25-27, 2012 Special Meeting  |   | p. 15 |
| <br><b>II. Reports</b>   |   |       |
| A. <i>Introductions</i>  |   |       |
| B. <i>Report from the Chair</i>  | Regent McKechnie, Chair                         |       |
| C. <i>Report from the President &amp; CEO</i>  | Andy Tompkins, President & CEO                  |       |
| D. <i>Report from Council of Presidents</i>  | President Schulz                                |       |
| E. <i>Report from Council of Faculty Senate Presidents</i>   | Tom Vontz                                       |       |
| F. <i>Report from Students' Advisory Committee</i>   | Tyler Thompson                                  |       |
| <br><b>III. Standing Committee Reports</b>   |   |       |
| A. <i>Academic Affairs</i>   | Regent Edwards                                  |       |
| B. <i>Fiscal Affairs &amp; Audit</i>   | Regent Downey-Schmidt                           |       |
| C. <i>Governance</i>   | Regent McKechnie                                |       |
| <br><b>IV. Approval of Consent Agenda</b>  |   |       |
| A. <i>Fiscal Affairs &amp; Audit</i>   |   |       |
| 1. Approve Purchase of Real Property – PSU   | Eric King,<br>Director of Facilities            | p. 18 |
| <br>B. <i>Retirement Plan</i>  |   |       |
| 1. Approve Fund Investment Line-Up Changes in the Board's Mandatory Retirement Plan                | Madi Vannaman,<br>Staff Affiliate               | p. 19 |
| <br><b>V. Consideration of Discussion Agenda</b>   |   |       |
| A. <i>Academic Affairs</i>   | Regent Edwards                                  |       |
| 1. Report on Program Review  | Gary Alexander,<br>VP, Academic Affairs         | p. 21 |
| 2. Receive KU Qualified Admission Proposal (First Reading)   | Chancellor Gray-Little,<br>University of Kansas | p. 33 |
| <br>B. <i>Fiscal Affairs &amp; Audit</i>   | Regent Downey-Schmidt                           |       |
| 1. University Presentations and Discussion of University Tuition and Fee Proposals (First Reading) | Diane Duffy<br>VP, Finance & Administration     | p. 39 |

Wichita State University  
 Pittsburg State University  
 Fort Hays State University  
 Emporia State University  
 Kansas State University  
 University of Kansas

2. Approve Johnson County Research Triangle (JCERT)  
FY 2013 Budgets – KSU and KU p. 40
3. Initial Discussion of the Board's FY 2014 Higher  
Education System Unified State Appropriations  
Request p. 50
4. Receive and Discuss Capital Improvement Requests  
(First Reading) p. 56  
Eric King,  
Director of Facilities
5. Approve Naming of Buildings – KSU p. 58
6. Adopt Bond Resolution – Engineering Initiative Act  
Project – KU p. 59  
Julene Miller,  
General Counsel
7. Approve Proposed Memorandum of Agreement  
between the University of Kansas Medical Center and  
FOP Lodge #37, Representing Campus Police – KU p. 64  
Theresa Schwartz,  
Associate General Counsel
- C. *Retirement Plan* p. 68  
Regent Lykins  
1. Approve Recommended Revenue Credit Distribution  
for TIAA-CREF Participants in the Board's Mandatory  
Retirement Plan p. 68  
Madi Vannaman,  
Staff Affiliate

## VI. Executive Session

Board of Regents – Personnel Matters Relating to Non-Elected  
Personnel

### Thursday, May 17, 2012

## VII. Reports

- A. *Introductions*
- B. *Report from System Council of Presidents* President Calaway/President  
Schulz
- C. *Report from the Community Colleges* President Calaway
- D. *Report from the Technical Colleges* President Edleston
- E. *Report from Washburn University* President Farley

**VIII. Approval of Consent Agenda****A. Academic Affairs**

- |   |   |              |
|---|---|--------------|
| 1. Act on Requests for Additional Degree Granting Authority for Brown Mackie College  | Gary Alexander,<br>VP, Academic Affairs | <i>p. 72</i> |
| 2. Approve Requests for Degree and Certificate Programs Submitted from Seward County Community College/Area Technical College |   | <i>p. 74</i> |

**IX. Consideration of Discussion Agenda****A. Other Matters**

- |  |  |              |
|--|--|--------------|
| 1. Receive Legislative and Budget Update | Mary Jane Stankiewicz,<br>Director, Government<br>Relations & Communications | <i>p. 76</i> |
|--|--|--------------|

**B. Governance**

- |                                      |   |              |
|--------------------------------------|---|--------------|
| 1. Review Proposed Policy Amendments | Regent McKechnie<br>Julene Miller,<br>General Counsel | <i>p. 78</i> |
|--------------------------------------|---|--------------|

**C. Academic Affairs**

- |   |   |               |
|---|---|---------------|
| 1. Receive Annual Report for Private Postsecondary                                  | Regent Edwards<br>Jacqueline Johnson,<br>Director, Private<br>Postsecondary Education | <i>p. 114</i> |
| 2. Act on Request for New Degree Granting Authority for the following Institutions: | Gary Alexander,<br>VP, Academic Affairs   | <i>p. 112</i> |
| • Academy of Art University   |   |               |
| • International Academy of Design & Technology                                      |   |               |
| • Embry-Riddle Aeronautical University  |   |               |
| • Western New Mexico University   |   |               |
| • University of Northern Colorado   |   |               |

- |  |  |               |
|--|--|---------------|
| 3. Act on Proposal to Increase GED Record Fees |  | <i>p. 127</i> |
|--|--|---------------|

- |   |  |               |
|---|--|---------------|
| 4. Act on Request to Approve the Dental Assistant Program Alignment | Blake Flanders,<br>VP, Workforce Development | <i>p. 129</i> |
|---|--|---------------|

**D. Other Matters**

- |   |  |               |
|---|--|---------------|
| 1. Receive Report from Kansas Postsecondary Technical Education Authority | Blake Flanders,<br>VP, Workforce Development | <i>p. 132</i> |
| 2. Elect FY 2013 Board Chair and Vice Chair                               | Regent McKechnie                             | <i>p. 132</i> |

**X. Executive Session**

Board of Regents – Personnel Matters Relating to Non-Elected Personnel



**XI. Executive Session**

Board of Regents – Matters Deemed Confidential in the  
Attorney-Client Relationship

**XII. Adjournment**

## MINUTES OF PREVIOUS MEETING(S)

### I. Call To Order

Regent McKechnie, Chair

#### A. *Approve Minutes*

### KANSAS BOARD OF REGENTS MINUTES OF SPECIAL MEETING April 13, 2012

The Kansas Board of Regents met by telephone conference call on Friday, April 13, 2012. Chairman Ed McKechnie called the meeting to order at 12:00 noon. Proper notice was given according to law.

#### MEMBERS PRESENT:

Ed McKechnie, Chairman  
Tim Emert, Vice Chairman  
Christine Downey-Schmidt  
Mildred Edwards  
Fred Logan  
Dan Lykins  
Robba Moran  
Janie Perkins  
Kenny Wilk

#### EXECUTIVE SESSION

At 12:05 p.m., Regent Emert moved, followed by the second of Regent Perkins, to recess into executive session for 45 minutes to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Tompkins, and General Counsel Julene Miller. At 12:50 p.m., the meeting returned to open session.

#### ADJOURNMENT

The meeting adjourned at 12:53 p.m.

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Andy Tompkins, President and CEO

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Ed McKechnie, Chair

**KANSAS BOARD OF REGENTS**  
**MINUTES**  
April 18-19, 2012

The April 18, 2012, meeting of the Kansas Board of Regents was called to order by Chairman Ed McKechnie at 11:30 a.m. The meeting was held in room 4024 of the Varnes Center in the School of Nursing at the University of Kansas Medical Center, 3901 Rainbow Boulevard, Kansas City, Kansas. Proper notice was given according to law.

MEMBERS PRESENT: Ed McKechnie, Chairman  
Tim Emert, Vice Chairman  
Christine Downey-Schmidt  
Mildred Edwards  
Fred Logan  
Dan Lykins  
Robba Moran  
Janie Perkins  
Kenny Wilk

**EXECUTIVE SESSION**

At 11:50 a.m., Regent Emert moved, followed by the second of Regent Wilk, to recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Tompkins, and for a portion, President Beggs. At 12:50 p.m., the meeting returned to open session.

**BREAK**

The Chairman called for a break at 12:50 p.m. and resumed the meeting at 1:30 p.m.

**KUMC PRESENTATIONS**

Chancellor Gray-Little and Dr. Steven Stites, Acting Executive Vice Chancellor, welcomed the Board to the University of Kansas Medical Center. Students from each of the different departments spoke about their experiences at KUMC and the Board received a presentation on Neurosciences. The meeting moved and resumed in Orr Hall. Dr. Roy Jensen gave an update on the progress of the National Cancer Institute (NCI) designation, and Dr. Carol Fabian gave a presentation on breast cancer prevention. Additionally, Dr. Stites presented KUMC's Master Facilities Plan.

**RECESS**

The Chairman recessed the meeting at 5:15 p.m.

**RECONVENE**

Chairman McKechnie reconvened the meeting at the University of Kansas Edwards Campus at 9:00 a.m. on Thursday, April 19.

MEMBERS PRESENT: Ed McKechnie, Chairman  
Tim Emert, Vice Chairman  
Christine Downey-Schmidt  
Mildred Edwards  
Fred Logan

Dan Lykins  
Robba Moran  
Janie Perkins  
Kenny Wilk

### **APPROVAL OF MINUTES**

Regent Perkins moved that the minutes of the March 14-15, 2012 meeting be approved. Following the second of Regent Edwards, the motion carried.

### **INTRODUCTIONS**

Chancellor Gray-Little introduced University of Kansas students who have achieved academic excellence, and presented KU's first Common Book, *Notes from No Man's Land* by Eula Biss. The KU Common Book Program encourages first-year students across campus to engage and discuss the chosen book. Provost April Mason introduced a student from Kansas State University who achieved academic excellence. The Regents congratulated all the students on their achievements.

### **GENERAL REPORTS**

#### **REPORT FROM CHAIR**

Chairman McKechnie stated that April 2012 marks 25 years of service for Dr. Edward Hammond as President of Fort Hays State University. The Chairman presented a Resolution honoring his service. Regent Emert moved to approve the Resolution, and Regent Moran seconded. The motion carried.

(Resolution filed with Official Minutes)

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

President Tompkins reported on the progress of the Board's Oral Health Task Force. The Task Force is focusing on access and underserved areas and will present a report to the Board in June.

### **STANDING COMMITTEE AND OTHER REPORTS**

#### **ACADEMIC AFFAIRS**

Regent Edwards reported the Board's Academic Affairs Standing Committee reviewed the academic items on the Board agenda. She also stated the Committee will have a conference call on May 1 to review performance reports.

#### **FISCAL AFFAIRS AND AUDIT**

Regent Downey-Schmidt reported the Board's Fiscal Affairs and Audit Standing Committee reviewed and approved the Johnson County Research Triangle (JCERT) budgets. The budgets will go to the Johnson County Research Triangle Authority (JCERTA) for consideration and then will be brought before the full Board for final approval in May.

#### **GOVERNANCE**

Regent McKechnie reported the Governance Committee continues its review of the Policy and Procedures Manual. The Committee reviewed the Board's mission statement and several policies in the General Policy section of the manual.

**APPROVAL OF CONSENT AGENDA**

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

**Academic Affairs**

**BACHELOR OF SCIENCE IN INFORMATION TECHNOLOGY (11.0103) – KU**

The University of Kansas received approval to offer a Bachelor of Science in Information Technology (11.0103). The program will be funded by the Johnson County Education and Research Triangle (JCERT) funds and JCERT Engineering tuition revenue.

**DOCTORATE OF NURSING PRACTICE (51.3818) – WASHBURN UNIVERSITY**

Washburn University received approval to offer a Doctorate of Nursing Practice (DNP) (51.3818). Funds generated from graduate student tuition will be used to support and sustain the DNP program.

**NATIONAL COUNCIL FOR ACCREDITATION OF COACHING EDUCATION (NCACE) – ESU**

Emporia State University received approval to seek accreditation for its coaching education program from the National Council for Accreditation of Coaching Education Accreditation (NCACE).

**DEGREE AND CERTIFICATE PROGRAMS SUBMITTED BY JOHNSON COUNTY COMMUNITY COLLEGE**

Approval was given to Johnson County Community College to offer two new programs. The Associate of Applied Science Degree in Web Technologies (11.0801) is 67 credit hours, and the Legal Interpreting Certificate (16.0103) is 20 credit hours. The implementation of both programs will be funded with the college's general fund and the ongoing costs will be funded through the utilization of tuition and fees, and local and state education funding.

**Fiscal Affairs and Audit**

**FY 2012 CAPITAL IMPROVEMENTS PLAN – ESU**

Emporia State University received approval to amend its FY 2012 Capital Improvements Plan to add the project, Plan and Construct Remodeling of Singular/Trusler Residence Hall. The project will cost approximately \$5.34 million and will be financed with Residence Hall Funds and the Restricted Fee Fund.

**TRANSFER OF PROPERTIES – PSU**

Authorization was given to Pittsburg State University to accept the transfer of two (2) properties from the Pittsburg State University Foundation. The properties will be converted into a parking lot, which will provide an additional 34 parking spaces. The following are the legal descriptions for each property:

**Legal Description of Property 1:**

*Part of the Northeast Quarter (NE ¼) of the Southwest Quarter of (SW ¼) of Section Thirty Two (32), Township Thirty (30) South Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas according to the United States Government Survey thereof bounded and described as follows: Beginning at a point Thirty (30) feet South and*

*One Hundred (100) feet East of the Northwest corner of the Northeast Quarter (NE ¼) of the said Southwest Quarter (SW ¼); Thence South Eighty Five (85) feet; Thence East One Hundred (100) feet; Thence North Eight Five (85) feet; Thence West One Hundred (100) feet to the point of Beginning.*

**Legal Description of Property 2:**

*Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Thirty Two (32), Township Thirty (30) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County, Kansas, according to the United State Government Survey thereof bounded and described as follows: Beginning at a point Two Hundred Four (204) feet South and One Hundred Thirty (130) feet East of the Northwest corner of the said Northeast Quarter of the Southwest Quarter of Section Thirty Two (32); thence East Seventy (70) feet; Thence North Eighty Nine (89) feet; Thence West Seventy (70) feet; Thence South Eighty Nine (89) feet to the point of beginning. The South Twenty Four (24) feet of the foregoing described tract formerly being a portion of the North Twenty Four (24) feet of Hobson Drive (in Hillside Addition to the City of Pittsburg, Kansas), now vacated.*

**PURCHASE OF REAL PROPERTY – PSU**

Pittsburg State University received approval to proceed with the purchase of real property located at 1901 South Joplin Street. The residence on the property will be razed and the land converted to campus parking. The purchase price was negotiated at \$78,000 and will be funded from parking bond proceeds that were issued in FY09. The following is the legal description of the property:

**Legal Description of Chris and Christy Nickelson Property – 1901 South Joplin Street:**

*Part of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section Thirty Two (32), Township Thirty (30) South, Range Twenty Five (25) East of the Sixth Principal Meridian, Crawford County Kansas, according to the United States Government survey thereof bounded and described as follows: Beginning at a point Thirty (30) feet South of the Northwest corner of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of said Section Thirty Two (32): Thence South Eighty Five (85) feet; Thence East One Hundred (100) feet; Thence North Eighty Five (85) feet; Thence One Hundred (100) feet to the point of Beginning.*

**TRANSFER OF PROPERTY FROM THE KANSAS UNIVERSITY ENDOWMENT ASSOCIATION – KU**

The University of Kansas received authorization to accept the transfer of property from the Kansas University Endowment Association. The property is the site of the new Business, Engineering, Science and Technology building at the Edwards campus. The following property was transferred:

**Legal Description:**

*All that part of the Southeast Quarter of Section 22, Township 13 South, Range 24 East of the Sixth Principal Meridian, now in the City of Overland Park, Johnson County, Kansas, being a portion of a tract described by a Kansas Warranty Deed, filed in the Office of Records and Tax Administration of Johnson County, Kansas, as Document Number 2658015, in Book 5052, at Page 480 and described on this 20<sup>th</sup> day of March, 2012 as follows: **Commencing** at the Southeast Corner of the Southeast Quarter of Section 22, Township 13 South, Range 24 East of the Sixth Principal Meridian; thence South 87 degrees 54 minutes 52 seconds West*

along the South line of said Southeast Quarter, a distance of 1056.93 feet to the Southeast corner of a tract described in a Kansas Warranty Deed, filed in the Office of Records and Tax Administration of Johnson County, Kansas, as Document Number 2594939, in Book 4873, at Page 882; thence North 02 degrees 05 minutes 08 seconds West along the East line of said Document Number 2594939, said line also being the West line of Lot 1, University of Kansas, a subdivision in the City of Overland Park, Johnson County, Kansas as filed in the Office of Records and Tax Administration of Johnson County, Kansas in Book 83, at Page 5, a distance of 327.70 feet to an angle point in said Document Number 2594939 and the West Northwest corner of said subdivision, said point being the **Point of Beginning**; Thence North 17 degrees 25 minutes 32 seconds West, continuing along the East line of said Document Number 2594939, a distance of 641.57 feet to a point being the Northeast corner of said Document Number 2594939, said point being on the Southerly right-of-way line of West 125<sup>th</sup> Street as defined by the plat of The Pinnacle, a subdivision in the City of Overland Park, Johnson County, Kansas as filed in the Office of Records and Tax Administration of Johnson County, Kansas in Book 75, at Page 13; thence Northeasterly along said Southerly right-of-way line, along a curve to the left, having a chord bearing of North 65 degrees 21 minutes 04 seconds East, a central angle of 5 degrees 46 minutes 37 seconds and a radius of 980 feet, an arc length of 98.81 feet to a point of tangency; thence North 62 degrees 27 minutes 45 seconds East continuing along said Southerly right-of-way, a distance of 214.10 feet to the Northwest corner of a tract described in a Kansas General Warranty Deed, filed in the Office of Records and Tax Administration of Johnson County, Kansas, as Document Number 3520962, in Book 8393, at Page 685; thence South 17 degrees 24 minutes 59 seconds East (South 17 degrees 25 minutes 35 seconds East deed) along the West line of said Document Number 3520962, a distance of 581.73 feet to a point being the Southwest corner of said Document Number 3520962, said point also being on the Northerly line of said plat of University of Kansas; thence South 52 degrees 59 minutes 03 seconds West along said Northerly line, a distance of 327.63 feet to the **Point of Beginning**. The above-described parcel contains 4.321 acres more or less and is subject to all existing easements, right-of-ways, restrictions and covenants that may or may not be of record on the date of this description.

## **CONSIDERATION OF DISCUSSION AGENDA**

### **Presentations**

#### **ADULT EDUCATION ANNUAL REPORT**

Dr. Susan Fish, Director of Adult Education, presented the Adult Education Annual Report. Foresight 2020 includes three goals for Adult Education: 2.5) achieve the national average for enrollment of those with less than a high school diploma in state-administered ABE programs; 2.6) achieve the national average for enrollment of those with limited or no English language proficiency in English as a Second Language (ESL) programs; and 2.7) double the percentage of Kansas ABE participants who achieve the goal of continuing on into postsecondary education. Dr. Fish stated that meeting the Foresight 2020 goal to achieve the national average for enrollment requires about 13,250 students between the ages of 18 and 64. Capacity in terms of time, locations, and classes will need to be increased to achieve this goal, which will cost an additional \$2.3 million annually. Additionally, Dr. Fish stated the following are three strategies to increase the rate of transitioning students to postsecondary education: 1) focus on college and career pathways rather than GED; 2) align instruction and support services with postsecondary programs; and 3) create opportunities for co-enrollment and integrated instruction in Adult Secondary Education (ASE)/English as a Second Language (ESL) and career and technical courses. Following discussion, Regent McKechnie asked the Board's Academic Affairs Standing Committee to prepare a proposal for the Board's consideration for a FY 2014 state appropriation request.

(PowerPoint filed with Official Minutes)

BREAK

The Chairman called for a short break at 9:55 a.m., and resumed the meeting at 10:10 a.m.

PROPOSED POLICY AMENDMENTS – BY-LAWS OF THE BOARD AND PREFACE (FIRST READING)

General Counsel Julene Miller presented the proposed amendments to the Board's By-Laws. The Governance Committee reviewed and approved the proposed amendments which fall into one of three categories: 1) changes to reflect current practices, 2) changes to simplify Board processes, and 3) changes to clarify. Additionally, the Governance Committee is proposing only minor changes to the Preface section of the Policy Manual. General Counsel Miller noted that the Board will be asked to take final action on these proposed amendments, along with amendments to the Mission of the System, Board and Its Staff, Fiscal Management, Facilities and Academic Affairs sections, at the June Board meeting.

(Proposed Amendments filed with Official Minutes)

LEGISLATIVE AND BUDGET UPDATE

Diane Duffy, Vice President of Finance and Administration, gave an update on the budget bills. The regular session of the Legislature ended on March 30. The Mega bill, which contains the supplemental, FY 2013, and capital improvement funding for the Kansas Board of Regents and the universities, almost made it out of the budget conference committee. The conference committee reached an agreement on all of KBOR items except for Kan-ed, longevity and under-market pay for classified employees. However, since the conference committee did not finalize the bill, all these items will carry over to the Veto Session. Additionally, Vice President Duffy presented the System Council of Presidents Workgroup's proposed process for development of the Board's FY 2014 unified budget request. Following discussion, the Board assigned the Governance Committee to review possible dates in July for the Board to have a work session on the unified budget request.

(Handout filed with Official Minutes)

Academic Affairs

ACADEMIC ADVISING REPORT

Gary Alexander, Vice President for Academic Affairs, presented the annual Advising Report. Each state university has an advising system in place that meets the requirements of the Board's policy. Regent Edwards moved to approve. Following the second of Regent Logan, the motion carried.

Fiscal Affairs and Audit

CAMPUS MASTER PLAN – KUMC

Eric King, Director of Facilities, presented the University of Kansas Medical Center's proposed Campus Master Plan. The Plan will be a tool to guide the University toward additional sustainable and beneficial facility decisions over the next 10 years. Following discussion, Regent Logan moved to approve. Regent Emert seconded, and the motion carried.

REFUNDING BOND RESOLUTION – SCIENTIFIC RESEARCH AND DEVELOPMENT FACILITIES AND ENERGY CONSERVATION PROJECTS – KSU

General Counsel Miller introduced a proposed Refunding Bond Resolution for Kansas State University. Due to current economic conditions, an opportunity exists to achieve present value interest savings by refunding all or a



portion of the Scientific Research and Development (URDEC) and energy conservation projects bonds that were issued on behalf of K-State in 2003. The estimated savings of the Refunding Bonds will be approximately \$3.2 million. Regent Moran moved to adopt the Resolution and authorize the Chairman, the President and CEO and the President of the University to execute a Pledge of Revenues Agreement, and an Administrative Agreement in such form as approved by the Chair and the General Counsel to the Board and to execute any and all other documents and certificates necessary to accomplish the purposes set forth in the Resolution and the issuance of the Bonds. Regent Downey-Schmidt seconded, and the motion carried.

(Resolution filed with Official Minutes)

#### REFUNDING BOND RESOLUTION – HOUSING SYSTEM RENOVATION PROJECTS – WSU

General Counsel Miller introduced Wichita State University's proposed Refunding Bond Resolution. Current economic conditions present the opportunity to refund all or a portion of the Housing System Renovation Projects bonds (Series 2002P). The estimated saving of the Refunding Bond will be approximately \$1.1 million. Regent Perkins moved to adopt the Resolution and authorize the Chairman, the President and CEO and the President of the University to execute a Pledge of Revenues Agreement, and an Administrative Agreement in such form as approved by the Chair and the General Counsel to the Board and to execute any and all other documents and certificates necessary to accomplish the purposes set forth in the Resolution and the issuance of the Bonds. Regent Edwards seconded, and the motion carried.

(Resolution filed with Official Minutes)

#### Other Matters

#### GRANTING OF AN HONORARY DEGREE AT KANSAS STATE UNIVERSITY'S SPRING 2012 COMMENCEMENT

President Schulz nominated Dr. Robert M. Gates to receive an honorary doctorate degree from Kansas State University at its 2012 commencement. Regent Downey-Schmidt moved to approve and Regent Lykins seconded. The motion carried.

#### REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

The Kansas Postsecondary Technical Education Authority (TEA) report was presented by Blake Flanders, Vice President of Workforce Development. At its last meeting, the TEA received an update on the work of the secondary/postsecondary career technical education taskforce. Recommendations from the taskforce will be presented to the TEA, the Board of Regents, and the Kansas State Board of Education. The process management committee continues to work on the tiered technical education fund re-centering and the outcome metrics initiative.

#### BREAK

The Chairman called for a break at 11:10 a.m. The Board traveled to Kansas State University Olathe Campus and resumed the meeting at 12:35 p.m.

#### EXECUTIVE SESSION

At 12:35 p.m., Regent Emert moved, followed by the second of Regent Wilk, to recess into executive session for 50 minutes to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Tompkins, and President Schulz. At 1:25 p.m., the meeting returned to

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open session. At 1:25 p.m., Regent Emert moved, followed by the second of Regent Logan, to extend the executive session for 20 minutes. At 1:45 p.m., the meeting returned to open session.

**ADJOURNMENT**

Chairman McKechnie adjourned the meeting at 1:45 p.m.

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Andy Tompkins, President and CEO

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Ed McKechnie, Chair

**KANSAS BOARD OF REGENTS**  
**MINUTES OF SPECIAL MEETING**  
April 25-27, 2012

The Kansas Board of Regents met on Wednesday, April 25, 2012 in the Executive Board Room at the Wichita Marriott, 9100 Corporate Hills Drive, Wichita, Kansas. Chairman Ed McKechnie called the meeting to order at 6:00 p.m. Proper notice was given according to law.

MEMBERS PRESENT: Ed McKechnie, Chairman  
Tim Emert, Vice Chairman  
Christine Downey-Schmidt  
Mildred Edwards  
Fred Logan  
Dan Lykins  
Robba Moran  
Janie Perkins  
Kenny Wilk

**EXECUTIVE SESSION**

At 6:15 p.m., Regent Emert moved, followed by the second of Regent Logan, to recess into executive session for 2 hours to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Tompkins, WSU Search Committee Chairman Steve Clark, and Search Consultant Bill Funk. At 8:15 p.m., the meeting returned to open session. At 8:15 p.m., Regent Emert moved to extend the executive session for 30 minutes. Following the second of Regent Logan, the motion carried. At 8:45 p.m. the meeting returned to open session.

**RECESS**

Chairman McKechnie recessed the meeting at 8:45 p.m.

**RECONVENE**

Chairman McKechnie reconvened the meeting at 9:30 a.m. on Thursday, April 26.

MEMBERS PRESENT: Ed McKechnie, Chairman  
Tim Emert, Vice Chairman  
Christine Downey-Schmidt  
Mildred Edwards  
Fred Logan  
Dan Lykins  
Robba Moran  
Janie Perkins  
Kenny Wilk

**EXECUTIVE SESSION**

At 9:30 a.m., Regent Emert moved, followed by the second of Regent Moran, to recess into executive session for 2 hours to discuss personnel matters of non-elected personnel. Participating in the executive session were members of the Board, President Tompkins, candidate(s) for the position of president of Wichita State University, and each candidate's spouse, for portions. At 11:30 a.m., the meeting returned to open session.

### **BREAK**

The Chairman called for a break at 11:30 a.m., and resumed the meeting at 1:00 p.m.

### **EXECUTIVE SESSION**

At 1:00 p.m., Regent Emert moved, followed by the second of Regent Edwards, to recess into executive session to discuss personnel matters of non-elected personnel for 2 hours followed by a 15 minute break and then resume the executive session for an hour. Participating in the executive session were members of the Board, President Tompkins, candidate(s) for the position of president of Wichita State University, and each candidate's spouse, for portions. At 3:00 p.m., the meeting returned to open session. Regent Emert moved to extend the executive session for 10 minutes at 3:00 p.m. Regent Edwards seconded, and the motion carried. The meeting returned to open session at 3:10 p.m. The Chairman called for a 15 minute break at 3:10 p.m., and resumed the executive session for an hour starting at 3:25 p.m. At 4:25 p.m., the meeting returned to open session. Regent Emert moved to extend the executive session for 30 minutes starting at 4:45 p.m. Regent Wilk seconded, and the motion carried. At 5:15 p.m., the meeting returned to open session.

### **RECESS**

Chairman McKechnie recessed the meeting at 5:15 p.m.

### **RECONVENE**

Chairman McKechnie reconvened the meeting at 10:30 a.m. on Friday, April 27 in the Ballroom of the Rhatigan Student Center on the Wichita State University campus, 1845 N Fairmount, Wichita, Kansas.

MEMBERS PRESENT:	Ed McKechnie, Chairman
	Tim Emert, Vice Chairman
	Christine Downey-Schmidt
	Mildred Edwards
	Fred Logan
	Dan Lykins
	Robba Moran
	Janie Perkins
	Kenny Wilk

### **NAMING WICHITA STATE UNIVERSITY 13<sup>TH</sup> PRESIDENT**

Chairman McKechnie noted that naming a president of a university is one of the most important jobs of the Kansas Board of Regents. He thanked the members of the Wichita State University presidential search committee for their dedication and hard work throughout the search process. Chairman McKechnie also recognized and thanked Don and Shirley Beggs for their service.

Regent Emert moved that Dr. John William Bardo be hired as the President of Wichita State University and that the Board direct the Chair, Vice Chair and President and CEO of the Board of Regents to negotiate the compensation package and sign the letter of agreement. Regent Logan seconded, and the motion carried.

Chairman McKechnie introduced Dr. John William Bardo as the 13<sup>th</sup> President of Wichita State University. Dr. Bardo thanked the Board of Regents, the WSU search committee members, and the WSU community. He stated that he and his wife, Deborah, are excited to be a part of the WSU family. He is also looking forward to working closely with the university's students, faculty and staff, and Wichita's business and civic leaders to advance WSU's mission.

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**ADJOURNMENT**

The meeting adjourned at 10:45 a.m.

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Andy Tompkins, President and CEO

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Ed McKechnie, Chair

# CONSENT AGENDA

## II. Reports

- |  |                                |
|--|--------------------------------|
| A. <i>Introductions</i>                                    |                                |
| B. <i>Report from the Chair</i>                            | Regent McKechnie, Chair        |
| C. <i>Report from the President &amp; CEO</i>              | Andy Tompkins, President & CEO |
| D. <i>Report from Council of Presidents</i>                | President Schulz               |
| E. <i>Report from Council of Faculty Senate Presidents</i> | Tom Vontz                      |
| F. <i>Report from Students' Advisory Committee</i>         | Tyler Thompson                 |

## III. Standing Committee Reports

- |                                      |                       |
|--------------------------------------|-----------------------|
| A. <i>Academic Affairs</i>           | Regent Edwards        |
| B. <i>Fiscal Affairs &amp; Audit</i> | Regent Downey-Schmidt |
| C. <i>Governance</i>                 | Regent McKechnie      |

## IV. Approval of Consent Agenda

- |   |  |
|---|--|
| A. <i>Fiscal Affairs &amp; Audit</i>              |  |
| 1. <b>Approve Purchase of Real Property – PSU</b> | <b>Eric King,<br/>Director of Facilities</b> |

Pittsburg State University requests authorization to proceed with requisite procedures provided by K.S.A. 76-147 relative to the purchase of real property located adjacent to the main campus. The private residence on this property will be razed and the land converted to campus parking. The purchase will be made from parking proceeds. Purchase price will be negotiated not to exceed \$100,000 as supported by appraisal. Final acquisition is contingent upon Board staff approval and is expected to occur on or before August 1, 2012.

Legal Description (Thora E. Bloomcamp – 407 East Hobson Drive):

*Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Thirty-two (32), Township Thirty (30) South Range Twenty-five (25) East of the Sixth Principal Meridian, Crawford County, Kansas, according to the United States Government Survey thereof, bounded and described as follows: Beginning at a point One Hundred Fifteen (115) feet South of the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section Thirty-two (32); Thence East One Hundred Thirty (130) feet; Thence South Sixty-five (65) Feet; Thence West One Hundred Thirty (130) feet to the West line of the Northeast Quarter of the Southwest Quarter of said Section Thirty-two (32); Thence North Sixty-five (65) feet to the place of beginning. That portion of vacated Hobson Drive in Hillside Addition to the City of Pittsburg, Kansas, lying immediately South of and adjoining the above described tract of land and more particularly described as follows: Beginning at a point One Hundred Eighty (180) feet South of the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section Thirty-two (32); Thence East One Hundred Thirty (130) feet; Thence South Twenty-four (24) feet; Thence West One Hundred Thirty (130) feet to the West line of the Northeast Quarter of the Southwest Quarter of said Section Thirty-two (32); Thence North Twenty-four (24) feet to the place of beginning.*

**B. Retirement Plan****1. Approve Fund Investment Line-Up Changes in the Board's Mandatory Retirement Plan****Madi Vannaman,  
Staff Affiliate****Summary and Staff Recommendation**

*Fulfillment of the Board's fiduciary responsibility for the KBOR Mandatory Retirement Plan requires appropriate management and periodic review of the Plan's investment options. The Board's Vendor Management Document requires that fund changes proposed by the two KBOR Investment Providers (ING and TIAA-CREF) be approved by the Retirement Plan Committee (RPC) using the guidelines and subjective criteria listed in the Vendor Management Document and using the Board's Investment Policy Statement criteria to assess the proposed funds. Information provided by ING and TIAA-CREF for their fund line-up changes was presented at the March, 2012 RPC meeting along with recommendations from KBOR's contracted investment consultants, Segal Advisors. Based upon the information discussed at that March meeting, the RPC recommends that the Board approve the following changes to the Mandatory Plan lineup: (1) Remove the American Funds Growth Fund of America and (a) replace it in the ING lineup with the ING Large Cap Growth Portfolio Institutional Class, and (b) replace it in the TIAA-CREF lineup with the Wells Fargo Advantage Fund Institutional Class. Each of the new funds represents the lowest share class with the lowest fund expenses available. Funds will be mapped out of the closed fund into the new funds. Staff recommends approval of these changes to the fund lineup effective July 1, 2012, and revision of the Investment Policy Statement's listing of funds.*

**Vendor Management Document**

In April 2007, the Board approved use of the Retirement Plan Committee (RPC) Vendor Management Document to address 1) the protocol for fund changes proposed by the two KBOR Investment Providers (ING and TIAA-CREF) including the guidelines for submission of fund changes, 2) the Investment Policy Statement criteria that will be used to assess the proposed fund (i.e., adherence to investment objective; three and five year performance relative to benchmark and relative to median peer group manager; risk and value added statistics; qualitative factors such as assets under management, manager tenure, organizational structure and stability, investment management process; and fees and expenses), and 3) the subjective evaluation criteria listed in the Vendor Management Document.

At the September 2011 RPC meeting, the Segal Manager "Focus" publication about the American Funds Growth Fund of America was discussed and that fund was placed on the watch list. There were concerns expressed about the fund's performance as well as large recent distributions from the fund. Morningstar reported the fund had produced bottom half peer group performance over the past five years, trailed both its benchmark and peer medians over the last five-year period and shown significant outflows due to investor concern over performance. The RPC requested both ING and TIAA-CREF to investigate possible replacements for the fund.

The Growth Fund of America has a high allocation to international stocks compared to peer groups (82.5% versus 99.4% against its benchmarks and 92.4% against Morningstar median funds in the large cap growth category). Taking that into account, ING and TIAA-CREF concluded there are better options because of the size of the fund, poor past performance, other funds provide more growth opportunity for participants and the fund was looking more like an index fund. Segal Advisors concurred that the fund should be replaced.

Pursuant to the provisions of the Vendor Management Document, ING and TIAA-CREF submitted proposals. Additionally, Segal Advisors screened the investment options against the KBOR Mandatory Retirement Plan Investment Policy Statement to determine whether they met the minimum requirements for consideration and selected one fund from each company as a replacement option for the RPC to consider for possible inclusion.

ING recommended two funds for consideration and of those two Segal Advisors supported the ING Large Cap Growth Portfolio – Institutional Class, due to its breadth and depth of experienced fundamental research analysts, competitive fees, and strong risk/return features. The allocation for this fund is 97.80% in U.S. stocks and the rest is in cash. This fund has received the highest Morningstar five star rating. Segal Advisors currently has the fund scored as a “C” due to the recent manager change resulting in a short length of manager tenure of 1.5 years. Prior to making the recommendation to the RPC, Segal Advisors conducted a conference call with its research staff, ING and members of the ING Investment Management team that was brought in to take over the large cap growth strategy. This team has over 30 years of combined experience with growth cap stock selections having managed their mid–small growth products.

TIAA-CREF recommended four funds for consideration and Segal Advisors supported the Wells Fargo Advantage Fund - Institutional Class. This fund is the most aggressive growth option proposed and also has received the highest Morningstar five star rating. Assets for this fund are invested 96.5% in North America, 2% in the United Kingdom and 1% in emerging markets (Africa and the Middle East). Segal Advisors recommends this fund because of its long manager tenure, competitive fees and strong performance and risk characteristics.

Segal Advisors indicates that both replacement funds fit the large cap category well, with minimal style drift and with a very high percentage of U.S. equities. Both companies and Segal Advisors recommend mapping the funds to the selected options. Both funds will be the institutional share class, which is the lowest share class available.

The RPC recommends to the Board that the American Funds Growth Fund of America be removed from the Mandatory Retirement Plan fund lineup and be replaced in the ING lineup with the ING Large Cap Growth Portfolio – Institutional Class and in the TIAA-CREF lineup with the Wells Fargo Advantage Fund - Institutional Class and that the assets be mapped from the closed fund to the new funds. Future contributions will be allocated to the new funds unless the participant takes action to change the allocation. As of March 2012, there were 2,579 KBOR participants with \$49.5 million invested in the American Funds Growth Fund of America.

Staff recommends approval of these changes to the fund lineup effective July 1, 2012, and revision of the Investment Policy Statement’s listing of funds. This change, under the Board’s Vendor Management Document, will be effective July 1, 2012. With the biweekly payroll schedule, July 1<sup>st</sup> falls within the pay period June 24 to July 7, paid on July 20<sup>th</sup>. ING and TIAA-CREF will be authorized to make this change no sooner than June 24<sup>th</sup> and no later than July 1<sup>st</sup> or the first business day.



# DISCUSSION AGENDA

## V. Consideration of Discussion Agenda

### A. Academic Affairs

#### 1. Report on Program Review

Regent Edwards

**Gary Alexander,**  
VP, Academic Affairs

### Summary and Recommendations

*Board policy requires that, “in cooperation with the universities, the Board will maintain a program review cycle and a review process that will allow the universities to demonstrate that they are delivering quality programs consistent with their mission.” These reviews are “institutionally based and follow the departmental or unit structure of the institution.” [Policy and Procedures Manual, 11.D.7.b(1)(2)]. This item is the report on programs reviewed in academic year 2010-2011. Copies of individual campus reports are available at [http://www.kansasregents.org/program\\_review\\_2011](http://www.kansasregents.org/program_review_2011).*

### Background

The Kansas Board of Regents’ program review policy reads as follows:

(1) In cooperation with the universities, the Board will maintain a program review cycle and a review process that will allow the universities to demonstrate that they are delivering quality programs consistent with their mission. (12-19-86; 6-23-88; 9-18-97)

(2) The review of degree programs shall encompass all levels of academic degrees from associate to doctoral. Program reviews are institutionally based and follow the departmental or unit structure of the institution. “Program” means an academic plan that is approved by the appropriate governing board and leads to an award, for example, a degree or a career/technical certificate. (12-17-82; 1-20-84; 6-23-88; 9-18-97; 6-23-05)

Program review is inextricably bound to academic quality and the allocation of resources within the public universities governed by the Kansas Board of Regents. Its primary goal is to ensure program quality by: (1) enabling individual universities to align academic programs with their institutional missions and priorities; (2) fostering improvement in curriculum and instruction; and (3) effectively coordinating the use of faculty time and talent.

The six public universities are required to review approved programs at least once every eight years to ensure academic quality. As appropriate, universities establish their review schedules that generally align with accreditation requirements. This report is based on information provided by the universities as a result of their annual review. It is comprised of four major components: (1) a description of the academic program review process; (2) analysis of the programs reviewed in 2009-2010; (3) analysis of data compiled in Kansas Postsecondary Database (KSPSD) regarding minimum requirements for majors, graduates, faculty, and average ACT scores; and (4) follow-up summary on last year’s concerns.

### 1. The Academic Program Review Process

Each public university is charged with the review of its academic programs and the implementation of its own process for program review. Each academic program offered by the institution will be reviewed at least once within an eight year cycle determined by the institution.

The following criteria are used in reviewing academic programs:

1. centrality of the program to fulfilling the mission and role of the institution;

2. quality of the program as assessed by the strengths, productivity and qualifications of the faculty;
3. quality of the program as assessed by its curriculum and impact on students;
4. demonstrated student need and employer demand for the program;
5. service the program provides to the discipline, the university and beyond; and
6. cost-effectiveness.

Additional criteria consistent with institutional mission may also be added.

Institutional reviews may include student learning assessment data, evaluations, recommendations from accreditation reports, and various institutional data, e.g., data on student post-collegiate experiences, data gathered from the core and institution-specific performance indicators, and/or information in national or disciplinary rankings of program quality. Specific and/or additional information that relate to these criteria and that are meaningful and appropriate for the institution can be developed by individual universities.

#### Data and Minima Tables

Data collected on each academic program are critical to the program review process. The Board has established minima appropriate to each degree level. Data minima are established for the following categories:

##### Undergraduate programs:

- number of majors (25)
- number of graduates (10)
- number of faculty FTE to deliver the program (3)
- average ACT score ( $\geq 20$ )

##### Master's and Doctoral programs

- number of majors (20)
- number of graduates (5)
- number of faculty FTE to deliver the program (additional 3 beyond baccalaureate for master's; additional 2 beyond master's for doctorate)

#### Programs Requiring Additional Review or Monitoring for Improvement

Based on review of both qualitative reports and of KHEDS data, Board staff and/or institutions identify areas of possible concern and staff consults with institutions to determine what, if any, steps should be taken to resolve problem areas. Institutions may find that some programs require additional review, beyond that provided by the regular review cycle. In addition, some programs may require monitoring for a period of time to assess their progress in rectifying problems identified in the regular program review. Guidelines for prompting intensive review or monitoring include minimum data criteria in specific categories. Academic programs which fail to meet any one of these minimum criteria may be targeted for intensive review in addition to the regularly scheduled self-study.

In addition to programs identified by the minima tables, the university may designate any other program for intensive review based on other information in the program review data base or other information sources, such as assessment results and accreditation reports, pertaining to the program's quality or relationship to institutional mission.

Board staff monitors campus activities regarding programs identified for intensive review or monitoring until those issues are resolved and include that information as part of this annual program review.

## Final Report and Recommendations

Upon the conclusion of the reviews, each Regents university submits an executive summary of its annual review and recommendations for each program.

Board staff then develops its required annual program review report on information provided by the institutions on each program, analysis of data in the minima tables, and consultation with the institutions.

## 2. Summary of 2009-2010 Institutional Reports

The following is a brief summary of information provided by each institution on the programs reviewed in 2009-2010 as part of its regular eight-year cycle. In addition, a short comment on the institution's review process is included.

### ***Emporia State University (ESU)***

Emporia State University reviewed 17 academic majors. All were recommended to continue, two with qualifications: (1) the BS in Data Security will admit no new students until funding for additional faculty is secured; (2) the History MA and MAT are being combined; once combined, the MAT will be discontinued. In addition, the programs in Political Science, Computer Science, Economics and Music will continue to be monitored for compliance with KBOR minima standards.

ESU places responsibility to organize program review with the administrative units. Those units gather both quantitative and qualitative data and, based on that information, engage in formal and informal dialogue about its implications. Department chairs develop written summaries, including recommendations for individual programs, and provide them to their respective deans and to the provost.

ESU expects all programs recommended for continuance to have a level of support comparable to present funding and thus anticipates no fiscal implications beyond the present base budget.

### ***Fort Hays State University (FHSU)***

FHSU reviewed 10 majors. Six were recommended for continuation with no further review. Two were recommended to continue without further review at the bachelor's level, but their graduate programs are subject to the campus Intensive Program Review process: (1) the MFA in Art/Art Education; (2) MA in History). Two bachelor's programs, Technology Leadership and Philosophy, are subject to campus Intensive Program Review.

### ***Kansas State University (KSU)***

KSU reviewed 26 programs. All were recommended for continuation. Three programs are targeted for enhancement: the Doctorate in Special Education; Master's in Human Nutrition; and Master's in Foodservice and Hospitality Management/Dietetics Administration.

Faculty has recommended that the Ed.D. in Counseling and Student Development be discontinued due to low student numbers. Students will have the option of pursuing the Ph.D. in Counseling and Student Development. Based on review of the KBOR minima tables, two other programs, the Doctorate in Special Education, and the M.S. in Human Nutrition, are scheduled for further review in three years.

All programs reviewed are funded to the extent necessary to maintain their quality and support the degrees awarded in their present structure. Some programs are interdisciplinary, with multiple departments contributing courses to the degree. Others are part of a consortial arrangement (Great Plains Interactive Distance Education Alliance) in which multiple universities share teaching resources.

K-State does not recommend considering elimination of any programs reviewed this year and will revisit any that are near to, or fail to meet, the minima requirements in the future.

***Pittsburg State University (PSU)***

Pittsburg State has previously used a seven-year cycle for reviewing individual programs. In the eighth year, 2010-11, the university completed a major review and rewriting of its program review process and committee structure. A task force of faculty and administration developed the new process, which is based on accreditation by external review. This was driven by a variety of concerns, e.g., the increasing drive to incorporate program review into such initiatives as assessment, long range planning and institutional effectiveness; and aligning the review process with external accreditation processes. This has resulted in a new time line for the process, as well as in the scheduled timing for each program review.

In addition, PSU reviewed progress made by programs that were required to provide additional follow-up reports as a result of reviews in previous years and is taking appropriate action where that is required.

No programs reported fiscal issues based on their reviews. The merging of History with Social Sciences produced an estimated \$50,000 savings and the reorganization of programs in the Department of Computer Science and Information Systems is expected to save approximately \$100,000.

***The University of Kansas (KU)***

KU's program review is organized around self-study processes completed by each degree-granting unit. For the 2007-2015 review cycle, the reporting schedule has been set to correspond with accreditation cycles as much as possible. Three professional schools (Law, Education, Music) carried out program review in 2011. A total of 23 major programs were reviewed, at the bachelor's, master's and doctoral levels: 17 in the School of Education; three in the School of Law; and three in the School of Music. All were recommended to continue.

Program review at KU emphasizes academic units reflecting on quality achieved and enhancements needed within the context of national trends in their respective fields.

All programs addressed in this review are funded to the extent necessary to support their present structure. With ongoing budget issues at the state level and continued focus on efficiency in an uncertain environment, KU continues to examine ways to increase efficiencies. These include drawing on faculty from multiple degree programs to provide innovative, interdisciplinary educational experiences.

***University of Kansas Medical School (KUMC)***

KUMC reviewed three master's programs, recommending all for continuation. The report notes that one program, Molecular Biotechnology, must limit its enrollment due to its being highly specialized and the fact that students are required to work one-on-one with adjunct faculty during second-year internships.

Due to their professional nature, all programs offered at the Medical Center are reviewed and evaluated by appropriate accrediting agencies at specified intervals. These reviews are rigorous and identify progress toward the stated mission, program strengths, weaknesses, and, if appropriate, improvements necessary to meet national standards.

***Wichita State University (WSU)***

Wichita State reviewed seven majors, recommending that all continue. This review included two programs triggered for intensive review in previous years, Philosophy and Women's Studies. Programs from two different colleges were selected for intensive review. The College of Health Professions reviewed its Physician Assistant program as part of a larger strategic planning process. The department developed goals and objectives designed to integrate with the strategic directions of the College. The Fairmount College of Liberal Arts and Sciences reviewed five bachelor and four master's level programs.

WSU also revised its program review procedures during the 2010-11 academic year, organizing the process around a year-long preparation and review of a self-study that is intended to create thoughtful assessment of program quality, as well as to establish goals for improvement.

No significant fiscal issues are reported for the programs reviewed. All changes from FY 11 will be handled through internal reallocation.

**Staff Summary and Recommendation**

Kansas' public universities reviewed a total of 86 academic majors in academic year 2010-11. These reviews include 131 academic programs at the baccalaureate, master's and doctoral levels.

Staff recommends acceptance of this report.

## Appendix

## Program Review Summary Tables

## Program Review Summary Table AY 2011

(Reported February 15, 2012)

## Emporia State University

(Program Review submitted to Board office February 2012 consists of programs reviewed for July 1, 2010 - June 30, 2011 academic year)

College Program	CIP Code	Degree Level	Explanatory Category	Recommendation*	1 sentence explanation of recommendation**
Computer Science	11.0101	B		Continue	
Data Security	11.1003	B		Continue*	No new students will be admitted until funding for additional faculty can be secured
School Counseling	13.1101	M		Continue	
Social Sciences	13.1205	B		Continue	
English	13.1205	B		Continue	
Mathematics	13.1205	B		Continue	
Music Education	13.1312	B		Continue	
Social Sciences	13.1317	M		Continue*	Discontinue MAT once MA & MAT are combined
English	23.0101	B, M		Continue	
Mathematics	27.0101	B, M		Continue	
Crime And Delinquency Studies	43.0199	B		Continue	
Economics	45.0601	B		Continue	
Social Sciences	45.0101	B		Continue	
Political Science	45.1001	B		Continue	
Sociology	45.1101	B		Continue	
Music	50.0901	B, M		Continue	
History	54.0101	B, M		Continue	

\*Options are: Continue, Additional Review, Enhance, Discontinue

\*\*only required for programs that have a “recommendation” other than “continue”

**Program Review Summary Table AY 2011  
(Reported February 15, 2012)  
Fort Hays State University**

*(Program Review submitted to Board office February 2012 consists of programs reviewed for July 1, 2010 - June 30, 2011 academic year)*

<b>College/Program</b>	<b>CIP Code</b>	<b>Degree Level</b>	<b>Explanatory Category</b>	<b>Recommendation*</b>	<b>1 sentence explanation of recommendation**</b>
Communication	9.0101	B, M	ASP^	Continue	
Instructional Technology	13.0501	M	ASP	Continue	
Technology Leadership	14.3501	B	ICP	Additional Review	Program is subject to campus Intensive Program Review process
Philosophy	38.0101	B	ASP	Additional Review	Program is subject to campus Intensive Program Review process
Social Work	44.0701	B	ASP	Continue	
Political Science	45.1001	B	ASP	Continue	
Sociology	45.1101	B	ASP	Continue	
Art/Art Education	50.0702	B, M	ASP	Continue (BA, BFA) Additional Review (MFA)	Program is subject to campus Intensive Program Review process
Music	50.0901	B	ASP	Continue	
History	54.0101	B, M	ASP	Continue (BA) Additional Review (MA)	Program is subject to campus Intensive Program Review process

**\*Options are: Continue, Additional Review, Enhance, Discontinue**

**\*\*only required for programs that have a “recommendation” other than “continue”**

**^Academic Support Program**

**Program Review Summary Table AY 2011  
(Reported February 15, 2012)**

**Kansas State University**

(Program Review submitted to Board office February 2012 consists of programs reviewed for July 1, 2010 - June 30, 2011 academic year)

<b>College/Program</b>	<b>CIP Code</b>	<b>Degree Level</b>	<b>Explanatory Category</b>	<b>Recommendation*</b>	<b>1 sentence explanation of recommendation**</b>
Agricultural Business	1.0101	B, M, D		Continue	
Agricultural Economics	1.0103	M	RSP	Continue	
Agricultural Communications And Journalism	1.0802	B		Continue	
Curriculum And Instruction	13.0301	M, D		Continue	
Educational Leadership	13.0401	M, D		Continue	
Special Education	13.1001	M, D	MPI	Enhance	For Doctorate program
Counseling And Student Development	13.1101	M, D		Continue	
Academic Advising	13.1199	M		Continue	
Adult, Occupational, Continuing Education	13.1201	M, D		Continue	
Elementary Education	13.1202	B		Continue	
Secondary Education And Teaching	13.1205	B		Continue	
Human Ecology	19.0101	B, D		Continue	
Dietetics	19.0501	M	NP	Continue	
Human Nutrition	19.0504	B,M, D	GFP	Enhance	For the Masters Program
Family Studies And Human Services	19.0701	B, M		Continue	
Early Childhood Education	19.0706	B		Continue	
Apparel And Textiles - Merchandising	19.0901	M		Continue	
Apparel Marketing & Design	19.0901	B		Continue	
Gerontology	30.1101	M		Continue	
Secondary Major In Gerontology	30.1101	B		Continue	
Interior Design	50.0408	B		Continue	
Communication Sciences And Disorders	51.0201	B		Continue	
Athletic Training	51.0913	B		Continue	
Public Health	51.2201	M		Continue	
Dietetics	51.3101	B		Continue	
Foodservice And Hospitality Mgmt/Dietetics Admin	52.0901	B, M	MPI	Enhance	Masters Program only

\*Options are: Continue, Additional Review, Enhance, Discontinue

\*\*only required for programs that have a “recommendation” other than “continue”



**Program Review Summary Table AY 2011  
(Reported February 15, 2012)  
Pittsburg State University**

Pittsburg State has previously used a seven-year cycle for reviewing individual programs. In the eighth year, 2010-11, the university completed a major review and rewriting of its program review process and committee structure. A task force of faculty and administration developed the new process, which is based on accreditation by external review. This was driven by a variety of concerns, e.g., the increasing drive to incorporate program review into such initiatives as assessment, long range planning and institutional effectiveness; and aligning the review process with external accreditation processes. This has resulted in a new time line for the process, as well as in the scheduled timing for each program review.

**Program Review Summary Table AY 2011  
(Reported February 15, 2012)  
University of Kansas**

*(Program Review submitted to Board office February 2012 consists of programs reviewed for July 1, 2010 - June 30, 2011 academic year)*

<b>Law</b>					
<b>Major</b>	<b>CIP</b>	<b>Degree</b>	<b>Explanatory Category</b>	<b>Recommendation</b> (Continue, Additional Review, Enhance, Discontinue)	<b>1 sentence explanation of recommendation*</b>
Law	22.0101	JD		Continue	
Elder Law	22.0299	LLM <sup>1</sup>	SSP	Continue	
Juridical Science	22.0201	SJD <sup>2</sup>		Continue	
<b>School of Education</b>					
<b>Major</b>	<b>CIP</b>	<b>Degree</b>		<b>Recommendation</b>	
Athletic Training	51.0913	B <sup>3</sup>		Continue	
Community Health	51.1504	B		Continue	
Health and Physical Education	13.1314	B, M, D		Continue	
Sports Science	31.0501	B		Continue	
Counseling Psychology	42.2803	M, D		Continue	
School Psychology	42.2805	D		Continue	
Educational Psychology and Research	42.2806	M, D	GFP	Continue	
Special Education	13.1001	M, D		Continue	
Curriculum and Instruction	13.0301	M, D		Continue	
Elementary Teacher Education	13.1202	B		Continue	
Secondary Teacher Education	13.1205	B		Continue	
Unified Early Childhood	13.1210	B	NP <sup>4</sup>	Continue	
Education Administration	13.0499	M		Continue	
Higher Education Administration	13.0406	M		Continue	
Foundations of Education	13.0901	M	GFP	Continue	
Educational Technology	13.0501	M	NP <sup>5</sup>	Continue	
Educational Leadership and Policy	13.0401	D		Continue	
<b>School of Music</b>					
<b>Major</b>	<b>CIP</b>	<b>Degree</b>		<b>Recommendation</b>	
Music	50.0901	B, M, D		Continue	
Music Education	13.1312	B, M, D	SSP	Continue	
Music Therapy	51.2305	B, M	SSP	Continue	

**\*Only required for programs that have a recommendation other than “continue”**

**Program Review Summary Table AY 2011  
(Reported February 15, 2012)  
University of Kansas Medical Center**

*(Program Review submitted to Board office February 2012 consists of programs reviewed for July 1, 2010 - June 30, 2011 academic year)*

<b>College Program</b>	<b>CIP Code</b>	<b>Award</b>	<b>Explanatory Category</b>	<b>Recommendation*</b>	<b>Explanation of recommendation**</b>
Hospital / Health Services Administration	51.0702	MHSA		Continue	
Dietetics and Nutrition	30.1901	MS		Continue	
Molecular Biotechnology	26.0204	MS	ICP	Continue	See Note 1

Note 1: The MS in Molecular Biotechnology has limited enrollment due to the high specialization of the degree and the fact that students are required to work one-on-one with adjunct faculty during internships in their second year. There are three core faculty who teach in the program, while the adjunct faculty are volunteers. Some of the first-year curriculum is taught by basic science faculty outside the program's department.

**Program Review Summary Table AY 2011  
(Reported February 15, 2012)  
Wichita State University**

*(Program Review submitted to Board office February 2012 consists of programs reviewed for July 1, 2010 - June 30, 2011 academic year)*

College / Program	CIP Code	Degree Level	Explanatory Category	Recommendation*	1 sentence explanation of recommendation**
Physician Assistant	51.0912	Mpa		Continue	
Communication	09.0101	Ba/Ma		Continue	
English Language and Literature	23.0101	Ba		Continue	
Creative Writing	23.0501	Mfa		Continue	
History	54.0101	Ba/Ma		Continue	
Philosophy	38.0101	Ba	Asp^	Continue	
Women's Studies	05.0207	Ba		Continue	

**\*Options are: Continue, Additional Review, Enhance, Discontinue**

**\*\* Only required for programs that have a "recommendation" other than "continue"**

**^Academic Support Program**

**2. Receive KU Qualified Admission Proposal (First Reading)**

**Chancellor Gray-Little,  
University of Kansas**

**Summary**

*The Kansas Board of Regents is asked to initiate the process of revising the undergraduate admissions requirements for the University of Kansas and begin the process of seeking the necessary regulatory approvals. (05/16/12)*

**Background**

The University of Kansas seeks authority to initiate the process of amending the Qualified Admission Regulations, K.A.R. Article 88-29, to establish admissions standards specific to undergraduate degree-seeking students applying for admission to the University of Kansas.

The attached documents comprise the university's proposal for admission requirements: (1) proposed admission criteria for first-time freshmen; and (2) proposed admission criteria for transfer students.

**Recommendation**

This item is for discussion only. It will be placed on the Board's June agenda for action.

**University of Kansas  
Admission Requirements Proposal  
For New Freshmen  
May 2012**

**Guiding Principles**

1. Admission criteria should be clear and understandable to students, parents, and other key stakeholders involved with college selection and choice.
2. Admission criteria should be informed by data and based upon attributes shown to predict success at KU.
3. Quality, quantity, diversity, and net revenue should be considered to ensure a balanced incoming class.
4. KU should maintain flexibility in adjusting admission criteria based upon institutional priorities and changing enrollment conditions.

**Objectives:**

1. Admit the number of students KU has the capacity to teach and serve effectively.
2. Allow KU to attract students who can be successful at a research-oriented institution.
3. Match admission standards to the academic standards and expectations of a KU education.
4. Improve retention rates.
5. Improve graduation rates.
6. Attract more academically talented Kansas residents to remain in state with challenging admission standards.
7. Maximize state, institutional and student resources by admitting students whose previous academic preparation and motivation indicate a high probability of being successful at KU.
8. Enable the University of Kansas to more actively manage and shape its entering student enrollment.

**Admission Criteria**

A student can be admitted either by satisfying an automatic admission criterion (option 1) or by review by the admissions review committee (option 2):

1. Automatic admission criterion: Completion of the Kansas Qualified Admissions Precollege Curriculum, (K.A.R. 88-29a-11), a GPA of 2.5 or higher on a scale of 4.0 on all transferable college coursework, up to 23 semester credit hours, and achievement of one of the following:

Graduation from a high school (accredited, non-accredited or home school) with a minimum of a 3.00 cumulative high school grade point average and a composite ACT score of 24 (1090 SAT equivalent)

OR

Graduation from a high school (accredited, non-accredited, or home school) with a minimum of a 3.25 cumulative high school grade point average and a composite ACT score of 21 (980 SAT equivalent)

2. Admission by review committee: Students who do not meet the automatic criteria will have their applications reviewed by an admissions review committee based upon the following considerations:
  - Meet the Kansas Board of Regents Qualified Admissions standards (K.A.R. 88-29a-5, K.A.R. 88-29a-6, K.A.R. 88-29a-7 or K.A.R. 88-29a-7a);
  - Academic performance (high school grade point average, performance on SAT/ACT standardized tests, class rank);
  - Strength of academic course work;

- Grade trend;
- Ability to enhance the cultural, economic, racial or geographic diversity of the institution;
- First generation;
- Academic potential;
- Demonstrated outstanding talent in a particular area;
- Successful completion of Advanced Placement, International Baccalaureate and/or dual credit coursework while in high school;
- Personal circumstances/challenges or family circumstances that have affected educational performance;
- Student eligible for and who would benefit from organized support services available at the University of Kansas; and
- Children and grandchildren of KU graduates, assuming demonstrated potential to succeed academically.

### **Admission Criteria for GED Certificate Holders**

Any student who is under the age of 21 is admitted provided the student has an ACT composite score of 21 (or 980 on the SAT) and has earned the general educational development (GED) certificate score of not less than 50 points as specified in Qualified Rules and Regulations 88-29-1. A GED score of 50 points requires the following:

- Overall score of at least 2,550 points and a minimum score of 510 on each subtest (if GED taken on or after January 1, 2002);
- Overall score of at least 250 and a minimum score of 50 points on each subtest (if GED taken before January 1, 2002).

### **Admission Criteria for Adult Students**

Any student over the age of 21 is admitted provided the student meets the Board of Regents Qualified Admissions criteria for a student age 21 or older:

The adult student has graduated from a high school in Kansas or an accredited high school located out of state, or has earned the general educational development (GED) certificate with an overall score of not less than 50 points as specified in Qualified Rules and Regulations 88-29-1. A GED score of 50 points requires the following:

- Overall score of at least 2,550 points and a minimum score of 510 on each subtest (if GED taken on or after January 1, 2002);
- Overall score of at least 250 and a minimum score of 50 points on each subtest (if GED taken before January 1, 2002).

### **Admission by the Exception Window**

Any student admitted to KU by the review committee who does not meet the applicable requirements specified in the Kansas Board of Regents Qualified Admissions standards (K.A.R. 88-29a-5, K.A.R. 88-29a-6, K.A.R. 88-29a-7 or K.A.R. 88-29a-7a) is admitted by means of the exception window for resident or nonresident freshman class admissions (as specified in K.A.R. 88-29a-8 and K.A.R. 88-29a-8c).

### **Priority Date for automatic admissions**

#### **February 1**

In order to be considered for automatic admission, students must apply by February 1. Applications received after the established deadline will be considered by the admissions review committee on a space-available, case-by-case basis.

Research on student persistence and retention indicates that students who apply by February 1 have a much higher persistence rate and are more likely to succeed than those who apply later. The priority deadline allows the admissions committee to examine late applications carefully, to admit students likely to succeed, and to recommend interventions and first-year experiences that are tailored to the student profile and known to be effective.

#### **Notes**

This proposal applies to undergraduate, domestic freshmen, applied equally to resident and nonresident freshmen, and to all high school seniors, regardless of the number of transfer hours. It does not apply to international admissions or transfer students. A determination will be made after each recruitment cycle regarding possible adjustments to ensure that the admitted student population does not exceed the available KU capacity to teach and serve them effectively and that the criteria provide an incoming class that is prepared to succeed in KU's academic environment.



**University of Kansas  
Admission Requirements Proposal  
For Transfer Students  
May 2012**

**Guiding Principles**

5. Admission criteria should be clear and understandable to students, parents, and other key stakeholders involved with college selection and choice.
6. Admission criteria should be informed by data and based upon attributes shown to predict success at KU.
7. Quality, quantity, diversity, and net revenue should be considered to ensure a balanced incoming class.
8. KU should maintain flexibility in adjusting admission criteria based upon institutional priorities and changing enrollment conditions.

**Objectives:**

9. Improve retention rates.
10. Improve graduation rates.
11. Allow KU to better attract students who can be successful at a research-oriented institution.
12. Match admission standards to the academic standards and expectations of a KU education.
13. Maximize state, institutional and student resources by admitting students whose previous academic preparation and motivation indicate a high probability of being successful at KU.
14. Enable the University of Kansas to more actively manage and shape its entering student enrollment.

**Proposed Admission Criteria for Transfer Students (24+ semester credit hours of transferable coursework)**

A transfer student with 24 or more semester credit hours of transferable coursework can be admitted either by satisfying an automatic admission criterion (option 1) or by review by the admissions review committee (option 2):

3. Automatic admission criterion:
  - a) 24 or more **semester** credit hours **of transferable coursework**; and
  - b) A cumulative grade point average of 2.5 or higher on a 4.0 scale in all **transferable coursework**.

OR

- a) An Associate of Arts or Associate of Science degree from a Kansas Public Community College.
4. Admission by review committee: Students who do not meet the automatic criterion will have their applications reviewed by an admissions review committee based upon the following considerations:
  - Meet the Kansas Board of Regents Qualified Admissions standards (K.A.R. 88-29-4);
  - Academic Performance (college grade point average);
  - Strength of academic course work;
  - Grade trend;
  - Ability to enhance the cultural, economic, racial or geographic diversity of the institution;
  - Academic potential;

- Demonstrated outstanding talent in a particular area;
- Personal circumstances/challenges or family circumstances that have affected educational performance;
- Student eligible for and who would benefit from organized support services available at the University of Kansas;
- Children and grandchildren of KU graduates, assuming demonstrated potential to succeed academically.

#### **Admission by the Exception Window**

Any student admitted to KU by the review committee who does not meet the applicable requirements specified in the Kansas Board of Regents Qualified Admissions standards K.A.R. 88-29-4 is admitted by means of the exception window for resident or nonresident transfer class admissions as defined in K.A.R. 88-29-8a and K.A.R. 88-29-8b.

#### **Priority Date for automatic admissions**

##### **July 1**

In order to be considered for automatic admission, transfer students must apply by July 1. Applications received after the established deadline will be considered by the admissions review committee on a space available, case-by-case basis.

#### **Notes**

This proposal applies to undergraduate, domestic transfer students, applied equally to resident and nonresident students. It does not apply to international admissions. A determination will be made after each recruitment cycle regarding possible adjustments to ensure the admitted student population does not exceed the available KU capacity to teach and serve them effectively and that the criteria provide an incoming class that is prepared to succeed in KU's academic environment.

**B. Fiscal Affairs & Audit**

**1. University Presentations and Discussion of  
University Tuition and Fee Proposals (First  
Reading)**

Regent Downey-Schmidt

**Diane Duffy**

**VP, Finance & Administration**

**Wichita State University  
Pittsburg State University  
Fort Hays State University  
Emporia State University  
Kansas State University  
University of Kansas**

**Background**

*One of the Board's primary responsibilities, as defined in state law, is to set tuition and fees at the state universities. The state universities will present proposals at the May 16 meeting (first reading) and the Board takes final action at the June 20-21 meeting.*

## 2. Approve Johnson County Research Triangle (JCERT) FY 2013 Budgets – KSU and KU

### Summary

*The Johnson County Education Research Triangle Authority (JCERTA) legislation (KSA 19-5001 through 19-5005) was approved by the 2007 Legislature. On November 4, 2008, the voters of Johnson County approved a 1/8 cent sales tax to support three university projects: (1) medical education and life sciences and cancer research programs at the Johnson County locations of the University of Kansas Medical Center; (2) research and education programs in animal health and food safety and security at the City of Olathe location of Kansas State University; and (3) undergraduate and graduate programs at the Edwards campus of the University of Kansas in the City of Overland Park. The JCERTA board can retain up to 2% of the revenues to cover administrative costs and the remainder of the annual revenue (original FY 2010 estimated total revenue from the sales tax was \$15 million) is to be split evenly between the three projects.*

*The Act restricts the universities' expenditure of these tax revenues to certain purposes and states that "the Kansas Board of Regents shall remain responsible for the governance of these institutions, including approval of any academic programs and the regulation thereof, and shall be responsible to the authority for institutional compliance with the purposes of this act." An annual budget approval is required each year.*

*In accordance with Board policy, the Fiscal Affairs and Audit Committee reviewed and approved the budget proposals in April and recommended the proposals move forward to the JCERTA board for approval. The JCERTA board reviewed the proposals on April 23, 2012, and recommends approval to the Board of Regents.*

*The Board will be asked to take action to approve the FY 2013 JCERT budgets for K-State Olathe Campus, KU Edwards Campus, and KU Medical Center at the May Board meeting.*

### Background

The Johnson County Education Research Triangle Authority <http://www.jocotriangle.com/> legislation (KSA 19-5001 through 19-5005) was approved by the 2007 Legislature. In November 2008, the voters of Johnson County approved a 1/8 cent sales tax to support three projects at the University of Kansas, the University of Kansas Medical Center, and Kansas State University. The ballot language was as follows:

*Shall the Johnson County Education Research Triangle Authority be created and, for its purposes, shall a one-eighth of a cent (0.125%) retailers' sales tax be imposed in Johnson County, pursuant to KSA 19-5002, for the purpose of supporting projects and programs related to (1) medical education and life sciences and cancer research programs at the Johnson County locations of the University of Kansas Medical Center; (2) research and education programs in animal health and food safety and security at the City of Olathe location of Kansas State University; and (3) undergraduate and graduate programs at the Edwards campus of the University of Kansas in the City of Overland Park, with the revenue from the tax being distributed in equal shares to the three institutions, consistent with the statute, and used for building construction, academic and research program development and growth, faculty and staff recruitment and retention, and operation and maintenance.*

In April, 2009, the Board established a budget approval and reporting process to help ensure university and Board compliance with the statutes. In May, 2009, the Board approved budgets for the three projects for the first year of this program, FY 2010. Because of a decline in sales tax revenues, the FY 2010 and FY 2011 revenue estimates were revised downward to \$13 million each along with expenditures. For FY 2012 revenues are on track to be \$15 million and the FY 2013 budget proposals assume total revenues of \$15 million.

In accordance with the Board's process, the universities prepare annual budgets for their portion of the JCERT revenue, to include debt service, maintenance, operations, and, where appropriate, research, and undergraduate and graduate educational programs. In order that the JCERT Authority also has the opportunity to review the proposed use of funds, the Board of Regents Fiscal Affairs and Audit Committee reviewed the proposed budgets at its April meeting.

The law requires each participating university to certify, to the Authority Board and to the Board of Regents, that expenditures of funds received from the Authority are made in compliance with the Act, Board policy and applicable state and federal laws. Furthermore, any revenue bonds that pledge the JCERT funds for repayment must be approved by the Board of Regents, regardless of what entity acts as obligor on the bonds. According to the Authority's by-laws, the universities are to certify expenditures to the Authority on an annual basis; the universities' certification to the Board is on the same schedule. The universities keep the tax revenue funds in segregated accounts and submit the accounts and expenditures from the accounts for an annual independent audit paid for by the JCERTA Board. The JCERTA Board contracts with external auditors for a financial audit to be completed by September 1 of each year. A copy of the external audit is provided to the Board and the universities. In addition, annually the universities issue reports to the JCERTA Board to be included in the required JCERT Annual report. The universities provide the same report to the Board of Regents.

The following are the proposed fiscal year 2013 budgets for the development of the Business, Education, Science and Technology (BEST) Building and new degree programs at KU's Edwards Campus in Overland Park; the International Animal Health and Food Safety Institute at K-State's Innovation Campus in Olathe; and The University of Kansas Clinical Research Center at Fairway.

**Proposed Fiscal Year 2013  
JCERTA Budget  
Edwards Campus  
Business, Engineering, Science, and Technology (BEST)**

**Background**

The Edwards campus of the University of Kansas is using the funds from the Johnson County Research Triangle Authority (JCERTA) sales tax to construct and maintain a new 75,000 square foot Business, Engineering, Science and Technology (BEST) building, and to pay the costs of providing 10 new degrees in business, engineering, science, and technology including two Professional Science Masters degrees.

The BEST building was dedicated on March 2, 2012. The building contains 21 classrooms, including four computer lab classrooms, an open computer lab, 35 faculty offices, and a 400 seat conference center. The total cost of the building was \$22.9 million and was financed with \$3.9 million from sales tax collections and \$19 million in bonds.

**Expenditure Categories**

A draft three year budget is attached for reference and planning purposes. While only the FY 2013 budget is being approved at this time, the additional years provide a clear picture of all expenses for building support and operations, and the programmatic costs.

Below are details of the FY 2013 budget which is presented for approval.

**Debt Service: \$1,980,580**

The annual debt service is just under \$2 million per year. The total principal on the 2010M bonds is \$20,990,000 and the repayment term is 15 years. The bonds were a combination of tax exempt bonds (\$6,215,000) and taxable Build America Bonds (\$14,865,000) with an all-inclusive interest rate of 3.11%.

**Scholarships: \$50,000**

KU and KSU have each agreed to establish a \$50,000 scholarship program from JCERTA funds. The scholarships are to be awarded to Johnson County residents. The criteria for the scholarships at KU are as follows: Students must be enrolled in an undergraduate or graduate program at the Edwards Campus that was funded by the JCERTA tax. The scholarship can be applied toward the cost of tuition, fees and/or books. Additional requirements include residence in Johnson County, a minimum cumulative grade point average of 2.5, and enrollment in a minimum of six hours at KU Edwards Campus. Preference will be given to students with financial need. Completion of the Free Application for Federal Student Aid (FAFSA) is required.

In 2011 (fall 2010, spring 2011), 8 students received the Triangle award. The average award amount was \$2,000.00 per semester. In 2012 (fall 2011, spring 2012) 22 students received the Triangle award. The average amount was \$3,000.00 per semester. Carry forward for 2013 awarding will be \$23,000.00. This fund will become increasingly competitive as programs are added.

**Programmatic Costs: \$1,448,180**

Ongoing costs in FY13 for the Bachelor's in Business Administration is approximately \$997,080 from JCERTA funds. The Bachelor of Information Technology is scheduled to launch in fall 2012 and initial costs are \$321,300. Other programs, such as the Professional Science Master's Degree is scheduled to launch in fall 2013. Future new degrees scheduled to launch over the next two years include the Bachelor of Applied Science.

There are 130 students currently enrolled in the pre-BBA and BBA program. We anticipate approximately 12 new students will enter the BSIT program in fall 2012.

**Student Services/PR/Recruitment: \$1,078,182**

Student advising, student services, public relations, and recruiting will increase while the programs are gearing up for a total of \$426,123. Public relations, marketing and recruiting will be launching two new campaigns for new triangle programs, while maintaining PR for existing programs. Staff costs are estimated at \$652,059 which includes salary and fringe.

Over 175 students are currently being advised for the BBA program. These include prospective students that plan to enter the program in the 2012-13 academic year. In 2011 and 2012, we have received over 300 inquiries for the BBA program through our inquiry system.

**Building Operations and Other Costs: \$362,910**

The estimated building operations costs for maintenance, communications, custodial services, security, technology and utilities are \$362,910. The cost includes a new security officer position.

**The University of Kansas  
Edwards Campus  
Business, Engineering, Science and Technology (BEST)**

	<b>BUDGET FY 2012</b>		<b>PROJECTED</b>		<b>PRELIMINARY</b>		<b>PRELIMINARY</b>		<b>PRELIMINARY</b>	
	<b>JCERT</b>	<b>Tuition</b>	<b>JCERT</b>	<b>Tuition</b>	<b>JCERT</b>	<b>Tuition</b>	<b>JCERT</b>	<b>Tuition</b>	<b>JCERT</b>	<b>Tuition</b>
Income from Sales tax and Tuition	4,400,000	535,435	5,000,000	388,438	5,000,000	561,461	5,000,000	754,961	5,000,000	1,081,598
Capital - Building Construction	461,177		489,033							
Technology/Furnishing	2,200,000		2,066,008							
<b>Total Capital Costs</b>	<u>2,661,177</u>	<u>-</u>	<u>2,555,041</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Debt Service on Bonds	1,979,580		1,979,580		1,980,580		1,981,080		1,979,518	
Scholarship	50,000		99,000		50,000		50,000		50,000	
<b>Operational/Programmatic Costs</b>										
Business	785,563	450,000	872,445	388,438	997,080	448,686	1,196,496	538,423	1,435,795	646,108
BSIT	113,500	35,835	-	-	321,300	80,325	393,350	98,338	493,100	123,275
PSM	160,000	49,600	-	-	79,800	19,950	272,800	68,200	423,800	156,108
Future degree programs include Design, Education, BAS			-	-	50,000	12,500	200,000	50,000	400,000	156,108
<b>Total Programmatic Costs</b>	<u>1,059,063</u>	<u>535,435</u>	<u>872,445</u>	<u>388,438</u>	<u>1,448,180</u>	<u>561,461</u>	<u>2,062,646</u>	<u>754,961</u>	<u>2,752,695</u>	<u>1,081,598</u>
<b>Student Services/PR/Recruitment</b>										
Salaries and Wages	371,731		299,250		652,059		718,171		739,716	
Public Relations/Marketing	120,000		100,000		193,500		160,000		160,000	
Recruitment	20,000		15,000		62,000		130,000		130,000	
Library	24,623		24,623		24,623		24,623		24,623	
Administration	180,000		75,000		145,000		145,000		145,000	
Travel	-		350		1,000		1,000		1,000	
<b>Total Student Services/PR/Recruitment</b>	<u>716,354</u>	<u>-</u>	<u>514,223</u>	<u>-</u>	<u>1,078,182</u>	<u>-</u>	<u>1,178,794</u>	<u>-</u>	<u>1,200,339</u>	<u>-</u>
<b>Building Operations and Other Costs</b>										
Building Maintenance	186,000		95,500		20,000		20,000		20,000	
Communications					42,000		42,000		42,000	
Custodial Service					58,000		58,000		58,000	
Security			5,000		35,910		36,987		38,097	
Technology					40,000		40,000		65,000	
Utilities	-				167,000		167,000		167,000	
<b>Total Building Operations Costs</b>	<u>186,000</u>	<u>-</u>	<u>100,500</u>	<u>-</u>	<u>362,910</u>	<u>-</u>	<u>363,987</u>	<u>-</u>	<u>390,097</u>	<u>-</u>
Total Expenses	6,652,174	535,435	6,120,789	388,438	4,919,852	561,461	5,636,507	754,961	6,372,649	1,081,598
Revenue minus expenses	<u>(2,252,174)</u>	<u>-</u>	<u>(1,120,789)</u>	<u>-</u>	<u>80,148</u>	<u>-</u>	<u>(636,507)</u>	<u>0</u>	<u>(1,372,649)</u>	<u>0</u>
Carry Forward	<u>4,091,175</u>		<u>4,544,195</u>		<u>3,423,406</u>		<u>3,503,554</u>		<u>2,867,046</u>	
Ending Balance	<u>1,839,001</u>	<u>-</u>	<u>3,423,406</u>	<u>-</u>	<u>3,503,554</u>	<u>-</u>	<u>2,867,046</u>	<u>0</u>	<u>1,494,397</u>	<u>0</u>



**Proposed Fiscal Year 2013  
JCERTA Budget  
The University of Kansas Clinical Research Center**

**Summary of the Project:**

The University of Kansas Clinical Research Center (CRC) opened to patients on January 23, 2012. Funds from the Johnson County Education Research Triangle sales tax (JCERT) and revenue bonds supported by the sales tax were used to renovate the facility. Sales tax receipts are now being used to pay debt service and maintain the building, and to pay the costs of the clinical research infrastructure supporting clinical trials designed to translate discoveries made in the laboratory into treatments for patients. The facility will also serve to support internal and external conferences such as The Midwest Cancer Alliance Partners Advisory Board.

The total square footage of the building after renovation is 82,400 SF. There is 24,400 SF of clinic space, 8,300 SF of lab space, 20,600 SF of office space, and 29,100 SF of public space including sitting areas and conference rooms. The cost to renovate and equip the facility was approximately \$19.4 million funded with \$14.4 million in bond proceeds and approximately \$5 million in JCERT funds.

**Expenditure Categories**

A draft three year budget is attached for reference and planning purposes. While only the FY2013 budget is being submitted for approval at this time, the additional years provide a clear picture of all expenses for remaining renovations, building support and operations, and the clinical research program.

Below are details of the FY 2013 budget which is presented for approval.

**Debt Service: \$1,043,228**

The annual debt service is just over \$1 million per year. The total principal on the 2010P bonds is \$15,930,000 and the repayment term is 20 years (FY 2030). The bonds were a combination of tax exempt bonds (\$3,950,000) and taxable Build America Bonds (\$11,980,000) with an all-inclusive interest cost of 3.0%.

**Clinical Research Center Staff and Operating Expenses: \$3,302,291**

These funds will be used to fund staff salaries for clinical support positions and operating costs. These support positions will all be located in the new facility and are critical to the clinical trials activity.

**Facilities Operating Costs: \$802,709**

These funds will be used to provide utilities cost, custodial and security staff, other facilities services, and establish a repair and replacement fund.

**Special features of the building include:**

- The Bioanalytical Laboratory is equipped with state-of-the-art dual liquid chromatographic tandem quadrupole mass spectrometers capable of analyses under FDA good laboratory practice regulations.
- The Investigational Pharmacy prepares and dispenses clinical trial medications and is equipped with certified biological safety cabinets and temperature monitored ambient air, refrigerators, freezers, and ultralow freezers.
- The Clinical Laboratory, staffed by Board Certified Medical Technologists, is equipped with state-of-the-art instrumentation for performing complete blood counts, blood chemistry analyses, urinalyses, and preparation of special specimens for pathological examination.
- The Correlative Research Laboratory staff are responsible for collection and handling of biological samples collected from patients participating in oncology studies. The laboratory is equipped with refrigerated centrifuges and temperature monitored refrigerators, freezers, and ultralow freezers.
- The Exercise Physiology Laboratory allows simultaneous electrocardiogram and aerobic monitoring. The lab is also equipped with a dual-energy x-ray absorptiometer and instruments to measure muscle mass, nerve conduction, sensory testing, and pulmonary function.
- The Metabolic and Demonstration Kitchens support nutrition-related research projects and assess nutrition-related requirements of study protocols.

- The Oncology Exam and Treatment Suites include 10 examination rooms with state-of-the-art diagnostic equipment and 17 private patient treatment rooms where chemotherapeutic clinical trial drugs are administered; these are complete with cable TV, DVD players, and wireless internet.
- The Clinical and Translational Science Unit includes 17 exam rooms, 11 infusion suites, an extended observation facility to allow evening stays, and special services for research participant advocacy and registry.

**Research Offices located in the building include:**

- **Frontiers:** The Heartland Institute for Clinical and Translational Research. Goals of Frontiers are to speed the translation of laboratory discoveries into treatments for patients; engage communities in clinical research efforts; and to train a new generation of clinical and translational researchers.
- The University of Kansas Alzheimer's Disease Center conducts clinical, translational, and basic science research on brain aging and Alzheimer's disease. They are recognized as one of the nation's top Alzheimer's research centers.
- The Oncology Clinical Trials Office provides a comprehensive, centralized support network for investigators conducting clinical trials assuring that patients and resources are available to successfully conduct these trials in accordance with federal, state, and local regulations.
- The Midwest Cancer Alliance is a member-based organization of cancer researchers, care providers and support professionals. The MCA links the discoveries made at The University of Kansas Cancer Center to a region-wide network.

**Highlights of Clinical Research and Program Plans**

*Clinical and Translational Science Unit (CTSU)*

- Since January 2012, the CTSU has conducted approximately 400 outpatient visits.
- There are currently 101 active studies in the CTSU. Of these, 50 studies are investigator-initiated trials with the majority of those studies being funded through the National Institutes of Health. The other 51 studies are pharmaceutical industry-sponsored.
- The CTSU currently has 18 full-time staff members.
- The CTSU's biggest focus areas are Alzheimer's disease, Lou Gehrig's disease, Diabetes, and Kidney disease.
- The CTSU started a research participant registry program approximately 2 years ago. This is a comprehensive registry of KUMC patients willing to be contacted for participation in research studies. Since initiation of the program, 8356 people have registered through January 2012. Future plans may include working with the Google initiative to set up a touch screen kiosk in the CRC lobby for patients to sign up for the registry.

*Oncology Early Phase Clinical Trial Program (EPCTP)*

- Since late January 2012, the EPCTP has conducted approximately 80 outpatient visits.
- There are currently 13 active early phase oncology trials being conducted at the CRC with an additional 12 trials in pending stages. Of the active studies, 3 are investigator-initiated, 8 are sponsored by different pharmaceutical companies, and two developed out of KU Cancer Center's Drug Discovery, Delivery, and Experimental Therapeutics Program. All but one of the pending studies are sponsored by pharmaceutical companies and the remaining one is a National Cancer Institute cooperative group trial.
- The EPCTP is currently or soon will be conducting studies on drugs for the treatment of a variety of hematological cancers, advanced colorectal cancer, advanced renal cell carcinoma, prostate cancer, peritoneal malignancies, brain metastases, non-small cell lung cancer, endometrial cancer, and various other solid tumors,
- The EPCTP currently has 18 research staff members supported by certified oncology treatment staff managed by KU Hospital.

- The EPCTP is initiating a Clinical Pharmacology Fellowship Program in conjunction with Clinical Pharmacology staff at Children's Mercy Hospital. The purpose of this program is to train new physicians to gain experience in drug development, conduct of clinical trials, and the translational and correlative sciences focusing on adult and pediatric cancers and other diseases.

**The University of Kansas Medical Center  
Clinical Research Center JCERTA Budget**

	<b>FY 2012 Budget</b>	<b>FY 2012 Projected</b>	<b>FY 2013 (Revised 4/19/12)</b>	<b>Preliminary Budget FY 2014</b>	<b>Preliminary Budget FY 2015</b>
<b>Income from Sales Tax</b>	4,400,000	5,000,000	5,000,000	5,000,000	5,000,000
<b>Construction in Progress</b>	3,053,633	3,595,438	-		
<b>Debt Service (Net of BAB Subsidy)</b>	1,043,228	1,043,228	1,043,228	1,043,228	1,043,228
<b>Clinical Research Center/Hospital Costs</b>					
Staff Salaries	2,026,464	2,342,623	2,160,442	2,200,000	2,300,000
Other Operating Expenses	90,000	100,000	131,772	131,772	131,772
Mass Spectrometer Lease			175,000	175,000	175,000
Hospital contract*		700,000	835,077	835,077	835,077
<b>Subtotal CRC</b>	<b>2,116,464</b>	<b>3,142,623</b>	<b>3,302,291</b>	<b>3,341,849</b>	<b>3,441,849</b>
<b>Support/Facilities Costs</b>					
Utilities	137,500	130,000	268,000	268,000	268,000
Facilities Services	83,500	110,000	212,709	212,709	212,709
Housekeeping Services	27,000	25,000	141,000	141,000	141,000
Support Services - Police/Landscape/Mail	208,496	230,556	161,000	161,000	161,000
Repair/Replacement Fund	36,180	0	20,000	20,000	20,000
Lease and Lease related costs	52,512	55,000			
<b>Subtotal Support/Facilities Costs</b>	<b>545,188</b>	<b>550,556</b>	<b>802,709</b>	<b>802,709</b>	<b>802,709</b>
<b>Total Expenses</b>	<b>6,758,513</b>	<b>8,331,845</b>	<b>5,148,228</b>	<b>5,187,786</b>	<b>5,287,786</b>
<b>Revenues minus Expenses</b>	<b>(2,358,513)</b>	<b>(3,331,845)</b>	<b>(148,228)</b>	<b>(187,786)</b>	<b>(287,786)</b>
<b>Beginning Balance</b>	<b>3,981,845</b>	<b>3,981,845</b>	<b>650,000</b>	<b>501,772</b>	<b>313,986</b>
<b>Ending Balance</b>	<b>1,623,332</b>	<b>650,000</b>	<b>501,772</b>	<b>313,986</b>	<b>26,200</b>

\*Hospital contract cost was partially offset by study budget revenue

**Proposed Fiscal Year 2013  
Kansas State Olathe Campus  
JCERTA Budget**

**Background**

The Kansas State Olathe campus issued \$30 million in 30 year revenue bonds through KDFA with a pledge of JCERT revenue to construct the National Animal Health and Food Safety Institute, the first building on its 38 acre campus in Olathe. The 108,000 square foot building was occupied in April, 2011. The campus is part of the Kansas Biosciences Park, a site shared with the Kansas Bioscience Authority. A total of 91 acres has developed as a special benefit district. The Olathe campus is responsible for payment of 41% of the \$6.5 million in special assessments on the benefit district for the next 20 years. Initial programs in Animal Health and Food Safety should begin in the Summer/Fall of 2012. Outreach activities with Johnson County public schools and industry programs are in progress.

**Expenditure Categories****Debt Service on Bonds – \$2,019,275**

Bonds were issued in September, 2009 and debt service payments began in March, 2010. Payments will escalate until reaching \$2,019,275 in FY 2012 and continue at approximately that level for the remaining 28 years.

**Special District Assessment and Taxes – \$258,585**

Kansas State Olathe owns 38 acres within the 91 acre Kansas Bioscience Park in Olathe, Kansas. A special benefit district was created to develop the infrastructure in the park and expenses are split proportionately between Kansas State and the Kansas Bioscience Authority. In addition, the property is subject to approximately \$36,000 in additional special assessments in the area.

**Scholarships – \$50,000**

Kansas State University agreed, with the University of Kansas, to provide \$50,000 per year in scholarships for residents of Johnson County. Any unspent funds will carry forward to the next year. A scholarship plan for allocating these resources has been approved by the K-State Olathe Campus board.

**Facilities Operations and Maintenance - \$819,000**

The building was occupied in April, 2011. This amount represents the estimated utilities and maintenance costs for the facility, including custodial, engineering, and landscape services.

**Programmatic Personnel Costs - \$700,000**

This includes the salaries and fringe benefits for the administrative staff.

**Academic Programs - \$500,000**

These funds will be used for personnel, fringe benefit costs, and program costs for the academic and research programs in Animal Health, Food safety and security, and K-12 outreach programs in those focus areas.

**Office and Administrative - \$200,000**

This category covers telephones, office supplies, travel, equipment, audit, legal, and other administrative expenses.

**Kansas State University - Olathe Campus  
JCERTA Budget Summary**

	<b>FY 11 Actual</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>
Carry Forward	1,850,142	3,331,813	2,346,213	2,799,353
<b>Revenue</b>				
JCERT (est)	4,461,375	4,550,603	5,000,000	5,100,000
<b>Total Revenue</b>	4,461,375	4,550,603	5,000,000	5,100,000
<b>Expense</b>				
Debt Service				
Building	1,515,335	2,019,275	2,019,275	2,020,281
Spec Assessment	270,331	264,428	258,585	252,741
Scholarships	16,500	132,500	50,000	50,000
Facilities Operations & Maint	103,888	780,000	819,000	830,000
Programmatic Personnel	584,252	635,000	700,000	750,000
Academic Programs	273,311	485,000	500,000	500,000
Office & Administrative	216,087	220,000	200,000	200,000
Equipment	0	1,000,000		
<b>Total Expenditures</b>	2,979,704	5,536,203	4,546,860	4,603,022
Net	1,481,671	(985,601)	453,140	496,978
Carry Forward	3,331,813	2,346,213	2,799,353	3,296,330

### 3. Initial Discussion of the Board's FY 2014 Higher Education System Unified State Appropriations Request

#### Summary

*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. The statutory deadline for submission of the Board's budget request is October 1 every year. At the Board's direction, the System Council of Presidents charged a workgroup with proposing a process and timeline for the development of the Board's FY 2014 request. At the April board meeting, the Board reviewed the draft document that outlined the process, calendar, overarching guiding principle, and key themes. In accordance with the calendar for the May meeting, Board staff is to review potential areas of request for FY 2014 and has done so in this issue paper. Institutional Leaders represented by the System Council of Presidents are planning to discuss system-wide requests at the May meeting.*

#### Process for Development of the Board's FY 14 Unified Request for State Appropriations

April-May, 2012	Institutional leadership discusses system-wide, sector, and institution specific requests for FY 14
May, 2012 Board Meeting	Board staff reviews potential areas of request for FY 14 and receives and discusses system-wide requests for FY 14 from institutional leaders
June, 2012 Board Meeting	Board receives and discusses institution and sector specific requests for FY 14
July 17, 2012	Board conducts work session to review FY 13 budgets and further discuss FY 14 appropriation requests
August, 2012 Board Retreat	Board continues discussion of system-wide, institution, and sector specific requests and indicates preference for inclusion in the FY 14 appropriation request to Governor
September, 2012 Board Meeting	Board officially approves FY 14 unified appropriation request
October 1, 2012	Board's FY 14 unified appropriation request submitted

#### Overarching Guiding Principle

The Higher Education Coordination Act provides that the Kansas Board of Regents shall "serve as the representative of the public postsecondary educational system before the Governor and the Kansas Legislature." (K.S.A. 74-3202c(b)(2)). This statement provides the foundation for an approach to state funding that reflects the recurring theme of maintaining a system-wide focus on requesting and advocating for increases in state general fund appropriations for public postsecondary education.

#### Key Themes

- Kansas public higher education is a system of 32 institutions representing a \$3.6 billion dollar enterprise, financed through a mix of state, student, local, federal, private, and other revenues sources. While State General Fund moneys represent only 25% of the total revenues for the system, State General Fund support is a critical component for leveraging other funding sources.
- The Kansas public higher education system is a major engine of economic growth, both as an employer and as an educator of future workers.

- The Kansas public higher education system is committed to Foresight 2020, a 10-year plan that sets long-range achievement goals that ensure the state's higher education system meets the needs of Kansans and Kansas.

### Staff Recap of Potential Areas of Request for FY 2014

#### System wide Requests

- 2% Performance Funding (authorized in current law, but never funded) i.e. Foresight 2020 goals
- Inflationary Increase Based on the Higher Education Price Index
- Salary Increase
- Student Financial Assistance Programs
- Workforce Need i.e. continue nursing initiative, dental,
- Transfer Web Portal
- Capital Improvements - Deferred Maintenance

#### Institution/Sector-Specific Requests (Institutions/Sectors will bring forward in JUNE)

- Recommendation from the Technical Education Authority for Tiered Technical Education State Aid
- Adult Basic Education

### Prior Years' Unified Budget Requests and Results

FY 2013 Unified Budget Request. The Board reviewed proposals totaling nearly \$60 million and the Board forwarded to the Governor and Legislature a request for enhancements totaling \$36.8 million (SGF).

Below is a recap of the components of the Board's request and, although a final budget has not yet been approved by the Legislature and Governor, a description based on the current legislative status of the request.

- **System – 1.8% Postsecondary Education system Operating Increase based on the Higher Education Price Index (\$12.7 million)**

Although not final, it appears the state budget will not include an operating grant increase.

- **System – Student Financial Assistant Programs (\$2.7 million SGF)** including \$1.8 million for the Kansas Comprehensive Grant, \$400,000 for the redesign of the out-dated Vocational Scholarship Program into a new Technical Education Grant Program, and a 2.6% increase for all other Board administered student financial assistance programs.

Although not final, it appears the state budget will include \$1 million for the Comprehensive Grant program.

- **Targeted Institutional/Sector Investments** – although not final, it appears the state budget will include the following:

	<b>KBOR Request</b>	<b>Approved</b>
KU - KUMC Medical Student Scholarship Program	\$1,866,779	\$1,866,769
KU - "Foundation Professors"	\$3,000,000	3,000,000
KSU – Veterinary Medicine Improvements	\$5,000,000	\$5,000,000



ESU - Workforce Development		
Nursing Informatics Degree	\$250,000	\$250,000
e-Commerce Degree	\$250,000	
Sustainability Degree	\$250,000	
FHSU - Increase KAMS Class Size	\$203,200	\$203,200
FHSU - Information Systems Engineering Program	\$750,000	0
PSU - Expand Polymer Science Program	\$1,000,000	500,000 FY 13 500,000 FY 14
WSU - Support Aviation Research and Workforce Training	No request via KBOR	
Technical Education Formula	\$8,000,000	\$8,000,000
Research Services and Databases	\$800,000	Appropriated to State Library

**Governor Request**

Technical Education – Governor’s CTE Initiative for Secondary Students	\$20,500,000	?
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**FY 2012 Unified Budget Request.** Last year the Board adopted a legislative request entitled The Kansas Commitment. The Kansas Commitment was a five-part \$50 million initiative to boost the Kansas economy. Also, the Board requested new funding for the new distribution formula for technical education, in response to the Legislature’s directive to develop a new tiered formula. The Board requested \$11.6 million to jumpstart the change to the new formula. The 2011 Legislature did not provide new funding for technical education for FY 2012, but did authorize legislation that creates the new tiered funding structure.

Below is a brief recap of the components of the Board’s request and the response to the proposal.

- Request an inflationary increase based on the 3-year rolling average of the Higher Education Price Index (HEPI) which has 2.73% and would cost \$20.5 million SGF.

This component was not funded for FY 2012.
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- Restore the Legislature’s 5-year deferred building maintenance funding commitment.

This component was not funded for FY 2012.
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- Create KAN-HELP, a new \$10 million need-based financial aid program for qualifying state university students.
  - Resident state university students whose families are at or below the statewide median family income level (currently \$50,174) would be eligible for a KAN-HELP Loan that would be applied to tuition and fee costs.
  - Funding would come from a \$6 million transfer of the state sales tax generated on the state university campuses and a \$4 million match by the state universities.

This component was not funded for FY 2012.

- Create KAN-GROW – a systemwide initiative to grow the Kansas workforce and economy. Invest \$14.5 million SGF that will be matched by \$7.075 million from the state universities to create a \$21.225 million program.

KU, KSU, WSU: Increase the number of engineering graduates by 490 from 875 to 1365. Invest \$5.4 million SGF with a \$2.7 million university match for a total of \$8.1 million which would fund the first two years of the five year proposal by the Engineering Deans. Funding would be appropriated to the Board for distribution among the three state research universities.

KUMC: Increase the number of nursing graduates by 50 and expand the Kansas Medical Student Loan Program by 22, thereby increasing the number of primary care physicians serving underserved Kansas counties. Invest \$1 million SGF with a \$500,000 medical center match for a total of \$1.5 million.

ESU, FHSU, PSU: Expand program offerings in high need and emerging fields. Invest \$2.25 million SGF with a \$1.125 million match from the three regional state universities for a total of \$3.375 million.

- ESU: New degree programs – eCommerce, Student Affairs Administration, Sustainability.
- FHSU: New Bachelor of Science in Information Systems Engineering degree program and a new KAMS Summer Engineering Institute.
- PSU: New School of Construction.

Washburn: Expand program offerings in high need and emerging fields. Invest \$500,000 SGF with a \$250,000 university match for a total of \$750,000.

- New Doctorate of Nursing degree program.
- New Bachelor of Science in Biotechnology degree program.

Community and Technical Colleges: Expand targeted workforce initiatives. Invest \$5 million SGF with a \$2.5 million college match for a total of \$7.5 million.

- The Kansas Board of Regents would solicit targeted workforce development proposals and select ones that directly met critical workforce needs.

The KAN-GROW Engineering Initiative for KU,KSU, and WSU (\$1 million FY 2012 and \$10.5 million from ELARF FY 2013-FY2023, new School of Construction for PSU (\$750,000) and competitive grant program for the community colleges (\$500,000) were all funded for FY 2012.

- Continue Kan-ed funding for FY12 through the Kansas Universal Service Fund (\$10 million KUSF)

The 2011 Legislature funded Kan-Ed at \$6 million from the KUSF for FY 2012.

FY 2011 Unified Budget Request. The Board proposed a modest increase comprised of the following:

- **Postsecondary Education - Postsecondary Education Operating Grant Increase -- \$16 million (SGF)**  
The Board requested a combined Postsecondary Education Operating Grant line-item appropriated to the Board for all new funding rather than the individual sector operating grant line-item increases. The request totaled \$16,423,992 in new SGF funding. The request has entirely comprised of a necessary inflationary increase as measured by the Higher Education Price Index (HEPI). HEPI, is an inflation index designed specifically for higher education. The increased funding will be used to address increasing health insurance costs, increasing utility costs, unfunded longevity bonuses and death and disability premiums, as well as funding for significant increased community and technical college enrollments.
- **Student Financial Assistance – HEPI Increase for High-Demand Program - \$343,533 (SGF) --** The Board requests enhancement funding for the Comprehensive Grant Program. These funds provide need—based grants to students attending state universities, Washburn University, and private Kansas universities.
- **MHEC Dues --** An enhancement of \$4,331 (SGF) will be necessary for the increase in the Midwestern Higher Education Compact (MHEC) state membership dues. The state membership dues increased from \$90,000 to \$95,000 for FY 2009, and the Board’s current level of funding is \$90,669 for FY 2010. The MHEC Commission has decided to keep this same payment level through FY 2011.

With the exception of required SGF debt service payments, the FY 2011 state appropriation was in effect “flat” – at the FY 2006 level.

FY 2010 Unified Budget Request. The Board requested only enhancement funding for a 4% HEPI increase (\$32 million). The Board held extensive budget discussions and seriously considered including (1) a 1% budget increase to begin to close the faculty salary deficit which would help institutions catch up with peers and competitors and \$21 million to fund specific investment proposals to address critical workforce shortages. Ultimately, because of the harsh reality of the national economy and the uncertainty of the state budget, the Board made the judgment to not include a funding request for these very real and critical needs.

The original FY 2010 SGF appropriation at the close of the 2009 session was \$767 million. July and November allotments cut a net total of \$20 million leaving \$747 million, a level of SGF funding equal to the FY 2006 level and the level required for ARRA compliance. The FY 2010 appropriation of \$747 million was over \$100 million or nearly 13% less than the original FY 2009 appropriation.

FY 2009 Unified Budget Request. The Board presented a two-pronged request for increased funding on the program side. One part of the request (\$27 million) sought to keep pace with higher education inflation (HEPI), and the second part asked for an increased investment (\$25 million), the Board would fund institutions to produce specific results for the people of Kansas. The Board assigned target figures and required each university and the sector leaders to develop proposals that describe how the increased funding would be used to produce specific results for the people of Kansas.

For FY 2009, there were increased state appropriations for postsecondary education totaling approximately \$30.0 million, including *an additional \$25 million, a 3.2 percent increase, in state appropriations for the postsecondary educational institutions’ “block grant”*; however, mid-year reductions were made in response to the State’s financial circumstances.

FY 2008 Unified Budget Request. The Board requested a total operating increase of \$50.5 million comprised of nine separate enhancements the most significant being a 6% HEPI increase (\$45 million)

The FY 2008 operating increases totaled \$46.3 million and equated to a 5.7 percent increase.
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**4. Receive and Discuss Capital Improvement Requests (First Reading)** **Eric King,  
Director of Facilities**

## Summary and Staff Recommendation

*As required by statute and in accordance with the format prescribed by the Division of the Budget, the campuses have submitted their FY 2014 capital improvement requests and 5-year plans. Included, as attachments are summaries of the universities' requests and staff recommendations for the Board's review and discussion. The Board will be asked to take action at the June meeting as the Capital Improvements are due to the Division of Budget on July 1, 2012.*

## Background

The requests from each agency/institution for FY 2014 through FY 2018 are attached (Table 1). A summary of state tax funds requested follows:

FY 2014	\$69,350,000
FY 2015	91,502,000
FY 2016	83,765,000
FY 2017	59,000,000
FY 2018	<u>55,000,000</u>
TOTAL	\$358,617,000

## Recommendations

Staff recommends the following (Table 2):

- Approve University System request for deferred maintenance based on projected revenue from the Expanded Lottery Act Revenue Fund (ELARF). Provisions to use funding for “...state infrastructure improvements...” were specifically included in statutes governing the ELARF created by the 2007 legislation (SB 66). The most recent “Report on State University Deferred and Annual Maintenance – Fall 2010” estimates a \$904 million backlog.
- Approve University System request for spending authority for Rehabilitation & Repair projects from the Educational Building Funds (EBF). Between FY 1998 – FY 2012, \$15 million per year was allocated from the EBF to repay the debt service on the “Crumbling Classrooms” bonds. In FY 2013, the full amount of the EBF became available for needed Rehabilitation & Repair.

The combination of state funds (ELARF and EBF) recommended for FY 2014 through FY 2018 follows:

FY 2014	\$55,000,000
FY 2015	55,000,000
FY 2016	55,000,000
FY 2017	55,000,000
FY 2018	<u>55,000,000</u>
TOTAL	\$275,000,000

- Approve all projects funded by non-state tax funds (e.g. housing, parking, private gifts, restricted fees, etc.).
- Approve individual building/infrastructure projects submitted from the universities' unified budget requests for state appropriations should the Board deem certain projects essential.

For over a decade, addressing the deferred maintenance of existing facilities has been a top priority with the Board and Legislature, and limited state resources have been directed toward that purpose. Funding for the construction, maintenance and operation of new facilities has largely been left to other resources available to the state universities with the exception of limited state-wide initiatives such as those for research, pharmacy and engineering.

Following is a list of projects in Table 1 where state funds have been requested over the 5-year period. Other projects may come forward with the unified budget requests:

KUMC Medical Education Building	\$30,000,000
KUMC Research Support Facility	17,000,000
WSU Central Power Plant Improvements	12,265,000
ESU Stormont Maintenance Remodel	10,352,000
PSU KTC School of Construction	5,000,000
PSU KTC Diesel & Heavy Equip. Bldg.	5,000,000
PSU McPherson Hall Expansion	<u>4,000,000</u>
TOTAL	\$83,617,000

**TABLE 1**  
**FY 2014 CAPITAL IMPROVEMENT REQUESTS - SUMMARY OF INSTITUTION SUBMITTALS**  
**(Page 1)**

Kansas Board of Regents  
May 16, 2012

			FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		Subsequent Years	
Agency/University Name and Project Titles			Total Project Cost	Current & Prior Years	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds
<b>Kansas Board of Regents</b>														
●	1	Deferred Maintenance Program	100,000,000		20,000,000		20,000,000		20,000,000		20,000,000			
					ELARE		ELARE		ELARE		ELARE			
○	2	Rehabilitation & Repair	210,000,000	35,000,000	35,000,000		35,000,000		35,000,000		35,000,000			
				FBE	FBE		FBE		FBE		FBE			
<b>Total</b>			<b>310,000,000</b>	<b>35,000,000</b>	<b>55,000,000</b>	<b>0</b>	<b>55,000,000</b>	<b>0</b>	<b>55,000,000</b>	<b>0</b>	<b>55,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>University of Kansas</b>														
●	1	Engineering Expansion - Phase 2 (Engineering Initiative)	65,000,000	60,500,000		4,500,000								
				SB		SB								
●	2	Ekdahl Dining Commons Renovation	3,400,000	3,400,000										
				SU										
●	3	Murphy Hall Swarthout Recital Hall Remodel	1,450,000	1,450,000										
				PG										
●	4	Lindley Hall Addition - Energy & Environ. Ctr. Ph 1	28,785,000	28,785,000										
				PG										
	5	Parking Maintenance & Improvements	3,500,000	1,500,000		1,000,000		1,000,000						
				PF		PF		PF						
<b>Total</b>			<b>102,135,000</b>	<b>95,635,000</b>	<b>0</b>	<b>5,500,000</b>	<b>0</b>	<b>1,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>University of Kansas Medical Center</b>														
●	1	Medical Education Building	75,000,000			2,800,000	30,000,000		30,000,000		12,200,000			
						FICA	SGF		FICA/RB		RB			
●	2	Research Support Facil. Barrier Suite & Infrastruc.	17,000,000				1,000,000		12,000,000		4,000,000			
							SGF		SGF		SGF			
○	3	Parking Maintenance & Improvements	1,500,000	500,000		500,000		500,000						
				PF		PF		PF						
<b>Total</b>			<b>93,500,000</b>	<b>500,000</b>	<b>0</b>	<b>3,300,000</b>	<b>31,000,000</b>	<b>500,000</b>	<b>12,000,000</b>	<b>30,000,000</b>	<b>4,000,000</b>	<b>12,200,000</b>	<b>0</b>	<b>0</b>

**TABLE 1**  
**FY 2014 CAPITAL IMPROVEMENT REQUESTS - SUMMARY OF INSTITUTION SUBMITTALS**  
 (Page 2)

Kansas Board of Regents  
 May 16, 2012

			FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		Subsequent Years	
Agency/University Name and Project Titles			Total Project Cost	Current & Prior Years	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds
<b>Kansas State University</b>														
1	Parking Maintenance & Improvements		5,100,000	1,100,000 PF		800,000 PF		800,000 PF		800,000 PF		800,000 PF		
● 2	West Memorial Stadium Renovation - Phase 1		5,600,000	1,300,000 RF		2,000,000 IMP		2,300,000 UI						
● 3	Bramlage Coliseum/Snyder Stadium Improvem'ts - Ph. 1		22,140,835	22,140,835 AA/PG/BB										
● 4	Snyder Stadium Improvements - Ph. 2		75,000,000	73,435,000 AA/PG/BB		1,565,000 AA/PG/BB								
5	West Hall Mechanical Renovation		3,000,000	2,500,000 HF				500,000 PG						
● 6	Jardine Apartment Housing - Phase 2		36,000,000	10,000,000 HF/BB						13,000,000 HF/BB		13,000,000 HF/BB		
● 7	Jardine Apartment Roads & Parking - Phase 3		2,150,000	650,000 HF/BB		1,500,000 HF/BB								
● 8	Kramer & Derby Dining Improvements		35,000,000	10,000,000 HF/BB				8,500,000 HF/BB		8,500,000 HF/BB		8,000,000 HF/BB		
9	New Residence Hall & Renovate Marlatt/Goodnow Halls		45,000,000	1,250,000 HF/BB		29,000,000 HF/BB		14,750,000 PG/BB						
10	KSU-S Apartment Complex		4,000,000	2,000,000 RB		2,000,000 RB								
11	Engineering Complex Addition (Engineering Initiative)		40,000,000			20,000,000 PG/F		20,000,000 PG/F						
12	Large Animal Holding Building		11,800,000			750,000 PG/RF		8,000,000 PG/RF		3,050,000 PG/RF				
13	Veterinary Medical Hospital Surgery Suite Remodel		2,342,660			342,660 VMR		2,000,000 VMR						
● 14	Justin Hall Addition		5,225,850	5,225,850 PG										
○ 15	OCWLF Removal & Groundwater Treatment		4,000,000	4,000,000 F										
16	Durland Hall Chemical Lab Renovation		2,000,000	2,000,000 RF/F										
● 17	East Memorial Stadium Welcome Center		17,000,000	250,000 PG		2,000,000 PG		10,000,000 PG		4,750,000 PG				
● 18	Equine Education Center		15,000,000	2,600,000 PG		1,000,000 PG		1,000,000 PG		1,000,000 PG		1,000,000 PG		7,400,000 PG
● 19	Grain Science Center - Feed Mill		13,000,000	3,000,000 PG		10,000,000 PG								
20	Rowing Practice Building		2,000,000	750,000 PG		1,250,000 PG								
21	Agronomy Education Center		2,028,000					228,000 PG		1,800,000 PG				
22	College of Business Building		50,000,000			2,500,000 PG		26,000,000 PG		21,500,000 PG				
23	Cardwell Hall Addition		20,000,000					1,000,000 PG		10,000,000 PG		9,000,000 PG		
● 24	S.E. Research & Extension Headquarters Building		2,000,000					500,000 RF/PG		1,500,000 RF/PG				
● 25	General Use Classroom Building		20,000,000					1,500,000 PG		9,000,000 PG		9,000,000 PG		500,000 PG
26	International Visitors' Residence		1,250,000							50,000 PG		1,200,000 PG		
<b>Total</b>			<b>440,637,345</b>	<b>142,201,685</b>	<b>0</b>	<b>74,707,660</b>	<b>0</b>	<b>88,578,000</b>	<b>0</b>	<b>61,900,000</b>	<b>0</b>	<b>41,350,000</b>	<b>0</b>	<b>7,400,000</b>
<b>Wichita State University</b>														
● 1	Expand/Improve Central Energy Plant		12,265,000		350,000 SGF		650,000 SGF	11,265,000 SGF						
2	Parking Maintenance & Improvements		1,010,500	175,000 PF		339,000 PF		376,500 PF		120,000 PF				
● 3	Eck Stadium - Phase V Improvements		6,802,400	3,527,000 PG/AA				3,275,400 PG/AA						
● 4	Rhatigan Student Center Expansion/Renovation		28,400,000	18,400,000 RB/SF		10,000,000 RB/SF								
<b>Total</b>			<b>48,477,900</b>	<b>22,102,000</b>	<b>350,000</b>	<b>10,339,000</b>	<b>650,000</b>	<b>3,651,900</b>	<b>11,265,000</b>	<b>120,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**TABLE 1**  
**FY 2014 CAPITAL IMPROVEMENT REQUESTS - SUMMARY OF INSTITUTION SUBMITTALS**  
**(Page 3)**

Kansas Board of Regents  
May 16, 2012

			FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		Subsequent Years	
Agency/University Name and Project Titles			Total Project Cost	Current & Prior Years	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds
<b>Emporia State University</b>														
○	1	Stormont Maint. Remodel/Relocate Art Dept.	10,852,000			500,000 PG	4,852,000 SGF/EBF		5,500,000 SGF/EBF					
●	2	Singular/Trusler Remodel - Phase 1	2,919,875	2,919,875 HF/RF										
●	3	Singular/Trusler Remodel - Phase 2	2,419,875	152,500 HE		2,267,375 HE/RF								
	4	Morse Complex Improvements	15,500,000					15,500,000 HE/BB						
	5	Parking Maintenance & Improvements	750,000			150,000 PF		150,000 PF		150,000 PF		150,000 PF		
<b>Total</b>			<b>32,441,750</b>	<b>3,072,375</b>	<b>0</b>	<b>2,917,375</b>	<b>4,852,000</b>	<b>15,650,000</b>	<b>5,500,000</b>	<b>150,000</b>	<b>0</b>	<b>150,000</b>	<b>0</b>	<b>150,000</b>
<b>Pittsburg State University</b>														
○	1	KTC New School of Construction	5,000,000		5,000,000 SGF									
	2	KTC Diesel & Heavy Equipment Building	5,000,000		5,000,000 SGF									
	3	McPherson Hall Expansion	4,000,000		4,000,000 SGF									
●	4	Fine and Performing Arts Center	30,000,000	13,705,000 PG		16,295,000 PG/SF/BB								
●	5	Indoor Event Center	10,000,000	1,000,000 PG		2,000,000 PG		7,000,000 PG/SF/BB						
●	6	Weede Physical Education Building Renovation	2,000,000	1,000,000 PG		1,000,000 PG								
○	7	Sports Complex Improvements	1,200,000			800,000 PG		400,000 PG						
	8	Business Conference Center	8,500,000					4,250,000 PG		4,250,000 PG				
	9	Parking Maintenance & Improvements	1,200,000	200,000 PF		200,000 PF		200,000 PF		200,000 PF		200,000 PF		
	10	JHO Student Center Improvements	1,500,000	250,000 SF		250,000 SF		250,000 SF		250,000 SF		250,000 SF		
	11	JHO Student Center Expansion	14,100,000	1,500,000 SF/BB		6,000,000 SF/BB		6,600,000 SF/BB						
	12	Housing System Maintenance & Improvements	3,000,000	500,000 HF		500,000 HF		500,000 HF		500,000 HF		500,000 HF		
●	13	Renovations to Existing Housing	14,500,000	7,000,000 HF/BB		3,000,000 HF/BB		3,500,000 HF/BB		1,000,000 HF/BB				
<b>Total</b>			<b>100,000,000</b>	<b>25,155,000</b>	<b>14,000,000</b>	<b>30,045,000</b>	<b>0</b>	<b>22,700,000</b>	<b>0</b>	<b>6,200,000</b>	<b>0</b>	<b>950,000</b>	<b>0</b>	<b>950,000</b>
<b>Fort Hays State University</b>														
	1	Parking Improvements	2,000,000			400,000 PF		400,000 PF		400,000 PF		400,000 PF		
	2	Tiger Place Housing	9,200,000	9,200,000 PD										
	3	Indoor Practice Facility	4,000,000	4,000,000 PG/T										
●	4	Center for Networked Learning	10,250,000	10,250,000 T										
○	5	Wind Power Generation Facility	13,000,000	13,000,000 T										
	6	Wiest Housing Replacement	14,000,000			520,000 HF		8,800,000 HF		260,000 HF		4,420,000 HF		
<b>Total</b>			<b>52,450,000</b>	<b>36,450,000</b>	<b>0</b>	<b>920,000</b>	<b>0</b>	<b>9,200,000</b>	<b>0</b>	<b>660,000</b>	<b>0</b>	<b>4,820,000</b>	<b>0</b>	<b>400,000</b>
<b>Grand Total</b>			<b>1,179,641,995</b>	<b>360,116,060</b>	<b>69,350,000</b>	<b>127,729,035</b>	<b>91,502,000</b>	<b>141,279,900</b>	<b>83,765,000</b>	<b>99,030,000</b>	<b>59,000,000</b>	<b>59,470,000</b>	<b>55,000,000</b>	<b>26,000,000</b>

**FUNDING SOURCES:**

AA - Athletic Association  
EBF - Educational Building Fund  
ELARF - Expanded Lottery Act Revenues Fund

F - Federal  
HF - Housing Funds  
IMP - Infrastructure Maintenance Program

KBA - Kansas Bioscience Authority  
PF - Parking Fee  
PG - Private Gifts  
FICA - Federal Insurance Contributions Act

RB - Revenue Bonds  
RF - Restricted Fees  
SB - State Bonds  
PD - Private Development

SF - Student Fees  
SGF - State General Fund  
SU - Student Union

T - Tuition  
UI - University Interest  
VMR - Veterinary Medicine Hosp. Rev.



Completed Architectural Program Statement.  
Completed Preliminary Program Statement.

**TABLE 2**  
**FY 2014 CAPITAL IMPROVEMENT REQUESTS - SUMMARY OF STAFF RECOMMENDATIONS**  
**(Page 1)**

Kansas Board of Regents  
May 16, 2012

			FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		Subsequent Years	
Agency/University Name and Project Titles			Total Project Cost	Current & Prior Years	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds
<b>Kansas Board of Regents</b>														
●	1	Deferred Maintenance Program	100,000,000		20,000,000		20,000,000		20,000,000		20,000,000			
					ELARE		ELARE		ELARE		ELARE			
○	2	Rehabilitation & Repair	210,000,000	35,000,000	35,000,000		35,000,000		35,000,000		35,000,000			
					FBE		FBE		FBE		FBE			
<b>Total</b>			<b>310,000,000</b>	<b>35,000,000</b>	<b>55,000,000</b>	<b>0</b>	<b>55,000,000</b>	<b>0</b>	<b>55,000,000</b>	<b>0</b>	<b>55,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>University of Kansas</b>														
●	1	Engineering Expansion - Phase 2 (Engineering Initiative)	65,000,000	60,500,000		4,500,000								
					SB	SB								
●	2	Ekdahl Dining Commons Renovation	3,400,000	3,400,000										
					SU									
●	3	Murphy Hall Swarthout Recital Hall Remodel	1,450,000	1,450,000										
					PG									
●	4	Lindley Hall Addition - Energy & Environ. Ctr. Ph 1	28,785,000	28,785,000										
					PG									
	5	Parking Maintenance & Improvements	3,500,000	1,500,000		1,000,000		1,000,000						
					PF	PF		PF						
<b>Total</b>			<b>102,135,000</b>	<b>95,635,000</b>	<b>0</b>	<b>5,500,000</b>	<b>0</b>	<b>1,000,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>University of Kansas Medical Center</b>														
○	1	Parking Maintenance & Improvements	1,500,000	500,000		500,000		500,000						
					PF	PF		PF						
<b>Total</b>			<b>1,500,000</b>	<b>500,000</b>	<b>0</b>	<b>500,000</b>	<b>0</b>	<b>500,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**TABLE 2**  
**FY 2014 CAPITAL IMPROVEMENT REQUESTS - SUMMARY OF STAFF RECOMMENDATIONS**  
**(Page 2)**

Kansas Board of Regents  
May 16, 2012

			FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		Subsequent Years	
Agency/University Name and Project Titles			Total Project Cost	Current & Prior Years	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds
<b>Kansas State University</b>														
1	Parking Maintenance & Improvements		5,100,000	1,100,000 PF		800,000 PF		800,000 PF		800,000 PF		800,000 PF		
• 2	West Memorial Stadium Renovation - Phase 1		5,600,000	1,300,000 RF		2,000,000 IMP		2,300,000 UI						
• 3	Bramlage Coliseum/Snyder Stadium Improvem'ts - Ph. 1		22,140,835	22,140,835 AA/PG/BB										
• 4	Snyder Stadium Improvements - Ph. 2		75,000,000	73,435,000 AA/PG/BB		1,565,000 AA/PG/BB								
5	West Hall Mechanical Renovation		3,000,000	2,500,000 HF				500,000 PG						
• 6	Jardine Apartment Housing - Phase 2		36,000,000	10,000,000 HF/BB						13,000,000 HF/BB		13,000,000 HF/BB		
• 7	Jardine Apartment Roads & Parking - Phase 3		2,150,000	650,000 HF/BB		1,500,000 HF/BB								
• 8	Kramer & Derby Dining Improvements		35,000,000	10,000,000 HF/BB				8,500,000 HF/BB		8,500,000 HF/BB		8,000,000 HF/BB		
9	New Residence Hall & Renovate Marlatt/Goodnow Halls		45,000,000	1,250,000 HF/BB		29,000,000 HF/BB		14,750,000 PG/BB						
10	KSU-S Apartment Complex		4,000,000	2,000,000 RB		2,000,000 RB								
11	Engineering Complex Addition (Engineering Initiative)		40,000,000			20,000,000 PG/F		20,000,000 PG/F						
12	Large Animal Holding Building		11,800,000			750,000 PG/RF		8,000,000 PG/RF		3,050,000 PG/RF				
13	Veterinary Medical Hospital Surgery Suite Remodel		2,342,660			342,660 VMR		2,000,000 VMR						
• 14	Justin Hall Addition		5,225,850	5,225,850 PG										
○ 15	OCWLF Removal & Groundwater Treatment		4,000,000	4,000,000 F										
16	Durland Hall Chemical Lab Renovation		2,000,000	2,000,000 RF/F										
• 17	East Memorial Stadium Welcome Center		17,000,000	250,000 PG		2,000,000 PG		10,000,000 PG		4,750,000 PG				
• 18	Equine Education Center		15,000,000	2,600,000 PG		1,000,000 PG		1,000,000 PG		1,000,000 PG		1,000,000 PG		7,400,000 PG
• 19	Grain Science Center - Feed Mill		13,000,000	3,000,000 PG		10,000,000 PG								
20	Rowing Practice Building		2,000,000	750,000 PG		1,250,000 PG								
21	Agronomy Education Center		2,028,000					228,000 PG		1,800,000 PG				
22	College of Business Building		50,000,000			2,500,000 PG		26,000,000 PG		21,500,000 PG				
23	Cardwell Hall Addition		20,000,000					1,000,000 PG		10,000,000 PG		9,000,000 PG		
• 24	S.E. Research & Extension Headquarters Building		2,000,000					500,000 RF/PG		1,500,000 RF/PG				
• 25	General Use Classroom Building		20,000,000					1,500,000 PG		9,000,000 PG		9,000,000 PG		500,000 PG
26	International Visitors' Residence		1,250,000							50,000 PG		1,200,000 PG		
<b>Total</b>			<b>440,637,345</b>	<b>142,201,685</b>	<b>0</b>	<b>74,707,660</b>	<b>0</b>	<b>88,578,000</b>	<b>0</b>	<b>61,900,000</b>	<b>0</b>	<b>41,350,000</b>	<b>0</b>	<b>7,400,000</b>
<b>Wichita State University</b>														
1	Parking Maintenance & Improvements		1,010,500	175,000 PF		339,000 PF		376,500 PF		120,000 PF				
• 2	Eck Stadium - Phase V Improvements		6,802,400	3,527,000 PG/AA				3,275,400 PG/AA						
• 3	Rhatigan Student Center Expansion/Renovation		28,400,000	18,400,000 BB/SE		10,000,000 BB/SE								
<b>Total</b>			<b>36,212,900</b>	<b>22,102,000</b>	<b>0</b>	<b>10,339,000</b>	<b>0</b>	<b>3,651,900</b>	<b>0</b>	<b>120,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**TABLE 2**  
**FY 2014 CAPITAL IMPROVEMENT REQUESTS - SUMMARY OF STAFF RECOMMENDATIONS**  
**(Page 3)**

Kansas Board of Regents  
May 16, 2012

			FY 2014		FY 2015		FY 2016		FY 2017		FY 2018		Subsequent Years	
Agency/University Name and Project Titles			Total Project Cost	Current & Prior Years	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds	State Tax Funds	Other Funds
<b>Emporia State University</b>														
●	1	Singular/Trusler Remodel - Phase 1	2,919,875	2,919,875 <sub>HE/RF</sub>										
●	2	Singular/Trusler Remodel - Phase 2	2,419,875	152,500 <sub>HF</sub>		2,267,375 <sub>HE/RF</sub>								
	3	Morse Complex Improvements	15,500,000					15,500,000 <sub>HE/RF</sub>						
	4	Parking Maintenance & Improvements	750,000			150,000 <sub>PF</sub>		150,000 <sub>PF</sub>		150,000 <sub>PF</sub>		150,000 <sub>PF</sub>		
<b>Total</b>			<b>21,589,750</b>	<b>3,072,375</b>	<b>0</b>	<b>2,417,375</b>	<b>0</b>	<b>15,650,000</b>	<b>0</b>	<b>150,000</b>	<b>0</b>	<b>150,000</b>	<b>0</b>	<b>0</b>
<b>Pittsburg State University</b>														
●	1	Fine and Performing Arts Center	30,000,000	13,705,000 <sub>PG</sub>		16,295,000 <sub>PG/SF/RF</sub>								
●	2	Indoor Event Center	10,000,000	1,000,000 <sub>PG</sub>		2,000,000 <sub>PG</sub>		7,000,000 <sub>PG/SF/RF</sub>						
●	3	Weede Physical Education Building Renovation	2,000,000	1,000,000 <sub>PG</sub>		1,000,000 <sub>PG</sub>								
○	4	Sports Complex Improvements	1,200,000			800,000 <sub>PG</sub>		400,000 <sub>PG</sub>						
	5	Business Conference Center	8,500,000					4,250,000 <sub>PG</sub>		4,250,000 <sub>PG</sub>				
	6	Parking Maintenance & Improvements	1,200,000	200,000 <sub>PF</sub>		200,000 <sub>PF</sub>		200,000 <sub>PF</sub>		200,000 <sub>PF</sub>		200,000 <sub>PF</sub>		
	7	JHO Student Center Improvements	1,500,000	250,000 <sub>SF</sub>		250,000 <sub>SF</sub>		250,000 <sub>SF</sub>		250,000 <sub>SF</sub>		250,000 <sub>SF</sub>		
	8	JHO Student Center Expansion	14,100,000	1,500,000 <sub>SF/RF</sub>		6,000,000 <sub>SF/RF</sub>		6,600,000 <sub>SF/RF</sub>						
	9	Housing System Maintenance & Improvements	3,000,000	500,000 <sub>HF</sub>		500,000 <sub>HF</sub>		500,000 <sub>HF</sub>		500,000 <sub>HF</sub>		500,000 <sub>HF</sub>		
●	10	Renovations to Existing Housing	14,500,000	7,000,000 <sub>HE/RF</sub>		3,000,000 <sub>HE/RF</sub>		3,500,000 <sub>HE/RF</sub>		1,000,000 <sub>HE/RF</sub>				
<b>Total</b>			<b>86,000,000</b>	<b>25,155,000</b>	<b>0</b>	<b>30,045,000</b>	<b>0</b>	<b>22,700,000</b>	<b>0</b>	<b>6,200,000</b>	<b>0</b>	<b>950,000</b>	<b>0</b>	<b>0</b>
<b>Fort Hays State University</b>														
	1	Parking Improvements	2,000,000			400,000 <sub>PF</sub>		400,000 <sub>PF</sub>		400,000 <sub>PF</sub>		400,000 <sub>PF</sub>		
	2	Tiger Place Housing	9,200,000	9,200,000 <sub>PD</sub>										
	3	Indoor Practice Facility	4,000,000	4,000,000 <sub>PG/T</sub>										
●	4	Center for Networked Learning	10,250,000	10,250,000 <sub>T</sub>										
○	5	Wind Power Generation Facility	13,000,000	13,000,000 <sub>T</sub>										
	6	Wiest Housing Replacement	14,000,000			520,000 <sub>HE</sub>		8,800,000 <sub>HE</sub>		260,000 <sub>HE</sub>		4,420,000 <sub>HE</sub>		
<b>Total</b>			<b>52,450,000</b>	<b>36,450,000</b>	<b>0</b>	<b>920,000</b>	<b>0</b>	<b>9,200,000</b>	<b>0</b>	<b>660,000</b>	<b>0</b>	<b>4,820,000</b>	<b>0</b>	<b>0</b>
<b>Grand Total</b>			<b>1,050,524,995</b>	<b>360,116,060</b>	<b>55,000,000</b>	<b>124,429,035</b>	<b>55,000,000</b>	<b>141,279,900</b>	<b>55,000,000</b>	<b>69,030,000</b>	<b>55,000,000</b>	<b>47,270,000</b>	<b>55,000,000</b>	<b>7,400,000</b>

**FUNDING SOURCES:**

AA - Athletic Association  
EBF - Educational Building Fund  
ELARF - Expanded Lottery Act Revenues Fund

F - Federal  
HF - Housing Funds  
IMP - Infrastructure Maintenance Program

KBA - Kansas Bioscience Authority  
PF - Parking Fee  
PG - Private Gifts  
FICA - Federal Insurance Contributions Act

RB - Revenue Bonds  
RF - Restricted Fees  
SB - State Bonds  
PD - Private Development

SF - Student Fees  
SGF - State General Fund  
SU - Student Union

T - Tuition  
UI - University Interest  
VMR - Veterinary Medicine Hosp. Rev.

- Completed Architectural Program Statement.
- Completed Preliminary Program Statement.

**5. Approve Naming of Buildings – KSU**

- Kansas State University requests approval to name the recently funded animal science facility. The facility is part of the Equine Education Complex located immediately north of Kimball Avenue and west of Denison Avenue.
- Kansas State University requests approval to name the Departments of Grain Science and Industry and Animal Sciences and Industry's new feed technology innovation center. The new center is located in the Grain Science Complex north of Kimball Avenue and west of Denison Avenue.

**6. Adopt Bond Resolution – Engineering Initiative Act Project – KU** **Julene Miller,  
General Counsel**

## Summary and Staff Recommendation

*The University of Kansas requests that the Board of Regents adopt a Resolution authorizing the issuance of K DFA Revenue Bonds in one or more series in an aggregate amount not to exceed \$65,000,000 plus costs and reserves. The purpose of the Bonds is to finance the costs of acquiring, constructing and equipping an engineering facility to be located on the Lawrence campus. The Bonds will be secured and debt serviced with a pledge of KU's share of the Expanded Lottery Act Revenue Funds and other appropriate, unencumbered special revenue funds of the University. As of March 2012, the University and its affiliated corporations had approximately \$396 million in outstanding revenue bonds. While the University has identified a specific revenue source to pay the debt service on the outstanding bonds, approximately \$155.1 million is also supported by a pledge of generally available unencumbered funds of the University.*

*The Resolution further authorizes the Chair and the President and CEO to execute the Resolution, a Pledge of Revenues Agreement and various other documents relating to the security and payment of such Bonds in such form as is approved by the General Counsel to the Board and necessary to accomplish the purposes set forth in the Resolution and the issuance of the Bonds.*

## Background

The Kansas Development Finance Authority (KDFA), created by the 1987 Kansas Legislature, K.S.A. 74-8901, *et seq.*, has authority to issue bonds on behalf of the State for projects authorized by the Legislature. K.S.A. Supp. 74-8905(b) provides, in part, that:

The authority may issue bonds for activities and projects of state agencies as requested by the secretary of administration. Research facilities of state educational institutions shall be subject to the provisions of this subsection (b). No bonds may be issued pursuant to this act for any activity or project of a state agency unless the activity or project either has been approved by an appropriation or other act of the legislature or has been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto.

Authority to initiate and complete a capital improvement project, and to issue revenue bonds, for the University of Kansas' School of Engineering Project Phase II has been granted by the Legislature in Chapter 103, Section 2 of the 2011 Kansas Session Laws, the latter of which provides:

The university of Kansas may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project, except that expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$65,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds. All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. Debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds of the university of Kansas.

Additionally, the Legislature enacted the University Engineering Initiative Act, K.S.A. 2011 Supp. 76-7,136 *et seq.*, in an effort to expand engineering programs at the University of Kansas, Wichita State University and Kansas State University. The Act authorizes the Board and the universities to acquire,

construct and equip engineering facilities on state-owned property for purposes of educating engineers, upon consultation with the Secretary of Commerce and the Joint Building Committee. The Expanded Lottery Act was amended to provide for a transfer of funds from the Expanded Lottery Act Revenues Fund to the Kan-Grow Engineering Fund – KU to be applied for purposes of the University Engineering Initiative Act, including payment of costs of the Project. K.S.A. 2011 Supp. 74-8768(b).

Pursuant to these authorizations, KDFA proposes to issue Revenue Bonds in an aggregate principal amount not to exceed \$65,000,000, plus all amounts required for costs of issuance, costs of interest on such revenue bonds during the construction of the project, credit enhancement costs, and any required reserves for the payment of principal and interest on such revenue bonds, for the purpose of funding the Project.

The University of Kansas has asked the Board to adopt a Resolution authorizing the issuance of such KDFA Revenue Bonds. The purpose of the Bonds is to finance the costs to acquire, construct and equip an engineering facility on the Lawrence campus. The bonds will be secured and debt serviced with a pledge of KU's share of the Expanded Lottery Act Revenue Funds and other available unencumbered funds of the University.

This project includes 27,000 gross square feet (gsf) of modern instructional space, 18,900 gsf of undergraduate program support space, tutoring and study areas, and a 17,600 gsf student project center for design/build projects. In support of the additional faculty required for the expansion of the instructional program, the proposed expansion includes 37,500 gsf of modern research wet and dry labs and rooms for specialized analytical equipment. Total additional building area is 101,000 gsf. The project scope also include funding to relocate the campus Environmental Health and Safety office out of Burt Hall to Kurata Lab on west campus and for the subsequent remediation and demolition of Burt Hall to provide additional site for the Engineering Expansion.

In conjunction with the issuance of the proposed bonds, since KDFA has and will incur expenses in relation to the issuance of the proposed bonds and subsequent administration of the Resolution and Pledge of Revenues Agreement(s), it will be necessary to execute an Administrative Agreement to provide for reimbursement of those expenses, as well as other documents and certificates necessary to accomplish the purposes set forth in the Resolution and the issuance and delivery of the bonds.

The Board is asked to approve the Resolution (set out in full below) which approves the issuance of the bonds and authorizes the Chair and the President and CEO of the Board to execute the Pledge Agreement and Administrative Agreement in such form as is approved by the General Counsel and to execute any and all other documents and certificates necessary to accomplish the purposes of the Resolution and the issuance of the bonds. Staff recommends approval of the resolution.

## RESOLUTION

**A RESOLUTION OF THE KANSAS BOARD OF REGENTS APPROVING THE ISSUANCE BY THE KANSAS DEVELOPMENT FINANCE AUTHORITY OF ITS KANSAS DEVELOPMENT FINANCE AUTHORITY REVENUE BONDS (UNIVERSITY OF KANSAS ENGINEERING PROJECT) TO PROVIDE ALL OR A PORTION OF THE FUNDS NECESSARY TO ACQUIRE, CONSTRUCT AND EQUIP AN ENGINEERING FACILITY TO BE LOCATED ON THE LAWRENCE, KANSAS CAMPUS OF THE UNIVERSITY OF KANSAS; AND AUTHORIZING THE EXECUTION OF A PLEDGE OF REVENUES AGREEMENT AMONG THE KANSAS BOARD OF REGENTS, THE UNIVERSITY OF KANSAS AND THE KANSAS DEVELOPMENT FINANCE**

**AUTHORITY THAT CONTAINS CERTAIN COVENANTS AND PROVISIONS WITH RESPECT TO THE PLEDGE OF CERTAIN FUNDS OF THE UNIVERSITY OF KANSAS THAT WILL PROVIDE FOR THE PAYMENT OF SUCH BONDS.**

---

**WHEREAS**, the Kansas Board of Regents (the "Board") is vested under the Constitution and laws of the State of Kansas with supervision and control over the University of Kansas located in the City of Lawrence, Kansas (the "University"), and is authorized under such laws to adopt this Resolution and perform, execute and carry out, or cause to be performed, executed and carried out, the powers, duties and obligations of the Board under this Resolution in connection with the acquisition, construction and equipping of engineering facilities located on the campus of the University and the University's operation thereof; and

**WHEREAS**, the Board has heretofore determined that it is advisable to acquire, construct and equip an engineering facility on the Lawrence, Kansas campus of the University pursuant to a capital improvement project for the University of Kansas School of Engineering Expansion Project Phase II (the "Project"); and

**WHEREAS**, the Project constitutes a capital improvement project for engineering facilities contemplated by K.S.A. 2011 Supp. 76-7,140 and has been authorized by Chapter 103, New Section 2 of the 2011 Kansas Session Laws; and

**WHEREAS**, the Board and the University advised and consulted with the Joint Committee on State Building Construction regarding the Project, pursuant to K.S.A. 2011 Supp. 76-7,140, at the Committee's October, 2011 meeting; and

**WHEREAS**, by letter dated November 21, 2011, the Secretary of Commerce, in consultation with the Board, has approved the Project pursuant to K.S.A. 2011 Supp. 76-7,140; and

**WHEREAS**, pursuant to K.S.A. 2011 Supp. 74-8768(b) and K.S.A. 2011 Supp. 76-7,141(a)(2), (i) on July 1 in the years 2012 through 2021, \$3,500,000 of moneys credited to the Expanded Lottery Act Revenues Fund shall be transferred to the Kan-Grow Engineering Fund-KU established pursuant to K.S.A. 2011 Supp. 76-7,141(a)(1) (the "KU Kan-Grow Fund") to be applied for purposes of the University Engineering Initiative Act, which includes payment of costs of the Project, and (ii) each expenditure from the KU Kan-Grow Fund that is transferred from the Expanded Lottery Act Revenues Fund moneys shall be required to be matched on a \$1 for \$1 basis from non-state sources; and

**WHEREAS**, the Board has adopted a requirement that State universities will fund annual maintenance, repair and rehabilitation from either gifts, existing university resources, student fees or operating revenues of said facilities and the University has a plan to do so for the Project; and

**WHEREAS**, Chapter 103, New Section 2 of the 2011 Kansas Session Laws authorizes the Kansas Development Finance Authority (the "Authority"), on behalf of the Board and the University, to issue its revenue bonds in an aggregate principal amount of not to exceed an amount that provides not more than \$65,000,000 for the payment of the costs of the Project, plus all amounts required for costs of issuance, costs of interest on such revenue bonds during the construction of the Project and any required reserves for the payment of principal and interest on such revenue bonds (the "Bonds"); and

**WHEREAS**, the University has requested that the Bonds be issued by the Authority on behalf of the Board and the University pursuant to the Chapter 103, New Section 2 of the 2011 Kansas Session Laws and K.S.A. 74-8901 *et seq.*; and



**WHEREAS**, the University has requested that the Bonds be secured by the pledge of (i) moneys deposited in the KU Kan-Grow Fund pursuant to K.S.A. 2011 Supp. 74-8768(b) and (ii) generally available unencumbered funds of the University; and

**WHEREAS**, the Board, upon recommendation of the University, hereby finds and determines that it is advisable that the Bonds be issued by the Authority on behalf of the Board and the University and be secured by the pledge of (i) moneys deposited in the KU Kan-Grow Fund pursuant to K.S.A. 2011 Supp. 74-8768(b) and (ii) generally available unencumbered funds of the University; and

**WHEREAS**, prior to the issuance of the Bonds, the Authority will receive from the Secretary of Administration a request to issue revenue bonds for the purpose of financing the Project and paying related costs and reserves on behalf of the Board and the University; and

**WHEREAS**, in conjunction with the issuance of the Bonds, it is necessary to authorize the execution of a Pledge of Revenues Agreement among the Board, the University and the Authority (the "Pledge Agreement"), which contains certain covenants and provisions with respect to the pledge of (i) moneys deposited in the KU Kan-Grow Fund pursuant to K.S.A. 2011 Supp. 74-8768(b) and (ii) generally available unencumbered funds of the University, which will secure and provide for the payment of the Bonds; and

**WHEREAS**, it is recognized that the Authority has and will incur additional expenses in relation to the issuance of the Bonds and subsequent administration and enforcement of the Pledge Agreement; and the University desires to reimburse the Authority for said additional expenses through the execution of an Administrative Service Fee Agreement (the "Administrative Agreement").

**NOW THEREFORE, BE IT RESOLVED BY THE KANSAS BOARD OF REGENTS, AS FOLLOWS:**

**SECTION 1.** The Board hereby approves the issuance of the Bonds by the Authority on behalf of the Board and the University, in one or more series to finance all or a portion of the costs of the Project in an aggregate principal amount not in excess of the limitations described in Chapter 103, New Section 2 of the 2011 Kansas Session Laws. The Bonds shall be issued substantially in the form and with the repayment terms and provisions contained in information to be presented to the Board by the Authority and the University, all as may be approved by the Chair or his/her designate and the General Counsel to the Board.

**SECTION 2.** The Board hereby authorizes and instructs the Chair and President and CEO of the Board to execute on behalf of the Board the Pledge Agreement and such other documents and certificates necessary to accomplish the purposes set forth in this Resolution and the issuance of the Bonds, including any documents and certificates necessary to accomplish any temporary financing entered into in anticipation of the issuance of the Bonds, in such forms as are approved by the General Counsel to the Board. The Board further authorizes the Chancellor of the University to execute on behalf of the University the Pledge Agreement, the Administrative Agreement and such other documents and certificates necessary to accomplish the purposes set forth in this Resolution and the issuance of the Bonds, including any documents and certificates necessary to accomplish any temporary financing entered into in anticipation of the issuance of the Bonds, in such forms as are approved by the General Counsel to the University.

**SECTION 4.** This Resolution shall be in full force and effect from and after its adoption.

**CERTIFICATE**

We, the undersigned Chair and President and CEO of the Kansas Board of Regents (the "Board"), hereby certify that the foregoing Resolution was lawfully adopted by the Board at its meeting held on May 16, 2012.

**KANSAS BOARD OF REGENTS**

(SEAL)

By \_\_\_\_\_  
Ed McKechnie, Chair

**ATTEST:**

By \_\_\_\_\_  
Andy Tompkins, President and CEO

**7. Approve Proposed Memorandum of Agreement between the University of Kansas Medical Center and FOP Lodge #37, Representing Campus Police – KU**

**Theresa Schwartz,  
Associate General Counsel**

***Summary and Staff Recommendation***

*The University of Kansas requests the Board's approval of the proposed Memorandum of Agreement between the University of Kansas Medical Center and the Fraternal Order of Police Lodge 37 (representing Police Officers and Police Corporals at the University of Kansas Medical Center, Kansas City) for fiscal years 2013, 2014, and 2015. This Agreement modifies the previous version to reflect the recent conversion of public safety department positions at the Medical Center from classified service to university support staff (USS). Previous references to Kansas administrative regulations have been replaced with the applicable citations to the official policies of the University of Kansas Medical Center – University Support Staff. Retention incentive and longevity pay are no longer a part of the Agreement. New salaries will be based on market data, which shows an approximate 10% gap, and funded through internal reallocation. The Medical Center has also agreed to issue duty footwear to each police officer. Other changes are minor and largely reflect operational practices. Board Staff has reviewed the agreement for compliance with Board policies, and state and federal law. Staff recommends approval of the Agreement and authorizing the Chair to execute the Agreement on behalf of the Board.*

**BACKGROUND**

The Fraternal Order of Police, Lodge 37, has been the certified bargaining unit representative of University Police Officers and University Police Corporals on the University of Kansas Medical Center campus since 1991. The last Memorandum of Agreement between the unit and the university was entered into in 2007 with a duration of three years. Under the terms of that Agreement, its provisions continued to renew from year to year after its June 30, 2010 expiration unless one of the parties gave notice that it wished to reopen negotiations. On September 27, 2010, Lodge 37 informed the Medical Center that it wished to reopen the Agreement.

Meet and confer sessions were held from November 2010 through April 2012. As a result of these negotiations, on April 26<sup>th</sup> a tentative agreement was reached on all 44 articles or sections. The members of Lodge 37 voted on April 27, 2012 to ratify the new agreement.

The Public Employer-Employee Relations Act (PEERA) (pursuant to which State agencies are required to meet and confer with their employees' recognized bargaining units over terms and conditions of employment) first took effect in 1972. In 1983, the Kansas Supreme Court held that KBOR is the employer as well as the appropriate governing body for purposes of PEERA and therefore the Board "must approve any proposed agreement in order to make it binding and effective. K.S.A. 75-4331."<sup>1</sup> Therefore, the Kansas Board of Regents performs the role of approving agreements that are negotiated between Universities and the certified representatives of employee bargaining units.

Board staff has reviewed the subject agreement and finds that it complies with Board policies, as well as state and federal law. Staff therefore recommends that the Board approve the agreement and authorize the Board Chair to execute it on behalf of the Board.

**SUMMARY OF CHANGES FROM EXISTING AGREEMENT**

Preamble - - New dates.

<sup>1</sup> *Kansas Board of Regents and Pittsburg State University v. Pittsburg State University Chapter of KNEA and PEERB*, 233 Kan. 801, 812 (1983).

Article 1 – Recognition - - No Changes.

Article 2 – Recognition of Management Rights - - No Changes.

Article 3 – Lodge/Management Cooperation - - No Changes.

Article 4 - - Non-Discrimination - - No Changes.

Article 5 - - Meet & Confer Committee

New Agreement allows for no more than six (lodge) committee members with no more than two being in pay status. Existing Agreement is no more than five members.

Article 6 – Lodge Representation - - No Changes.

Article 7 - - Training and Development - - Change from 2 to 3 Lodge members who may attend national or state conferences on a paid status.

Article 8 - - Use of Facilities - - No Changes.

Article 9 - Check-Off of Lodge Dues - - No Changes.

Article 10 – No Interference/No Lock Out - - No Changes.

Article 11 – Official Personnel Records - - Minor change in wording.

Article 12 – Work Week and Overtime – Change in allowed shift maximum hours (increased to allow up to 12 hours) reinforces the Medical Center’s right to change or modify shift schedules as necessary to meet business and operational needs. Also, clarified procedures for assigning overtime.

Article 13 – Holidays - - No Changes.

Article 14 – Salaries -- Retention incentive and longevity pay are no longer a part of the Agreement. New salaries will be based on market data, which shows an approximate 10% gap, and will be funded through internal reallocation.

Article 15 – Shift Differential - - No Change.

Article 16 – Standby, Call-in and Callback Pay - - Change to the University Support Staff Policy

Article 17 – Residential Requirement - - Title Change only. Associate Vice Chancellor of Public Safety.

Article 18 – Probation - - Change to the University Support Staff Policy. Length of probation may be extended to 18 months.

Article 19 – Productivity Measures – No Changes.

Article 20 – Safety - - Title Changes only. Police Services Captain.

Article 21 – Meal Periods - -No Changes.

Article 22 – Meals and Lodging Expenses - - No Changes.

Article 23 – Cleanup Time - - No Changes.

Article 24 – Workers’ Compensation - - No Changes.

Article 25 – Time Off For Voting - - No Changes.

Article 26 – Weapons Proficiency - - No Changes.

Article 27 – Mandatory Court Appearances - - No Changes.

Article 28 – Internal Affairs - -Change allows for the Officer to be represented by either a lodge representative or a lodge attorney.

Article 29 – Leave Without Pay - - Change to reflect the University Support Staff Policy.

Article 30 – Jury Duty Leave - - Change to reflect the University Support Staff Policy.

Article 31 – Death Leave - - No Change.

Article 32 – Military Leave - - No Change.

Article 33 – Wellness Program - - Minor changes in wording.

Article 34 – Light Duty - - No Changes.

Article 35 – Review Board - -Minor changes in wording.

Article 36 – Uniforms – Department agrees to pay for duty footwear in an amount not to exceed \$125 per year. Previous Article 36A, which dealt with issuing a flashlight, is now included in Article 36.

Article 37 – Promotion – No Change.

Article 38 – Seniority – Changes for shift bidding to annually. Based on an alternating schedule of performance and seniority.

Article 39 – Disciplinary Action – Change to reflect the University Support Staff Policy.

Article 40 – Grievance Procedure – Change to reflect the University Support Staff Policy.

Article 41 – Lockers – No Change.

Article 42 – Savings Clause – No Change.

Article 43 – Manual of Operations – The department will make an electronic version of written policy available to all personnel.

Article 44 – Duration and Termination Approval of the Board of Regents, Governor and Legislature – Provides for an annual reopener on wages only, which can be requested by either party.

**Conclusion and Recommendation**

The University of Kansas recommends that the Board approve the Medical Center's implementation of the Memorandum of Agreement as outlined above. Legal Staff has reviewed the agreement, comparing it to the prior version, and found nothing that conflicts with Board policy or state and federal law. Staff therefore recommends the Board approve the Memorandum of Agreement and authorize the Chair to execute the Agreement on behalf of the Board.

C. *Retirement Plan*

Regent Lykins

1. **Approve Recommended Revenue Credit Distribution for TIAA-CREF Participants in the Board's Mandatory Retirement Plan****Madi Vannaman,  
Staff Affiliate****Summary and Retirement Plan Committee Recommendation**

*TIAA-CREF, one of the two Investment Providers approved by the Board under the Kansas Board of Regents (KBOR) Mandatory Retirement Plan, informed the Retirement Plan Committee (RPC) at its March 2012 meeting that there is a revenue credit of \$1.38 million available from calendar year 2011. In order to protect and maintain the assets to be credited, the RPC instructed TIAA-CREF to deposit the credit into a TIAA Traditional investment within the Retirement Choice Plus contract, which is fully liquid and currently has a higher return than the other investment option, the TIAA-CREF money market account. The RPC discussed three alternatives for how to handle the credit funds and unanimously voted to recommend to the Board that the revenue credit be distributed, in September 2012, back to TIAA-CREF Mandatory Retirement plan participants, pro rata, based on each participant's individual account balance.*

*Another alternative that was presented to, but not adopted by, the RPC as their recommendation to the Board was to use the revenue credit to pay for Board incurred costs associated with administration of the Retirement plan.*

**Mandatory Retirement Plan**

The Kansas Board of Regents Mandatory Retirement Plan was established by the Kansas Legislature under Internal Revenue Code Section 403(b) in 1962 to provide a retirement plan vehicle for state university faculty and unclassified professional employees and Board staff employees. The creation of the KBOR plan provided an alternative to KPERS which was established the same year as the retirement plan for non-state university employees.

**TIAA-CREF and Board History**

The first and only investment company authorized by the Board in 1962 was TIAA-CREF for faculty and unclassified staff at the state universities. TIAA-CREF has been addressing the needs of higher education for over 90 years, providing high quality products and services at a low cost to help provide retirement security of participants. Over the past decade, as changes have occurred to their clients and to the legislative and economic landscape, TIAA-CREF has been proactively addressing the changing dynamics in the marketplace.

Historically, TIAA-CREF was run as a single pension system, designed to serve the needs of all clients and their retirement plan participants. The economics of providing plan administration/recordkeeping, employee services and fiduciary/compliance services was formulated to cover the costs of all products and services for all plan participants of the single system. The "system-wide" pricing approach meant that all 3.6 million plan participants paid the same price for TIAA-CREF products and services, regardless of institution or the size of the institution's plan. If overall revenues exceeded overall expenses, under the "system-wide" approach, those excess dollars were returned to all TIAA-CREF participants in every plan by lowering the expense ratios for the CREF Annuities and/or through dividends paid on the TIAA fixed account. In fact, most TIAA-CREF retirement plans had the same annuity account lineup and service offerings. Initially, one advantage of this approach was the portability of participant accounts across higher education institutions, without necessitating a change to the participant's underlying annuity contract.

**TIAA-CREF Plan Pricing**

TIAA-CREF is implementing a new pricing approach that is responsive to the changing needs of their clients and the regulatory environment. Clients, along with their consultants, desire to have an open architecture structure that provides mutual fund offerings along with the proprietary investment offerings and they also are

looking at the pricing for products and services. Additionally, the regulatory environment has changed with the publication of 403(b) regulations and the use of industry standards for business practices.

### **TIAA-CREF's Plan-based Platform Model**

TIAA-CREF is moving away from the “system-wide” platform” to a “plan-based” platform to accommodate fiduciary and plan sponsor needs. This change allows TIAA-CREF to provide open architecture, plan design differences and plan economics to each client individually based on participant usage.

TIAA-CREF's new “plan-based” business model takes into account each plan's specific economics and plan features. TIAA-CREF will align their fee structure with the costs to run the KBOR plan specifically, based on the plan's specific participant population demographics, product/service offerings, plan administration complexity and investment menu structure. This new approach will enable TIAA-CREF to offer greater transparency regarding KBOR's plan expenses and plan revenue requirements.

### **KBOR Plan Changes in 2010 and 2011**

For the “plan-based” business model, the first steps taken for the KBOR plan were to lower the revenue needed for the retirement program by transitioning to the lowest share class for all mutual funds (TIAA-CREF and non-proprietary) in the lineup. This simultaneously maximized the outcomes of the retirement program by lowering expenses of the mutual funds utilized by plan participants and minimized fiduciary risk by ensuring that the expenses are reasonable for the plan and plan participants.

KBOR plan participants are paying the lowest expenses available for TIAA-CREF mutual fund and non-proprietary funds and it is projected that the savings in participant fees will be \$2.3 million dollars over 5 years, allowing participants to keep more money working toward their financial future.

Additional changes made include enhancements to plan administration and employee services such as customized and targeted communications to participants, a customized KBOR microsite, plan administrator workshops for each campus and additional staff added to TIAA-CREF's Kansas office which is located in Lawrence.

### **Calendar Year 2011 KBOR Plan Revenue Credit**

In 2011, TIAA-CREF began discussions with their largest, most valued clients to work on a purposeful approach to align plan revenues with plan pricing. As KBOR is their fourteenth largest client, our discussions ensued in early 2011.

At the March 2012 meeting, TIAA-CREF informed the RPC about the calendar year 2011 revenue credit of \$1.38 million. That credit amount was derived by taking into account the revenue generated from the fund investment expense ratios offset by the plan services expense (employee, fiduciary/compliance, Plan administration/recordkeeping services).

The revenue credit from calendar year 2011 must be distributed in some way by December 31, 2012. The RPC was informed that, during the period of time the Board's decision on how to distribute the funds is pending, the funds could be deposited into a TIAA-CREF money market account or a TIAA Traditional investment within the Retirement Choice Plus contract. The RPC selected the TIAA Traditional investment within the Retirement Choice Plus contract as it is fully liquid and currently has a higher return (2.40% as of March 31, 2012).

The RPC considered various alternatives for the KBOR revenue credit including: (1) using the funds to provide expanded communication, education and advice about customized services; (2) payment of reasonable and necessary plan expenses incurred by the Board in connection with the Retirement Plan (i.e., 3<sup>rd</sup> party consulting fees, plan expenses, education and training for the RPC); and/or (3) returning the credit to participants either i)



pro rata, which would be based on each individual's account balance, or ii) per capita, with an equal amount credited to each participant.

After considerable discussion on these options, the RPC unanimously voted to recommend option number three to the Board.

There are approximately 21,000 KBOR participants with an average account balance of \$124,000. Illustrations of returning the revenue credit to participants show the following:

**Plan Participant Revenue Credit Illustration**

<b>Account Balance</b>	<b>\$ 500,000.00</b>	<b>\$ 250,000.00</b>	<b>\$ 124,000.00</b>	<b>\$ 60,000.00</b>	<b>\$ 10,000.00</b>
<b>Pro Rata</b>	\$ 250.15	\$ 125.08	\$ 62.04	\$ 30.02	\$ 5.00
<b>Per Capita (Equal Split)</b>	\$ 61.94	\$ 61.94	\$ 61.94	\$ 61.94	\$ 61.94

TIAA-CREF's revenue credit estimates for future years project a decline as participants utilize the lowest fund expenses available which will result in decreasing revenue, while plan service expenses will remain constant or grow.

Department of Labor regulations precipitated the entire financial industry to move to fee transparency. With the new fee disclosure requirements, ERISA plans have additional oversight responsibilities to disclose expenses and fees to participants. Although the KBOR plan is not subject to ERISA, the Board has voluntarily elected to utilize ERISA standards as best practice for its Mandatory Retirement Plan. To ensure that all plan expenses are reasonable the RPC has requested that ING, the other investment provider in the Board's Mandatory Retirement Plan, provide information at the RPC's fall meeting about the revenue and expenses ING experiences with the KBOR plan.

**KBOR Office Expenses**

As the revenue credit can be used to pay "necessary plan expenses," Diane Duffy, Vice President for Administration and Finance for the KBOR Office, asked the RPC to take into consideration Board Office expenses associated with the Retirement Plan. She noted that the Board Office had a 17% SGF cut and diversifying revenue streams as much as possible is being investigated. Ms. Duffy stated that the Segal Advising consulting contract was approximately \$45,000 annually, which is paid for by each of the state universities on a pro-rata share, and KBOR Office direct salary and overhead expenses are approximately \$40,000 annually. As such, Ms. Duffy stated that a very modest amount from the revenue credit would cover the direct expenses of the Board Office and the consultant. Mr. Picarelli of Segal Advising informed the RPC that most plans will take plan expenses into consideration first and then any additional credit would go back to the plan participants. And, in a multi-vendor environment, each vendor would pay its proportionate amount.

**RPC Recommendation**

The RPC unanimously recommended that the 2011 TIAA-CREF revenue credit be distributed back to TIAA-CREF Mandatory Retirement plan participants, on a pro rata basis, determined by each participant's individual account balance, as each participant would have paid expenses based on the contributions he or she made, and that the distribution occur in September 2012 to allow time to establish the timing and protocol for the actual distribution and to create communication pieces to inform faculty and staff after they have returned for the fall semester.

**VI. Executive Session**

**Board of Regents – Personnel Matters Relating to Non-Elected Personnel**

# CONSENT AGENDA

## VII. Reports

- |  |                                    |
|--|------------------------------------|
| A. <i>Introductions</i>                            |                                    |
| B. <i>Report from System Council of Presidents</i> | President Calaway/President Schulz |
| C. <i>Report from the Community Colleges</i>       | President Calaway                  |
| D. <i>Report from the Technical Colleges</i>       | President Edleston                 |
| E. <i>Report from Washburn University</i>          | President Farley                   |

## VIII. Approval of Consent Agenda

- |   |   |
|---|---|
| A. <i>Academic Affairs</i>  |   |
| 1. <b>Act on Requests for Additional Degree Granting Authority for Brown Mackie College</b> | <b>Gary Alexander,<br/>VP, Academic Affairs</b> |

### Staff Recommendation

*Brown Mackie College requests approval for additional degree granting authority. After a thorough review of staff qualifications, record keeping systems, coursework, materials, website platforms, extended studies, and campuses, the institution demonstrates it meets and maintains compliance with all of the statutorily imposed requirements described below. Staff recommends approval for additional degree granting authority.*

### Summary of Institution Requirements

The Private and Out-of-State Postsecondary Educational Institution Act (Act) requires private and out-of-state postsecondary educational institutions to obtain Certificates of Approval from the Kansas Board of Regents (Board) in order to lawfully “operate” in Kansas. This Act not only covers “brick and mortar” schools having a physical presence within Kansas but also schools that offer or provide on-line distance education to Kansans who remain in Kansas while receiving that education.

To qualify for a Certificate of Approval, an institution operating in Kansas subject to the Act must meet the standards established by the Act. In reviewing schools to determine if they meet the statutory standards, Board staff requires and reviews substantial documentation and evidence presented to demonstrate compliance of the schools to ensure proper facilities (with site reviews), equipment, materials, and adequate space are available to meet the needs of the students. A recent financial statement, proof of accreditation, evidence of compliance with local, county, state and national safety codes, enrollment agreements, copies of advertisements, schedules of tuitions and fees, and refund policies are reviewed by KBOR staff. Schools are also required to provide descriptions of their programs and courses, including class syllabi, clinical or externship contracts, instructor credentials; a statement of the objectives of the programs; and qualifications of administrators and owner information.

### Institution Request

#### Brown Mackie College

Brown Mackie College was first approved for degree granting authority by the Kansas Board of Regents in December of 1984. The College was founded in 1892 as a subdivision of Kansas Wesleyan College and became incorporated in 1938 as Brown Mackie College. In 2002, the school was purchased by Education Management Corporation. Today, Brown Mackie College has 27 campus locations including Salina and Kansas City. The program requested will be offered at the Salina and Kansas City campuses.

Brown Mackie College is accredited by The Higher Learning Commission of North Central Association of Colleges and Schools (HLC). HLC is a United States Department of Education approved accrediting agency. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree granting approval.

**Degree requested by Brown Mackie College for the Salina & Kansas City campuses:**

- Associate of Applied Science in Construction Trades - Welding

## 2. Approve Requests for Degree and Certificate Programs Submitted from Seward County Community College/Area Technical College

### Summary and Staff Recommendation

*Each month community colleges and technical colleges submit requests for the approval of new certificate and degree programs. The Board office received one program request to be implemented in fall of 2012. The Process Technology program submitted by Seward County Community College/Area Technical College addressed all criteria requested and was subjected to the 14 day comment period required by policy. The program was reviewed by the Technical Program and Curriculum Committee of the Postsecondary Technical Education Authority and the Authority recommends approval.*

### Background

Community colleges and technical colleges submit requests for new certificate and degree programs each month utilizing forms approved by staff. Criteria addressed during the application process include, but are not limited to, the following:

- Student and employer demand for the program
- Current and projected job openings and anticipated wages
- Level of program duplication across institutions, based on Classification of Instructional Program (CIP) code, and any efforts to collaborate to provide the needed program
- Rationale for why collaboration is not a viable option and/or need for a duplicative program
- Program description and designation of required and elective courses
- Measurable program outcomes and course competencies
- Process and frequency for review of program content, level of program success, and process for addressing any areas of concern
- Any specialized accreditation required and/or available for the proposed program
- Faculty qualifications and proposed student to faculty ratio
- Description of facilities and equipment needed and available
- Projected program costs and designation of adequate resources
- Membership of a steering/advisory committee for the program
- Approval by institutional academic committee and local governing board

### Description of Proposed Program

**Seward County Community College/Area Technical College** requests approval for the following new program:

Process Technology (41.0303). This request is for a program that is 68 credit hours in length and culminates with an Associate of Applied Science Degree, with the inclusion of a Certificate “B” exit point option of 34 credit hours.

The Process Technology program will provide students with skills in computer applications, instrument systems, process systems, process troubleshooting, safety, and quality control. These skills will prepare the completer for career opportunities with chemical manufacturing, oil and gas, power generation, petroleum production, waste and waste water treatment, mining, and several other process related industries. The certificate exit point option will prepare students to enter the job market at a beginning technician level. The degree will build upon the certificate with additional industry specific courses and an internship which will allow students to specialize in alternative fuels production such as bio-diesel, petroleum production, electric energy or food or fiber processing. A process technician is a member of a team responsible for planning, analyzing, and controlling the production of a product from the acquisition of raw materials through the production cycle and final distribution to the customer. Duties include product control and management, monitoring and troubleshooting equipment, analyzing data, quality improvement, and operations safety.

The program will seek endorsement from the North American Process Technology Alliance (NAPTA), an organization of Process Technology Education Providers (PTEC) and their business and industry partners. NAPTA is also an active partner with the Center for the Advancement of Process Technology (CAPT). NAPTA has established standards for process technology education and has established a recommended curriculum. The proposed program will meet the educational standards developed by NAPTA using the recommended curriculum, and Seward County Community College is seeking to become the first college in Kansas to obtain NAPTA endorsement upon graduation of the first class.

The proposed Process Technology program implementation budget is as follows:

- \$76,800 for a Process Technology Specialist faculty position
- \$114,768 for equipment and supplies
- \$182,625 for facility renovation

Implementation Budget Total: \$374,193.

The total implementation costs are funded through a U.S. Department of Education Title V Developing Hispanic-Serving Institutions grant (CFDA#84.031S) PR/Award #P031S00049. This proposed program is the second of three new programs funded through this five-year grant that began October 1, 2010.

A Process Technology Specialist faculty member will be responsible for teaching the core courses, with support from existing faculty from other disciplines.

Anticipated enrollment will consist of 20 full time students.

There are currently no public institutions in Kansas that offer a Certificate or an AAS degree in Process Technology under the same CIP code as the proposed program. A review of the NAPTA web site revealed 16 endorsed and 17 non-endorsed colleges nationwide. These are predominantly located in Louisiana and Texas along the gulf coast region.

Employer demand for graduates in the southwest region of the state for process technicians is strong. A survey of employers conducted by the college revealed 4 large employers with multiple openings for process technologists at multiple job sites. These employers have pledged support for the proposed program via a willingness to serve on the program advisory committee, offer internships, provide speakers, and supply equipment. These employers are: High Plains Bioenergy in Guymon, OK; Conestoga Energy Partners, LLC in Liberal; Beef Products Inc. in Garden City; and Seaboard Foods in Guymon, OK. Seward County Community College has developed a strong relationship with the petroleum industry in their area and has received broad support for the proposed program from their industry partners.

Average starting salary for process technologists will vary depending on the industry (e.g. food production, petroleum, or energy production) but is in the \$18 to \$25 per hour range.

No letters of objection were received in response to this proposed program.

### **Recommendation**

The program proposal was approved during the April 25, 2012 meeting of the Postsecondary Technical Education Authority (TEA). The TEA recommends approval of this program.

# DISCUSSION AGENDA

## IX. Consideration of Discussion Agenda

### A. Other Matters

#### 1. Receive Legislative and Budget Update

**Mary Jane Stankiewicz,  
Director, Government Relations &  
Communications**

### Summary

*The regular session ended on March 30<sup>th</sup>. The following list shows the status of the Board's bills as well as other bills that impact higher education. Most of the bills have made significant progress and are expected to finish the process during the Veto Session that began on April 25<sup>th</sup> and was still in process at the time of this writing.*

#### Board of Regents' legislative bills:

- SB 258 – contract negotiation – is in conference committee
- SB 261 – removal of the sunset for regulation authority regarding private postsecondary – passage of this bill is being tied to the passage of HB 2745
- SB 267 – deferred maintenance tax credit – it is part of the mega tax bill HB 2117 which is in conference committee
- SB 392 - Publication bill – in Senate Education
- HB 2428 – health care provider definition – Governor has signed
- HB 2429 – project delivery – Governor has signed
- HB 2431/SB300 – educational license plate – conference committee agreed but conference committee report has not been passed.
- HB 2435 – technical workforce grant – being used as a vehicle for SB 261.
- HB 2490 – Washburn doctorate of nursing – Governor has signed

#### Budget Bills:

- Sub for SB 449 – The Senate's budget bill which contains supplemental, FY 2013 and capital improvement funding for KBOR items including Kan-ed, longevity, under-market pay, and a 1% salary increase.
- Sub for HB 2768 – The House's budget bill will be debated on the floor on Tuesday, May 8. As it came out of House Appropriations Committee, it contained funding for KBOR items except it only allotted \$1.5m for Kan-ed. It does not include funding for a 1% salary increase, under-market pay, and decreases the amount per year for longevity pay to eligible workers from \$50/year to \$40/year, and requires agencies to "self-fund" the payments.

#### Other Bills of Interest to the Regents

- HB 2353/SB 394 – Allowing guns in state and municipal buildings – There was a motion to concur in the Senate but the motion was tabled on a 22-17 vote.
- HB 2533 – mandatory reporting of child sex abuse by various people including employees and administrators of postsecondary educational institutions – passed the House and had a hearing in Senate Judiciary but the committee did not pass out the bill. House Judiciary conferees have made overtures to

have this bill amended into other bills that are in the Judiciary Conference Committee but the Senate seems to have reservations about the bill.

- HB 2745 – has been remedial courses and qualified admissions – passed out of the House. This bill has been tied to the passage of SB 261.
- SB 393 – Governor’s career technical education bill – passed out of the Senate and the House Education Committee. It was sent back to House Education Committee where a number of amendments were added. Now on General Orders in the House.
- Sen. Sub for HB 2390 – Kan-ed. The Senate passed out a bill to start transitioning the Kan-ed program. The bill is now in conference committee, which has met once at which time the House proposed a complete shutdown of the program by June 30, 2013. The Senate did not agree with this proposal.
- HB2652/SB501 – Grants in-state tuition for military personnel and family even if they have no connection to Kansas. The bills have been blessed but are not moving at this time.
- HB 2738 – Requires fingerprint and background checks for students admitted to a nursing program. This bill will not go any further this year but will probably be re-introduced next year.



**B. Governance****1. Review Proposed Policy Amendments**

Regent McKechnie

**Julene Miller,  
General Counsel****Summary**

*As part of the effort to update all portions of the Board Policy and Procedure Manual, the Governance Committee is proposing a number of amendments to the following sections: Mission of the System, Board & Its Staff, Fiscal Management, and Facilities. The Fiscal Management and Facilities sections have also been reviewed and recommended by the Fiscal Affairs and Audit Committee and the Council of Business Officers.*

*These proposed amendments will be acted upon at the June, 2012 meeting, along with proposed amendments to sections that were presented at the Board's February (Academic Affairs) and April (preface and By-laws) meetings.*

**CHAPTER I: MISSION AND BY-LAWS OF THE BOARD OF REGENTS***The Mission of the Kansas Regents System*

~~The Regents system of six public universities exists to help individuals increase their intellectual, social, personal and moral potentials. These institutions impart society's cultural heritage, prepare students for productive activity, open their minds to alternative ways of thinking and living and acquaint them with ways of learning which may be utilized throughout life. The work of the Regents institutions is to make a positive difference in peoples' lives and to improve society through the works of those it educates. Within that orientation there is considerable room for institutional diversity because the educational needs of both individuals and society are multifaceted.~~

~~As higher education in the United States enters a period of major change in the size and composition of the student body, the kinds of courses and programs wanted, the technology needed on campus and the growing attention to university activities by external constituencies, institutions need more than ever before to plan their futures and shape the new environment. Unlike the previous two decades, Kansas must now recognize the need to manage change rather than the unbridled growth characterizing former times.~~

~~Teaching, research and service occur at each Regents institution, but the extent of these activities is guided by the following assumptions: (1) Institutions deliver instruction and degrees in liberal and professional education from the associate through the doctoral level, but activity below the baccalaureate level is limited; regardless of the degree offered, all programs will be of demonstrable quality. (2) Each regents institution will provide an array of liberal arts courses emphasizing application of critical thinking and the evolution of western thought as fundamental components of the undergraduate degree. (3) Research that enhances the instructional role of faculty is expected at every Regents institution; other research activity occurs primarily at the University of Kansas, Kansas State University and Wichita State University. (4) Service to government, industry and society is an integral part of each institution's role; service and research which enhance the State's economic development are particularly emphasized. The overarching goal of the Board of Regents is to provide a diversity of institutions of higher education, each seeking excellence in its own sphere.~~

~~The Board recognizes that program access requires attention to geographic location, convenient scheduling and affordable tuition, supplemented by financial aid. As both an advocate for higher education and a responsible steward for the taxpayer, the Board believes that program access alone is not the goal. Students must have access to quality programs. Therefore, the State must make a firm and continuing commitment to the financing~~

~~of the Regents system. The foundation of institutional strength rests on improved financial support, particularly as it relates to faculty salaries and operating expenditures.~~

### The Mission of the State of Kansas Public University and College System

The Kansas Board of Regents governs six state universities and coordinates one municipal university, nineteen community colleges and six technical colleges. The Board of Regents' purpose is to support this diverse group of public higher education institutions, each of which contributes to the social and economic well-being of Kansas and its citizens, and each of which seeks excellence. The Board fosters rigor, accountability and transparency, guards against unnecessary duplication in programming and operations, and brings unity and seamlessness to the system.

The mission of the Kansas public university and college system is to meet the educational needs of a diverse population and multifaceted society by providing teaching, research and service appropriate to the respective missions of its institutions. Those institutions provide education in liberal arts and the professions from the associate through the doctoral level, as well as a range of professional certifications. The system provides broad and affordable access to higher education, prepares students for the workforce and for life, and benefits the State as a whole through economic growth, research contributions, and advancing other aspirational goals of each institution. (12-19-86; 6-23-88; 5-16-91; x-xx-12)

## **A. THE BOARD AND ITS STAFF**

### **1. BOARD MEMBERS (6-24-10)**

#### **a. Selection and Composition**

There are nine members of the Board of Regents (Board), each of whom is appointed by the Governor subject to confirmation by the Senate. By law, one member shall be appointed from each Congressional district with the remaining members appointed at large. No more than five Regents may be of the same political party, no two members shall reside in the same county at the time of appointment. These and other qualifications may be found in Article 6, Section 3 of the Kansas Constitution and K.S.A. 74-3202a.

#### **b. Term of Office**

Terms are staggered and are for a period of four years each, expiring on June 30, except that a member shall continue to serve until a successor is appointed and confirmed as provided in K.S.A. 74-3202a.

#### **c. Compensation and Expenses**

Pursuant to Kansas law, each member of the Board shall receive compensation, subsistence allowances, mileage and other expenses as authorized pursuant to K.S.A. 74-3202a, 75-3212 and appropriations provisos.

#### **d. Conflicts of Interest**

The duty of loyalty requires Board members to exercise their powers and duties in the interests of the Board and its institutions as a system, and not in the Board member's own interest or in the interest

of another person, an individual institution or other organization. A conflict of interest occurs when there is a divergence between a Board member's private, personal relationships or interests, or commitments to a state university or other entity, and the Board member's obligations to the Board. An apparent conflict of interest occurs when an independent observer might reasonably question whether ~~the Board member's professional~~ actions or decisions made by a Board member on matters before the Board appear to be ~~are~~ determined by considerations of personal benefit, gain or advantage, or some interest other than what is best for the Board. Such interests may include, but are not limited to, employment with, ownership of or service on the board of directors of an organization that has or may have relationships with the Board or institutions governed, coordinated or regulated by the Board. A conflict of interest or the appearance of a conflict of interest depends on the situation, and not necessarily on the character or actions of the individual.

The Board of Regents acknowledges that integrity, accountability, and openness of financial relationships and other relevant interests are essential to responsible and credible administration of the State of Kansas system of higher education. A process for disclosing and considering potential conflicts, and managing any actual conflicts, enhances transparency and confidence in the Board's actions.

(1) Disclosures

(a) Contracts or Transactions. At the time of taking office and subsequently as the need arises, any member of the Board who has a direct or indirect interest in any contract or transaction with the Board or any educational institution governed, coordinated or regulated by the Board shall disclose this interest to the Board in writing, with a copy sent to the Board President and CEO. This interest shall be set forth in the minutes of the Board, and no member of the Board having such interest shall participate on behalf of the Board in the authorization of any such contract or transaction. (K.S.A. 46-233)

(b) Membership and Affiliations. At no time shall any member of the Board be an elected official or an officer or employee of any public postsecondary institution (K.S.A. 74-3202a) except for the one member who is appointed by the Board to serve on the Washburn University Board of Regents pursuant to K.S.A. 72-6507. At the time of taking office and subsequently as the need arises, any member of the Board who is appointed to or otherwise invited to serve on the governing board of any institution ~~coordinated or~~ regulated by the Board, or of any affiliated corporation of any institution governed, coordinated or regulated by the Board, shall disclose this interest to the Board in writing, with a copy sent to the Board President and CEO. This interest shall be set forth in the minutes of the Board. The Board member and the Board shall make a determination regarding the permissibility of accepting or retaining such an appointment in accordance with the following guidelines:

(i) If an independent observer, having knowledge of all the relevant circumstances, would reasonably conclude that the Board member has an actual or apparent conflict of interest in holding such a position, the Board member should not accept or retain the position;

(ii) If, however, involvement by the Board member would bring compelling benefit to the institution, the Board may approve such involvement subject to any conditions the Board deems appropriate to assure both propriety and the appearance of propriety.

(c) Identified Board member conflicts shall be reviewed by the Board annually at the September meeting.

(d) Statements of Substantial Interest. All members of the Board shall file a written statement of substantial interest pursuant to K.S.A. 46-247 *et seq.* regarding any substantial interests within the meaning of K.S.A. 46-229 that each member may hold.

(2) Meeting Conduct

(a) When any matter comes before the Board for discussion or action and a Board member is determined, in accordance with the above, to have an actual or apparent conflict in the matter, the Board member with the conflict shall not vote on the matter.

(b) When any matter comes before the Board for discussion or action and a Board member is determined, in accordance with the above, to have an actual or apparent conflict in the matter, the conflicted Board member shall not participate in or attend Board discussion of the matter, unless the Board determines that it would significantly serve the interest of the Board to have the conflicted Board member explain the issue or answer questions. Any such determination and participation shall be recorded in the Board minutes.

(3) No Private Inurement. No part of the funds of the Board or any state university shall inure to the benefit of, or be distributed to, any member of the Board, except that the Board and the state universities may make reasonable payments for expenses incurred on their behalf relating to any of their lawful purposes. The Board shall be authorized and empowered to pay Board members reasonable compensation for services rendered to or for its benefit relating to any of its lawful purposes, in accordance with subsection 1.c. of this section A.

(4) Board members shall comply with the governmental ethics laws relating to solicitation or acceptance of gifts, meals, transportation or tickets/access to sporting events and other entertainment or activities as set forth at K.S.A. 46-237 and 46-237a.

2. LEGAL AUTHORITY

The Board is created by Article 6 of the Kansas Constitution and is empowered by the Legislature. It is responsible for the control, supervision, and operation of the ~~public institutions of higher education~~ state universities in Kansas and as shown in Appendix A, as well as the coordination and supervision of the public community colleges and technical colleges in Kansas and the regulation of private and out-of-state higher education institutions operating in Kansas. A listing of various Kansas statutes ~~which that~~ authorize or relate directly to the actions of the Board is contained in Appendix B.

3. STAFF

a. President and Chief Executive Officer

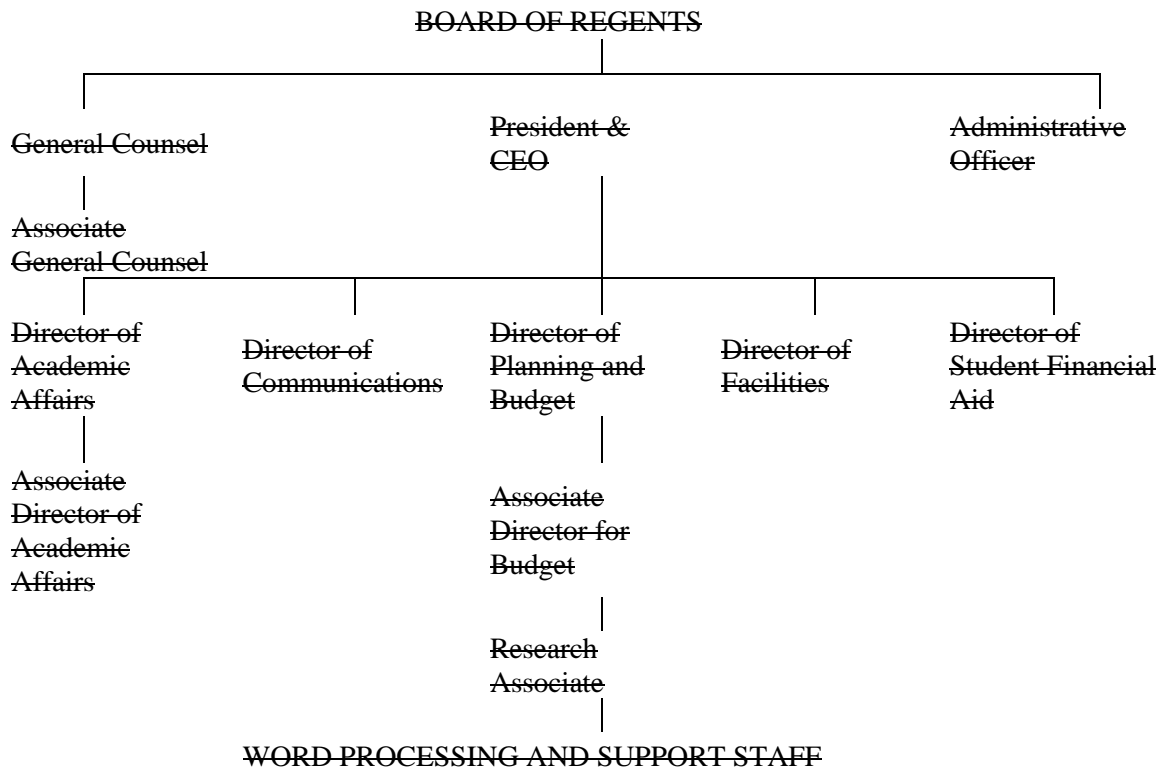
The President and Chief Executive Officer performs those duties delineated in Article IV, Section 2 of the Board By-Laws and restated below, maintains the principal office of the Board in Topeka, employs such other persons as needed for positions authorized by the Board, and supervises the activities of all employees of the Board office. The President and CEO is appointed by the Board and serves at its pleasure. By statute it is the duty of the ~~executive officer~~ Board President and Chief Executive Officer to attend all meetings of the Board of Regents, keep a full and correct record of its proceedings, ~~(which, when approved, shall be signed by the Chair of the Board)~~, and perform such other duties as the Board may require.

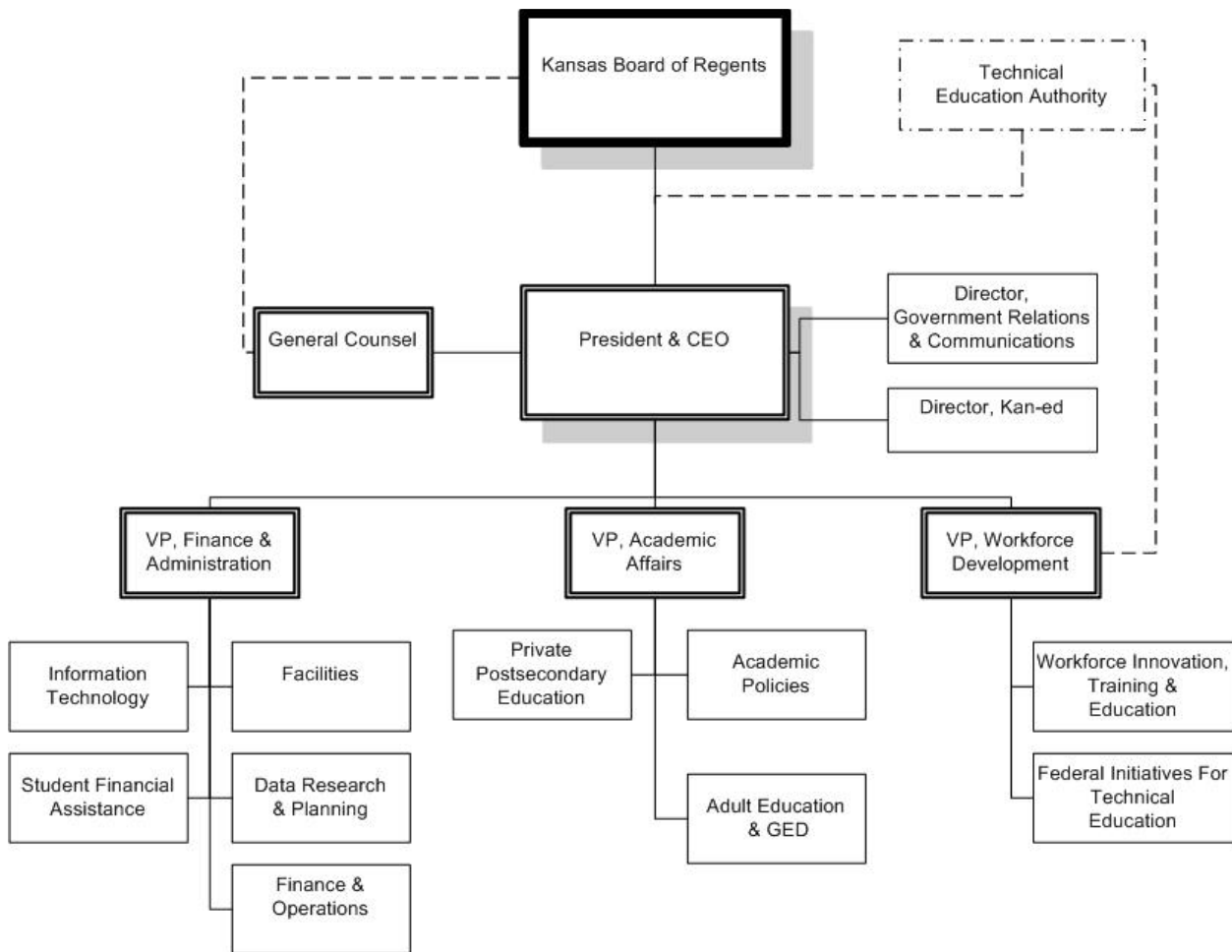
As set forth in Article IV, Section 2 of the By-Laws, the principal duties of the President and Chief Executive Officer include:

- (1) Maintaining a thorough knowledge of current issues in higher education and particular trends in Kansas;
- (2) Bringing issues before the Board of Regents in a professional meaningful and manageable fashion;
- (3) Serving as the chief administrative officer for the Board of Regents office staff;
- (4) Providing liaison with the chief executive officers (or their designees) of Regents institutions in carrying out policy objectives promulgated by the Board of Regents;
- (5) Serving as the primary spokesperson for the Board and the System before the Executive and Legislative branches of government on matters affecting postsecondary education;
- (6) Attending all meetings of the Board and keeping a full and correct record of its proceedings to be signed by the Chair; and
- (7) Employing such other professional and/or clerical employees as are required to carry out the administrative duties of the Board.

b. Other Employees

See the following organization chart:





c. Supplemental Staff

At times when it is mutually beneficial, Board staff may be supplemented by staff from the ~~institutions in the State~~ state universities. Such persons will be designated “Staff Affiliates.” Salaries and travel expenses for staff affiliates will generally be paid by the institution, not from the Board budget. The Board will provide office space, furniture, computer system, communications, and incidental office expenses (e.g. photocopy, mailings, long distance phone). Staff affiliates serve at the pleasure of the President and Chief Executive Officer with approval by the Board. (9-16-99)

d. Leave

(1) All ~~employees of the Board office~~ staff members, both classified and unclassified, are subject to the same provisions for sick leave as those applicable to state civil service personnel, including but not limited to K.A.R. 1-9-5. ~~The certificate of a medical doctor may be required.~~ Sick leave shall be scheduled and approval from the President and Chief Executive Officer, or designee, obtained in advance to the extent possible.

Sick leave is forfeited upon termination of employment, if the employee is not retiring or is not retirement-eligible, but may be reinstated if the employee returns within one year to a regular position with a State of Kansas agency. Sick leave will be paid at retirement or when the employee separates from service and is retirement eligible if the employee has accrued a minimum of 800 sick leave hours.

(2) Unclassified Board office staff in regular positions shall accrue annual leave in accordance with this provision. Full-time, ~~exempt~~ unclassified Board office staff members shall ~~earn~~ accrue one ~~working day of paid annual leave for each pay-period, said paid annual leave~~ not to exceed twenty-two ~~working days~~ (176 hours) per fiscal year. Part-time, exempt, unclassified Board office staff shall accrue pro-rated annual leave based upon their FTE. Full- and part-time non-exempt unclassified Board office staff shall accrue annual leave based on hours paid in the pay period. Unclassified Board office staff members may accumulate a maximum of thirty-eight working days (304 hours) of annual leave; provided, however, that no employee may receive, upon termination, payment for more than twenty-two days (176 hours) of annual leave; and upon retirement, or when retirement eligible, payment for more than thirty days (240 hours) of annual leave. (1-14-88; 9-15-04)

(3) ~~All~~ Each classified Board office staff ~~members~~ member in a regular position shall ~~receive~~ accrue annual leave ~~with pay pursuant to the state civil service laws, K.S.A. 75-2925 et seq. in accordance with K.A.R. 1-9-4.~~

(4) Official state holidays and any special holidays declared by the Governor are not counted as days of annual leave.

(5) Annual leave shall be scheduled in advance and granted by the President and Chief Executive Officer, ~~or designee,~~ for periods of time requested by the staff member subject to the operational needs of the ~~office of the Board office.~~ Leave Annual leave requested as a result of personal or family emergency shall be treated on an individual basis by the President and CEO. (6-17-77)

(6) ~~Full-time unclassified~~ Board office staff members in regular positions may be granted leave with pay upon the death of a close relative. Such leave shall in no case exceed six working days. The employee's relationship to the deceased and necessary travel time shall be among the factors considered in determining whether to grant bereavement leave, and, if so, the amount of leave to be granted. (1-27-94)

(7) Unclassified Board office staff members who accumulate sick leave shall be eligible ~~for participation to participate~~ in the shared leave program of the State of Kansas in the same manner as unclassified staff at the ~~Regents institutions~~ state universities. Classified Board office staff members in regular positions who accumulate sick leave are eligible to participate in the shared leave program of the State of Kansas as provided in K.A.R. 1-9-23. The Board office shall adopt, as part of its employee policies and procedures, appropriate limitations and qualifications for accumulation and use of shared leave. (1-27-94)

e. Retirement and Insurance Benefits (11-20-08)

(1) (a) Eligible classified ~~employees~~ Board office staff members are covered by the Kansas Public Employees Retirement System as determined by law.

(b) Unclassified ~~employees~~ Board office staff members are covered by and/or eligible for those retirement benefits which are set forth in detail under the heading of FACULTY AND STAFF, Retirement. (3-20-06)



(c) Eligible classified and unclassified ~~employees~~ Board office staff members may participate in ~~a the~~ the 403(b) voluntary retirement program plan. The provisions of the Kansas Board of Regents Voluntary Plan Document shall control the terms of the plan. (3-20-06)

(d) Eligible classified and unclassified Board office staff members may participate in the state of Kansas 457 Deferred Compensation Plan.

(2) The State of Kansas provides group health, life and long-term disability insurance and other voluntary benefit programs to eligible classified and unclassified employees. (12-14-95)

f. Commitment of Time, Conflict of Interest, Consulting and Other Employment

The provisions set forth under the heading of FACULTY AND STAFF, Commitment of Time, Conflict of Interest, Consulting and Other Employment shall be applicable to the ~~professional~~ unclassified staff of the Board. The President and Chief Executive Officer may establish rules and procedures to effectuate this policy. (5-20-77)

g. Out-of-State Travel Requests – Board Staff (6-28-07)

Approval of out-of-state travel requests for staff other than the President and ~~CEO~~ Chief Executive Officer of the Board is vested in the President and ~~CEO~~ Chief Executive Officer. Requests for such travel should be as directed by the President and ~~CEO~~ Chief Executive Officer and expenses will be allowed pursuant to Department of Administration regulations on travel.

Approval of out-of-state travel request for the President and ~~CEO~~ Chief Executive Officer is vested in the Board. Requests for such travel should be submitted as directed by the Board and expenses will be allowed pursuant to Department of Administration regulations on travel. (11-21-80; 6-26-87; 12-17-87)

h. Criminal Background Checks (11-19-08)

The provisions set forth under the heading of FACULTY AND STAFF, APPOINTMENTS, Criminal Background Checks shall apply to staff ~~hiring~~ hired for the Board of ~~Regents~~ office. The President and Chief Executive Officer may establish rules and procedures to effectuate this policy.

4. COUNCILS AND COMMITTEES (3-13-08)

a. Board of Regents Committees

(1) During its regular monthly meeting, ~~the~~ Board Standing Committees ~~meets as a Committee of the Whole~~ to consider matters relating to academic affairs, fiscal affairs, facilities, and policy and procedure. Reports of the recommendations of the Standing Committees with respect to each of these areas are then presented to the Board for final action. (6-27-91)

(2) The Chairperson may also appoint, subject to Board approval, special committees to assist the Board in fulfilling its functions, and may, subject to Board approval, appoint individual Regents to statewide boards or commissions when called upon to do so. In addition, at its regular meeting in September, the Board annually elects one of its members to serve on the Washburn University Board of Regents for the ensuing calendar year. (10-17-91)

## (3) Retirement Plan Committee

(a) The Retirement Plan Committee (~~RPC~~), established in 2005, is responsible for issues related to the Board's retirement plan, including oversight of plan investments and administration. The RPC Committee will reports directly to the Board. The issues the RPC Committee will consider may be directed by the Board, may arise from the Board's fiduciary duties, or may be initiated by the RPC Retirement Plan Committee itself.

(b) The ~~RPC Retirement Plan Committee membership members~~ will be appointed by the Board and will ~~consist of~~ include one member of the Board; one member of ~~COP the Council of Presidents~~, or designee; two members of ~~COBO the Council of Business Officers~~; three ~~Regents institution state university~~ human resource directors; and two individuals nominated from the ~~Regents institutions state universities~~ who are experts in the subject matter of investments and retirement planning. A staff person from the Board of Regents office who is appointed by the President and CEO will serve as a non-voting *ex officio* member. The chairperson of the ~~RPC Committee~~ will be the appointed Board member. When appointing ~~RPC Retirement Plan Committee~~ members, the Board shall strive for as broad of representation from the ~~Regents institutions state universities~~ as possible.

(c) Members will have ~~rolling two or staggered~~ three years terms and may resign at any time, effective when tendered to the Board. A person who is appointed to replace a member who has resigned will serve out the remainder of the term of ~~resigned the resigning~~ member.

(d) The RPC Retirement Plan Committee will meet a minimum of two times a year to review investments made in the retirement plan and other administrative issues. The RPC Committee may meet additional times as required by the issues they are addressing.

b. Council of Presidents

(1) The Council of Presidents (~~COP~~), established in 1963, consists of the chief executive officers of the ~~Regents institutions state universities~~. The Board's President and Chief Executive Officer serves as an ex officio member of the Council. The chair is rotated annually on July 1st.

(2) ~~COP's~~ The Council of Presidents' main function is to consider subjects of ~~systemwide~~ significance to the state university sector, either at the request of the Board or the Board's President and Chief Executive Officer, or on the Council of Presidents' own initiative, report to the Board when called upon to do so, and make recommendations to the Board on general policy affecting all institutions state universities. ~~COP~~ The Council of Presidents may create permanent or ad hoc committees, composed of campus or non-campus personnel, to study selected subjects and report back to the Council.

(3) Meetings of ~~COP the Council of Presidents~~ are held ~~immediately prior to~~ in conjunction with the regular meetings of the Board, and at such other times as the chair of the Council deems necessary. (10-19-95)

(a) Council of Chief Academic Officers

(i) The Council of Chief Academic Officers (~~COCAO~~), established in 1969, is composed of the academic vice presidents of the ~~Regents institutions state universities~~. The Board's Vice President for Academic Affairs serves as an ex officio member, and the member from the same institution as the chairperson of the Council of Presidents serves as chairperson of

~~COCAO~~ Council of Chief Academic Officers. The chief academic officers of the University of Kansas Medical Center and Washburn University are authorized to participate as non-voting members when agenda items affecting those institutions are to be considered. ~~COCAO~~ The Council of Chief Academic Officers meets monthly and reports to the Council of Presidents. (6-24-99)

(ii) ~~COCAO~~ The Council of Chief Academic Officers works with the academic affairs Committee of the Board through the Vice President for Academic Affairs. One of its primary functions is to outline the academic plan for the ~~Regents~~ state university system. It has responsibility for continuous planning and for upgrading the Master Plan as circumstances dictate, and for carrying out the procedures outlined in the Board's policy for Approval of New Programs. (10-19-95)

(b) Council of Business Officers

(i) The Council of Business Officers (~~COBO~~), formed in 1969, consists of the chief business officer of each ~~Regents institution~~ state university and reports to the Council of Presidents. The chairperson is from the same institution as the chair of the Council of Presidents, and the Vice President for Finance and Administration for the Board serves as an ex officio member. The chief business officer of the University of Kansas Medical Center is authorized to participate as a non-voting member when agenda items affecting that institution are to be considered.

(ii) ~~COBO's~~ The Council of Business Officers' official function is to consider matters on which it can advise the Council of Presidents, either at the request of ~~COP~~ the Council of Presidents or on ~~COBO's~~ the Council of Business Officers' own initiative. The Council meets monthly to discuss various issues arising from state regulatory bodies, statutes and regulations, work out mutual solutions to administrative problems, and develop uniform systems of accounting, budgeting and reporting. (10-19-95)

~~(e) Council of Student Affairs Officers~~

~~(i) The Council of Student Affairs Officers (COSAO), established in 1983, consists of the chief student affairs officer of each Regents institution or his or her appointee. COSAO reports directly to the Council of Presidents. The chairperson is from the same institution as the chair of the Council of Presidents. The President and Chief Executive Officer shall designate a member of the Board staff to serve as an ex officio member. The chief student affairs officer of the University of Kansas Medical Center is authorized to participate as a non-voting member when agenda items affecting that institution are to be considered.~~

~~(ii) The function of the Council is to consider the welfare and development of students and institutional services to meet their needs. (10-19-95)~~

~~(d)~~(c) Council of Government Relations Officers

(i) The Council of Government Relations Officers (~~COGRO~~), established in 2011, consists of the government relations officer (*i.e.* legislative liaison) of each state university and reports of the Council of Presidents. The chairperson is from the same institution as the chair of the Council of Presidents, and the Director of Government Relations and Communications for the Board serves as an ex officio member.

(ii) ~~COGRO's~~ The Council of Government Relations Officers' official function is to advise the Council of Presidents on matters relating to pending or proposed legislation and on matters related to government relations generally. The Council meets monthly during the months the Legislature is not in session, and on a weekly or as needed basis during the legislative session. (11-16-11)

c. Council of Faculty Senate Presidents

The Council of Faculty Senate Presidents (~~COFSP~~) consists of the duly elected Faculty or University Senate President or chairperson from each ~~Regents institution~~ state university and the Kansas University Medical Center. ~~Upon invitation from the chair of the Kansas Board of Regents, COFSP's~~ The function of the Council of Faculty Senate Presidents is to address faculty concerns in a focused and efficient manner. The chairperson is from the same institution as the chair of the Council of Presidents. (2-87)

d. Students' Advisory Committee

(1) The Students' Advisory Committee (~~SAC~~), established by ~~statute~~ K.S.A. 74-3229 in 1975, consists of the student body president from each ~~Regents institution~~ state university. The members of ~~SAC~~ the Students' Advisory Committee serve for terms expiring concurrently with their terms as elective student officers and upon qualification of their successors. The chief executive officer of each ~~Regents institution~~ state university shall annually certify to the Board the name of the highest student executive officer elected by the entire student body of that ~~Regents institution~~ state university.

(2) The statutory duties and functions of the ~~SAC~~ Students' Advisory Committee include attendance at meetings of the Board of Regents ~~except closed or executive meetings~~; making recommendations to the Board concerning course and curriculum planning and faculty evaluations; advising the Board on the formulation of policy decisions on student affairs; identifying student concerns; considering any problems presented to it by the Board and giving advice thereon; disseminating information to the members' peers concerning the philosophies and standards of education developed by the Board; and stimulating awareness of student rights and responsibilities.

(3) The Chair of ~~SAC~~ the Students' Advisory Committee, appointed by the Committee pursuant to its own internal processes, may request the President and Chief Executive Officer to place items on the Board's agenda for discussion and/or consideration. The President and CEO shall review the ~~SAC Committee's~~ request with the Chairperson of the Board prior to responding to ~~SAC~~ the Committee.

(4) When the Board creates task forces or other subordinate organizations for the purpose of studying questions related to the duties and responsibilities of the ~~SAC~~ Students' Advisory Committee, a representative of the ~~SAC~~ Committee shall be appointed to such task force. Further, all councils comprised of ~~Regents institutions'~~ state university personnel are encouraged to give consideration to the inclusion of student representation on task forces and other bodies created to deal with issues related to the interests and responsibilities of the ~~SAC~~ Students' Advisory Committee. (12-19-80; 9-16-93)

e. Classified and Support Staff Council

The Classified and Support Staff Council (~~CSSC~~) consists of the duly elected representatives from the Classified Staff (or University Support Staff) Council at each of the state universities and the University of Kansas Medical Center. ~~Upon invitation from the Chair of the Kansas Board of Regents, CSSC's~~ The role of the Classified and Support Staff Council is to advise the Board of Regents regarding matters relating to classified staff/university support staff issues and concerns. The general expectation is that ~~CSSC~~ Classified and Support Staff Council reports to the Board ~~will make a report shall be made~~ during the Board's September and January meetings. The ~~CSSC~~ Classified and Support Staff Council Chair shall be from the same institution as the Chair of the Council of Presidents. (3-13-08)

f. Unclassified Staff Council

The Unclassified Staff Council (~~USC~~) consists of the duly designated representatives from the unclassified professional staff ranks at each of the state universities and the University of Kansas Medical Center. Because a formally designated unclassified staff organization does not exist at all the universities, each institution shall determine how its representative to the ~~USC~~ Council will be selected. ~~Upon invitation from the Chair of the Kansas Board of Regents, USC's~~ The role of the Unclassified Staff Council is to advise the Board of Regents regarding matters relating to unclassified staff issues and concerns. The general expectation is that ~~USC~~ Unclassified Staff Council reports to the Board ~~will make a report shall be made~~ during the Board's September and January meetings. The ~~USC's~~ Unclassified Staff Council's Chair shall be from the same institution as the Chair of the Council of Presidents. (9-16-10)

g. Rotation of Council or Committee Chair

As a general rule, committee and council chairs will rotate annually on July 1 in the following sequence: University of Kansas, Kansas State University, Pittsburg State University, Emporia State University, Wichita State University, and Fort Hays State University. Whenever rotation in such manner is impossible for a given committee or council, a chair shall be selected by general election of the members. (5-19-88; 9-16-10)

h. System Council of Presidents

(1) The System Council of Presidents, established in 2002, consists of the six presidents of the state universities, four presidents selected by the nineteen community colleges, one president selected by the six technical colleges, and the president of Washburn University. The Board's president and CEO serves as an ex officio member of the Council. Two members of the System Council of Presidents will serve as co-chairpersons: one shall be by annual rotation on July 1<sup>st</sup> from among the six state universities, the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The presidents of other institutions (when not current members) are invited to provide input to System Council of Presidents when agenda items affecting those institutions are to be considered. On matters that have system-wide impact, all positions will be reported to the Board, and a majority will be required for Council endorsement.

(2) The System Council of President's main function is to consider coordination issues, either at the request of the Board or the Board's President and CEO, or on the System Council of Presidents' own initiative, report to the Board when called upon to do so, and make recommendations to the Board on general policy affecting the system as a whole. The Board President and CEO will determine which issues are coordination issues; the Board Chairperson may review this determination. The System Council of Presidents may create permanent or ad hoc committees, composed of campus or non-campus personnel, to study selected subjects and report back to the Council.

(3) Meetings of the System Council of Presidents are held prior to the regular meetings of the Board, and at such other times as the co-chairpersons of the Council deem necessary.

(a) System Council of Chief Academic Officers (12-18-02)

(i) The System Council of Chief Academic Officers, established in 2002, is composed of the six chief academic officers of the state universities, four chief academic officers selected by the nineteen community colleges, one chief academic officer selected by the six technical colleges, and the chief academic officer of Washburn University. The Board's Vice-President for Academic Affairs serves as an ex officio member. Two members of the System Council of Chief Academic Officers will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The chief academic officers of the University of Kansas Medical Center and other institutions (when not current members) are invited to provide input to the System Council of Chief Academic Officers when agenda items affecting those institutions are to be considered. The System Council of Chief Academic Officers may solicit input from councils that are not established by the Board. The System Council of Chief Academic Officers meets monthly and reports to the System Council of Presidents on matters that have system-wide impact; on such matters all positions will be reported, and a majority will be required for Council endorsement.

(ii) The System Council of Chief Academic Officers formulates recommendations relating to the implementation of the Higher Education Coordination Act as they apply to academic affairs; addresses instructional, academic, or related issues that affect higher education system-wide in Kansas; receives and reviews recommendations from individual campuses or instructional groups; promotes continuous quality improvement and coordination of higher education in Kansas; and promotes higher education improvement through joint academic or professional development activities. One of its primary functions is continuous academic planning for the Regents system. It acts in accordance with the academic affairs policies and procedures for coordination as outlined in the Board's Policy and Procedure Manual.

(b) System Council of Business Officers (9-19-07)

(i) The System Council of Business Officers, established in 2007, consists of the six chief business officers of the state universities, four chief business officers selected by the nineteen community colleges, one chief business officer selected by the six technical colleges, and the chief business officer of Washburn University. The Board's Vice-President for Finance and Administration serves as an ex officio member. Two members of SCOBO will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The chief business officers of other institutions (when not current members) shall be invited to provide input to the System Council of Business Officers when agenda items affecting those institutions are to be considered. The System Council of Business Officers meets as needed on the call of a co-chairperson and reports to the System Council of Presidents on matters that have system-wide impact. All positions will be reported to the System Council of Presidents, and a majority will be required for System Council of Business Officers endorsement.

(ii) The System Council of Business Officers formulates recommendations relating to the implementation of the Higher Education Coordination Act as they apply to fiscal affairs and administration and considers system financial and business matters on which it can advise the System Council of Presidents, either at the request of the System Council of Presidents or on the System Council of Business Officers own initiative. One of its primary functions is to study and make recommendations regarding the unified budget for state funding of postsecondary educational institutions.

(c) System Council of Government Relations Officers (11-16-11)

(i) The System Council of Government Relations Officers, established in 2011, consists of the government relations officer (i.e. legislative liaison) of each of the state universities, up to four government relations officers (i.e. legislative liaisons) selected by the nineteen community colleges (one of whom may be the Executive Director of the Kansas Association of Community Colleges), one government relations officer (i.e. legislative liaison) selected by the six technical colleges (which may be the Executive Director of the Kansas Association of Technical Colleges), and the governmental relations officer (i.e. legislative liaison) for Washburn University. The Board's Director of Government Relations and Communications serves as an ex officio member. Two members of the System Council of Government Relations Officers will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by and from the non-state university System Council of Government Relations Officers members. The System Council of Government Relations Officers meets quarterly, or as needed on the call of the co-chairperson, and reports to the System Council of Presidents on matters that have a system-wide impact. All positions will be reported to the System Council of Presidents, and a majority will be required for System Council of Government Relations Officers' endorsement.

(ii) The System Council of Government Relations Officers formulates recommendations relating to pending or proposed legislation and on matters related to government relations generally.

## **B. FISCAL MANAGEMENT**

### **1. STATE APPROPRIATIONS (6-24-99; 9-17-09)**

#### **a. Unified Operating Budget Request**

The official request for any new state appropriations for the state universities shall be made by the Board of Regents, pursuant to K.S.A. 74-3202c(a)(6), and amendments thereto, as a part of its unified budget for state funding of postsecondary educational institutions.

#### **b. State University Annual Operating Budgets**

(1) The fiscal year of all institutions is July 1 through June 30, and shall be designated by reference to the calendar year in which the fiscal year ends. (6-24-99)

(2) The Board shall receive an annual operating budget that includes budgeted expenditures by program, source of funds and budgeted staffing and salaries by position for each program. The Board

delegates to each chief executive officer the authority to appoint unclassified employees and to establish salaries for individual unclassified employees within the authorization provided by the Legislature and within general guidelines issued by the Board. (2-9-42; 3-20-70; 2-21-75; 2-19-98; 6-24-99)

## 2. FINANCIAL REPORTING

### a. Annual Financial Report

Each ~~institution under the jurisdiction of the Board~~ state university, shall submit to the President and Chief Executive Officer a comprehensive financial report for the prior fiscal year, pursuant to Appendix C, Annual Reporting Schedule. The President and ~~CEO~~ Chief Executive Officer shall be responsible for recommending to the Board any specific financial report findings ~~which that~~ should be further reviewed by the Board. The financial report shall conform to a format determined by the Council of Business Officers. The financial report shall reflect conformity with financial reporting methods and formats promulgated by the American Institute of Certified Public Accountants and Governmental Accounting Standards Board and the Financial Accounting and Reporting Manual for Higher Education (formerly CUBA) unless otherwise provided by state law, practices or procedures. (6-24-99)

### b. Internal Audit Function (4-15-10)

(1) Each state university shall have an internal audit function. The responsibility of the internal audit function is to serve the university in a manner that is consistent with the *International Professional Practices Framework (IPPF)* promulgated by the Institute of Internal Auditors. Additional resources, tools and guidance should be obtained through the Association of College and University Auditors and the Committee of Sponsoring Organizations. (10-17-96)

(2) The purpose, authority, and responsibility of each university's internal audit function shall be defined in a formal written document (internal audit charter) that is approved by each state university's chief executive officer. The charter shall make clear the purposes of the internal audit function, specify the unrestricted scope of its work, and declare that auditors are to have no responsibility for the activities they audit. The scope of work of the internal auditors shall include review of university controlled affiliated corporations, including a review of the IRS form 990 for each such corporation, with a focus on potential conflicts of interest and transactions between the university and university controlled affiliated corporations. The charter shall endow internal auditors with the authority to fully and freely access all the university's records, properties, and personnel relevant to an audit. The charter shall provide that the auditor report directly to the university ~~CEO~~ chief executive officer on all audit matters. The charter shall clearly state that internal auditors shall report directly to the Board Fiscal Affairs and Audit Committee any situation wherein the auditor perceives a conflict of interest with or on the part of the university ~~CEO's~~ chief executive officer's involvement with the subject of an audit. In addition, each state university shall include the charter in university manuals, policies, and procedures as appropriate. Each state university internal audit department shall report annually to the Board's Committee on Fiscal Affairs and Audit, summarizing the prior year's activities and audit plans for the coming year. (10-17-96; 1-16-97)

(3) Each state university shall develop and maintain an internal audit plan. At a minimum, internal controls for the university's highest risk units, based on public funds exposure, should be assessed on a regular basis. (10-17-96; 6-24-99)



(4) Each completed internal audit reporting material financial weaknesses or fraud shall be submitted to the President and Chief Executive Officer who shall be responsible for recommending to the Committee on Fiscal Affairs and Audit any specific audit findings which should be further reviewed by the Committee. (10-17-96; 1-18-01)

c. Non-Public Funds Management Review (4-15-10)

(1) Each state university chief executive officer shall maintain on file at the university a current list and description of the non-public, unrestricted funds under his or her direction or that of direct subordinates.

(2) Each state university ~~CEO~~ chief executive officer shall maintain and provide to the Board annually a list of all affiliated corporations (controlled and non-controlled) and a description of their respective governing boards and management structure.

(3) Each state university shall annually review the roles of direct subordinates in or with such affiliated corporations for the purpose of identifying potential conflicts of interest. If appropriate and to the extent it is within the ~~CEO's~~ chief executive officer's control, the university ~~CEO~~ chief executive officer shall initiate a plan to either eliminate or manage any identified actual or potential conflicts of interest and shall file the plan with the President and ~~CEO~~ Chief Executive Officer of the Board of Regents.

(4) The President and ~~CEO~~ Chief Executive Officer of the Board shall annually review the roles of the state university ~~CEO~~ chief executive officers in or with all affiliated corporations for the purpose of identifying potential conflicts of interest. If appropriate, the President and ~~CEO~~ Chief Executive Officer of the Board shall initiate a plan to either eliminate or manage any actual or potential conflicts of interest and shall submit such plans to the Board Chair and Vice-chair for approval.

(5) The Board may initiate external management reviews of the use and expenditure of non-public, unrestricted funds held by the university or an affiliated corporation of the university and under the direction of each state university ~~CEO's~~ chief executive officer and each state university ~~CEO~~ chief executive officer's direct subordinates at any time, but such reviews shall be conducted no less than once every 5 years beginning fiscal year 2013. Additionally, such reviews shall be conducted when there is a change in the ~~CEO~~ chief executive officer. All such reviews shall be contracted by the Board and financed by a transfer of funds to the Board from the state university under review. The university shall request its university non-controlled affiliated corporations having non-public, unrestricted funds that are under the direction of the university ~~CEO~~ chief executive officer or the ~~CEO's~~ chief executive officer's direct subordinates to cooperate in the conduct of such reviews.

(6) Each state university ~~CEO~~ chief executive officer shall request the board of directors of each university non-controlled affiliated corporation to ~~expand~~ include in the scope of its annual independent audit to include identification of actual or potential conflicts of interest involving unrestricted, non-public funds under the authority or direction of the university ~~CEO~~ chief executive officer or the ~~CEO's~~ chief executive officer's direct subordinates. The state university ~~CEO~~ chief executive officer shall request that such review include an examination of fund transfers and other transactions between and among the university, its affiliated corporations, and external entities reported on statements of substantial interest forms, and that the university non-controlled affiliated corporation share a report of each such review with the President and ~~CEO~~ Chief Executive Officer of the Board.

(7) For purposes of ~~this~~ section c.,

(A) “Non-public funds” means any funds expended for the benefit of the state university but not processed through the state financial system, and

(B) “affiliated corporation” shall not include the Wichita State University Board of Trustees.

### 3. FEDERAL FUNDS

- a. The Board or any ~~of its institutions~~ state university may make and file applications for federal funds appropriated and made available by federal law for purposes related to the operation or function of the Board or such ~~institution~~ university. The Board, or any ~~of its institutions~~ state university, may receive from the federal government, or any of its agencies, any funds made available under existing law, rules or regulations, or that may hereafter be made available. The Board, or any ~~of its institutions~~ state university, may expend the same in accordance with the law, and the rules, regulations and requirements under which such funds are made available. Such moneys shall be expended only in accordance with and for the purposes specified in federal law. Federal funds shall be deposited in the State treasury.
- b. ~~Institutional~~ State university requests for federal funds for capital improvements shall be in accord with Board policy on building and construction projects (see Subsection C.3.). (11-14-91)

### 4. TUITION AND FEES

The Board shall fix tuition, fees required of every student as a condition of enrollment, student housing fees, building construction fees, and changes in academic fees. The Board delegates to the chief executive officer of each institution the authority to establish user and administrative fees where the increase does not generate an amount in excess of \$250,000 annually. All such tuition and fees are to be incorporated in the Comprehensive Fee Schedule which will be received annually by the Board. (6-24-99; 12-20-01)

#### a. Institutional Procedures

Each ~~institution~~ state university shall submit proposed changes for the following fees to the student body president and to the appropriate student organization prior to Board consideration: (1) fees required of every student as a condition of enrollment; (2) student housing fees; (3) building construction fees; and (4) changes in academic fees; and (5) tuition rates. No student fees, other than user fees, shall be charged or collected by any state university for debt service on bonded indebtedness for any building or facility of such state university used primarily for academic purposes or providing health care services unless a student referendum is conducted in accordance with K.S.A. 76-742. (9-21-95; 6-24-99; 1-14-04)

#### b. Establishment or Alteration of Fees

(1) Board approval must be secured prior to the establishment or change of fees required of every student as a condition of enrollment, student housing fees, building construction fees; changes in academic fees; and tuition rates. All proposed tuition and fee changes shall first be submitted to the fiscal affairs committee of the Board. The proposal shall be accompanied by a fiscal impact statement showing the increased revenue to be received and a detail of planned expenditures. The proposal shall also indicate the involvement and comments of student organizations and the student body president during the review process. The proposed tuition or fee change, financial impact statement and student organization comments shall be provided to all persons receiving the agenda of the Board meeting. Final action on such proposed tuition or fee change by the Committee shall not be taken until the next regularly scheduled meeting of the Committee. (1-21-77; 1-16-81; 4-16-92; 9-21-95; 1-14-04)

(2) Any “Kansas Teacher of the Year” recipient may enroll for up to nine credit hours annually at any Regents institution without payment of tuition or fees if the individual is actively pursuing a teaching career in Kansas. (5-15-97)

c. Calendar for Fee Adjustments

(1) The calendar to be followed for all student fees adjustments, except for emergency situations, shall be as follows:

(a) Changes in student housing fees must go to the Board for first reading in November and to the Board for final action in December. (6-24-99; 12-20-01; 1-14-04)

(b) Fees required of every student as a condition of enrollment and administrative fees generating additional annual revenue in excess of \$250,000 go to the Board for first reading and action at the same time as tuition rates. (9-16-04)

(c) Building Construction fees may go to the Board at any regular meeting. Two readings are required.

(d) Tuition rates and academic fee changes will be considered by the Board no later than June prior to the beginning of the fall semester for which they are effective. (1-14-04)

(2) The above tuition and fees shall be effective at the beginning of a fall semester, spring semester or summer session as specified by the Board. (11-19-82; 2-17-84; 1-14-04)

d. Payment of Fees (6-24-99)

(1) All students are required to pay fees as published in the institution’s comprehensive fee schedule. No student shall be permitted to enroll for any semester if there are outstanding delinquencies from prior semesters.

(2) Short-term extensions of the fee payment due date may be granted for sponsored international students experiencing international monetary exchange difficulties, students certified to receive funds through the institution’s Office of Student Financial Aid, and for other extenuating circumstances at the institution’s discretion. These students may receive tuition and fees extension privileges until not later than November 10 of the first semester or April 10 of the second semester, pursuant to written agreement with the institution.

e. Collection of Overdue Accounts

~~Institutions~~ The state universities are authorized to use commercial collection agencies selected pursuant to the process outlined in K.S.A. 76-745 to assist in collection of overdue student loan accounts, student housing accounts, and other appropriate accounts. (9-19-69; 10-17-91)

f. Write-Off of Uncollectible Accounts Receivable

The chief executive officer of each state university shall request that the Director of Accounts and Reports write-off uncollectible accounts receivable pursuant to K.S.A. 75-3728a, *et seq.*, as amended. (4-21-78; 6-27-96)

g. Tuition Assistance for Faculty/Staff

Each ~~institution~~ state university may implement a tuition assistance program for spouses and dependents of full-time employees. The specific parameters of the program as it applies to each institution and any subsequent changes must be approved by the Board in advance of implementation. The institution will annually calculate the total tuition provided through the tuition assistance plan and officially recognize this cost by reflecting it in their financial system. From this enabling policy, each institution proposing a tuition assistance program would present in the Spring to the Board of Regents their specific plan.

h. Board Approval of Tuition and Fee Waivers Pursuant to K.S.A. 76-719c (11-19-09)

The Board shall approve all university programs to offer to student tuition and fee waivers, specifically the Board shall review and approve the standards, conditions and requirements “designed to foster the growth, distinction, and stability of the state educational institution and the quality of its educational programs and pursuits.”

(1) State university proposals shall include a statement of purpose, eligibility requirements, award/waiver amounts, financial impact, and a description of the assessment that will be used to measure the efficacy of the award/waiver in achieving the stated goal.

(2) Typically, proposals shall be submitted to the Board for first reading in May and for final action in June of the year prior to the effective date of the program, i.e. program approved June, 2010 would be effective for Fall, 2011.

(3) Reporting of approved waivers will be added to the existing reporting mechanism for tuition and fee waivers that is collected annually in November.

5. REFUNDS FROM FEE AGENCY ACCOUNTS

a. ~~The Board authorizes the institutions under its jurisdiction to~~ State universities may make direct refunds of tuition fees, charges or other institutional receipts from the appropriate fee agency account.

b. All refunds are to be deducted from receipts before submitting monthly receipt vouchers to the State Treasurer. (6-24-99)

c. Each ~~institution will~~ state university shall maintain appropriate documentation for all refunds and retain the same for audit.

d. Each ~~institution will~~ state university shall file with the Division of Accounts and Reports the specific procedures to be used by the institution in implementing the above policy. (9-16-77)

6. SPONSORED RESEARCH OVERHEAD POLICY (6-24-99)

a. Sponsored research overhead funds received by ~~Regents institutions~~ state universities shall be used to strengthen research programs and capabilities in those institutions. Appropriate uses for such funds include, but are not limited to: remodeling and equipping research laboratories, hiring personnel associated with grant administration, technicians or graduate research assistants; funding pilot projects that may lead to federal grants; financing computer acquisition or operations; and paying rent for supplemental research facilities.

7. REVENUE BONDS (9-17-09)

Pursuant to legislative authority, including K.S.A. 76-6a13 *et seq.*, 76-6a14 *et seq.*, 75-37,111 *et seq.*, and specific appropriation provisos in conjunction with K.S.A. 74-8905(b), the Board is authorized to issue or seek issuance of revenue bonds on behalf of the state universities. The Board may issue said revenue bonds directly or by using the services of the Kansas Development Finance Authority. Before endowment associations, foundations, ~~or~~ other affiliated corporations, or the Wichita State University Board of Trustees issue bonds, when the proceeds will be used to fund construction or improvement upon Board-owned property, the state university having possession of the property shall obtain Board approval before the bond issuance process is initiated. (9-18-97)

a. Bond Counsel/Underwriter

If the Board issues said revenue bonds directly, the ~~Chairperson of the Board~~ President and Chief Executive Officer is authorized to employ bond counsel and underwriter to represent the Board in the matter of issuing such bonds. The fees, which shall be negotiated in advance, and other expenses associated with a bond issue shall be paid by the state university on whose behalf the bonds are issued. If the Kansas Development Finance Authority is used, it will provide for bond counsel and underwriter. (11-18-49; 11-18- 63; 10-19-84)

b. Pledge of Available Revenue Agreements

If the state university for which the bonds for a project are issued, in consultation with the Kansas Development Finance Authority, determines that the bonds will be more marketable with a pledge of available university revenues, or a credit enhancement in the form of a supplemental pledge or assurance of revenues other than those generated by the facility for which the revenue bonds are to be issued, the desire to utilize such a pledge or assurance shall be reported to the Board at the time of the request for approval of the capital improvement, and language permitting the pledge of other available revenues for debt service purposes shall be included in the legislative proviso authorizing issuance of the bonds. Any bonds issued by the Board directly pursuant to K.S.A. 76-6a13 *et seq.* shall be subject to the pledge of revenue restrictions set forth in K.S.A. 76-6a15. This paragraph B.7.b. shall apply to the FY 2012 Capital Improvements request or projects submitted to the Board for approval after October 1, 2009.

8. CONTRACTS (6-28-07)a. Board of Regents

(1) The Board may enter into contracts, including leases of personal property, with any party or parties including any agency of the United States or any state or any subdivision of any state or with any person, partnership or corporation if the purpose of such contract is related to the operation or function of the Board. (K.S.A. 76-721).

(2) Contracts entered into on behalf of the Board of Regents shall be executed by the Chair of the Board, or the Board's President and ~~CEO~~ Chief Executive Officer, or anyone otherwise authorized by direct action of the Board.

b. State Universities

- (1) State universities may enter into contracts to acquire products or services normally requiring the expenditure of funds, including leases of real property as described in Chapter II, § Section C “Facilities” of this Policy Manual, with any party or parties including any agency of the United States or any state or any subdivision of any state or with any person, partnership or corporation if the purpose of such contract is related to the operation, function or mission of the state university. (K.S.A. 76-721) The Board’s President and ~~CEO~~ Chief Executive Officer must be notified in writing of any contract which requires expenditures or transfers by the state university of an amount greater than one million dollars (\$1,000,000), excluding contracts directly related to a capital improvement project. (12-19-96; 6-24-99)
- (2) All contracts between the state universities and other state agencies shall be subject to the provisions of K.S.A. 75-3711b. (K.S.A. 76-721).
- (3) Any contract with a corporation whose operations are substantially controlled by a state university shall provide that the books and records of such corporation shall be public records and shall require an annual audit by an independent certified public accountant to be furnished to the Board of Regents and filed with the state agency in charge of post auditing state expenditures.
- (4) Only the chief executive officer of the state university, or a specifically authorized designee of the chief executive officer of the state university, shall execute contracts on behalf of a state university. All delegations of authority made pursuant to this provision shall be filed with the General Counsel of the Board of Regents at least annually.
- (5) All contracts shall be in the name of the state university. Individual schools, divisions and departments shall not enter into contracts.

c. Contracts with Other State Agencies, Indirect Cost Reimbursement

- (1) When contracts are negotiated with state agencies for projects to be performed by university personnel, generally in and with university facilities, and when the funds used by the state agency for the project derive directly from its state appropriation from general revenue, the university will forego reimbursement for the entire indirect costs computed at its current audited rates. It is required in such cases that (i) the state agency certify in writing that the funds for the project derive directly and completely from its state appropriation from general revenue, and (ii) the contract state explicitly the university contribution of the indirect costs, with specified current audited rates, estimated base and estimated amount of the contribution. (6-28-07)
- (2) When contracts are negotiated with state agencies for projects to be performed by university personnel, generally in and with university facilities, and when the funds used by the state agency for the purpose derive from federal or other non-state allocations to the state, the university will normally expect to be reimbursed for its related indirect costs at its current audited rates. When the terms of the allocation to the state do not provide full reimbursement of all indirect costs of the work for which the allocation was made, reimbursement of university indirect costs related to the project will be negotiated downward. In general, the distribution of available but less than full indirect cost reimbursement funds between the state agency and the university shall be in proportion to the state agency's audited administrative cost rate and the university's audited indirect costs rate; if the state agency's rate is not available, it may be approximated by the university's research administration indirect cost rate component. In all such cases where the university agrees to receive reimbursement at less than its full audited rate, the proposal, and whenever possible the contract, shall contain statements indicating (i) the justification for the reduction, in terms of this policy, and (ii) the amount of the university's unreimbursed indirect costs specified as a university contribution to the project.

(3) When the funds to be used by the state agency derive from agency fee income (not interpreted as to include federal funds by formula, program or project), and the state agency certifies in writing that in setting the fees in question it has ignored the reimbursement for indirect costs of the university necessary for the conduct of the project being negotiated, the indirect costs of the project will be contributed by the university under the same terms as when the state agency funds derive from its state appropriation from general revenue. (In these circumstances the state agency is to be encouraged in the future to take into account in setting its fees the real indirect costs of contracting entities such as the university in order that proper, business-like reimbursements may be made.)

(4) In no case of a contract with a state agency will the university (i) require indirect cost reimbursement when the funds received by the state agency for financing the project provide no part allocable for indirect costs, or (ii) contribute the entire indirect costs of a project when the funds received by the state agency for financing the project do include a part allocable for indirect costs.

(5) When state agencies submit or forward proposals for federal or other non-state funded programs or projects which will require the services of the university, it is expected that prior consultations will take place with university representatives, and that the proposal as forwarded will contain an identifiable component describing the university's anticipated participation, complete with staffing plan, facilities commitments, and a proposed budget estimating both direct and indirect costs for the university's portion of the program or project. To the maximum legal extent possible under the laws and regulations of the prospective sponsor, full reimbursement shall be sought for the indirect costs of the state agency and of the university.

(6) This policy governs all contracts and similar agreements between state agencies and the university (individual schools, divisions and departments are not authorized to execute such instruments). (6-28-90; 11-15-90)

## 9. ACCEPTANCE OF GIFTS

- a. When ~~an institution subject to the control of the Board~~ state university anticipates applying for, accepting and receiving a private donation, gift, grant or bequest which may impose a significant fiscal obligation upon the ~~institution~~ university, such private donation, gift, grant or bequest must be reviewed by the Board of Regents prior to the acceptance of such donation, gift, grant or bequest by the Board or authorization for the ~~institution~~ state university to accept such donation, gift, grant or bequest pursuant to K.S.A. 76-724. For purposes of this policy "significant fiscal obligation" shall be considered to be a need, at the time of receipt of the donation, gift, grant or bequest, and in reasonable relation to the acceptance thereof, to: (i) seek additional state funding of \$50,000 or more, or (ii) seek additional state funding for operating support of a gift building. (6-24-99)
- b. If appropriate, the President and Chief Executive Officer shall notify other officials of the state including but not limited to the Governor, the Secretary of Administration, the state Director of the Budget, the Attorney General and the Director of Architectural Services of such private donations, gifts, grants or bequests.
- c. The chief executive officer of each ~~institution~~ state university shall seek to verify, with reference to all private donations, gifts, grants or bequests of real property, that said real property was not the site of or used for the disposal of hazardous wastes or materials.

- d. When the proposed private donations, gifts, grants or bequests consist of a facility to be constructed for the ~~institution~~ state university, reasonable efforts should be taken to encourage the donor to make such gift conform to guidelines and procedural manuals of the Director of Architectural Services.
- e. This policy shall not apply to donations, gifts, grants or bequests made to institutional endowment associations or foundations. (6-17-77; 5-17- 90)

10. PURCHASING PURSUANT TO K.S.A. 76-769 (1-18-07; 6-24-10)

a. Guiding Principles

(1) Each state university choosing to utilize the provisions of K.S.A. 76-769 shall develop and be guided by procurement policies and procedures that:

- Focus on the stewardship of public funds;
- Advance and support the mission of the institution;
- Promote a competitive and fair procurement environment; and
- Are open and transparent, including adherence to the Kansas Open Records Act.

(2) State universities utilizing the provisions of K.S.A. 76-769 are encouraged to engage in cooperative purchasing opportunities with other public universities or other state agencies to achieve the lowest competitive price, including purchasing from current State central purchasing contracts, state travel services, and products pursuant to the Prison Made Goods Act, if it is in the best interest of the state university.

b. Requirements for Policies and Procedures

The policies and procedures developed by each state university in accordance with this section shall address, at a minimum:

- (1) How the system of administration will advance and support the mission of the state university and provide increased levels of service to university students, faculty and staff as they work collectively to advance the university interest;
- (2) How the state university intends to promote a competitive procurement environment including a statement regarding what competitive bid limit thresholds will be utilized;
- (3) How notice of procurement opportunities will be provided to vendors and to the public in general;
- (4) The criteria to be utilized as contracts and purchase orders are awarded;
- (5) The process to be utilized to resolve vendor protests or requests for information, if any, that are submitted by vendors or the public in general;
- (6) How the state university intends to cooperate with the State and other state universities as procurement decisions are made; and
- (7) What steps are taken to ensure that all university procurement officials are guided by a purchasing code of ethics, such as the National Association of Educational Procurement Code of Ethics.



11. AUTHORIZED DISPOSITION OF SURPLUS PROPERTY (K.S.A. ~~2010 SUPP.~~ 75-6606) (9-16-10)a. Guiding Principals

(1) Each state university choosing to utilize the provisions of K.S.A 75-6606(c) shall develop and be guided by policies and procedures for the disposition of surplus university property that:

- (a) Focus on the stewardship of public property;
- (b) Advance and support the mission of the institution;
- (c) Promote the reuse of surplus property at the institution;
- (d) Operate in a fair, equitable and transparent manner;
- (e) Prohibit the giving or sale of property to an individual without first complying with university policies and procedures; and
- (f) Are in full compliance with all local, state and federal laws, rules and regulations.

(2) Each state university is encouraged to engage in cooperative opportunities with the other state universities to promote the reuse of surplus property system-wide. Each state university is also encouraged to consider sustainability practices, as surplus property is disposed.

b. Policy Requirements

The policies and procedures developed by each state university in accordance with this section shall address, at a minimum:

- (1) How notice of the planned disposal of surplus property will be provided to the general public; and
- (2) How the disposition of property and receipt of revenues will be documented and utilized.

c. Disposal Methods

The following methods are authorized for the disposition of surplus property:

- (1) Advertised fixed price;
- (2) Advertised negotiated price;
- (3) Advertised sealed bid;
- (4) Advertised public auction;
- (5) Donation to not-for-profit organizations, or individuals and entities eligible to participate in the Federal Surplus Property Program; and
- (6) Cannibalize, recycle, junkyard and or trash.

12. INSURANCE (2-15-07; 6-28-07)

- a. State universities may purchase insurance of any kind or nature except employee health insurance. (~~2006 Sess. L. Ch. 189~~ K.S.A. 75-4101(d).)
- b. Any purchase of insurance shall be made on a competitively bid or competitively negotiated bases and purchased from an insurance company authorized to transact business in the state of Kansas. State universities shall use a competitive procurement procedure for such purchases, which procedure shall be on file at the institutions and open for public inspection.

- c. Prior to such purchases, state universities are encouraged to consult with other state universities to determine whether coverage for more than one state university would be advantageous.
- d. If a state university does not obtain insurance coverage for state university-owned aircraft and vehicles through State contracts, coverage that at least matches the State's insurance coverage shall be purchased.
- e. The chief executive officer of each state university shall implement procedures to ensure the provision of insurance coverage that at least matches the State's insurance coverage for all travel of students or university employees in chartered or rental aircraft or vehicles while on university business or university sponsored activities.

### C. FACILITIES (2-17-10)

#### 1. PROJECT PLANNING (K.S.A. 76-7,103 and 76-7,105)

- a. Each state university shall maintain a Campus Master Plan that documents concepts and guiding principles for future land use and development of campus facilities and infrastructure. Each state university shall submit to the Board President and Chief Executive Officer a new Campus Master Plan, or update to an existing Campus Master Plan, by January 1, 2015. Each Campus Master Plan shall be updated and resubmitted to the Board President and Chief Executive Officer every ten years.
- b. New Campus Master Plans, or significant modifications to existing Campus Master Plans, shall
  - (1) address deferred maintenance needs;
  - (2) include a plan to ensure compliance with space utilization standards established by the Board;
  - (3) be submitted to the Board for approval.

and

#### 2. SUMMARY OF APPROVAL REQUIREMENTS

	Board of Regents	Building Committee	Full Legislature	Program Statement required?	Execution process (architect/contractor)
<b>Capital Improvements &gt; \$750,000</b>					
Endowment/Foundation/Research	approve	advise		yes	Campus
State General Fund	approve	advise	approve (418)	yes	State selection/bid
All Other Non-State Funds	approve	advise		yes	K.S.A. 76-7,125 <i>et seq</i> (SB 9)
Revenue Bonds	approve	advise	approve (418)	yes	State selection/bid
Federal Grants	approve	advise		yes	K.S.A. 76-7,125 <i>et seq</i> (SB 9)

Educational Building Fund	approve	advise	*** <sup>2</sup>	yes	State selection/bid
<b>Rehabilitation and Repair Projects<sup>3</sup></b>					
Endowment/Foundation/Research	approve	advise		no	Campus
State General Fund/EBF	approve	advise		no	State selection/bid
All Other Non-State Funds	approve	advise		no	K.S.A. 76-7,125 <i>et seq</i> (SB 9)
Federal Grants	approve	advise		no	K.S.A. 76-7,125 <i>et seq</i> (SB 9)
<b>Deferred Maintenance Projects</b>					
Infrastructure Maintenance Funds	approve	advise		no	State selection/bid
University Interest	approve	advise		no	K.S.A. 76-7,125 <i>et seq</i> (SB 9)
Tax Credits	approve	advise		no	State selection/bid
<b>Energy Performance Contracting</b>					
	approve	advise			K.S.A. 75-37,111 through 37,114 and 75-37,125
<b>Building Razing</b>					
	approve	advise <sup>4</sup>			

### 3. CAPITAL IMPROVEMENT PROJECTS

#### a. Definitions

(1) Capital improvement projects are those the costs for which exceed \$750,000, regardless of funding source, including new buildings, remodeling or alterations, annual maintenance, and utility projects. Deferred maintenance projects are governed by subsection 5., below.

(2) Educational Building Fund, or EBF, means the fund created pursuant to K.S.A. 76-6b01 *et seq.* and funded by the annual mill levy authorized by Article 6, Section 6 of the Kansas Constitution. Moneys in the EBF may only be expended as authorized by K.S.A. 76-6b02.

#### b. Process

(1) *Initial Request:* Each state university shall include initial concept requests for authorization of a capital improvement projects with the university's five year plan submitted to the Board for

<sup>2</sup> If new project or major renovation.

<sup>3</sup> Projects < \$500,000 require only Director's approval.

<sup>4</sup> Not required by law.

consideration on April 1 of each year. Each project that will require the services of an architect and/or engineer shall have a written program statement included with the request. The request shall identify each anticipated source of funding for the project. For improvements that include new space for which private moneys are to finance at least 51% of the cost, the request shall include a plan for paying the annual maintenance and operation costs for the project from either private funds or existing university resources. (K.S.A. 76-790) For improvements that include new space for which private moneys are to finance less than 51% of the cost, the request shall include a plan for paying annual maintenance and operation costs that identifies the resources to be used for such costs. Such annual maintenance and operation costs plans shall be included in the program statement and will adhere to standards prescribed by the Board's Director of Facilities. Each request approved by the Board shall be filed with the appropriate state offices on or before July 1 in the format determined by the State Budget Director. Each state university is prohibited from pursuing gubernatorial or legislative approval of any project not previously approved by the Board. (6-24-99; 10-19-06)

(2) *Amendments:* Amendments to the current year capital improvements project list may be submitted to the Board at times other than those specified above. Once approved, each university shall be responsible for ensuring that appropriate legislative approvals are obtained, including advising the Joint Committee on Building Construction.

(3) *Licensed Professional Consultants:* The design and construction administration for all new buildings and major renovations on state property shall be performed by licensed professional consultants retained in accordance with Kansas statutes. A written program for each building project shall be submitted and approved by the Board and by the Legislature or legislative building committee as set forth in Section 2. before such services are obtained. (9-19-69; 10-19-06)

(4) *Program Statements:* Minimum requirements for program statements include introductions, project budgets, and project schedules. For new construction or major renovations the program statement must also include space projections, space summaries, space descriptions, a discussion of the impact the additional space will have on overall campus space, and new buildings operating costs and the proposed source of funding for such operating costs (or a statement that such will not be requested). Additional information that the institutions deem necessary may be included. (6-24-99)

(5) *Design Development Plans:* Following Legislative and Board approval of a specific capital improvement project, design development plans for a building or project and the location of the new building shall be submitted to the President and CEO for review and approval before final plans are prepared. The President and CEO, upon the recommendation of the Director of Facilities, may approve said design development plans for the Board. (7-22-49; 10-21-83; 9-19-91)

c. Funding

(1) *Funding Sources:* Capital improvement projects may be paid for from state general funds, tuition, educational building funds, revenue bond proceeds (in accordance with Section II.B. of this Policy Manual), restricted fees, research overhead funds and other resources as approved by the Board.

Capital improvement projects that are also approved deferred maintenance projects may be paid for in whole or in part by tuition interest earnings, contributions received pursuant to the postsecondary educational institution tax credit program (K.S.A. 79-32,261), and other funds earmarked by the Board or Legislature for the purpose of addressing deferred maintenance.

(2) *Federal Grant Requests*: All institutional requests for federal grants for capital improvements shall be submitted to the Board President and CEO before the request is submitted to the appropriate federal agency. (6-23-88);

(3) *Private Funds*: No capital improvement project which is funded in part or totally from private funds may proceed to signature of contract unless and until all private funds have been deposited in an account for the use of the project or a letter of credit has been received by the Board President and CEO that guarantees the availability of the funds necessary to complete the project.

(4) *Fund Raising*: In addition to the project approval required in subsection 3.b.(1) of this section, notification of all capital improvement projects to be funded in part or in whole from private resources must be submitted to the Board's President and CEO before fund raising efforts are publicly announced. (9-16-04)

d. Annual Maintenance

Beginning with projects initiated after January, 2007, and except as otherwise specifically provided for by law or approved by the Board, state universities shall not seek new state general funds to finance annual maintenance and operation costs for any new capital improvement project.

4. REHABILITATION & REPAIR PROJECTS

a. Definition

Rehabilitation and repair projects are those projects that cost \$750,000 or less, including new buildings, remodeling or alterations, annual maintenance, or utility projects. Deferred maintenance projects are governed by subsection 5., below.

b. Funding

The Board receives an annual line item appropriation from the Educational Building Fund for rehabilitation and repair projects. This appropriation is allocated by the Board to the state universities pursuant to an "adjusted square footage" formula, which factors in gross square footage, building age and complexity of the physical plant.

Additionally, the universities may provide funds for rehabilitation and repair projects from state general fund revenues, tuition, restricted fees, research overhead funds and other resources as approved by the Board. (6-24-99; 10-19-06)

Rehabilitation and repair projects that are also approved deferred maintenance projects may be paid for in whole or in part by tuition interest earnings, contributions received pursuant to the postsecondary educational institution tax credit program (79-32,261), and other funds earmarked by the Board or Legislature for the purpose of addressing deferred maintenance.

c. Process

The state universities are authorized by the Board and the Legislature to proceed with rehabilitation and repair projects on a fiscal year basis. Upon request of the university with concurrence of the Board's Director of Facilities, the President and CEO has the authority to revise such authorizations during the fiscal year; provided, however, that any project requiring expenditures of \$500,000 or more must be considered by the Board. (6-24-99)

5. 2007 STATE EDUCATIONAL INSTITUTION LONG-TERM INFRASTRUCTURE MAINTENANCE PROGRAM

a. Definitions (K.S.A. 76-7,102)

(1) Deferred maintenance projects are those projects involving the maintenance, construction or rehabilitation of any one or more of the following:

- (a) a building located at a state educational institution;
- (b) any utility system and other infrastructure relating to such building;
- (c) any life-safety upgrade to such building; or
- (d) any improvements necessary to be made to such building in order to comply with the requirements of the Americans with Disabilities Act or other federal or state law.

(2) Deferred maintenance projects shall not include:

- (a) construction of new buildings;
- (b) the maintenance, repair, reconstruction or rehabilitation of any building used as an athletic facility, residential housing or other auxiliary that does not directly support the delivery of academic pursuits; or
- (c) the maintenance, repair, reconstruction or rehabilitation of the residence of the president or chancellor of a state university.

(3) 2007 State educational institution long-term infrastructure maintenance program refers to K.S.A. 76-7,101 through 76-7,107, and amendments thereto. This program was enacted by the Legislature in 2007 to address funding for state university deferred maintenance projects and provides for demand transfers by the Director of Accounts and Reports from the state general fund to the infrastructure maintenance fund in fiscal years 2009, 2010, 2011 and 2012. The 2007 Legislature also enacted a tax credit program (K.S.A. 79-32,261) and expanded availability of university interest earnings (K.S.A. 76-719(c), (d), (e)) to assist with funding deferred maintenance projects.

b. Process (K.S.A. 76-7,103 and 76-7,105)

(1) Each state university shall maintain a list of deferred maintenance projects that have been approved by the Board. The list shall prioritize the most critical deferred maintenance projects and reflect the deficiencies identified in the Board's 2007 or subsequent deferred maintenance studies. The listed projects shall not:

- (a) provide for additional space requirements;
- (b) reflect new program requirements or changes of use; or
- (c) include exceptional levels of finish, equipment or other similar enhancements.

(2) Requests for changes to the Board approved list of deferred maintenance projects shall be submitted to the Board for consideration and approval. Each request for a change shall include justification for adding the project as one of the university's priority deferred maintenance needs. The state universities are authorized by the Board and the Legislature to proceed with deferred maintenance projects on a fiscal year basis. Upon request of the university with concurrence of the Board's Director of Facilities, the President and CEO has the authority to revise such authorizations during the fiscal year; provided, however, that any project change requiring expenditures of \$500,000 or more requires Board approval.

(3) Each state university shall provide quarterly status and expenditures reports to the Board. The report shall include information showing the progress made during the reporting period to reduce the university's deferred maintenance backlog as identified in the university's Board approved deferred maintenance projects list, and information showing the effect that the expenditures have had on the campus of the university. The original estimate for each project shall remain constant, however actual expenditures shall also be shown.

(4) Each state university, in coordination with the Board office, shall advise and consult with the Joint Committee on State Building Construction before expending any moneys from the Infrastructure Maintenance Fund, or from any account of accounts of the Infrastructure Maintenance Fund of the university.

(5) Each state university, in coordination with the Board office, shall advise and consult with the Joint Committee on State Building Construction before expending any moneys received by the university as a contribution that qualifies as an income tax credit pursuant to the postsecondary educational institution tax credit program.

(6) Any project in excess of \$750,000 must have a written program statement. Design development plans for the project must be submitted to the Board for approval.

c. Funding (K.S.A. 76-7,103, 76-7,104, 76-719(c), (d), (e) and 79-32,261)

Allocations of funds from the Infrastructure Maintenance Fund will be based on a maintenance allocation formula that factors gross square footage, building age, and complexity of each university's physical plant. Such funds, as well as funds in each state university's deferred maintenance support fund, may be used only to help finance Board approved deferred maintenance projects on the state university's list. Projects that exceed the strict scope of the deferred maintenance initiative due to program changes, additional space requirements, and expectations for exceptional levels of finish, equipment, etc. will require other funding sources above and beyond the state-provided deferred maintenance pool of funding.

6. ENERGY CONSERVATION MEASURES (K.S.A. 2009 Supp. 75-37,125)

a. Definition

Energy conservation measure means an energy study, audit, improvement or equipment which is designed to provide energy and operational cost savings at least equivalent to the amount expended by the participating state university for such energy study, audit, improvement or equipment over a period of not more than 30 years after the date such improvement or equipment is installed or becomes operational.

b. Process

(1) When an energy conservation measure is to be financed with revenue bond proceeds pursuant to K.S.A. 2009 74-8960, the applicable processes for approval of and issuance of revenue bonds shall be followed.

(2) When an energy conservation measure is to be financed by means other than with revenue bond proceeds pursuant to K.S.A. 2009 74-8960, the provisions of K.S.A. 2009 Supp. 75-37,125 and any other applicable statutory provisions shall be followed and the project shall be presented to the Board

for approval prior to entering into any contract, lease-purchase agreement or other financing arrangement.

7. OBSOLETE BUILDINGS (K.S.A. 76-7,108)

Each state university shall evaluate all buildings in the university's inventory to determine if any building is obsolete. If a building is found to be obsolete, the state university shall request approval of the Board to retire the building from service and shall make a recommendation to the Board regarding the prudence of razing the building. Such recommendations shall include all pertinent information such as a justification statement, costs and funding source(s), environmental issues and anticipated use of the vacated property.

8. INSPECTIONS

a. State Fire Marshal

Except as provided in this subsection, an annual inspection of all buildings at each state university shall be made by the State Fire Marshal with copies of the inspection report to be sent to the university. Within 30 days of receipt, the state university shall provide a written summary of the State Fire Marshal's annual inspection report and the university's response thereto to the President and CEO of the Board; provided, however, that any notice of citation, potential sanction, violation, cease and desist order or hazard requiring follow up by the state university shall be immediately reported to the President and CEO. (9-27-57; 6-27-91)

In lieu of the State Fire Marshal conducted inspection provided above, a state university may enter into a memorandum of agreement with the State Fire Marshal pursuant to the State Fire Marshal Commissioned Inspector Act, K.S.A. 31-701 *et seq.* Annual inspections conducted by a university commissioned inspector shall be performed in accordance with the Act and the university's memorandum of agreement.

b. Department of Administration

Each state university shall obtain such Department of Administration inspections for new construction or renovation as are required by Chapter 7, Section 5 of the Department's 2009 Building Design and Construction Manual, as amended.

c. Boiler and Other Inspections Required by Law

Each state university shall provide for such boiler and other inspections as are required by law. (K.S.A. 44-913 *et seq.*)

9. NAMING OF BUILDINGS

a. Authority for Naming

The naming of any state university building is the province of the Board of Regents. The authority to re-name or remove the name of any state university building also resides in the Board. Any documentation used by any state university or affiliate corporation of any state university for fund raising purposes shall clearly state that proposed names are subject to Board action, and shall reserve to the Board the right to remove any name bestowed upon a facility. Possible reasons for removal of a name include, but are not limited to, circumstances causing damage to the reputation of the



university, change of law regarding naming authority, or if the building is razed or given over to a new use.

b. Criteria

- (1) Generally, buildings are named for distinguished individuals who have made extraordinary contributions of a scholarly, professional, or public service nature related to the university's mission.
- (2) In some cases, buildings may be named for major donors to the construction of the building.
- (3) Before forwarding a name to the Board for consideration, the state university shall undertake a thorough degree of due diligence to avoid commercial influence or conflict of interest.
- (4) Buildings will not be named for sitting presidents, chancellors or Board members.

c. Process

The chief executive officer of the state university shall recommend an appropriate name to the Board for consideration. At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed name and a brief narrative individually to Regents and the President and CEO at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the name is to be considered. No public communication of a proposed name shall be made until the name is presented for consideration to the open meeting of the Board. (2-18-83) (6-24-99)

10. PRIVATE HOUSING (6-28-07)

Unless directly authorized to do so by the Board, state universities shall not do any of the following:

- (1) enter into agreements, written or verbal or implied relating to private housing;
- (2) give preference to any owner or operator of private housing;
- (3) guarantee occupancy in or payments for private housing; or
- (4) provide public funds for the supervision, maintenance or operation of private housing. (6-24-99)

The President and CEO, upon the recommendation of the Director of Facilities, may approve on behalf of the Board any agreement relating to private housing that is for a term of less than one year.

For purposes of this section, "private housing" means privately-owned residential housing made available for university students' or university employees' use while attending or working for the university at the university's main or branch campus.

11. REPORTS DUE

A listing of required submittals and their respective due dates is included in Appendix C and incorporated herein.

12. LAND TRANSACTIONS (6-28-07)

a. Leases (Including Oil and Gas Agreements) (6-24-10)

(1) All leases of real property shall be approved by university counsel as to form, shall be submitted to the Board for approval in accordance with paragraph (4) of this subsection, and shall be submitted to other state agencies for approval where required by law. (K.S.A. 75-3739(l), 75-3743, 75-3744, 76-165, and/or 76-769(a)(6)(C))

(2) No real property owned or controlled by the State of Kansas shall be leased unless a notice of intention to lease said property has been published at least thirty days prior to execution of any documents; provided, however, that this requirement shall not be imposed on leases with another state agency or a political subdivision. (K.S.A. 75- 430a(d)).

(3) No lease of land for the production of oil, gas or other minerals shall be for a period of more than ten years and so long as oil, gas or other minerals are produced in paying quantities thereon, shall be awarded only upon competitive bids pursuant to K.S.A. 76-165, and shall retain to the state a royalty interest of not less than one-eighth part of all oil, gas or other minerals produced. When a state university leases land for the production of oil, gas, sand, gravel or any other mineral, the university shall provide information to the state geological survey in accordance with K.S.A. 76-323b. (K.S.A. 76-164 through 76-168)

(4) State university leases of state-owned property to third parties not associated with the state university may be executed by the state university's chief executive officer without Board approval unless

- (a) the lease involves construction on state property;
- (b) the lease is an oil, gas or mineral lease covered by K.S.A. 76-165;
- (c) the lease is for a term of more than 10 years; or
- (d) the lease is for an amount in excess of \$25,000 per year.

(5) Leases with state university endowments, foundations, and other related organizations are governed by subsection e. below.

b. Easements

(1) The state universities' chief executive officers shall act on behalf of the Board in granting or conveying right-of-way easements across any land under the custody and control of the Board. Easements may be granted with or without receiving consideration therefore, and may permit use of the land for purposes of access, convenience or necessity and such other right-of-way purposes as are customarily related to such easements. (K.S.A. 74-3264 and 75-2131)

(2) Easement documents shall be submitted to the Attorney General for approval as to form (K.S.A. 74-3264 and 75-2131). (6-27-96)

c. Sale of Real Property

(1) Following receipt of the appraisals required by law, any sales of real property owned or controlled by the Board of Regents or a state university must be approved by the Board of Regents

and authorized by the legislature. K.S.A. 74-3254 may serve as pre-authorization by the legislature to dispose of certain devises. (K.S.A. 75-3043a and 74-3254) (10-19-06)

(2) No real property owned or controlled by the Board of Regents or a state university shall be sold unless a notice of intention to sell said property has been published at least thirty days prior to execution of any documents. (K.S.A. 75-430a(d))

(3) No real property owned or controlled by the Board of Regents or a state university shall be sold, and no transaction for the sale of such property shall be closed, until the property has been surveyed as required by law. (K.S.A. 75-6611)

(4) Sales of real property to state university endowments, foundations, and other related entities are governed by subsection e. below.

d. Acquisition of Real Property

(1) The Board of Regents may acquire real property necessary to properly maintain and carry on a state university or the business thereof. (K.S.A. 76-147)

(2) State universities shall submit a description of all properties which they desire to purchase, or otherwise acquire, to the Board for approval. If such property is valued at less than \$250,000, the Board President and CEO, upon the recommendation of the Director of Facilities, may approve the acquisition on behalf of the Board. Such description shall include a legal description of the property, anticipated use and the estimated cost of purchase and any cost relating to the razing or renovating and maintaining such property.

(3) No real property shall be purchased by the Board of Regents or a state university until the property has been appraised as required by law. (K.S.A. 75-3043a or 76-147) Prior to purchase, a warranty deed and environmental assessment will be required. Exceptions to the requirement for a warranty deed may be made by the Board President and CEO. (10-19-06)

(4) Each state university shall record all deeds to real estate acquired, and any other instruments relating to the acquisition required by law to be recorded, with the register of deeds of the county where the real estate is located. All original instruments relating to land acquisitions shall be maintained in the Board office. (K.S.A. 75-3516)

(5) Acquisition of real property from state university endowments, foundations, and other related organizations are governed by subsection e. below.

e. Real Property Transactions with State University Endowments, Foundations and Other Related Organizations

(1) State university endowments, foundations and other related organizations are organized under the laws of the State of Kansas and exist to support the state universities. While state law and organizational charters typically impose upon these related organizations special responsibilities for the administration of property received by the organizations, this policy shall establish the basis for all real property transactions described herein between all related organizations, the state universities and the Board. For purposes of this subsection e., the term “related organizations” includes all state university affiliated corporations as defined in Section II.G.6. of this Policy Manual

- (a) The approval of the Board of Regents shall be required prior to the acceptance by a state university of any gift of property from any related organization.
- (b) In the event any related organization desires to sell to the Board or the university properties held by the related organization as a result of purchase, or a gift or devise which conveyed unrestricted and unqualified fee to the related organization, the purchase price shall not be more than the highest appraised value as determined by two independent real estate appraisers. (K.S.A. 76-147)
- (c) Where trades of real property between the state and any related organization may benefit the state university and disposal of the state property has been approved by the Legislature, the Board of Regents may authorize the state university to negotiate a trade of the realty. The valuation of the related organization's property shall be determined in the same-manner as that of state properties. (K.S.A. 75-3043a or 76-147)
- (d) Leases of real property by the state universities from any related organizations shall be subject to the approval of the Board and to the following limitations:
  - (i) If the related organization holds properties in unrestricted accounts for which no remuneration is required under its fiduciary responsibility, or if the property is held on the basis of a gift or devise which so permits, the related organization may make the property available to the state university on a no-fee basis.
  - (ii) Any occupancy by the state university shall be subject to a written agreement.
  - (iii) For properties held by any related organization as investments for eventual development by the state university, the rental cost shall not exceed an amount calculated to amortize the investment, or the market value in a case where the state university seeks to occupy a property previously leased by the related organization on a private or commercial basis.
- (e) State university transfers of real property received by devise to the state university's endowment or foundation in accordance with K.S.A. 2009 Supp.74-3254 shall be subject to approval by the Board and any conditions imposed by the testator.
- (2) Construction of Buildings: When any related organization constructs a building on the organization's property for the state university's use and at the request of the state university, the state university is authorized to enter into lease agreements on an amortizing basis, subject to the advance approval of the Board of Regents. (6-28-90)
- (3) Issuing Bonds: In the event any related organization proposes or is requested to issue bonds and the proceeds will be used to fund construction or improvement upon Board owned property, the state university having possession of the property shall obtain Board approval of the project before the bond issuance process is initiated. (9-18-97)
- f. Designation on the State or National Historic Register: Each state university shall seek approval from the Board prior to initiating the process to place state property on the state or national historic register.

## C. Academic Affairs

## 1. Receive Annual Report for Private Postsecondary

Regent Edwards

**Jacqueline Johnson,  
Director, Private Postsecondary  
Education****SUMMARY**

*The Kansas Private and Out-of-State Postsecondary Educational Institution Act (Act) requires private and out-of-state postsecondary educational institutions to obtain Certificates of Approval from the Kansas Board of Regents (Board) in order to lawfully “operate” in Kansas. This Act applies to “brick and mortar” institutions with a physical presence in Kansas, as well as to on-line distance education providers operating in Kansas that offer courses to Kansans who remain in Kansas while receiving their education. To be and remain approved, such schools must comply with standards set by the Act. The purpose of this report is to provide the Board with information about the institutions operating in Kansas during the 2010-2011 academic school year*

**INSTITUTIONAL AND PROGRAM TRENDS**

Table One provides a broad illustration of the current state of private and out-of-state postsecondary institutions for both in-state and out-of-state institutions and for-profit and not-for-profit institutions. Table Two indicates the level of total enrollment as well as the enrollment in programs at all levels from 2008 to 2011. A revised projection of possible growth in 2012 through 2013 is also included. The next two charts show the status of the largest certificate and degree programs as of the most recent data collection completed in the fall of 2011.

TABLE ONE

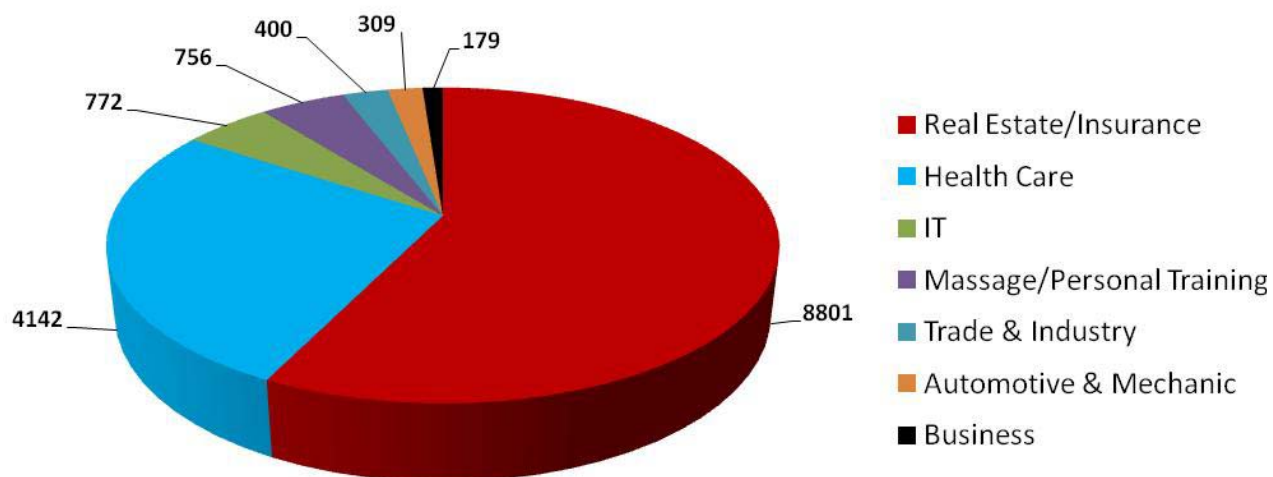
	<b>In-state</b>	<b>Out-of-State</b>	<b>Total</b>
2011 For Profit Institutions:			
Brick & Mortar Institutions	41	50	91
On-line Institutions	4	45	49
Total	45	95	140
2011 Not for Profit Institutions			
Brick & Mortar Institutions	4	3	7
On-line Institutions	0	8	8
Total	4	11	15
<b>2011 Grand Total</b>	<b>49</b>	<b>106</b>	<b>155</b>
<b>2012 Current Totals</b>	<b>75</b> <b>(four more coming</b> <b>in the next few</b> <b>months)</b>	<b>91</b>	<b>165</b>

(Linn 2012)

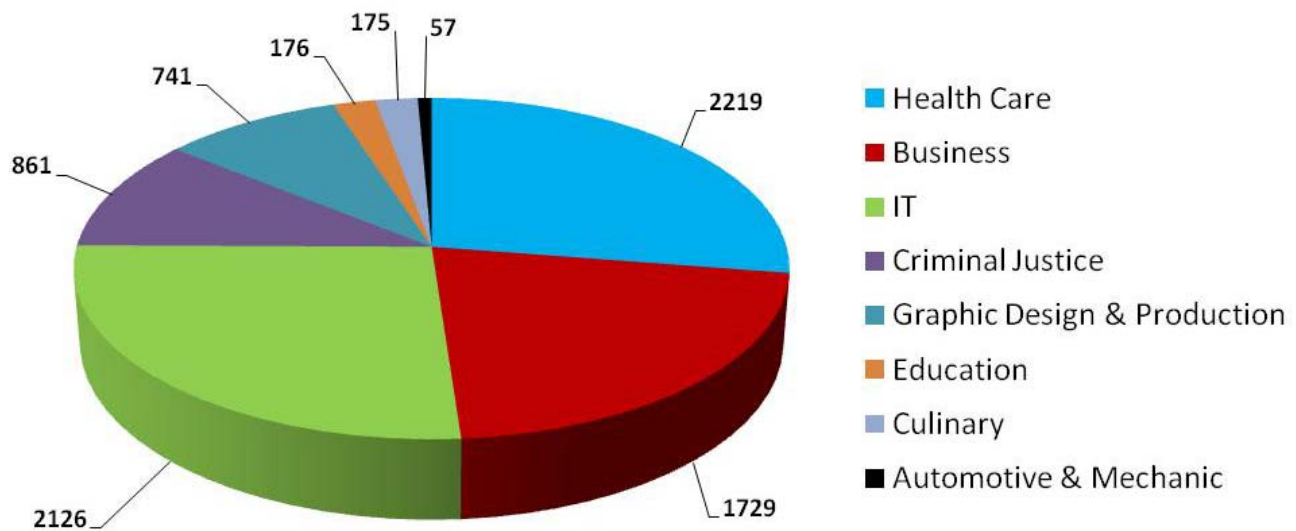
TABLE TWO

	2007	2008	2009	2010	2011	April 2012 Actual	Projected 2013
<b>APPROVED INSTITUTIONS</b>	<b>107</b>	<b>112</b>	<b>131</b>	<b>149</b>	<b>*155</b>	<b>165</b>	<b>188</b>
<b>*14 Withdrew from KS</b>							
<b>ENROLLMENTS</b>	<b>16,026</b>	<b>39,460</b>	<b>41,903</b>	<b>42,483</b>	<b>42,561</b>		
<b>APPROVED PROGRAMS</b>							
Certificate/Diploma	471	814	727	797	938	1038	1135
Associate Degree	44	162	182	237	442	493	535
Bachelor Degree	30	141	160	271	1085	1152	1313
Masters Degree	12	48	69	305	569	559	688
Doctorate Degree	2	2	2	85	85	81	103
<b>TOTAL PROGRAMS</b>	<b>559</b>	<b>1167</b>	<b>1140</b>	<b>1695</b>	<b>2087</b>	<b>3323</b>	<b>3774</b>

Largest Certificate Programs by Category – 2011



### Largest Degree Programs by Category – 2011



### DOCUMENT PROCESSING, DATA COLLECTION AND RECORD STORAGE

In the spring of 2011 the Private Postsecondary (PPS) division contracted with Cyanna, a national web-design company, to convert the current paper system to a fully functioning on-line system. When this system is complete, new institutions will be able to initiate contact with the PPS division, apply on-line, receive direct staff support and even pay fees via a secure electronic fund transfer. Current institutions will be able to request new program approval, add a branch campus, renew certificates and pay fees via a secure electronic fund transfer. Students who attended a closed private postsecondary institution, and whose student records were therefore transferred to KBOR custody pursuant to K.S.A. 74-32,175, will be able to request electronic copies of their records or transcripts and pay the fee with a credit card if they choose. Benefits of the new on-line system are anticipated to include:

- increased customer service
- positive document control for all applications
- easier and more open application process
- access to institutional files by board staff and appropriate institutions at all times
- more accurate and more comprehensive data collection

The initial in-house on-line application was deployed in late February, 2012. The first public version of the on-line system is expected to be available to all PPS institutions in May of 2012. The complete version of the on-line system should be available in early 2013.

In addition to replacing a paper system with an on-line process, the new PPS document system will allow for a more rigorous data collection process that will align fully with the Kansas Postsecondary Database (KSPSD). A new and more complete data collection will offer a significantly clearer picture of the students pursuing their education with a private or out-of-state postsecondary institution. A more unified view of postsecondary students attending these types of schools should be available when the new electronic document system becomes fully operational and utilized.

In January of 2012, after conducting a competitive bid process, the PPS division contracted with BTCO a Wichita-based document management company to scan more than 54,000 student records from closed institutions. Pursuant to the state record retention schedule, these student records must be maintained for a period of 50 years following the close of the institution. Scanning the records and converting them to digital copies will significantly reduce the ongoing cost of storing the records and improve the response time as board staff works through individual requests for copies of transcripts and other records.

Finally, these 54,000 student records will become part of the new Kansas Enterprise Electronic Preservation system or KEEP system, a trusted digital repository for **Kansas** government records. (spearheaded by the Kansas State Historical Society). KEEP will provide for a more efficient management system of storing and retrieving these electronic student records from closed institutions over the last fifty years.

### **PPS STAFFING**

In June 2011 the PPS staff increased when a Business Analyst came on board to facilitate the design and implementation of the on-line system. The Business Analyst is responsible for creating, conducting and managing live and recorded training in the use of the new on-line system for those institutions needing support. The initial analysis of data collected via the new system will also be the responsibility of the new Business Analyst. A second part-time Regulator was also assigned to the PPS Division in late 2011. As noted in the charts of this document, the number of institutions and the number of programs have continued to increase. If the growth in this sector continues at the projected rate, changes in staff may be required to maintain the high level of professional expertise and positive work flow. As noted earlier, the Private Postsecondary Division is funded through fees from the sector it regulates and utilizes the services of a CPA to assist with projecting expenditures related to the work necessary to carry out the Board's responsibilities. In addition, staff consults with the Private Postsecondary Advisory Commission to ensure the industry supports the fee structure.

### **Citations**

Kansas Board of Regents. (2011). June Issue Paper explaining PPS June 2011, 3-4.

Linn, K. (2012). Business Plan Final-January 2012, 3-5.

### **KBOR STATUTORY AUTHORITY**

The Kansas Board of Regents performs different roles with regard to the various postsecondary educational institutions operating in Kansas. The Board governs and controls its regional and research universities, coordinates and supervises community and technical colleges, and regulates the private and out-of-state schools that operate in Kansas. The Board's roles are defined by state statutory authority.<sup>5</sup>

Prior to 1999, the private and out-of-state sector was regulated at the Kansas State Department of Education. In 1999, the Kansas Legislature in SB 345 transferred regulation of these schools to the Kansas Board of Regents. In 2004, the Kansas Private and Out-of-State Postsecondary Educational Institution Act, the law under which the State currently operates, was first enacted, K.S.A. 74-32,161 *et seq.* This Act and the regulations subsequently adopted by the Board<sup>6</sup> under its authority require non-exempt private and/or out-of-state postsecondary educational institutions operating in Kansas to obtain a "Certificate of Approval" from the Kansas Board of Regents.

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<sup>5</sup> Issue Paper, June 2011 explaining this Act and private postsecondary schools

<sup>6</sup> See K.A.R. 88-28-1 *et seq.*



When a school receives a Certificate of Approval from the Board, it is subject to the Board's on-going regulatory and statutory authority. Certificates of Approval must be renewed annually by providing updated documentation. If a school covered by the Act operates without a Certificate of Approval from the Board, or falls out of compliance after receiving such a certificate. Legal penalties may be pursued with the assistance of the Attorney General's office, as further described below.

The Act does not allow the Board to deny a Certificate of Approval to operate in the State, or to offer specific degrees in the State, based on competition for clinical sites or duplication in programming. Note that while the Commerce Clause of the United States Constitution and Federal Anti-Trust laws may even prohibit the State from statutorily banning the operation of private or out-of-state educational institutions operating within its borders, states may lawfully require such institutions to conform to certain standards designed to ensure its state citizens are protected and well-served.

### **APPLICATION OF THE ACT**

The definition section of the Private and Out-of-State Postsecondary Educational Institution Act provides that a "postsecondary educational institution" subject to the Act means (1) any business enterprise, operated for profit or as a non-profit, which either (a) has a physical presence in Kansas or (b) solicits students within Kansas, (2) that (a) is offering degrees or (b) training or preparing people for a field of endeavor in a business, trade, technical or industrial occupation, and (3) that is not exempt from the Act.

In determining if a specific school that does not have a physical presence (brick and mortar) site in Kansas is nevertheless operating in Kansas, and thus subject to Kansas laws, the Board must look at many factors, such as the number and type of contacts the school has with Kansas and its residents, that demonstrate the school has affirmatively done something to submit to the jurisdiction of the State. This can be a lengthy process and includes review of facts concerning the nature and amount of solicitation done within the state, the number of in-state Kansans enrolled in an out-of-state or private school, the deliberateness of a school in providing education to Kansans who remain/reside in Kansas while receiving their education, etc. While the Board will have jurisdiction over some on-line schools, if specific facts are present,<sup>7</sup> there will be other situations where the Board cannot exercise authority over an out-of-state school that is merely operating over the Internet.<sup>8</sup>

### **STATUTORY STANDARDS AND MINIMUM REQUIREMENTS**

If it is determined that a particular institution is a private or out-of-state institution as defined by and subject to the Act, it must obtain a Board of Regents granted "Certificate of Approval" in order to lawfully operate in Kansas. To the extent permitted by the parameters of the Act, the Board's Private and Out-of-State Postsecondary Educational Institution Division of Academic Affairs attempts to ensure these institutions meet the standards similar to those required of Kansas public institutions.

Board staff also must review whether completion of the course or program in question will satisfy any applicable licensing standards in Kansas. This often requires coordination with other state agencies. For example, if the school is offering a nursing program, the expertise and review of the Kansas Board of Nursing is necessary. On the other hand, for programs having no Kansas regulating agency (such as massage therapy, surgical technician, or pharmacy technician) Board staff must become familiar with any industry or national standards applied to such training, certification or degrees. One provision of the Act, K.S.A. 74-32,168(b),

<sup>7</sup> "Traditionally, when an entity intentionally reaches beyond its boundaries to conduct business with foreign residents, the exercise of specific jurisdiction [by the foreign jurisdiction over that entity] is proper. Different results should not be reached simply because business is conducted over the Internet." *Quik Payday, Inc. v. Stork*, 549 F.3d 1302 10<sup>th</sup> Circ. (Kan. 2008).

<sup>8</sup> E.g., a "passive" web site versus a web site that specifically solicits to Kansans or mentions Kansas.

authorizes the Board to rely upon accreditation by a regional or national accrediting agency recognized by the United States Department of Education, without further evidence of the quality of that program.

First time degree-granting applicants are visited for the purpose of reviewing brick and mortar operations as required by Board regulation 88-28-4 and the statutes it implements. After the initial site review, schools are placed in a comprehensive five-year cycle as required. Initially, some new schools may be scheduled for visits more often, or even unannounced, depending on indicated need.

In determining if a school has complied with Kansas law, thus qualifying it for a Certificate of Approval, Board staff reviews and examines: (a) whether courses, curriculum and instruction are of such quality, content and length as may reasonably and adequately ensure achievement of the stated objective for which the courses, curriculum or instruction are offered; (b) whether space, equipment, instructional material and personnel are adequate to provide education and training of good quality; (c) whether educational and experience qualifications of directors, administrators and instructors are such as may reasonably ensure that students will receive instruction consistent with the objectives of their program of study; (d) whether the institution maintains written records of the previous education and training of students and applicant students, and if training periods must be shortened when warranted by such previous education and training or by skill or achievement tests; (e) whether a copy of the course outline, schedule of tuition, fees and other charges, settlement policy, rules pertaining to absence, grading policy, and rules of operation and conduct is furnished to students upon entry into class; (f) whether, upon completion of training or instruction, the institution provides students with certificates, diplomas or degrees, as appropriate, indicating satisfactory completion of the program; (g) whether the institution keeps adequate records to show attendance, satisfactory academic progress and enforcement of satisfactory standards relating to attendance, progress and conduct; (h) whether the institution has complied and maintains compliance with all applicable local, state and federal regulations; (i) whether the institution is financially responsible and capable of fulfilling commitments for instruction; (j) that the institution does not utilize erroneous or misleading advertising, either by actual statement, omission or intimation; (k) that the institution has and maintains a policy providing for the refund of unused portions of tuition, fees and other charges if a student enrolled by the institution fails to begin a course or withdraws or it is discontinued at any time prior to completion (such policies may take into account those costs of the institution that are not diminished by the failure of the student to enter or complete a course of instruction); and (l) that the institution has adopted, published and adheres to a procedure for handling student complaints, with this information posted so students will be aware of the complaint process available to them.

In reviewing for compliance with Kansas laws, Board staff requires and reviews a great deal of documentation, including but not limited to: (a) proof of accreditation (if the school has been accredited); (b) a recent financial statement prepared and attested to by a CPA; (c) the resumes and/or other documents and proof as to the training, degrees, background or qualifications of the owners, administrative staff and instructors; (d) all course materials, a descriptive summary of space for classrooms, labs, library, administrative offices; (e) evidence of compliance with local, county, state, national codes as applicable (e.g. a copy of each year's certification by local fire officials); (f) enrollment agreement/application or registration forms; (g) the catalog and completed catalog checklist; (h) copies of all advertising for previous year; (i) written policies on how the institution accounts for previous experience, training, or coursework for students (i.e. transfer credits, test out, etc.); (j) a copy of the school's grievance policy; (k) the link to the tuition calculator on the institution's website for all students to use; (l) samples of certificates, degrees, and diplomas given to students; (m) a complete program inventory; (n) a copy of the termination policy/regulations governing student conduct; (o) the schedule of tuition and fees and other costs (i.e. books, lab fees, supplies); (p) the school's settlement/refund policy; and (q) a statement of the extent to which job placement services are available. This review of documentation is not only done for an initial first time application, but on a yearly basis.

**FEES THE BOARD MAY LAWFULLY CHARGE**

The Kansas statutes allow the Board to charge fees for certain things connected with its regulation of these schools.<sup>9</sup> The fees charged include application processing, review of programs, a bond to cover costs of storing records should the school go out of business, fees to cover the costs of conducting site reviews, and fees for each of the representatives of any school that uses such representatives to actively solicit within the State.

There have been on-going and recent efforts to amend the fee statute and regulation in order to ensure the fees paid by this sector are sufficient to fund the expenditures necessary for regulating this sector. The Private and Out-of-State Division of the Board office has utilized the services of a CPA to assist with projecting expenditures related to the work necessary to carry out the Board's responsibilities and to set the fees charged to the industry accordingly. In addition, staff consults with the advisory commission established by statute<sup>10</sup> to ensure industry support for the fee structure.

**FEDERAL OVERSIGHT**

Federal lawmakers have recently questioned the sufficiency of state regulation of this sector and some have suggested that there should be regional coordination or federal oversight. While this raises questions of state sovereignty and has yet to occur, the US Department of Education has already promulgated regulations that impact this sector, as well as the public institutions that "out-source" their courses or programs beyond state borders through on-line programming, or by building their institutions in other states.

Some of the new federal regulations are tied to federal Title IV funding (federal student financial aid such as PELL grants), and require that any institutions receiving such federal funding be able to prove they have received any required state approval in those states where they operate. This federal rule has led to a great deal of scrambling by both public and private institutions that offer coursework at locations outside their home state and/or provide courses to on-line students; these institutions are seeking to determine which states require them to get approval under the laws in those states where they operate or have students. As each state's laws will differ, this may require contacting every state where a school has a physical presence or on-line students and if necessary complying with each state's laws wherein current students still reside while they obtain their education from an out-of-state institution.<sup>11</sup>

In addition, the federal authorities are now requiring schools receiving Title IV funding provide students with information concerning the costs of their education. These federal efforts are designed to ensure students are informed about important matters and that schools are complying with applicable state laws and standards in all the states in which they operate.

There has also been some consideration given to states entering into "reciprocal agreements" with other states, allowing state public schools to provide education extra-territorially in some manner that expedites approval and still complies with applicable state laws.

**PENALTIES, COMPLAINTS AND REMEDIES**

K.S.A. 74-32,161 *et seq.* provide for several remedies if a school operates in Kansas in violation of the Act: Injunction (K.S.A. 74-32,173); criminal penalties (K.S.A. 74-32,177); civil fines of up to \$1,000 for each

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<sup>9</sup> See K.S.A. 74-32,181 and K.A.R. 88-28-6.

<sup>10</sup> K.S.A. 74-32,166 creates this commission and sets forth the nature of its membership and duties.

<sup>11</sup> States typically do not regulate activities occurring outside their borders and jurisdiction. Thus, if a student from a state chooses to travel/live out-of-state in order to attend a school in that other state, their "home state" does not have authority over that out-of-state school simply because a state resident chose to move to attend a school.

violation (K.S.A. 74-32,178); voiding of contracts and refunding of moneys paid, plus interest (K.S.A. 74-32,167 and 74-32,179); and Kansas consumer protection act penalties. In addition, if the proper procedures are followed and the evidence is sufficiently established, the Board may revoke a previously granted certificate of approval.

Complaints about such schools are received by the Board. The number of complaints filed with KBOR by students attending institutions regulated under this Act has decreased over the last several years: 2007 – 42, 2008 – 41, 2009, 36, 2010 – 15, 2011 – 11. The nature of the complaints include a wide variety of issues. Examples include: wanting to obtain a degree from a school that KBOR has not granted a Certificate of Approval allowing it to operate in Kansas, making student clinical placements, being denied entrance into a school, seeking assistance in securing credits for courses completed, or securing refunds.

Each school is required by law to post its complaint process. The process for filing a complaint with KBOR is also posted on KBOR's website.

Typically, if Board staff receives a complaint about a specific school, that school will be contacted to determine what their response is to the allegations that have been raised. This can result in a school's refusal to comply with a complainant's demands, a satisfactory resolution, or impasse. If the matter involves a standard that the Board has authority to enforce, and cannot be resolved in favor of compliance with the law, the school may be notified that action against it may be taken and that the matter will be forwarded to the Attorney General's office for review and assistance.<sup>12</sup> If the matter involves something over which the Board has no authority, such as a breach of contract allegation, and it cannot be resolved to the satisfaction of the complainant, then the person or entity making the complaint will be informed of that fact and alternative resources suggested. Board staff has a very good working relationship with the Attorney General's consumer protection division and will not hesitate to refer a "bad actor" (*e.g.* a diploma mill) to that office.

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<sup>12</sup> This is done because the Attorney General represents KBOR in legal actions and because the consumer protection division of that office has trained agents who specialize in investigating potential violation of laws designed to protect Kansas consumers.

- 2. Act on Request for New Degree Granting Authority for the following Institutions:** **Gary Alexander,  
VP, Academic Affairs**
- **Academy of Art University**
  - **International Academy of Design & Technology**
  - **Embry-Riddle Aeronautical University**
  - **Western New Mexico University**
  - **University of Northern Colorado**

### **Staff Recommendation**

*The following institutions request approval for new degree granting authority: (1) Academy of Art University, (2) International Academy of Design & Technology, (3) Embry-Riddle Aeronautical University, (4) Western New Mexico University, and (5) University of Northern Colorado. After a thorough review of staff qualifications, record keeping systems, coursework, materials, extended studies delivery, and online platforms, the institutions demonstrate they meet and comply with all statutorily imposed requirements described below. Staff recommends approval for their new degree granting authority.*

### **Summary of Institution Requirements**

The Private and Out-of-State Postsecondary Educational Institution Act (Act) requires private and out-of-state postsecondary educational institutions to obtain Certificates of Approval from the Kansas Board of Regents (Board) in order to lawfully “operate” in Kansas. This Act not only covers “brick and mortar” schools having a physical presence within Kansas but also schools that offer or provide on-line distance education to Kansans who remain in Kansas while receiving that education.

To qualify for a Certificate of Approval, an institution operating in Kansas subject to the Act must meet the standards established by the Act. In reviewing schools to determine if they meet the statutory standards, Board staff requires and reviews substantial documentation and evidence presented to demonstrate compliance of the schools to ensure proper facilities (with site reviews), equipment, materials, and adequate space are available to meet the needs of the students. A recent financial statement, proof of accreditation, evidence of compliance with local, county, state and national safety codes, enrollment agreements, copies of advertisements, schedules of tuitions and fees, and refund policies are reviewed by KBOR staff. Schools are also required to provide descriptions of their programs and courses, including class syllabi, clinical or externship contracts, instructor credentials; a statement of the objectives of the programs; and qualifications of administrators and owner information.

### **Institution Requests**

#### **Academy of Art University**

The Academy of Art University was established in San Francisco in 1929 by Richard S. Stephens, an art painter and Creative Director for *Sunset Magazine*. Today the University serves more than 18,000 students on campus and online offering master, bachelor, associate and certificate programs in the fields of design, communication and the arts. Kansas programs will be offered through online platforms and extended studies delivery.

Academy of Art University is accredited by Western Association of Schools and Colleges. Western Association of Schools and Colleges is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

**Degrees Requested by Academy of Art University for Approval:**

- Associate of Arts in Acting
- Associate of Arts in Advertising
- Associate of Arts in Animation and Visual Effects
- Associate of Arts in Fashion
- Associate of Arts in Fine Art
- Associate of Arts in Game Design
- Associate of Arts in Graphic Design
- Associate of Arts in Illustration
- Associate of Arts in Industrial Design
- Associate of Arts in Interior Architecture and Design
- Associate of Arts in Motion Picture and Television
- Associate of Arts in Music for Visual Media
- Associate of Arts in Photography
- Associate of Arts in Web Design and New Media
- Bachelor of Arts in Multimedia Communications
- Bachelor of Fine Arts in Acting
- Bachelor of Fine Arts in Advertising
- Bachelor of Fine Arts in Architecture
- Bachelor of Fine Arts in Animation and Visual Effects
- Bachelor of Fine Arts in Art Education
- Bachelor of Fine Arts in Fashion
- Bachelor of Fine Arts in Fine Art
- Bachelor of Fine Arts in Game Design
- Bachelor of Fine Arts in Graphic Design
- Bachelor of Fine Arts in Illustration
- Bachelor of Fine Arts in Industrial Design
- Bachelor of Fine Arts in Interior Architecture and Design
- Bachelor of Fine Arts in Motion Picture and Television
- Bachelor of Fine Arts in Music for Visual Media
- Bachelor of Fine Arts in Photography
- Bachelor of Fine Arts in Web Design and New Media
- Master of Architecture
- Master of Arts in Art Education
- Master of Arts in Multimedia Communications
- Master of Fine Arts in Acting
- Master of Fine Arts in Advertising
- Master of Fine Arts in Animation and Visual Effects
- Master of Fine Arts in Fashion
- Master of Fine Arts in Fine Art
- Master of Fine Arts in Game Design
- Master of Fine Arts in Graphic Design
- Master of Fine Arts in Illustration
- Master of Fine Arts in Industrial Design
- Master of Fine Arts in Interior Architecture and Design
- Master of Fine Arts in Motion Picture and Television
- Master of Fine Arts in Music for Visual Media
- Master of Fine Arts in Photography

- Master of Fine Arts in Web Design and New Media

### **International Academy of Design & Technology**

The International Academy of Design & Technology was founded in 1977 as a private college in Chicago by Clem Stein, Jr. Today the school offers associate and bachelor programs at campuses located in Chicago, Detroit, Las Vegas, Nashville, Orlando, Sacramento, San Antonio, Seattle, Tampa and online. Kansas programs will be offered through online platforms and extended studies delivery.

International Academy of Design & Technology is accredited by the Western Accrediting Council for Independent Colleges and Schools (ACICS). ACICS is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

### **Degrees Requested by International Academy of Design & Technology for Approval (online):**

- Associate of Science in Building Information Modeling
- Associate of Science in Information Technology
- Associate of Science in Web Design & Development
- Bachelor of Arts in Fashion Merchandising
- Bachelor of Fine Arts in Advertising Design
- Bachelor of Fine Arts in Digital Media Production
- Bachelor of Fine Arts in Game Production
- Bachelor of Fine Arts in Graphic Design
- Bachelor of Science in Graphic Design
- Bachelor of Science in Information Technology
- Bachelor of Science in Internet Marketing
- Bachelor of Science in Web Design & Development

### **Embry-Riddle Aeronautical University**

Embry-Riddle Aeronautical University was founded in Cincinnati, Ohio in 1925 by John Paul Riddle and T. Higbee Embry. The University is a not-for-profit institution with 150 locations in the United States, Europe, Asia, Canada, the Middle East and online. Today, Embry-Riddle Aeronautical University offers certificate, associate, bachelor, master and doctoral degree programs in the aviation, aerospace, business and engineering fields. Kansas programs will be offered through online platforms and extended studies delivery. The University also has a contract with the U.S. Department of Defense to provide degree programs to the U.S. military in Europe.

Embry-Riddle Aeronautical University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools. The Commission on Colleges of the Southern Association of Colleges and Schools is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

### **Degrees Requested by Embry-Riddle Aeronautical University for Approval:**

- Associate of Science in Aviation Business Administration
- Associate of Science in Aviation Maintenance
- Associate of Science in Professional Aeronautics
- Associate of Science in Technical Management
- Bachelor of Science in Aviation Business Administration

- Bachelor of Science in Aviation Maintenance
- Bachelor of Science in Professional Aeronautics
- Bachelor of Science in Technical Management
- Bachelor of Science in Transportation
- Master of Business Administration in Aviation
- Master of Science in Aeronautical Science
- Master of Science in Leadership
- Master of Science in Logistics & Supply Chain Management
- Master of Science in Management
- Master of Science in Occupational Safety Management
- Master of Science in Project Management
- Master of Science in Space Education

### **Western New Mexico University**

Western New Mexico University, founded in 1893 when the Thirtieth Session of the Territorial Legislature of New Mexico passed “An Act to Establish and Provide for the Maintenance and Government of the Normal Schools of New Mexico.” Silver City and Las Vegas were chosen to be the locations of these teacher-training institutions. Today Western New Mexico University, located in Silver City, offers 70 programs, on campus and online, at the master, bachelor, associate and certificate level in the fields of accounting, criminal justice, education, nursing, occupational therapy and zoology. Kansas programs will be offered through online platforms and extended studies delivery.

Western New Mexico University is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools. The Higher Learning Commission of the North Central Association of Colleges and Schools is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

### **Degrees Requested by Western New Mexico University for Approval:**

- Bachelor of Applied Science in Criminal Justice
- Bachelor of Science in Nursing (RN-BSN)
- Bachelor of Arts in Rehabilitative Services
- Master of Arts in Interdisciplinary Studies
- Master of Occupational Therapy

### **University of Northern Colorado**

The University of Northern Colorado was founded in 1889 and exists by virtue of the State of Colorado and as such is an agency of the State of Colorado. The University is a public higher education institution that offers bachelor degree programs and socialized graduate research, serving students in 50 states and 28 countries. Kansas programs will be offered through online platforms and extended studies delivery.

The University of Northern Colorado is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools. The Higher Learning Commission of the North Central Association of Colleges and Schools is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.



**Degrees Requested by the University of Northern Colorado for Approval:**

- Bachelor of Arts in American Sign Language-English Interpretation
- Bachelor of Arts in Sociology
- Bachelor of Science in Dietetics
- Bachelor of Science in Nursing (RN-BSN)
- Master of Arts in Art and Design
- Master of Arts in Special Education
- Master of Arts in Sports Coaching
- Master of Arts in Criminal Justice
- Master of Arts in Teaching
- Master of Arts in Educational Leadership
- Master of Arts in Educational Psychology
- Master of Arts in Native American Innovative Leadership
- Master of Arts in Natural Sciences
- Master of Arts in Speech-Language Pathology
- Master of Arts in Theatre Education
- Doctor of Education in Educational Studies
- Doctor of Nursing Practice
- Doctor of Philosophy in Nursing Education

### 3. Act on Proposal to Increase GED Record Fees

#### Summary

*This item is a request to increase the GED transcript/verification fee from \$10 to \$15. The rationale for the request is that the revenue provided by the current fee level is inadequate to support KBOR staff costs for this activity.*

#### Background

Pursuant to K.S.A. 72-4530, the Board of Regents is the state agency charged with administering the General Educational Development (GED) program and issuing the Kansas High School Diploma and transcripts of GED scores. KBOR also provides verifications of GED completion to employers and search firms. GED Testing Service (GEDTS), a program of the American Council of Education, is responsible for developing, delivering, and safeguarding the GED Tests. On March 15, 2012, the American Council on Education (ACE) and Pearson VUE announced the formation of a new partnership to create a new corporate entity that will drive the future design and delivery of the GED testing program. The GED tests are currently offered only in a paper-pencil format at Official GED Testing Centers, including the 22 centers in Kansas. GEDTS is pursuing a plan to implement computer-based testing and current plans call for Kansas to implement computer-based testing in 2013, which will require additional resources to conduct the necessary planning and coordination to ensure the smooth implementation of CBT testing in Kansas. The primary goal of the CBT project is to modernize the GED test distribution method.

K.S.A. 72-4530 permits a maximum fee of \$15 per document or verification of GED attainment. KBOR currently charges \$10 per document or verification of GED attainment and has done so since FY2004. As shown on the chart below, the revenue provided at this fee level is not adequate to support the costs for the current work to carry out the program. In addition, we estimate that an additional .5 FTE position will be necessary to provide the leadership and coordination for the CBT project. Also, additional IT/data base work will be needed. As the chart shows, from 2008-2012, receipts were consistently less than expenses. The estimate for 2013 assumes a fee increase to \$15 that will enable income and expenses to balance and to add the necessary staffing to plan and implement the CBT project in Kansas, together with other possible changes envisioned by the new GEDTS.

<b>Kansas Board of Regents</b>						
<b>GED Fund Revenue and Expenditures</b>						
	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>
	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Estimate</b>	<b>Estimate</b>
Revenues	\$87,917	\$82,919	\$91,344	\$90,048	\$90,000	\$135,000
Expenditures	\$88,409	\$86,230	\$92,832	\$94,846	\$115,000	
Salaries						\$98,000
OOE						\$37,000
Difference	(\$492)	(\$3,311)	(\$1,488)	(\$4,798)	(\$25,000)	\$0

**Recommendation**

Staff recommends approval of the request to increase the GED transcript/verification fee from \$10 to \$15, effective July 1, 2012.

#### 4. Act on Request to Approve the Dental Assistant Program Alignment

Blake Flanders,  
VP, Workforce Development

##### Summary

*The Technical Education Authority (TEA) endorsed the proposed Dental Assistant Program Alignment as the best available solution to preserve the four objectives of the alignment process while providing colleges with maximum institutional flexibility. The TEA recommends approval of the Dental Assistant Program Alignment.*

##### Background

##### Program Alignment Process

##### Phase I

- Survey local college advisory committees
- Complete research on current programs at colleges and industry based credential options
- State business and industry recommendation
- 14 day formal comment period for college presidents

##### Phase II

- Curriculum meeting #1
- Administrative review #1
- 14 day formal comment period for college presidents
- Curriculum meeting #2
- Administrative review #2
- 14 day formal comment period for college presidents
- Business and industry review and endorsement
- 14 day formal comment period for college presidents

##### Phase III

- TEA Program/Curriculum Committee recommendation
- TEA recommendation

##### Board Academic Affairs Standing Committee approval

- Kansas Board of Regents approval
- Implementation

##### Executive Summary

The Dental Assistant program (51.0601) alignment project includes three technical colleges and one community college that currently have Dental Assistant educational programs. These institutions are listed below:

Technical College	Community College
Flint Hills Technical College	Labette Community College
Salina Area Technical College	
Wichita Area Technical College	

Business and Industry feedback provided the following recommendations regarding Dental Assistant programs:

1. Completion of a Dental Assistant Educational Program is required
2. Program completers are eligible to sit for the Certified Dental Assistant (CDA) credential

The proposed alignment map dated 12/08/11(attached), program specifics, and all common courses were developed by the curriculum committee, and were subject to a final administrative review on 2/24/12. Program

competencies align with the standards identified by the Commission on Dental Accreditation (CODA), and Dental Assistant educational programs will be accredited by (CODA).

The proposed alignment map was subjected to a 14-day presidential comment period from 3/20/12 to 4/02/12. Colleges did not offer any concerns or comments indicating disagreement or discomfort with the proposed alignment of these programs.

### **Appeal Process**

During the alignment process, a proposed alignment may be adjusted to accommodate the needs of colleges based on presidential comments to the extent that such adjustments do not in turn create a greater amount of disagreement from other colleges in terms of the number of colleges commenting and the number of comments received. While it is our hope that we can resolve all concerns, the reality is that we may have several documented “unresolved” concerns as the proposed program alignment enters **Phase III** (formal approval).

Colleges are encouraged to voice their support or objection to a proposed alignment during the TEA Program/Curriculum Committee conference call when the proposed alignment is presented. Colleges may also voice their support or objection to a proposed alignment during the TEA meeting. ***Proposed Program Alignments will be on the discussion agenda of the TEA meetings.*** In the event a college wishes to “contest” a proposed alignment after adoption by the TEA, the college may submit a letter of objection to the proposed alignment to the Director of Technical Programs and Curriculum at the Kansas Board of Regents stating the rationale for the objection and the suggested action to resolve the objection. Colleges must submit the letter of objection no later than the day of the TEA meeting either in hardcopy or via e-mail to ensure that their objection will be included in the Board Academic Affairs Standing Committee planning process for the subsequent KBOR meeting.

### **Comments Regarding Dental Assistant Program Alignment:**

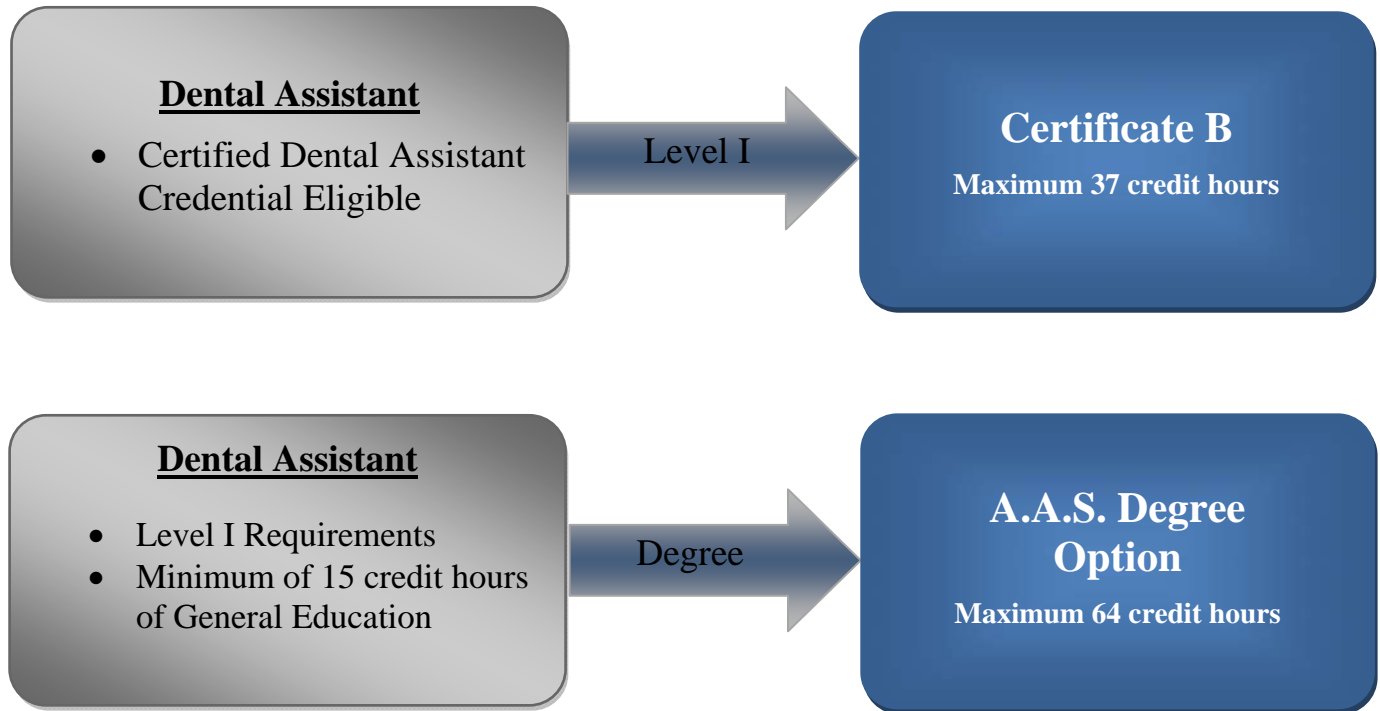
There were no comments received regarding the proposed alignment during the 14-day presidential comment period.

### **Recommendation**

TEA recommends the approval of the proposed program alignment map for Dental Assistant.

Dental Assistant Program Alignment – Kansas Board of Regents  
CIP: 51.0601

2011  
12/08/11



### Notes

Specifics pertaining to Dental Assistant programs:

1. Programs are accredited by the Commission on Dental Accreditation (CODA)
2. Program completers are eligible to sit for the Certified Dental Assistant (CDA) credentialing examination.
3. Program competencies align with Standard II of the Commission on Dental Accreditation.

### Courses within Program

Common Courses----- 16 Credits  
*Infection Control for Dental Practice* ----- 2 Credits  
*Dental Radiology I* ----- 3 Credits  
*Chairside Assisting I* ----- 4 Credits  
*Dental Materials* ----- 4 Credits  
*Dental Practice Management*----- 3 Credits

Support Courses \*----- (up to) 10 Credits  
*Anatomy & Physiology* ----- (up to) 5 Credits  
*Dental Anatomy*----- (up to) 4 Credits  
*CPR* ----- 1 Credit

*Course list sequence has no implication on course scheduling by colleges.*

*Institutions may add additional competencies based on local demand.*

*\*Institutions may utilize existing like courses which adhere to the agreed upon course length and competencies.*

**C. Other Matters**

**1. Receive Report from Kansas Postsecondary  
Technical Education Authority**

**Blake Flanders,  
VP, Workforce Development**

**Summary**

*The Kansas Postsecondary Technical Education Authority met on April 25, 2012 during which members received a recommendation from institutions for a re-centering methodology which would be utilized beginning in FY 2013, one year earlier than had originally been planned. Also TEA Members received recommendations from the Governor's Secondary/Postsecondary CTE Taskforce. Dr. Flanders will update the Board on the TEA meeting.*

**2. Elect FY 2013 Board Chair and Vice Chair**

**Regent McKechnie**

**X. Executive Session**

**Board of Regents – Personnel Matters Relating to Non-Elected Personnel**

**XI. Executive Session**

**Board of Regents – Matters Deemed Confidential in the Attorney-Client Relationship**

**XII. Adjournment**

# AGENDA

## KANSAS BOARD OF REGENTS ACADEMIC AFFAIRS STANDING COMMITTEE

Wednesday, May 16, 2012  
Kathy Rupp Conference Room  
9:45 a.m. – 11:50 a.m.

### I. Performance Reports Review



# AGENDA

Fiscal Affairs and Audit Standing Committee

Wednesday, May 16, 2012

11:00 a.m.-11:50 a.m.

Kansas Board of Regents Office, Board Room

- I. Questions/Clarifications about the Fiscal Affairs and Audit Standing Committee Items on the Board's Agenda
  - Receive and Discuss Capital Improvements Requests for FY 2014 – State Universities
- II. Other Committee Business
  - a. Staff Briefing on Special Committee Charge Related to Impact of “Re-Centering” on Two-Year Colleges
  - b. Staff Briefing on Development of a Budget Request for Transfer and Articulation Web Portal and Process
  - c. Continuation of FAA Sections of Policy Manual Review
  - d. Other Topics

Next Committee Meeting - Agenda Planning Teleconference for June Board Mtg  
Tuesday, June 5, Noon

# AGENDA

Board Governance Committee  
Wednesday, May 16, 2012  
8:30-9:30, Conference Room B

- I. APPROVE MINUTES FROM APRIL 18, 2012**
- II. OLD BUSINESS**
  - A. WORK ON ASSIGNED POLICY MANUAL SECTIONS
    - 1. General Policy Section
      - a. CEO Appointments (Search) Policy
    - 2. Preface/History of the System
- III. NEW BUSINESS**
  - A. Review Appendix C and statutory reporting requirements
  - B. Review proposed process for FY14 budget development
- IV. OTHER COMMITTEE ITEMS**
  - A. NEXT MEETING DATES
    - 1. June 20
    - 2. August Retreat?

# MINUTES

## GOVERNANCE COMMITTEE

### April 18, 2012 Minutes

The Kansas Board of Regents' Governance Committee met on Wednesday, April 18, 2012. Chairman Ed McKechnie called the meeting to order at 9:50 a.m. Proper notice was given according to law.

Members Present: Ed McKechnie, Chair  
Tim Emert  
Fred Logan  
Mildred Edwards

Others Present: Andy Tompkins, KBOR; Julene Miller, KBOR; and Renee Burlingham, KBOR

### APPROVAL OF MINUTES

Regent Logan moved that the minutes of the February 15, 2012 and March 14, 2012 meetings be approved. Following the second of Regent Emert, the motion carried.

### POLICY MANUAL REVIEW

General Counsel Julene Miller presented the proposed amendments to the Board's mission statement. Following discussion, the Governance Committee made the following additional amendments:

#### The Mission of the State of Kansas Public University and College System

The Kansas Board of Regents governs six state universities and coordinates one municipal university, nineteen community colleges and six technical colleges. ~~Together, these 32 institutions make up the Kansas Public University and College System.~~ The Board of Regents' purpose is to support this diverse group of public higher education institutions, each of which contributes to the social and economic well-being of Kansas and its citizens, and each of which seeks excellence ~~in its own sphere~~. The Board fosters rigor, accountability and transparency, guards against unnecessary duplication in programming and operations, and brings unity and seamlessness to the ~~sSystem through means such as transfer and articulation expectations.~~

The mission of the Kansas ~~pPublic uUniversity and cCollege sSystem~~ is to meet the educational needs of a diverse population and multifaceted society by providing teaching, research and service appropriate to the respective missions of its institutions. Those institutions provide education in liberal arts and the professions from the associate through the doctoral level, as well as a range of professional certifications. ~~Through high quality education and research, these institutions impact society's cultural heritage, prepare students for productive activity, open their minds to alternative ways of thinking and living, and acquaint them with ways of learning that may be used throughout life.~~ The system provides broad and affordable access to higher education, prepares students for the workforce and for life, and benefits the State as a whole through economic growth, research contributions, and advancing other aspirational goals of each institution. (12-19-86; 6-23-88; 5-16-91; x-xx-12)

General Counsel Miller reviewed the proposed amendments to the following General Policy sections that were assigned to the Governance Committee:

- General Policy
- Communications with the Board

- Agenda Items
- Minutes
- Interaction with Legislature and Other State Agencies
- Complaint Process
- CEO Appointments Policy
- Procedures Relating to Requests for Inspection of Public Records and Obtaining Copies/Board of Regents Office
- Sustainability Policy and Implementation Principles

The Committee made the following additional amendments:

4. ~~Minutes~~ RECORD OF BOARD ACTION

5. INTERACTION WITH LEGISLATURE AND OTHER STATE AGENCIES (04-16-09)

a. Legislative Appearances and Committee Hearings

~~Legislative Committees often request state university employees to provide expert testimony on proposed legislation, which that may or may not affect the Board and higher education. State university employees should make every effort to accommodate such legislative committee requests to provide expert testimony on proposed legislation, and The university shall notify the Board President and CEO Chief Executive Officer of the invitation so that the Board Office will be aware of such appearances.~~

b. Legislative Requests and Proposed Legislation (Also see Chapter B, Fiscal Management)

(1) ~~The Board must approve~~ All requests made to the Legislature for funds, programs, changes in legislation and new legislation affecting the Board and system institutions. Requests for legislation shall be submitted to the Board for consideration and inclusion in the Board's annual legislative proposals no later than the November meeting of the Board. Emergency situations may warrant special exceptions, but to the extent possible, no request for legislation during the ongoing legislative session will be considered shall be submitted after the March meeting of the Board. Requests for funds, programs, changes in legislation and new legislation that are approved by the Board shall be included in the Board's annual legislative proposals. Requests that are not approved by the Board shall not be submitted to the Legislature for introduction. (5-14-87)

...

d. Information Requests from Other State Agencies

(1) System-wide Requests: Requests directed to state universities for system-wide information from other state agencies or other branches of state government ~~are expected to~~ shall be transmitted through the ~~office of the Board office.~~ State universities receiving requests directly from other state agencies or branches of state government ~~should~~ shall advise the requesting party of this policy and advise the Board office of ~~the Board of~~ the request. When time ~~limitations do not allow~~ is not sufficient time for to allow transmission of responses through the Board office, responses may be submitted directly to the requesting party with copies to the Board office. (11-20-81)

(2) University-Specific Requests: Responses to requests received by a state university for information related specifically to that university ~~should~~ may be sent directly to the requesting party, with a copy to the Board office.

e. Attorney General Opinions

Any state university or ~~employee of a state university~~ official wishing to seeking an opinion from the Attorney General ~~must~~ shall do so by making a request through the office of the general counsel of the Board.

f. Kansas Governmental Ethics Commission Opinions

Any state university or ~~employee of a state university~~ official wishing to seeking an opinion from the Kansas Governmental Ethics Commission ~~should~~ shall do so by making a request through the office of the general counsel of the Board. (10-17-91)

10. COMPLAINT PROCESS (5-15-81; 6-16-11)

- c. If after exhausting all available institutional grievance or complaint processes a student's complaint remains unresolved, the student may make a complaint to the Board office, in writing, by completing and submitting such forms as may be required by the Board.

- (2) Upon receiving a written complaint containing all requisite information, the Board office ~~will~~ shall conduct the following review:

...

25. ~~CEO~~ UNIVERSITY PRESIDENT AND CHANCELLOR APPOINTMENT POLICY-PROCESS

- a. ~~Given the Board of Regents' responsibility for selection and retention of university chief executive officers, the Board will play a central and controlling role in the search process. The Board shall establish appropriate processes for the selection of university chief executive officers.~~
- b. ~~The Board will prepare adopt a position description consistent with the mission of the university and reflective of current campus initiatives.~~
- e. The Board ~~will~~ shall appoint a search committee. ~~The committee will that reflects the variety of constituencies of the university. Its composition will be and is consistent with the priorities of the institution's mission statement. This committee will shall include, but will shall not be limited to, classified and unclassified staff, students, faculty, administration, alumni, and members of the Kansas Board of Regents or their designated representative(s). The Board will shall invite nominations for the committee from elected leaders or representative organizations of the various constituencies, in cases where these exist.~~
- d. ~~CEO~~ University chief executive officer searches ~~will~~ shall be national in scope, advertised in the appropriate national venue(s), and conducted according to equal employment opportunity guidelines.
- e. The search committee ~~will~~ shall review and evaluate all applications and ~~will~~ shall conduct initial interviews.

- f. The search committee ~~will~~ shall assist the Board in its due diligence responsibilities associated with the review of final candidates.
- g. Final interviews and selection of the chief executive officer ~~will~~ shall be the responsibility of the Board. (5-18-00)

## 26. PROCEDURES FOR PUBLIC COMMENT

The Kansas Board of Regents may include on its meeting agenda a time for members of the public to address the Board. The Board Chair ~~will~~ shall determine if the item is to be placed on the agenda of a meeting. The Chair has the discretion and authority to direct and limit the presentation of public comment. (5-18-00)

## 31. SUSTAINABILITY POLICY AND IMPLEMENTATION PRINCIPLES (10-16-08)

~~The Board recognizes and appreciates the strides each university has already made toward sustainability.~~ The purpose of this policy is to outline specific ways, reflective of each university's resource constraints and environmental impacts, in which state universities may be able to enhance their service to Kansans as well as their leadership in addressing these challenges both on campus and, though their extensive contacts and relationships, throughout Kansas and the world.

### a. Policy Statement

University policies, practices and programs should, when possible, embody approaches that reduce life cycle costs, restore or maintain the functioning of natural systems, and enhance human well-being.

For purposes of this policy provision, sustainability shall mean societal efforts to meet the needs of present users without compromising the ability of future generations to meet their own needs. Sustainability presumes that the planet's resources are finite, and should be used conservatively, wisely and equitably. ~~Decisions and investments aimed to promote sustainability will simultaneously advance economic vitality, ecological integrity and social welfare.~~

### b. Implementation Principles

- (4) Campus Planning: State universities ~~recognize that sustainable design is a means to reduce energy consumption; enhance the health, well-being and productivity of the building occupants; and improve the quality of the natural environment. All of these can contribute to high-performing university buildings with lower life cycle costs. Accordingly, the state universities~~ shall evaluate the impact of their construction projects; incorporate green building and design methods to the extent economically feasible; and consider the impact of planning decisions on future generations of the campus community, with the goal of minimizing the environmental footprint.
- (5) Administration: State universities shall develop sustainability goals ~~that will~~ to inform institutional policies and procedures. These policies and procedures ~~will~~ shall rely on scientific and technical analysis, informed by economic realities of funding, to support efforts to develop objectives and targets for operations with indicators, or measures to assure accountability to the Board. Whenever economically feasible, sustainability ~~will~~ shall be included in areas of planning, decision-making, assessment, and reporting.
- (6) Outreach: ~~State universities have various missions and roles with regard to their relationships with entities and individuals outside their respective boundaries. Engagement~~

~~with sustainability in the various areas of university life will necessarily affect these relationships.~~ State universities shall conscientiously share the knowledge, awareness, and expertise generated by their engagement with sustainability in accordance with their respective missions and roles in serving society as a whole.

Regent Emert moved to approve the Board's mission statement as amended. Regent Logan seconded, and the motion carried. Additionally, General Counsel Miller presented the following timeline for taking the proposed amendments that have been reviewed by the Governance Committee to the full Board:

3. Academic Affairs, 1<sup>st</sup> read February 15, 2012
4. Preface & By-laws, 1<sup>st</sup> read April 19, 2012
5. Mission of the System, Board & Its Staff, Fiscal Management, and Facilities, 1<sup>st</sup> read May 16-17, 2012
6. All of above, action June 20-21, 2012

#### BOARD'S AUTHORITY OVER CLASSIFIED EMPLOYEES' SALARY INCREASES

General Counsel Miller reviewed the Board's authority over classified employees' salary increases. K.S.A. 76-715a, enacted by the 2005 Kansas Legislature, provides authority for the Board of Regents to allow any state university to convert all, or any portion of, classified staff employee positions to the unclassified service of state employment. The statute outlines the process for this conversion; once converted, the institutions have more flexibility regarding compensation for these employees. Additionally, the Board has authority to approve memorandum of agreements with recognized bargaining units that may contain salary provisions that differ from the state classified system. Other than in these two situations, the Board has no control over classified employee salaries.

#### CEO EVALUATION PROCESS

The Governance Committee discussed the possibility of the Board hiring a salary consultant to do a peer review for the six university CEOs. The Committee asked staff to gather information on this topic.

#### ADJOURNMENT

The meeting was adjourned at 11:00 a.m.

# AGENDA

System Council of Presidents  
Kansas Board of Regents Office  
1000 S.W. Jackson  
Topeka, KS  
March 14, 2012  
10 a.m.-11 a.m.  
Suite 530

1. Approve minutes of March 14, 2012, meeting
2. Receive update from the SCOPs Workgroup regarding the Board's budget development process
3. Continue discussion on geographic boundary issues
4. Receive update on Transfer and Articulation
5. Other Matters



# MINUTES

System Council of Presidents  
Kansas Board of Regents Office  
1000 SW Jackson  
Topeka, KS  
March 14, 2012  
10 a.m.-11 a.m.  
Suite 530

Members present: President Terry Calaway, Johnson County Community College  
President Jerry Farley, Washburn University  
Chancellor Bernadette Gray-Little, University of Kansas  
President Mike Shonrock, Emporia State University  
President Ed Hammond, Fort Hays State University  
Vice President Alysia Johnston, Coffeyville Community College  
Provost Keith Pickus, Wichita State University  
President Kirk Schulz, Kansas State University  
President Steve Scott, Pittsburg State University  
President Clayton Tatro, Fort Scott Community College  
President Andy Tompkins, Kansas Board of Regents

President Kirk Schulz, serving as co-chair, called the meeting to order at 10:06 a.m.

1. Minutes from February 15, 2011, meeting—moved by President Hammond, seconded by President Shonrock, approved.
2. Report from System Council of Chief Academic Officers—Alysia Johnston, Vice President for Learning, Coffeyville Community College.

Washburn University provided information on their nursing program. Gary Alexander provided information on Foresight 2020 and will provide a document on learner outcomes. Bill Williams discussed transfer and articulation. The draft gives the charge on what the Core Outcomes Group Committees will do.

3. Discuss how to improve the Board's budget development process

President Calaway opened the floor for discussion. President Tompkins encouraged open discussion on this issue, stating that the Board knows that the budget development process needs improvement.

Chancellor Gray-Little stated that sometime in May or June a discussion needs to begin in order to be ready to submit a budget in September. President Calaway articulated the need for a budget calendar to make the process more efficient. President Schulz stated that system-wide needs should be discussed earlier as well. President Tatro believes that system-wide needs should be addressed earlier than May or June in order to have a unified budget proposal by September 15.

President Farley questioned whether the entire budget development process needs to be reviewed. Chancellor Gray-Little discussed the different topics that are being addressed in this

conversation: the system of tracking students, the way budgets are constructed across sectors and how much commonality there is between those institutions, as well as the budget calendar issue.

President Schulz articulated the need to present the system's budget needs to the Governor and his staff earlier than in the past in order to have time for those needs to be included in the Governor's budget. President Tompkins would like to get a group together to begin addressing all of these issues; a list of names of those who will comprise this group will be submitted by the end of the day today.

President Tompkins suggested that maybe one option might be for the State Universities to submit their budgets to the Regents, and the Regents would submit one unified budget to the State—rather than each institution continuing to submit separate budgets.

4. Review geographic boundary issues

Julene Miller provided a brief summary on the issue of geographic jurisdiction. A map of the community colleges territories was presented and discussed. President Schulz discussed how the main issues will come from the compiled survey results, which will be sent back next month, and can be discussed in more depth at the May meeting. The Board would really like a consensus from the CEOs of what that policy should be in the future. President Schulz suggested that a conference call be conducted in April when the survey results come out so that a discussion would already be in progress by the May meeting. President Tompkins discussed the issue of course offerings by non-profits and privates.

5. Information on Doctorate of Nursing Practice (CIP 51.3818) – Washburn University (Attachment A) (No Action Required)

6. Other Matters.

There were no other matters for discussion.

There being no further business, the meeting adjourned at 10:50 a.m.

# AGENDA

Council of Presidents  
Kansas Board of Regents Office  
1000 S.W. Jackson  
Topeka, KS  
May 16, 2012  
11 a.m. or adjournment of SCOPS  
Suite 530

1. Approve minutes of March 14, 2012, meeting
2. Report from Council of Business Officers
3. Report from Council of Chief Academic Officers
4. Report from Council of Chief Research Officers
5. Report from Council of Government Relations Officers
6. Follow up on Student and Faculty Sections of the Board's Policy Manual
7. FHSU - Request Approval for a Bachelor of Arts in Global Business English (35.0103) (Attachment A)
8. Request to Delete Board Policy on Graduate Credit for Short Courses (Attachment B)
9. Other matters

## (Attachment A)

**Request Approval for a Bachelor of Arts in Global Business English (35.0103) –Fort Hays State University****Summary and Recommendation**

*Universities may apply for approval of new academic programs following the guidelines of Appendix G in the Kansas Board of Regents Policies and Procedures Manual. Fort Hays State University has submitted an application for approval of a Bachelor of Arts in Global Business English (CIP 35.0103). The proposing academic unit has responded to all of the requirements of the program approval process. No other institution has programs utilizing this Classification of Instructional Program (CIP) code. The program will be funded through cross-border partnerships that are self-supporting. The Council of Chief Academic Officers recommends approval.*

**Background**

<b>Criteria</b>	<b>Program Summary</b>
1. Program Identification CIP	CIP 35.0103 Global Business English
2. Academic Unit	Department of Global English (proposed)
3. Program Description	<p>The “Global Business English” (BGE) major is designed to prepare undergraduate students for careers in which cross-border and cross-cultural communication is essential. Building on the General Education foundation, BGE students will take 30 required hours in coursework specific to GBE. Complementing these required courses will be a cognate in the General Education program and at least six hours of electives taken from upper-division courses in a variety of departments. Graduates from this major will be well prepared to hold positions in multinational corporations, non-governmental service organizations, and in governmental agencies.</p> <p>The purpose of the GBE program is to provide students with the knowledge, skills, values, and strategic perspectives essential to communicating in English across national and cultural borders. The program aims at producing near-native fluency in speaking, listening, reading, and writing English in a variety of business and governmental contexts. This requires development of cross-cultural understanding and critical thinking skills.</p>
4. Demand/Need for the Program	Business and governmental researchers emphasize that in a global era, organizations need people who can communicate effectively across national and cultural boundaries. Perhaps the need for those who are fluent in both Chinese and English is the greatest such need. We are working with our partner universities in China to add value to their degrees by enabling their students to get the BA in GBE from FHSU as a second degree. The partnership currently covers students in Business Administration, International Finance, International Trade, and Business English. We expect that we will have 100 students in the first semester of offering the program.
5. Comparative/Locational Advantage	The GBE major will be offered both on- and off-campus. Partnership programs that FHSU has with international schools have an interest in this

	<p>major. These partners have expressed a strong interest in a program that would increase students' ability to use the English language effectively, particularly in an American business or governmental contexts. Therefore, the competencies that FHSU has developed working with international partners in China will provide a distinctive comparative advantage. Domestic students, those whose fluency in English is already at the native level, will be exposed to the varieties of English used in an increasingly global world. These strengths position the Department of Global Business English to be able to meet the needs of international students as well as domestic students.</p>
6. Curriculum	<p>The requirements for the Bachelor of Arts with a major in Global Business English will include FHSU's General Education program, which is 55 credit hours; the modern language required for the B.A. degree, 10 hours; the major program of 36 hours; and 23 hours of electives for a total of 124 credit hours.</p>
7. Faculty Profile	<p>The GLE courses offered in our partner institutions' facilities will be taught by a combination of existing and new FHSU faculty. The GLE courses offered on-campus will be taught by new faculty. The courses in the major elective area will be taught by existing faculty. All of these faculty members will be qualified in each of their teaching disciplines. Although there may be faculty employed temporarily without the terminal degree, all permanent faculty of the program will possess the terminal degree.</p> <p>The effort to get this program underway initially will be led by a tenured, associate professor of English. He possesses a Ph.D. from the University of Kansas, and he has led the on-campus FHSU effort in teaching writing throughout the curriculum. He has served as a liaison with the FHSU partners in China, and he is currently a Teagle Foundation Teaching and Learning Scholar.</p>
8. Student Profile	<p>Students in this major will have a profile similar to other international students who earn the FHSU degrees as second degrees at their home university. Majors in this program will have an interest in acquiring a skill set focusing on working in international or cross-border and cross-cultural business or governmental positions. Domestic students will be characterized by their desire to work in international and global businesses and non-governmental organizations.</p>
9. Academic Support	<p>Each of the following services is more completely described in the full narrative.</p> <ul style="list-style-type: none"> <li>• Students in the major will be advised by faculty in the department. Secondary advising will be carried out by personnel at partner universities.</li> <li>• The Kelly Center, on the FHSU campus, is committed to helping Fort Hays State University students, faculty, and staff be successful in their personal development.</li> <li>• The Disability Student Services office is dedicated to ensuring equal access to the educational opportunities.</li> <li>• Forsyth Library is the information/research center for the university.</li> <li>• The Learning Commons is located in Forsyth Library and includes the reference desk, a technology assistance center, a presentation</li> </ul>

	<p>area, a dimensional mediated instruction area, distributed learning spaces, and smart study rooms.</p> <p>Assists faculty with the convergence of information technologies into digital formats. Numerous workshops are offered throughout the year to provide faculty/staff with opportunities to develop skills and enhance instruction.</p>
10. Facilities and Equipment	All facilities and equipment needed to deliver this major and the associated courses are in place and no new expenditures are expected.
11. Program Review, Assessment, Accreditation	<p>The Global Business English program will be at the forefront of performance-based learning. Not only are the learning outcomes themselves specified in terms of the skills of one who completes the course successfully, but the means of achieving those goals will be strongly based in individual and group performance and in the display of skills.</p> <p>Educational technology will be used to enhance practicing of skills, where it is appropriate. And student development will be recorded and displayed through a cumulative portfolio of student performance.</p>
12. Costs, Financing	<p>For the first year of offering courses, the College of Arts and Sciences will need to hire one Ph.D.-qualified faculty member (\$50,000 salary + \$17,771 benefits = \$67,771) to develop and teach the required core courses for this program in the first year. Another fulltime faculty member will be required to meet program needs for both the second and third cohort (expect to be 200 students per year), at an approximate cost of \$67,771 each.</p> <p>Another critical program resource will be the operating budget, including transportation costs for the faculty. This need is estimated at \$10,000.</p> <p>One may note that the revenue generated by tuition and fees coming from the 100 students each completing six credit hours in the first year of the program would come to more than \$120,000.</p> <p><b>Total Costs: \$67,771 + \$10,000 = \$77,771 to launch program.</b></p>

**CURRICULUM OUTLINE  
NEW DEGREE PROPOSALS  
Kansas Board of Regents**

**I. Identify the new degree:**

B.A. in Global Business English (new degree)

**II. Provide courses required for each student in the major:****Core Courses – 30 hours**

“GLE” is the abbreviation for “Global English.”

GLE 104	Introduction to Business English
GLE 111	Sustainability and the Future: Seven Revolutions
GLE 201	Critical Thinking for the Professional
GLE 290	Listening and Conversation
GLE 300	Business and Professional Presentations
GLE 320	Cross-cultural Communication
GLE 340	Topics in Global English: [industry specific topic]
GLE 360	Writing in the Professions
GLE 380	Global and Social Networking
GLE 460	Approaches to Global English: [industry specific capstone course]

**Cognate Course – 3 hours**

IDS 401	Ethical Issues in the Professions and Business
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**Major Electives -- 6 hours chosen from among the following**

COMM 318	Introduction to Organizational Communication
ENG 121	Language Skills in the Professions
ENG 385	Professional Editing
ENG 602	Topics in Writing
GLE 120	Intensive Academic Reading Skills
GLE 370	Translation and Interpretation I: English to Target Language
GLE 375	Translation and Interpretation II: Target Language to English
MLNG 410	Foreign Language Teaching Methodology
SLP 318 and 318L	Accent Modification for International Speakers and Lab

IMPLEMENTATION YEAR FY 2012, Fall SemesterInstitution: Fort Hays State University Proposed Program: New BA Degree: Global Business English

Part I. Anticipated Enrollment	Implementation Year		Year 2		Year 3	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
A. Full-time, Part-time Headcount:	0	100	20	275	50	500
B. Total SCH taken by all students in program	600		2250		4050	
Part II. Program Cost Projection						
A. In <u>implementation</u> year one, list all identifiable General Use costs to the academic unit(s) and how they will be funded. In subsequent years, please include only the additional amount budgeted.						
	Implementation Year		Year 2		Year 3	
<u>Base Budget</u> Salaries	\$67,771		\$135,542		\$67,771	
OOE	\$10,000		\$20,000		\$10,000	
Total	\$77,771		\$155,542		\$77,771	

Indicate source and amount of funds if other than internal reallocation: The cross-border partnerships are self-supporting. Revenue from tuition and fees (undergraduate, FY 2012) coming from students in the program is projected to exceed \$120,000 in the first year, \$450,000 in the second year, and \$900,000 in the third year.

Revised: September, 2011

Approved: \_\_\_\_\_



(Attachment B)

**Request to Delete Board Policy on Graduate Credit for Short Courses****Summary and Staff Recommendation**

*This item is a recommendation from the Council of Chief Academic Officers (COCAO) that the Governance Committee recommend deleting the Board's policy on Graduate Credit for Short Courses (Policy and Procedures Manual, Chapter II, Section D.5).*

**Background**

The Council of Chief Academic Officers reviewed the KBOR policy on Graduate Credit for Short Courses at its February 15, 2012 meeting. Based on that review, the Council unanimously voted to ask the Board Governance Committee to recommend eliminating the policy. The rationale behind this request is that the policy no longer fits current practice. Distance education dramatically changes the nature of these courses. Limiting SCH to a single hour per week is unrealistic in a time when faculty can communicate with students 24/7. Likewise, given the national and state emphases on college affordability and completion, it is inefficient to add require three campus visits.

**Request**

The Council of Chief Academic Officers recommends deleting the KBOR policy on Graduate Credit for Short Courses:

***5. GRADUATE CREDIT FOR SHORT COURSES***

*For each unit of graduate credit in intensive courses of short duration (e.g., workshops, skills, didactic or other special courses), there should be at least 15 hours of direct instruction together with the usual amount of out of class scholarly work. Direct instruction should extend over a period of at least three days per credit, with no more than one credit earned per week. In rare instances, the graduate dean may authorize exceptions in advance, provided there is documentation that the requirements for direct instruction and outside work are met. Course publicity will indicate the nature of the outside work in sufficient detail as to indicate a reasonable understanding of the amount of work involved for a typical student, as well as a date for completion of the work. (3-16-89)*

**Recommendation**

The Council of Chief Academic Officers recommends approval of this request.

# MINUTES

Council of Presidents  
Kansas Board of Regents Office  
1000 SW Jackson  
Topeka, KS  
March 14, 2012  
11 a.m.-12 noon  
Suite 530

Members present: President Mike Shonrock, Emporia State University  
Chancellor Bernadette Gray-Little, University of Kansas  
President Ed Hammond, Fort Hays State University  
Provost Keith Pickus, Wichita State University  
President Kirk Schulz, Kansas State University  
President Steve Scott, Pittsburg State University  
President Andy Tompkins, Kansas Board of Regents

The meeting was convened at 10:58 a.m. by President Schulz.

1. Minutes from February 15, 2012 meeting—moved by President Hammond, seconded by President Shonrock, approved.
2. Report from Council of Business Officers—Bruce Shubert, Vice President for Administration and Finance, Kansas State University

COBO had a brief call on March 7, 2012, at that time, the appropriation bills generally followed the Governor's recommendations.

Transfer and articulation were discussed and the costs associated with the implementation of a portal similar to that used by the State of Arizona.

Veteran tuition assistance was discussed, as well as the Yellow Ribbon Program for GI Bill recipients who do not qualify for resident tuition. KU, K-State, Pittsburg, and Fort Hays are participants in that program at this time.

COBO discussed a financial ratio analysis table prepared by the Board, and no suggestions were made for altering this table.

Mike Michael and Carrie Doyal from the Kansas Department of Health and Environment joined COBO to discuss the State Workers Compensation plan. COBO plans to request more detailed information on a regular basis so they can better understand where and how to focus claim expense reduction efforts.

COBO also clarified last year's actions related to K-State maternity leave proposal. COBO's position has not changed.

3. Report from Council of Chief Academic Officers—April Mason, Provost and Senior Vice President, Kansas State University.

COCAO discussed transfer and articulation and the core outcomes process.

COCAO discussed the schedule changes that have occurred this year. Careful attention needs to be given when scheduling discussion items on the Board agenda on Thursday that effect COCAO members since they regularly meet on Wednesdays.

Out-of-state recruitment efforts were discussed.

Coordinators for the Tilford Conference will be presenting at COCAO's lunch meeting today.

COCAO will be having a conference call next month to continue discussions on various issues.

A discussion is continuing over lunch about the University Press of Kansas.

4. Report from Council of Chief Research Officers—Ron Trewyn, Vice President for Research, Kansas State University.

CCRO met yesterday and reviewed the presentation last month to the KBOR. Discussion was had about EPSCoR. They discussed a KBA proposal about matching EPSCoR.

CCRO discussed today's unmet needs for matching funds. What size should the fund be? \$2.5-3.0 million is the approximate amount.

Undergraduate research initiatives on the various campuses were discussed. Are there any statewide measures that can be implemented? They are looking into it. An undergraduate research poster session in the fall, in conjunction with the statewide Wind Energy Conference in Manhattan, was discussed. The venue has been reserved. Next year, the Capitol rotunda will be utilized after renovations are complete.

CCRO's upcoming meeting schedule was confirmed for the rest of the fiscal year.

5. Report from Council of Government Relations Officers—Sue Peterson, Director of Governmental Relations, Kansas State University.

Mary Jane Stankiewicz's report was distributed to COPs. COGRO appreciates Mary Jane's leadership this Session on the many pieces of legislation, and, particularly, on the Personal Family Protection Act, a.k.a., the Guns Bill.

The budget and the Gun Bill are being worked on by CGRO. The budget is supposed to be on the House floor tomorrow, and Senate Ways & Means will be doing their work on Thursday or Friday.

The bill on Sexual Abuse Reporting was tabled in the Judiciary Committee.

The License Plate Bill is on the House floor today and is in the Ducks Unlimited Bill in the Senate.

The Speaker's Bill was passed as introduced.

President Tompkins stated that the Regents will be making a statement to the Legislature on qualified admissions.

6. Discussion of Budget Process

7. KU – Request Approval for a Bachelor of Science in Information Technology (11.0103) (Attachment A)

President Hammond moved, Provost Pickus seconded, President Schulz approved.

8. Other Matters

There being no other business, the meeting was adjourned at 11:40 a.m.

# AGENDA

Wednesday, May 16, 2012  
 8:15 a.m. – 9:00 a.m.  
 Conference Call  
 Kathy Rupp Conference Room  
 Kansas Board of Regents  
 1000 SW Jackson, Ste 520  
 Topeka, Kansas

1. Approve Minutes of April 18, 2012
2. Discussion:
  - a. Foresight 2020 4.2 (Undergraduate Student Learning Assessment)
  - b. Transfer and Articulation Advisory Council
3. Other Business

## SCOCAO Schedule – September 2011 – June 2012

AGENDA MATERIALS DUE	MEETING DATES
August 24, 2011	September 21, 2011
September 28, 2011	October 19, 2011
October 26, 2011	November 16, 2011
November 23, 2011	December 14, 2011
December 21, 2011	January 18, 2012
January 25, 2012	February 15, 2012
February 22, 2012	March 14, 2012
March 28, 2012	April 18, 2012
April 25, 2012	May 16, 2012
May 21, 2012	June 20, 2012

# MINUTES

## System Council of Chief Academic Officers Minutes

Wednesday, April 18, 2012

9:00 a.m.

By Conference Call

Kathy Rupp Conference Room

Kansas Board of Regents

Curtis State Office Building

Topeka, KS

The System Council of Chief Academic Officers met by conference call in the Kansas Board of Regents office, Suite 520, 1000 SW Jackson, Topeka, Kansas, at 9:00 a.m. on Wednesday, April 18, 2012.

### Members Present:

Alysia Johnston, Coffeyville Community College  
Allen Rawitch, University of Kansas Med Ctr  
Larry Gould, Fort Hays State University  
Lynette Olson, Pittsburg State University  
Kevin Brungardt, Garden City Community College  
Marilyn Mahan, Manhattan Area Tech College  
Jon Marshall, Allen County Community College

Jeffrey Vitter, University of Kansas  
April Mason, Kansas State University  
Keith Pickus, Wichita State University  
Randy Pembrook, Washburn University  
Donna Estill, Fort Scott Community College  
Tes Mehring, Emporia State University

### Board Staff:

Gary Alexander

### Others Present:

Sara Rosen, University of Kansas; Ruth Dyer, Kansas State University; Rick Muma, Wichita State University; Penny Quinn, Barton County Community College; and Kim Krull, Cloud County Community College

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### Approve Minutes of March 14, 2012 Meeting Minutes

The March 14, 2012 minutes were approved by consensus.

### Informational Item - Washburn University – Master of Health Science in Health Care Education

Randy Pembrook gave a brief overview of Washburn University's proposed Master of Health Care Education. He introduced Willie Dunlap, Pat Munzer and Vickie Kelly. This degree "will prepare practicing allied health care providers the opportunity to become educators in their specific disciplines."

This is an informational item and no action is required.

### Informational Item - Washburn University – Master of Arts in Human Services

Randy Pembrook gave a brief overview of Washburn University's proposed Master of Arts in Human Services. He introduced Willie Dunlap and Deborah Altus. "This emphasis will prepare students to become Licensed Clinical Addictions Counselors through the Kansas Behavioral Sciences Regulatory Board."

This is also an informational item and no action is required.

### Discussion

**a. Foresight 2020 4.2 (Undergraduate Student Learning Assessment)**

Gary Alexander presented the draft report on Undergraduate Student Learning Assessment compiled from responses received from the public institutions.

Discussion followed with the Council suggesting a few revisions and asking for some additions. SCOCOA members were asked to email any revisions and/or additions to Gary Alexander.

Gary Alexander will make the suggested changes to the draft document and email to the Council for comment. The report will be on the Council's May agenda to be presented to the Board in June.

**b. Performance Agreement Form**

The Council reviewed the new performance agreement form. Jean Redeker advised the Council that this form will be used by the institutions that are to submit new agreements this year. The due date has been changed from July to August.

Discussion followed:

- The last column "evaluation" will change each year
- Institutions will use the new form for reporting on their performance agreements
- The guidelines will be revised in the near future

**c. Transfer and Articulation Advisory Council**

Gary Alexander provided an updated on the Transfer and Articulation Advisory Council as follows:

- The next meeting is this morning at 11 a.m.
- The Council will:
  - Review the draft policy
  - Discuss the Core Outcomes Project for the Fall
  - Review the Course Numbering for the General Education Core Courses Approved by the Kansas Board of Regent January 19, 2012

**Other Business**

There being no other business the meeting adjourned at 9:35 a.m.

# AGENDA

Wednesday, May 16, 2012  
9:00 a.m. – 9:30 a.m.  
or upon adjournment of SCOCAO  
Kathy Rupp Conference Room  
and reconvene at noon in Suite 530  
1000 SW Jackson Street  
Kansas Board of Regents  
Topeka, Kansas

1. Approve Minutes of April 18, 2012
2. KBOR update – Gary Alexander
3. New Program Requests
  - a. KSU - Request Approval for a new Master of Science in Family and Community Services (CIP 19.0707) (SECOND READING)
  - b. KU - Request Approval for a new Bachelor of Science in Pharmaceutical Studies (CIP 51.2001) [FIRST READING]
4. Program Requests
  - a. ESU - Requests Approval to Create a New Department – Interdisciplinary Studies in the College of Arts and Sciences
  - b. KSU - Request Approval to Change the Department of Music, Theatre and Dance to the School of Music, Theatre and Dance
  - c. KSU – Request Approval to Change the name the Major Long-term Care Administration to Gerontology in the College of Human Ecology
5. Informational Item
  - a. PSU - Discontinuance of the Master of Arts in Art (CIP 50.0701)
  - b. KUMC Certificate Program in Community Based Participatory Research
  - c. KUMC Certificate Program in Integrative Nutrition
6. Discussion
  - a. University Press of Kansas
  - b. Regents Distinguished Professor Policy
7. Other Business



**COCAO Fall 2011 – Spring 2012**

<b>AGENDA MATERIALS DUE</b>	<b>MEETING DATES</b>	<b>LUNCH ROTATION</b>
August 24, 2011	September 21, 2011	<b>ESU</b>
September 28, 2011	October 19, 2011	<b>WSU</b>
October 26, 2011	November 16, 2011	<b>KU</b>
November 23, 2011	December 14, 2011	<b>KUMC</b>
December 21, 2011	January 18, 2012	<b>Washburn U</b>
January 25, 2012	February 15, 2012	<b>FHSU</b>
February 22, 2012	March 14, 2012	<b>KSU</b>
March 28, 2012	April 18, 2012	<b>PSU</b>
April 25, 2012	May 16, 2012	<b>ESU</b>
May 21, 2012	June 20, 2012	<b>WSU</b>
<b>*Please Note: New Programs Proposals should to be submitted 4 weeks prior to the next COCAO meeting for review and processing purposes.</b>		

# MINUTES

## Council of Chief Academic Officers

**Wednesday, April 18, 2012**

**10:00 a.m. – 11:00 a.m.**

**Or upon adjournment**

**of SCOCAO**

**Kathy Rupp Conference Room**

**Kansas Board of Regents**

**Curtis State Office Building**

**Topeka, Kansas**

## MINUTES

The Council of Chief Academic Officers met on Wednesday, April 18, 2012, by conference call at 9:35 a.m.

### **Members Present:**

Larry Gould, Provost, FHSU

Jeffrey S. Vitter, Provost and EVC, KU

April Mason, Provost, KSU

Lynette Olson, Provost, PSU

Randy Pembroke, VPAA, WU

Tes Mehring, Provost, ESU

Keith Pickus, Interim Provost, WSU

Allen Rawitch, VCAA, KU Med Center

Gary Alexander, KBOR

### **Others Present:**

Sara Rosen, KU; Ruth Dyer, KSU; Rick Muma, WSU; Alysia Johnston, Coffeyville CC; and Kevin Brungardt, Garden City CC

### **Approve Minutes of March 14, 2012**

Allen Rawitch moved, and Tes Mehring seconded the motion, to approve the March 14, 2012 minutes as submitted. Motion carried.

### **KBOR update - Gary Alexander**

- COCAO responded to BAASC, the universities have processes in place with high schools that provide input regarding students' university experience
- The Council of Chief Research Officers (COCRO) met Tuesday, April 17 and a state plan for research development will be prepared for the June Board meeting
- April Mason complimented the Regents on their commitment to higher education (They visited K-State for a campus visit and the Higher Learning Commission accreditation visit within a few days time.)

### **New Program Requests**

#### **FHSU – Request Approval for a new Bachelor of Arts in Global Business English (CIP 35.0103) (SECOND READING)**

This is the second reading for the Fort Hays State University's proposed Bachelor of Arts in Global Business English (CIP 35.0103) which will be delivered primarily online with some face-to-face time with international students.

Keith Pickus moved, and Tes Mehring seconded the motion, to recommend approval to the Council of Presidents to be placed on its May, 2012 agenda. Motion carried.

**KSU - Request Approval for a new Master of Science in Family and Community Services (CIP 19.0707) (FIRST READING)**

Kansas State University submitted the proposed new program, Master of Science in Family and Community Services (CIP 19.0707). This program would be a part of the Great Plains Interactive Distance Education Alliance.

This is for first reading and no action is required. Please provide any input/concerns to April Mason prior to the May 2012 meeting.

**Program Requests**

**KSU - Requests Approval to Realign a Unit and Make a Name Change**

April Mason presented K-State's request for approval to realign the Theatre and Dance program from Communication Studies (CS) to Music and making a name change for the College of Arts and Sciences as follows:

Current

Department:	Communication Studies, Theatre and Dance
Degrees and CIP:	Communication Studies (09.0101) and Theatre and Dance (50.0501) COMM,
Program Codes:	DANCE, THTRE

Department:	Music
Degrees and CIP	Music (50.0901) and Music Teacher Education (13.1312)
Program Codes:	MUSIC

New

Department:	Communication Studies
Degrees and CIP:	Communication Studies (09.0101) COMM
Program Codes:	

	Music, Theatre, and Dance
Department:	Music (50.0901), Music Teacher Education (13.1312), Theatre
Degrees and CIP:	and Dance (50.0501)
	MUSIC, DANCE, THTRE
Program Codes:	

Larry Gould moved, and Allen Rawitch seconded the motion, to approve K-State's request listed above. Motion carried.

**Informational Item**

**PSU - Civil Construction new emphasis in the Bachelor of Science in Technology (BST) (CIP: 52.2001)**

**PSU – Building Information Modeling new emphasis in the Bachelor of Science in Technology (BST) (CIP: 52.2001)**

Lynette Olson presented the two informational items for Pittsburg State University listed above. These are informational items and no action is required.

**Discussion**

**Requests to revise board policy**

- **Short Courses**

Gary Alexander presented a draft issue paper of the request to delete KBOR policy for the Graduate Credit for Short Courses.

Tes Mehring moved, and Keith Pickus seconded the motion, to approve deleting the “Graduate Credit for Short Courses” from the KBOR policy. Motion carried.

- **Distinguished Professorships**

Gary Alexander presented the draft issue paper for revising the KBOR policy for Regents Distinguished Professorships. The Council reviewed the document and suggested a few changes. This item will be on the May 2012 COCAO agenda.

- **University Press of Kansas**

April Mason had emailed the following from Education Advisory Board:

**Kansas State University: Updated Trends in University Presses**

University main contact: Dr. April Mason, Provost and Senior Vice President

**Project Objective:** Our research will explore current trends in university presses, focusing on governance structures, strategic planning, financial sustainability, and digitization.

**Research Approach:** Our research team will interview university press administrators at peer institutions and at institutions who have successfully moved to digitization. As requested, we will also include Texas Tech University and the University Press of Colorado in our outreach efforts. **We will wait for confirmation from you before identifying either Kansas State University or the Council of Chief Academic Officers of the Kansas Board of Regents in our outreach.**

**Research Questions:**

- **Financial Sustainability:** What practices have the university press employed to enhance long-term relevance and financial viability? How does a university press determine if a practice is successful, and what practices are still in development or are in the early stages of implementation? Does the press receive subsidies from their respective universities? Are subsidy amounts revisited on a regular basis? If presses are unsubsidized by their respective universities, to what do they attribute their financial success? Have increased digitization efforts contributed to the press’ financial sustainability? What other strategies are the press adopting to help their financial situation?
- **Governance and Strategic Planning:** Who maintains oversight of the university press? Who is involved in strategic planning for the press (e.g., editors, faculty, administrators, a board, all of the above)? What significant changes have occurred in the past 3 years? How often does the press’ governing body conduct performance evaluations? If a press represents multiple universities, how does the press determine which areas of scholarship on which it will focus?
- **Digital Technology:** How is the university press responding to or utilizing emerging digital technology? Has the university press adapted a print on demand model? If so, what considerations were made? Has the press transitioned to digital publishing? If so, what considerations were made?

**Timeframe:** We anticipate a turnaround time of approximately eight weeks for this project, with a projected delivery timeframe of the week of May 30, 2012. We will send an update on project progress and findings to date in late April. Upon project delivery, we will provide a list of networking contacts so that you may reach out to these contacts directly for further information.

The Education Advisory Board asked for confirmation of who they are calling on behalf of – Kansas Board of Regents, Council of Chief Academic Officers, Kansas State University and or the University of Kansas. The

Council agreed by consensus that the Education Advisory Board should call on behalf of the Kansas Board of Regents Council of Chief Academic Officers.

**Other Business**

**Status of Legislation**

The Council discussed concern regarding the bills on developmental courses and the exception window. Board staff will track these items and provide an update when the Legislature is back in session.

**WSU Presidential Search**

Keith Pickus advised COCAO that five candidates have been interviewed for Wichita State University's President and the search is progressing.

There being no further business, meeting adjourned at 10:00 a.m.

Sincerely,  
April Mason  
Provost for Academic Affairs  
Kansas State University

## CURRENT FISCAL YEAR MEETING DATES

### Fiscal Year 2012

<u>Meeting Dates</u>	<u>Agenda Material Due to Board Office</u>
August 15-17, 2011 Retreat	
September 21-22, 2011	August 31, 2011 at noon
October 19-20, 2011	September 28, 2011 at noon
November 16-17, 2011	October 26, 2011 at noon
December 14-15, 2011	November 22, 2011 at noon
January 18-19, 2012	December 28, 2011 at noon
February 15-16, 2012	January 25, 2012 at noon
March 14-15, 2012	February 22, 2012 at noon
April 18-19, 2012	March 28, 2012 at noon
May 16-17, 2012	April 25, 2012 at noon
June 20-21, 2012	May 30, 2012 at noon

## TENTATIVE MEETING DATES

### Fiscal Year 2013

#### Meeting Dates

August 15-17, 2012 – Retreat  
 September 19-20, 2012  
 October 17-18, 2012  
 November 14-15, 2012  
 December 19-20, 2012  
 January 16-17, 2013  
 February 20-21, 2013  
 March 20-21, 2013  
 April 17-18, 2013  
 May 15-16, 2013  
 June 26-27, 2013

## COMMITTEES (2011-2012)

**Ed McKechnie, Chair**  
**Tim Emert, Vice Chair**

### Standing Committees

#### Academic Affairs

Mildred Edwards, Chair  
 Tim Emert  
 Fred Logan  
 Janie Perkins

#### Fiscal Affairs and Audit

Christine Downey-Schmidt, Chair  
 Dan Lykins  
 Robba Moran  
 Kenny Wilk

#### Regents Retirement Plan

Dan Lykins, Chair  
 Robba Moran

#### Governance

Ed McKechnie, Chair  
 Mildred Edwards  
 Tim Emert  
 Fred Logan

### Board Representatives and Liaisons

Education Commission of the States	Christine Downey-Schmidt
Postsecondary Technical Education Authority	Tom Burke Connie Hubble
Kansas Bioscience Authority	Kenny Wilk Jerry Boettcher
Kansas Campus Compact	Kenny Wilk
KSU Research Foundation Board	Robba Moran
Midwest Higher Education Compact (MHEC)	Janie Perkins
Washburn University Board of Regents	Dan Lykins
Transfer and Articulation Advisory Council	Fred Logan