

## **KANSAS BOARD OF REGENTS**

### **MINUTES**

November 20, 2019

The November 20, 2019, meeting of the Kansas Board of Regents was called to order by Chair Shane Bangerter at 1:06 p.m. The meeting was in the Pittsburg State University Overman Student Center at 302 E. Cleveland, Pittsburg, Kansas. Proper notice was given according to law.

MEMBERS PRESENT:

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

### **EXECUTIVE SESSION**

At 1:07 p.m., Regent Feuerborn moved, followed by the second of Regent Hutton, to recess into executive session in Room 212 for 15 minutes to discuss matters deemed confidential in the attorney-client relationship. The subject of this executive session was to receive legal advice regarding whether and how to proceed under the Private and Out-of-State Postsecondary Educational Institution Act in relation to an institution that holds a certificate of approval under the Act. Participating in the executive session were members of the Board; President Flanders; Vice President for Academic Affairs, Daniel Archer; General Counsel, Julene Miller; and Associate General Counsel, Natalie Yoza. At 1:22 p.m., the meeting returned to open session. Regent Hutton moved to extend for five minutes. Regent Murguia seconded, and the motion carried. At 1:27 p.m. the meeting returned to open session.

### **BREAK**

The Chair took a break at 1:27 p.m. and resumed the meeting at 1:41 p.m. in Ballroom C located in the Pittsburg State University Overman Student Center.

### **APPROVAL OF MINUTES**

Regent Feuerborn moved that the minutes of the September 18-19, 2019 regular meeting, October 11, 2019 special meeting, October 20-21, 2019 special meeting, and October 31, 2019 special meeting be approved. Following the second of Regent Hutton, the motion carried.

### **INTRODUCTIONS**

Executive Vice Chancellor Simari introduced the University of Kansas Medical Center's new Vice Chancellor for Diversity, Equity, and Inclusion, Dr. Jerrihlyn McGee. He also introduced Dr. Akinlolu Oja as the new Executive Dean of the School of Medicine.

### **GENERAL REPORTS**

### REPORT FROM CHAIR

Chair Bangerter thanked President Scott and the staff at Pittsburg State for hosting the Board this month. He then reported that in October the Board had a campus visit at Wichita State University where they heard from faculty and administrators about how WSU is addressing access and affordability for students. The Board also met with students and local business leaders. Also in October the Board appointed Dr. Jay Golden as the 14<sup>th</sup> President of WSU. Chair Bangerter thanked Regent Hutton and the Presidential Search Committee members for all the time they dedicated to make this a successful search. He also thanked Dr. Tompkins for his many years of public service to the state and the higher education system including his roles as Interim President at WSU, Interim President at Fort Hays State University, and Board President and CEO.

### AMEND AGENDA

Regent Bangerter stated he wanted to amend the agenda to add an item to discuss and act on the Board's deferred maintenance budget request. Regent Hutton moved to approve, and Regent Rolph seconded. The motion carried. This will be the first item under Other Matters on the Discussion Agenda.

### REPORT FROM PRESIDENT AND CEO

President Flanders reported on Tuesday he presented testimony on the Board's unified budget request to the Legislative Budget Committee. He stated the testimony went well and he encouraged everyone to continue to advocate for the higher education system.

### REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Trzaska presented the System Council of Presidents report. The Council received a report from the System Council of Chief Academic Officers on transfer and articulation, open educational resources, and proposed amendments to the Board's Degree policy. The proposed policy change would allow community colleges to offer an Associate of Fine Arts. President Trzaska also reported that President Flanders presented an update on the Board's new strategic plan.

### REPORT FROM COUNCIL OF PRESIDENTS

President Garrett presented the Council of Presidents report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Government Relations Officers, the Council of Student Affairs Officers, and the Council of Diversity Officers. The Academic Officers approved the following new programs: Kansas State University's Master of Industrial Design, Kansas State University's Associate of Applied Science in Aviation Maintenance, Kansas State University's Associate of Applied Science in Professional Pilot, the University of Kansas Medical Center's Bachelor of Science in Diagnostic Science, the University of Kansas' Master of Science in Business Analytics, and Emporia State University's Bachelor of Interdisciplinary Studies in Ethnic, Gender, and Identity Studies. The Council of Presidents also approved these programs and they will be forwarded to the Board for consideration.

The Business Officers reported they are working on the Board's deferred maintenance goal and have been reviewing the proposed state university FY 2021 housing and food service rates. The Business Offices are also planning to meet with the Secretary of Administration, DeAngela Burns-Wallace, at a future meeting. The Government Relations Officers have been busy communicating

the Board's legislative priorities with individual legislators and are planning for the upcoming session. The Student Affairs Officers discussed the challenges associated with meeting the needs of students who are seeking mental health services, and the Diversity Officers reported on the Tilford Conference, which was hosted by the University of Kansas.

#### REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Greg Schneider presented the Council of Faculty Senate Presidents report. The Council reviewed the credit for prior learning guidelines and worked on its freedom of expression resolutions. The Council hopes to have a draft resolution in the coming months. It was also noted that the Council is looking forward to having breakfast with the Board at the December meeting.

#### REPORT FROM STUDENTS' ADVISORY COMMITTEE

The Students' Advisory Committee report was presented by Paul Frost. The Committee discussed the challenges associated with meeting the mental health needs of students. Mr. Frost stated there are more students seeking counseling on a variety of issues and because of this influx, the wait time to see a counselor is increasing. The Committee plans to reach out to the Council of Student Affairs Officers to address challenges related to adequately addressing student mental health services. The Committee also discussed the students' higher education day at the Statehouse and are planning to set up more one-on-one meetings with legislators to discuss their priorities. Mr. Frost ended by stating the Committee has some internal communication and participation issues that the members hope to resolve in the future.

#### REPORT FROM THE COMMUNITY COLLEGES

President Trzaska presented the report for the community colleges. He stated that community colleges along with the other institutions of higher education have the same mission to provide students opportunities both in and out of the classroom. He noted that this fall many community college student athletes had successful seasons – Coffeyville's volleyball team is competing at the 2019 NJAA Division II Volleyball Championship and Seward's volleyball team is competing at the 2019 NJAA Division I Volleyball Championship. He also reported that Hutchison Community College was named as an Aspen Prize finalist and reviewed some facility expansion projects on the different campuses.

#### REPORT FROM THE TECHNICAL COLLEGES

President Genandt presented the report for the technical colleges. He stated that Flint Hills Technical College participated in TeamSmile at Arrowhead Stadium where hundreds of kids received complimentary dental care, Northwest Technical College opened a new welding center in Quinter, Kansas, that will be supported by students in five area high schools and adult students, and Manhattan Area Technical College is partnering with the City of Manhattan on the census project. President Genandt also noted the technical colleges have increased enrollment this year and that five of the colleges were named by the Aspen Institute for their excellence.

#### REPORT FROM THE UNIVERSITY CEOS

President Scott welcomed everyone to the Pittsburg State University campus and thanked his staff, especially Jaime Dalton, for organizing this event. President Scott announced that Condoleezza Rice, former Secretary of State, was at Pittsburg State University on October 3, 2019 as part of its Speaker Series. In her address, Rice gave an overview of the current geopolitical landscape and

shared her experiences as National Security Advisor and Secretary of State. He noted as part of the Series he got to interview her. President Scott also reported that in September there was a celebration and ribbon cutting to mark the opening of Block22. President Scott shared photos of the finished spaces, which include student apartments and four restaurants.

President Mason reported Fort Hays State University has had 19 years of enrollment growth. The University is serving students in every county in Kansas and in every state in the nation. This year the total enrollment for the University is 15,908 students, of which 4,486 are on-campus, 6,924 are online, and 4,498 are in the International Partnership Program. President Mason noted the University has seen the majority of its enrollment growth in its online programs. She also reported that Fort Hays State was recognized by the Washington Monthly as one of the top universities for adult learners.

## **STANDING COMMITTEE AND OTHER REPORTS**

### **ACADEMIC AFFAIRS**

Regent Schmidt reported the Board Academic Affairs Standing Committee approved Cowley County Community College's AY 2018 performance report and reviewed Independence Community College's AY 2018 performance report. The Committee will receive more information from Independence, which will be presented at the December meeting. The Committee then reviewed the concurrent enrollment partnership faculty requirements for high school instructors who teach college courses in a high school. The Transfer and Articulation Council's responsibilities were discussed, and the Committee examined in-state college going rate data. This data highlighted the equity gaps that exist based on race and Hispanic origins and urban versus rural geographic settings. The Committee also discussed a potential direct support professional program that would be offered by Wichita State University.

### **FISCAL AFFAIRS AND AUDIT**

Regent Hutton presented the Fiscal Affairs and Audit Standing Committee report. The Committee received information on the cost model for the two year sector. Several college presidents spoke about how the local mill levy is tied to state funding and student tuition. They also explained how local needs affect the local mill levy for each college. The Committee asked the colleges to provide additional information on what costs are not recognized by the model, and the Committee plans to discuss mill levies and community college budgets at the December meeting. An update on the deferred maintenance goal was presented. It was noted that further analysis and review of assets is needed to move this initiative forward, and Regent Hutton stated the Board will discuss the budget request associated with deferred maintenance later in the agenda. Board staff also presented to the Committee information on the FY 2020 Board office budget and the annual audit of the alumni account. The Committee was pleased to hear there were no findings in the audit. Additionally, the Committee reviewed the fiscal items on today's Board agenda included the state university proposals for their FY 2021 housing and food service rates.

### **APPROVAL OF CONSENT AGENDA**

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

*Academic Affairs*NEW CERTIFICATE OF APPROVAL FOR UNIVERSITY OF MISSOURI-KANSAS CITY

The University of Missouri-Kansas City received a Certificate of Approval to operate in Kansas.

DOCTOR OF PHILOSOPHY IN BIOMEDICAL ENGINEERING – WSU

Wichita State University received approval to offer a Doctor of Philosophy in Biomedical Engineering (CIP 14.0501). The Ph.D. program went through an external analysis that the Board Academic Affairs Standing Committee reviewed. The initial cost of the program for the first two years is \$1,049,234, which includes the start-up cost of \$150,000 per year. By year three the cost of the program is \$899,234. The program will be funded with student tuition and fees.

DOCTORATE IN CLINICAL NUTRITION – KUMC

The University of Kansas Medical Center received approval to offer a Doctorate in Clinical Nutrition (CIP 30.1901). The Ph.D. program went through an external analysis that the Board Academic Affairs Standing Committee reviewed. The cost of the first year of the program is estimated at \$208,839. By year three, the University plans to hire two new faculty and the estimated annual cost of the program will be \$311,354. The program will be funded with student tuition and fees.

*Fiscal Affairs & Audit*AMENDMENTS TO MEMORANDUM OF AGREEMENT BETWEEN WICHITA STATE UNIVERSITY AND AMERICAN FEDERATION OF TEACHERS LOCAL 6405 REPRESENTING SERVICE AND MAINTENANCE EMPLOYEES

The amendments to the Memorandum of Agreement between Wichita State University and the American Federation of Teachers Local 6405 (AFT) representing the service and maintenance employees of WSU, was approved. The amendments went through the meet and confer process. The Chair of the Board is authorized to execute the amended Agreement on behalf of the Board.

RAZE THE FACILITIES ADMINISTRATION BUILDING – KU

The University of Kansas received authorization to raze the Facilities Administration Building located at 1503 Sunflower Road in Lawrence, Kansas. The building has been vacant since 2018 due to its condition. The estimated cost of the project is \$566,000, which will be funded by the University's allocation of the Educational Building Fund.

RAZE THE PHARMACEUTICAL CHEMISTRY LAB BUILDING – KU

Authorization was given to the University of Kansas to raze its Pharmaceutical Chemistry Lab building located at 2097 Constant Avenue in Lawrence, Kansas.

The building has limited use and is in poor condition. The estimated cost of the project is \$373,500, which will be funded by the University's allocation of the Educational Building Fund.

AMENDMENT TO CAPITAL IMPROVEMENT PLAN TO RENOVATE SPENCER MUSEUM OF ART – KU

The University of Kansas received approval to amend its Capital Improvement Plan to include phase two of the Spencer Museum renovation. The renovation will include improvements to the Kress Foundation Gallery and a new associate study center. The cost of the project is estimated at \$1,900,000, which will be funded by a grant from the National Endowment for the Humanities and private gifts.

Retirement Plan

RETIREMENT PLAN COMMITTEE APPOINTMENT

Jay Stephens, Vice President for Human Capital Services at Kansas State University, was appointed to serve on the Retirement Plan Committee. Vice President Stephens will replace Gary Leitnaker, who will be retiring in December 2019. The term of this appointment ends on June 30, 2022.

Other Matters

APPOINTMENTS TO THE JOINT COORDINATING COUNCIL WITH THE KANSAS BOARD OF EDUCATION

Regent Kiblinger, Regent Van Etten, and President Flanders were appointed to the joint coordinating council. The council will also include members of the Kansas State Board of Education and individuals from the Kansas Chamber.

EXECUTION AUTHORITY FOR TWO RELATED CONTRACTS HAVING TERMS GREATER THAN THREE YEARS THAT ARE REQUIRED TO FULFILL FEDERAL DATA REPORTING REQUIREMENTS

President Flanders received authorization to review and enter the State Wage Interchange System (SWIS) Data Access and Cost-Sharing agreements.

**CONSIDERATION OF DISCUSSION AGENDA**

Academic Affairs

PRIVATE POSTSECONDARY EDUCATION INSTITUTION CERTIFICATE OF APPROVAL

Natalie Yoza, Associate General Counsel, stated Entourage Institute of Beauty and Esthetics, a cosmetology school in Lenexa, Kansas, holds a Board-issued certificate of approval to operate in Kansas. She noted there is reasonable cause to believe the school has violated two provisions of the Kansas Private and Out-of-State Postsecondary Educational Institution Act (K.S.A. 74-32,162 *et seq*). Entourage failed to timely notify the Board of two ownership changes in violation of K.S.A. 74-32,170(c) and failed to comply with federal regulations governing Title IV funding under the Higher Education Act. Associate General Counsel Yoza stated this resulted in the U.S.

Department of Education (Department) ending Entourage's eligibility to participate in Title IV funding. At the September 18 Board Academic Affairs Standing Committee meeting, the Committee authorized Board staff to issue a show cause order asking Entourage why its certificate should not be revoked. In its response, Entourage admitted it did not comply with the change of ownership requirements and disputed the Department's findings that it violated federal Title IV regulations. However, Entourage did not provide sufficient evidence to demonstrate that the Department's findings were in error. Regent Bangerter asked about the effect on students and the process for Entourage to reapply. Associate General Counsel Yoza noted Entourage could remain open even without a Board certificate of approval because it is also licensed by the Kansas Board of Cosmetology. Entourage can also reapply for a Board certificate in the future if the Department determines Entourage is again eligible for Title IV funding and all eligibility requirements are met at the time the certificate of approval is sought. Regent Schmidt expressed a concern that by revoking the certificate, the Board will not have any oversight of this school.

Following discussion, Regent Kiblinger stated the Board has reasonable cause to believe that Entourage Institute of Beauty and Esthetics has violated the Private and Out-of-State Postsecondary Educational Institution Act. As detailed in the Board's issue paper and the documents on file with the Board office, Entourage failed to provide the Board timely notification of two separate changes in ownership as required by the Act. And the first notification of the change in ownership was not only untimely, it also failed to notify the Board of a second change in ownership that had already occurred. Entourage also failed to comply with federal Title IV regulations, including 34 CFR § 600.21, by failing to timely report the change in ownership as detailed in the Board's issue paper and the U.S. Department of Education's July and August 2019 letters. Regent Kiblinger then moved to authorize President Flanders to send Entourage a letter detailing the violations noted above and informing them of the Board's intention to revoke Entourage's certificate based on these violations, as well as the opportunity to request a hearing. If a hearing is not requested within 30 days of the notification, she also moved that Entourage's certificate be revoked. Regent Murguia seconded, and the motion carried. Regent Schmidt voted against the motion.

#### BREAK

The Chair called for a break at 2:33 p.m. and resumed the meeting at 2:46 p.m.

#### Fiscal Affairs and Audit

#### FY 2021 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSALS SUBMITTED BY STATE UNIVERSITIES (FIRST READ)

Elaine Frisbie, Vice President for Finance and Administration, presented the first read of the FY 2021 Housing and Food Service Rate Adjustment proposals for the state universities. Board members discussed the occupancy rates and it was noted that user fees cover the cost to operate these auxiliary enterprises. The Board will act on the proposals at the December meeting.

(Proposals filed with Official Minutes)

REVISED TUITION RATE – KU

Vice President Frisbie introduced the University of Kansas' request to revise its tuition rate for its undergraduate certificate in Strength and Conditioning program that is offered online through the Edwards Campus. KU wants to set the hourly rate to an all-inclusive amount of \$485. Vice President Frisbie noted students currently pay \$481.50 or \$1,043.55 per credit hour, depending on residency status. The new rate would match the online Bachelor of Applied Science in Exercise Science. The alignment of these two tuition rates will allow students who are enrolled in the certificate program to pay the same rate upon transitioning to the baccalaureate program. Regent Rolph moved to approve, and Regent Van Etten seconded. The motion carried.

FINANCIAL RESERVES POLICY

Vice President Frisbie stated last year the Board Fiscal Affairs & Audit Standing Committee along with the Council of Business Officers discussed and drafted a proposed policy on financial reserves. The policy would require the state universities to provide an annual update on their composite financial index metrics along with the ratios that feed the index. Vice President Frisbie noted there is also a recommendation to eliminate the requirement that the universities submit an annual operating budget to the Board. She stated this report is not utilized and it is more beneficial to the Board to receive a copy of the university budgets that are submitted to the Division of the Budget. The Board discussed cash balances and the potential of having excess balances transferred out of the universities to the State General Fund. Following discussion, Regent Feuerborn moved to approve. Regent Hutton seconded and the motion carried. The following language was adopted:

## CHAPTER II: GOVERNANCE – STATE UNIVERSITIES

**C CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF**

a Chief Executive Officer

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b Faculty and Staff

i General Provisions

- (1) In accordance with K.S.A. 76-715, the Board has authorized each state university chief executive officer to make all employee appointment decisions at his or her institution. The chief executive officer may delegate that authority. Each faculty and staff appointment must be approved by the chief executive officer or the chief executive officer's designee. 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 any general guidelines issued by the Board.

**D FISCAL MANAGEMENT AND BUSINESS ADMINISTRATION** (see Chapter III., Section B. for additional fiscal management policies applicable to state universities)

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2 STATE APPROPRIATIONS



a Unified State Appropriation Request

- i 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)(b)(6), and amendments thereto, as a part of its unified budget for state funding of postsecondary educational institutions.

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b State University Annual ~~Operating~~ Budgets

- i 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.
- ii ~~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 a copy of the budget submitted to the Division of the Budget, assembled in accordance with the instructions provided by the Division of the Budget.~~

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8 FINANCIAL RESERVES

To ensure long-term financial sustainability, the state universities shall maintain sufficient resources to manage risks, to recognize commitments and to take advantage of opportunities. Recognizing that the publication "Strategic Financial Analysis for Higher Education" provides an effective benchmarking tool developed specifically to evaluate the financial well-being of institutions of higher education, the state universities shall provide an annual update on the metrics included within the ratio analysis, which shall include the resulting composite financial index. The annual update shall conform to a format determined by the Council of Business Officers.

9 AFFILIATED CORPORATIONS

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UNIVERSITY OCCUPANCY LEASE POLICY

General Counsel Julene Miller presented a proposed policy on state university occupancy leases. The policy requires Board approval of university leases of space for university use in privately-owned buildings when the university and lessor have or had a direct or indirect partnership to construct the building, unless the term of the lease is ten years or less and the lease is to be paid with an aggregate of \$100,000 or less per year from non-grant funds. Regent Schmidt moved to approve, and Regent Murguia seconded. The motion carried. The following policy was adopted:

**E FACILITIES**

## 12 OCCUPANCY LEASES

State university leases of space in a privately-owned building from an entity with which the university has or had a direct or indirect partnership to construct the building may be executed by the university's chief executive officer without Board approval unless:

- a The lease is for a term of more than 10 years; or
- b the lease is for an aggregate amount in excess of \$100,000 per year paid from any funding source other than grant moneys.

### Governance

#### CHANGES TO CEO ASSESSMENT POLICY AND PROCESS

General Counsel Miller presented the proposed amendments to the CEO assessment tool and process. She noted at the Retreat the Board and CEOs discussed how to make the process more meaningful and streamlined. Based on that conversation along with discussions at the September Governance Committee meeting, the following proposed amendments were made to the assessment tool: 1) the performance categories of Strategic Direction & Planning were combined with the performance categories of Leadership & Decision Making; 2) performance indicators under all categories in Section I were reviewed, prioritized and streamlined; 3) the comment boxes after each category in Section I were removed; 4) one comment box was added to the end of Section I to allow for comments on any category or explanation of an answer to any question within that Section; 5) context will be added to the Board strategic plan section regarding the data that is provided; 6) in lieu of comment boxes, a multiple choice question was added after each Board strategic plan question along with one comment box at the end of the Section to allow comments about progress on any of the goals in that Section or explanation of any of the answers to questions in that Section; 7) in lieu of comment boxes, a multiple choice question was added after each Board-approved CEO goal along with one comment box at the end of the Section to allow comments on progress on any of the goals in that Section or explanation of any of the answers to questions in that Section; 8) in the CEO's proposed goal section, there will be only one comment box, which will be at the end of the section for comments related to any or all of the proposed goals; 9) on all the multiple choice questions in all Sections an "Unable to assess" option was added; and 10) all of the multiple choice questions in all Sections will be required, meaning a Regent will not be able to move on to the next question until the current question is answered.

Along with the changes to the evaluation tool, there are also several proposed changes to the process. General Counsel Miller stated that currently the Board develops the consensus statements during a conference call meeting one week prior to the in-person CEO evaluation meetings. In order to give the Board more time to develop the statements, the proposal is to move these meetings to the regular Board meeting one month prior to the in-person CEO evaluation. General Counsel Miller noted with this adjustment, the timing of the in-person evaluations will need to be changed from March, April, May to April, May, June. Another proposed change is to eliminate the practice of providing the CEO with the compiled assessment summary report. Instead this report will only be used by the Board to develop the consensus statement, and then the final draft consensus statement will be provided to the CEO. CEOs will be asked to write self-assessments to the evaluation tool and communication efforts surrounding the evaluation process will be enhanced.

Regent Bangerter stated he believes these changes will make the evaluation tool more efficient and enhance the overall assessment process. Regent Schmidt moved to approve the changes to the evaluation tool and process. Regent Kiblinger seconded, and the motion carried.

(Evaluation Form filed with Official Minutes)

### Other Matters

#### DEFERRED MAINTENANCE BUDGET REQUEST

President Flanders stated at the September 2019 meeting the Board included \$10 million in its unified budget request. Since that time, there have been multiple meetings between Board staff and various campus constituents. He noted progress has been made but more work is needed to form a comprehensive plan on how to move forward with addressing the state university deferred maintenance issues. Regent Hutton agreed and stated this initiative is not ready to be presented to the Legislature. He then moved to remove the \$10 million from the Board's unified budget request. Regent Kiblinger seconded, and the motion carried.

#### NON-BUDGETARY LEGISLATIVE PROPOSALS (FIRST READ)

Matt Casey, Director of Government Relations, presented the first read of the non-budgetary legislative items. He noted the Technical Education Authority is going to discuss proposed amendments to the Excel in CTE program statute and it is therefore being removed from first read this month. He stated the proposed amendments to the Kansas Private and Out-of-State Postsecondary Educational Institution Act would clarify and strengthen the Board's authority over private and out-of-state institutions operating in Kansas. Regent Hutton asked that language be added to expand the bond coverage to include any assessment costs. The Board will take final action on this item at the December meeting.

#### REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Chair Frederick presented the Technical Education Authority report. The Authority is responsible for reviewing and making recommendations on programing and funding for the two-year colleges. The TEA continues to review existing programs to verify that the programs identified as technical qualify based on the Board approved criteria. If a program does not meet the definition, it is phased out of the tiered funding formula. The Authority has also begun the process of reviewing extraordinary costs within the cost model and is creating a market brochure for career and technical education. Chair Frederick reported the TEA approved the State Innovation Technology Grant awards. These awards will be used by the colleges to fund instruction and equipment costs. Chair Frederick also thanked the Board for supporting the TEA's funding request and noted the importance of having a unified communication plan.

#### BUILDING NAMING – FHSU

President Mason stated the Center for Art and Design Building at Fort Hays State University opened its doors at the start of the fall 2019 semester. She requested approval to name the building in honor of Bob and Pat Schmidt. Regent Murguia moved to approve, and Regent Kiblinger seconded. The motion carried. The facility will be named The Schmidt Foundation Center for Art and Design.

NAMING THE KU SCHOOL OF LAW'S CENTER FOR DIVERSITY – KU

Interim Provost Lejuez presented the University of Kansas' request to name the KU School of Law's Center for Diversity in honor of Dru Mort Sampson. Regent Hutton moved to approve, and Regent Harrison-Lee seconded. The motion carried. The Center will be named the Dru Mort Sampson Center for Diversity and Inclusion.

ADJOURNMENT

Chair Bangerter adjourned the meeting at 3:50 p.m.

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Blake Flanders, President and CEO

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Shane Bangerter, Chair