

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 AuditFY 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 20th 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 125th 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 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.

Andy Tompkins, President and CEO

Ed McKechnie, Chair