

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

December 19-20, 2012

The December 19, 2012, meeting of the Kansas Board of Regents was called to order by Chairman Tim Emert at 1:30 p.m. The meeting was held in the Board Office located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

#### **MEMBERS PRESENT:**

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

#### **APPROVAL OF MINUTES**

Regent McKechnie moved that the minutes of the November 14-15, 2012 meeting be approved. Following the second of Regent Wilk, the motion carried.

#### **INTRODUCTIONS**

President Schulz announced that Kansas State University has four new fellows of the American Association of the Advancement of Science – John Blair, University Distinguished Professor; Ron Trewyn, Vice President for Research; Ruth Welti, University Distinguished Professor; and Kun Yan Zhu, Professor of Entomology.

Provost April Mason introduced five new deans for Kansas State University – Ali Malekzadeh, Dean of the College of Business Administration; Peter Dorhout, Dean of the College of Arts and Science; John Floros, Dean of the College of Agriculture; Verna Fitzsimmons, CEO of K-State Salina and Dean of the College of Technology and Aviation; and Debbie Mercer, Dean of the College of Education.

#### **GENERAL REPORTS**

##### **REPORT FROM CHAIR**

Chairman Emert report he attended Kansas State University's Graduate School commencement. He also recognized several of the university CEOs who have received national awards.

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

President Tompkins asked the Board to amend the agenda to remove the "Report from Technical Colleges" from Thursday's agenda and replace it with the "Legislative Update," which is

scheduled for Wednesday's meeting. Regent Logan moved to amend the agenda, and Regent Perkins seconded. The motion carried.

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

President Scott presented the Council of Presidents' report. The Council of Presidents received a report from the Council of Business Officers (COBO) on the Midwestern Higher Education Compact (MHEC) property insurance program. This program could potentially save money for the universities but because of current statutes, the universities are not allowed to take advantage of the MHEC program because the property insurance carrier is a non-admitted carrier in Kansas. The Council of Presidents approved a motion to continue to pursue strategies for the system to use the MHEC program as an option for property insurance. COBO also reported on the fees the universities pay to other state agencies. Additionally, the Council of Presidents discussed multi-year appointments.

#### **REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS**

The Council of Faculty Senate Presidents' report was presented by Peter Chung. The Council discussed post-tenure review, student success plans, and the Faculty of the Year Award policy. The Council plans to present the criteria for the award to the Board in March. Robert Stein from the Smarter Balanced Consortium shared information with the Council on upcoming new state K-12 standards and how these standards may affect students and faculty.

#### **REPORT FROM STUDENTS' ADVISORY COMMITTEE**

Luis Carbajal reported the Students' Advisory Committee continues to plan for the student's Higher Education Day. The Committee also discussed submission of comments to the U.S. Department of Health and Human Services on the proposed regulation impacting student health insurance plans.

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

##### **ACADEMIC AFFAIRS**

Regent Edwards reported the Board Academic Affairs Standing Committee continues to work on the performance agreement process. The Committee also discussed the student success plan policy.

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

Regent Wilk presented the Fiscal Affairs and Audit Standing Committee report. The Committee had a staff briefing on the process used to produce the deferred maintenance report and discussed tuition. The Committee is considering a two-year tuition proposal process and asked the universities to bring feedback to the next Committee meeting.

Regent Wilk also reported the Council of Chief Research Officers met. The Research Officers discussed the research agenda and the strategic plan.

Chairman Emert asked Regent Wilk to serve as the Board's liaison to the Council of Chief Research Officers.

**GOVERNANCE**

Regent Emert presented the Governance Committee report. The Committee reviewed the comments Board staff collected from the institutions regarding the proposed Geographic Jurisdiction/Service Area policy. Regent Emert noted the proposed policy is focused on student needs. Additionally, the Committee discussed the reporting requirements for the institutions and feedback from the institutions on this issue.

**APPROVAL OF CONSENT AGENDA****Academic Affairs**

Regent Edwards moved, with the second of Regent Moran, that the Academic Affairs Consent Agenda be approved. The motion carried.

**MASTER OF LAW IN AMERICAN LEGAL STUDIES (CIP 22.0203) – KU**

The University of Kansas received approval to offer a Master of Law in American Legal Studies (CIP 22.0203). The program will be funded through internal reallocation.

**BACHELOR OF SCIENCE IN TECHNOLOGY – ENVIRONMENTAL AND SAFETY MANAGEMENT (CIP 15.0701) – PSU**

Pittsburg State University received approval to offer a Bachelor of Science in Technology – Environmental and Safety Management (CIP 15.0701). The program will be funded through internal reallocation.

**Fiscal Affairs & Audit**

Regent Wilk moved, with the second of Regent Logan, that the Fiscal Affairs and Audit Consent Agenda be approved. The motion carried.

**AMENDED 2014 CAPITAL IMPROVEMENTS PLAN AND PRELIMINARY PROGRAM STATEMENT – FHSU**

Fort Hays State University received authorization to amend its FY 2014 capital improvements plan for replacement of Wiest Hall. Because of the demand for on-campus housing, FHSU will increase the number of beds in the project from 350 to 400. The estimated cost of the project is \$20 million, which will be funded with housing revenue. The preliminary program statement was also approved.

**TRANSFER OF ELLSWORTH ANNEX FROM HOUSING SYSTEMS OPERATIONS TO UNIVERSITY OPERATIONS – KU**

The University of Kansas received authorization to transfer Ellsworth Annex from Housing Systems Operations to University operations effective January 2013. The University will convert Ellsworth Annex to general university use and will assume responsibility for maintenance.

TRANSFER OF PROPERTY FROM KU ENDOWMENT ASSOCIATION TO  
THE UNIVERSITY OF KANSAS FOR ENGINEERING HIGH BAY  
FACILITY – KU

Authorization was given to the University of Kansas to transfer property on west campus, west of Park and Ride, from the KU Endowment Association to the University. The property will be the new location for the Engineering High Bay Facility. The following property was transferred:

**LEGAL DESCRIPTION:**

*That part of the Southeast Quarter of Section 2, Township 13 South, Range 19 East of the Sixth Principal Meridian, in the City of Lawrence, Douglas County, Kansas, described as follows:*

*Commencing at the Southwest Corner of said Southeast Quarter; thence, along the south line of said Southeast Quarter on an assumed bearing of N88°06'28"E, 839.01 feet to the extended west line of the KU West Campus Park and Ride Lease; thence, along said west line, N01°53'32"W, 903.01 feet; thence, continuing along said west line, N63°01'01"W, 209.61 feet to the Point of Beginning; thence S49°00'45"W, 284.02 feet; thence, S88°27'25"W, 280.00 feet to a point 150 feet east of the west line of said Southeast Quarter; thence, parallel with the west line of said Southeast Quarter, N01°32'35"W, 435.00 feet; thence, N88°27'25"E, 281.52 feet to the west line of said KU West Campus Park and Ride Lease; thence, along said west line, S40°59'15"E, 318.95 feet; thence, continuing along said west line, S63°01'01"E, 17.28 feet to the point of beginning.*

*The above described property contains 3.87 acres, more or less.*

TRANSFER OF PROPERTY FROM KU ENDOWMENT ASSOCIATION OF  
THE UNIVERSITY OF KANSAS FOR AN ECOHAWKS STUDENT  
FABRICATION FACILITY – KU

The University of Kansas received approval to accept property from the KU Endowment Association for the Ecohawks Student Fabrication Facility. Architecture students in Studio 804 will construct the building for their design-building project, and the materials for the projects will be funded with private funds. The following property will be transferred when construction is complete next spring:

**LEGAL DESCRIPTION:**

*That part of the Southeast Quarter of Section 2, Township 13 South, Range 19 East of the Sixth Principal Meridian, in the City of Lawrence, Douglas County, Kansas, described as follows: Commencing at the Southwest Corner of said Southeast Quarter; thence, along the south line of said Southeast Quarter on an assumed bearing of N88°06'28"E, 839.01 feet to the extended west line of the KU West Campus Park and Ride Lease; thence, along said west line, N01°53'32"W, 903.01 feet; thence, continuing along said west line for the following two courses: N63°01'01"W, 226.89 feet; N40°59'15"W, 318.95 feet to the Point of Beginning;*

*thence, S88°27'25"W, 281.52 feet to a point 150 feet east of the west line of said Southeast Quarter; thence, parallel with the west line of said Southeast Quarter, N01°32'35"W, 136.00 feet; thence, N88°27'25"E, 326.10 feet; thence, parallel with the west line of said Southeast Quarter, S01°32'35"E, 98.79 feet; thence, S48°36'20"W, 58.07 feet to the point of beginning.*

*The above described property contains 43,520 square feet, more or less.*

#### Retirement Plan

Regent Logan moved, with the second of Regent McKechnie, that the Retirement Plan and Other Matters Consent Agendas be approved. The motion carried.

#### FUND INVESTMENT LINE-UP CHANGES IN THE BOARD'S MANDATORY TIAA-CREF RETIREMENT PLAN

The Board approved fund investment line-up changes to the Board's Mandatory Retirement Plan. The Sentinel Small Company Mutual Fund will be removed and replaced with the Alliance Bernstein Small Cap Growth Fund institutional share class (QUAIX) with the assets in the Sentinel Small Company Mutual Fund mapped to the new fund for the Board's Mandatory Retirement Plan. These changes will take effect January 25, 2013. The Board's Investment Policy Statement will be revised to reflect the changes.

#### Other Matters

#### EXECUTION OF FORMER SHILLING AIR FORCE BASE CONSENT DECREE AND RELATED INTERLOCAL AGREEMENT – KSU

Kansas State University received approval to enter and execute the Consent Degree and the interlocal agreement.

### CONSIDERATION OF DISCUSSION AGENDA

#### Academic Affairs

#### NOMINATION OF REGENTS DISTINGUISHED PROFESSOR – WSU

Gary Alexander, Vice President of Academic Affairs, presented Wichita State University's nomination for the position of Regents Distinguished Professor of Finance, Dr. Kenneth Kriz. Regent Edwards moved to approve the nomination of Dr. Kenneth Kriz. Regent Moran seconded, and the motion carried.

#### POLICY ON INDIVIDUAL PLANS FOR STUDENT SUCCESS

Vice President Alexander presented the proposed policy on individual plans for student success. Regent Moran moved to amend paragraph (4) by removing the language "once during the 12 month period" and replace it with "once each semester in the first academic year." Regent Logan seconded, and the motion carried. Following discussion, Regent McKechnie moved to adopt the policy as amended. Regent Edwards seconded, and the motion carried. The following policy was adopted:

## E. STUDENTS

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### 2. Individual Plans for Student Success

- a. Each state university shall develop and implement a process requiring each student admitted as an exception to the qualified admission standards set forth in K.A.R. 88-29-1 et seq. to adopt a written individual plan for student success. Processes and mechanisms to comply with this policy and statutory requirements imposed in K.S.A. 76-717 must be in place by the 2013 fall semester.
- b. Individual plans shall be developed in accordance with the requirements of K.S.A. 76-717 and shall:
  - (1) Be jointly developed by the student and the student's advisor. Other university employees may be involved, at the discretion of the institution.
  - (2) Address the student's academic coursework. If deemed appropriate by the student and the student's advisor, plans may address other issues, such as extracurricular activities, financial needs and any other aspect of student life having a bearing on academic success.
  - (3) Be adopted prior to the student's initial enrollment at the university.
  - (4) Be reviewed by the student and the student's advisor at least once each semester in the first academic year immediately succeeding adoption of the plan. Based on this review, the plan may be revised upon mutual agreement between the student and the student's advisor.
- c. Each state university shall regularly report to the Board's Vice President of Academic Affairs on the academic progress of students admitted as exceptions.

### Fiscal Affairs and Audit

#### FY 2014 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSALS SUBMITTED BY STATE UNIVERSITIES

Vice President Duffy presented the proposed FY 2014 housing and food service rate adjustments for final action. Regent Wilk moved to approve. Following the second of Regent Moran, the motion carried.

(Complete Listing of Adjustments filed with Official Minutes)

#### ALLOCATION OF FY 2014 REHABILITATION AND REPAIR APPROPRIATION – SYSTEMWIDE

The FY 2014 proposed allocation of the Rehabilitation and Repair appropriation was presented by Eric King, Director of Facilities. He expects \$35,000,000 will be available from the Education Building Fund. Regent Wilk moved that the project list for the FY 2014 rehabilitation and repair appropriation be approved. With the second of Regent Logan, the motion carried. The following summary reflects the authorized totals:

	<u>Allocation</u>
The University of Kansas	\$9,404,000
The University of Kansas Medical Center	3,938,000
Kansas State University	10,465,000
Wichita State University	3,843,000
Emporia State University	2,114,000
Pittsburg State University	2,583,000
Fort Hays State University	<u>2,653,000</u>
TOTAL	\$35,000,000

### Other Matters

#### AMENDED PERMANENT MILITARY RESIDENCY REGULATION

Theresa Schwartz, Associate General Counsel, presented the proposed amendments to the military residency regulation. The proposed amendments make it clear that in-state tuition rates are available to members of active military who are residing in Kansas or who have a permanent duty station in Kansas, as well as their spouse and dependents. These amendments also make this regulation more clearly consistent with federal law. Regent Perkins moved, and Regent Edwards seconded, that the proposed amended regulation on military residency for in-state tuition at state universities be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Emert, Regent Logan, Regent Downey-Schmidt, Regent Edwards, Regent Lykins, Regent McKechnie, Regent Moran, Regent Perkins, and Regent Wilk. Motion carried.

(Regulation filed with Official Minutes)

#### AMENDED AND NEW PERMANENT STATE UNIVERSITY QUALIFIED ADMISSION REGULATIONS

General Counsel Julene Miller presented proposed amendments to the existing state university qualified admission regulations (Articles 29 and 29a) and new permanent qualified admission regulations applicable to the University of Kansas (Article 29b). The amendments to the existing regulations do one of three things: 1) account for the new Article 29b regulations, primarily by changing the definition of “state educational institution” to exclude the University of Kansas beginning with the 2016 summer session; 2) accelerate the 2012 Legislature’s requirement for student success plans for all students admitted as exceptions to the qualified admission standards; or 3) implement the 2012 Legislature’s requirement that persons in military service be given preference when determining which students to admit as exceptions to the minimum qualified admission standards. Regent Logan moved, and Regent McKechnie seconded, that the proposed amended and new permanent regulations on Qualified Admission be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Emert, Regent Logan, Regent Downey-Schmidt, Regent Edwards, Regent Lykins, Regent McKechnie, Regent Moran, Regent Perkins, and Regent Wilk. Motion carried.

(Regulations filed with Official Minutes)

**AMENDMENTS TO THE BOARD'S POLICY MANUAL – STATE UNIVERSITY FACULTY & STAFF, STUDENTS ATTENDING STATE UNIVERSITIES, AND GENERAL POLICY SECTIONS**

General Counsel Miller presented the proposed amendments to the following sections of the Board Policy and Procedure Manual: State University Faculty and Staff, Students Attending State Universities, and General Policies. She noted the post-tenure review policy was updated to reflect the amendments the Board made at the November Board meeting. Regent Logan moved to adopt the policies. Regent McKechnie seconded, and the motion carried.

(Policies filed with Official Minutes)

Regent Logan moved that each university's post-tenure review plan, as required by the new Board policy, be adopted and in place by April 2014 or, for the universities who have faculty bargaining agreements in place that preclude having the plan put in place by then, as soon thereafter as the bargaining schedule permits. Regent Perkins seconded, and the motion carried.

**EXECUTIVE SESSION**

At 2:45 p.m. Regent Logan moved, followed by the second of Regent McKechnie, that the Board of Regents recess into executive session for 60 minutes starting at 2:55 p.m. in the Kathy Rupp Conference Room to discuss personnel matters related to non-elected personnel. Participating in the executive session were members of the Board and President Tompkins. At 3:55 p.m. the meeting returned to open session. Regent Logan moved, followed by the second of Regent Edwards, to extend 45 minutes. At 4:40 p.m. the meeting returned to open session.

**RECESS**

The Chairman recessed the meeting at 4:40 p.m.

**RECONVENE**

The Chairman reconvened the meeting at 9:00 a.m. on Thursday, December 20.

**MEMBERS PRESENT:**

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

**INTRODUCTIONS**

April Mason announced the Universities Fighting World Hunger Summit is scheduled for March 2-4, 2013 at Overland Park.



## **REPORTS**

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

President Heilman presented the System Council of Presidents' report. The Council discussed the proposed policy on geographic jurisdiction. The presidents support the framework of the policy and like the addition of the appeal process. Some of the presidents believe there still needs to be more discussion on mission differentiation. Additionally, the Council received a report from the System Council of Chief Academic Offices on transfer and articulation, Complete College America, and upcoming new state K-12 academic standards.

### **APPROVAL OF CONSENT AGENDA**

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

#### **Academic Affairs**

#### **ADDITIONAL DEGREE GRANTING AUTHORITY FOR RASMUSSEN COLLEGE, THE ART INSTITUTES INTERNATIONAL – KANSAS CITY, AND WRIGHT CAREER COLLEGE**

Rasmussen College received approval to offer a Bachelor of Science in Early Childhood Education Leadership. This program will be offered at the Topeka and Overland Park campuses as well as online.

The Art Institutes International – Kansas City received approval to offer a Bachelor of Arts in Designing for Tablets: Digital Publishing.

Approval was given to Wright Career College to offer an Associate of Applied Science in Veterinary Technology at its Overland Park campus.

#### **DEGREE AND CERTIFICATE PROGRAMS SUBMITTED FROM FLINT HILLS TECHNICAL COLLEGE AND BUTLER COMMUNITY COLLEGE**

Flint Hills Technical College received approval to offer an Associate in Applied Science degree (68 credit hours) in Healthcare Administration and Management (51.0799). The program will be funded by the College's general fund, student tuition, and program fees.

Butler Community College received approval to offer an Associate in Applied Science degree (62 credit hours) in Culinary Arts. Funding for the program is supported through a partnership with the City of Wichita, program advisory members, and a Kansas Technology Grant.

**CONSIDERATION OF DISCUSSION AGENDA****Other Matter****REVISIONS TO FORESIGHT 2020**

President Tompkins presented the proposed revisions to Foresight 2020. He stated the only two changes from last month's meeting include adding the student success index measure for the community and technical colleges on Goal 1 and moving a measure in Goal 2 related to reporting on research to Current Strategies, which will require this report to focus on specific sectors of the economy. Following discussion, Regent Logan moved to approve. Regent Downey-Schmidt seconded, and the motion carried.

(Foresight 2020 filed with Official Minutes)

**Presentation****STUDENT DEBT**

Kelly Edmiston, Senior Economist of the Federal Reserve Bank of Kansas City, gave a presentation on student loan debt. Mr. Edmiston reviewed the growth in student loan lending, the burden on students, the capacity to repay, delinquency, and the fiscal impact on the federal government. Mr. Edmiston stated most of the increase in outstanding student loan debt from a national perspective is driven by enrollments. There is only a moderate increase in the amount that is borrowed. Additionally, individual student loan debt statistics shows the average student debt as \$24,218 and the median as \$13,662. Less than 3 percent of students have debt over \$100,000. Mr. Edmiston also reviewed the major issues driving delinquency which include the recession, individuals not completing degrees, and the lack of information given to borrowers about delinquency.

(PowerPoint filed with Official Minutes)

Deb Byers, Director of Student Financial Aid, gave an overview of the student financial aid process at Wichita State University. She stated that the average student at Wichita State University borrows less than \$5,000. She believes students are more aware of the requirements for paying loans back because students are required by the federal government to complete entrance counseling before loan money is distributed. Additionally, Ms. Byers stated universities are required to have a default management plan, and she annually receives the information on the rate of default for WSU students.

**BREAK**

The Chairman called for a short break at 10:37 a.m. and resumed the meeting at 10:47 a.m.

Academic AffairsNEW DEGREE GRANTING AUTHORITY FOR HERITAGE COLLEGE AND MICHIGAN STATE UNIVERSITY

Vice President Alexander presented the request for new degree granting authority for Heritage College and Michigan State University. Regent Moran moved to approve, and Regent Perkins seconded. The motion carried. The following degrees were approved:

## Heritage College

- 1) Associate of Occupational Studies in Hospital and Health Services Management
- 2) Associate of Occupational Studies in Personal Training
- 3) Associate of Occupational Studies in Therapeutic Massage
- 4) Associate of Occupational Studies in X-Ray Medical Technology – Medical Assisting

## Michigan State University

- 1) Bachelor of Science in Nursing (RN-BSN)
- 2) Master of Arts in Biomedical Laboratory Science
- 3) Master of Arts in Education
- 4) Master of Arts in Educational Technology
- 5) Master of Arts in Foreign Language Teaching
- 6) Master of Arts in Health Professions Education
- 7) Master of Arts in Higher, Adult and Lifelong Education
- 8) Master of Arts in Special Education
- 9) Master of Arts in Youth Development
- 10) Master of Public Health
- 11) Master of Science in Biomedical Laboratory Operations
- 12) Master of Science in Clinical Laboratory Science
- 13) Master of Science in Criminal Justice
- 14) Master of Science in Law Enforcement Intelligence and Analysis
- 15) Master of Science in Nursing
- 16) Master of Science in Packaging
- 17) Master of Science in Pharmacology and Toxicology

APPOINT THREE MEMBERS TO THE KANSAS PRIVATE POSTSECONDARY ADVISORY COMMISSION

Vice President Alexander presented three candidates to be appointed to the Kansas Private Postsecondary Advisory Commission. Dr. Linda Wiley is up for renewal and will represent the secondary sector. Jerrad Tausz is also up for renewal and will represent the school owner/operator. Kerry Norbury is a new appointment representing the school owner/operator. Vice President Alexander noted these are four years terms that start on December 31, 2012 and end on December 31, 2016. Regent Perkins moved to approve the appointments, and Regent Logan seconded. The motion carried.

Other MattersLEGISLATIVE UPDATE

Mary Jane Stankiewicz stated there are 25 days until the start of the 2013 session. She reviewed the leadership of the House and Senate and noted the institutional meet and greets have been successful.

ANNUAL REPORT ON WORKFORCE ALIGNMENT

Blake Flanders, Vice President for Workforce Development, presented the annual report on Workforce Alignment, which is part of Foresight 2020's Strategic Goal 2 – improving the alignment of the state's higher education system with the needs of the Kansas economy. Vice President Flanders reviewed the unemployment rate and the average wages earned based upon education levels. The data illustrates that education pays because the median wage increases and the unemployment rate decreases by education level. Vice President Flanders also identified areas in the Kansas workforce where there are potential shortages including engineering, healthcare practitioners, business and finance fields, and computer and mathematical fields. Vice President Flanders stated there are workforce initiatives in place to address the engineering and nursing shortages. The next steps are to evaluate the current workforce initiatives, target additional workforce initiatives to address potential shortages, and campaign to promote career advising around these areas of shortages.

(PowerPoint filed with Official Minutes)

ADJOURNMENT

The Chairman adjourned the meeting at 11:36 a.m.

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Andy Tompkins, President and CEO

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Tim Emert, Chair