



HLC Accreditation 2020-2021

Evidence Document

State of Kansas

Kansas Board of Regents

Meeting Minutes FY 2021

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FY 2021 Meeting Information

June 16-17, 2021		
May 19-20, 2021		
April 14, 2021	Agenda	
March 17-18, 2021 Pittsburg State University Report	Agenda	Minutes
February 17-18, 2021 Fort Hays State University Report	Agenda	Minutes
January 20-21, 2021 Wichita State University Presidential Profile	Agenda	Minutes
December 16-17, 2020 Dec. 2020 Academic Calendar Revisions - KSU	Agenda	Minutes
November 18, 2020	Agenda	Minutes
October 14, 2020	Agenda	Minutes
September 24, 2020 Special Meeting		Minutes
September 9-10, 2020	Agenda	Minutes
August 13, 2020 Special Meeting	Agenda	Minutes
August 4-6, 2020 Budget Workshop and Retreat		Minutes

KANSAS BOARD OF REGENTS

MINUTES

March 17-18, 2021

The March 17, 2021, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn 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:

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

ANNOUNCEMENT

Chair Feuerborn stated that due to the Shawnee County emergency order issued March 8 and its limitations on mass gatherings of more than 25 people, today's meeting is being conducted in a quasi-virtual format, with members of the Board, a few Board staff, and university and college CEOs attending in person. Other Board staff and all university staff are participating remotely, and the public is accessing the meeting via live broadcast on YouTube. The Board meeting is being conducted pursuant to the Attorney General's regulation for quasi-virtual meetings. He asked all participants to place their microphones on mute when they are not speaking to allow listeners and observers to hear the meeting unimpeded. Chair Feuerborn stated that participants should ask to be recognized if they have a question or comment and when recognized, the participant should state their name and title so he or she can be identified by the audience. Chair Feuerborn noted for each action item, a roll call vote would be taken to be clear how each Regent has voted. However, a roll call vote will not be taken for the approval of the minutes and no motion is needed to adjourn the meeting. It was also noted that there will be no opportunity for public comment during this meeting and there will be an executive session toward the end of the meeting. Chair Feuerborn explained the process to be used for the executive session.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Van Etten moved that the minutes of the February 17, 2021 meeting be approved. Following the second of Regent Rolph, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Feuerborn welcomed everyone and noted that the restrictions related to the pandemic have loosened, which has allowed the majority of the Board to meet in-person in Topeka. He hopes the virus count continues to decline so that future Board meetings can return to a normal format. Chair Feuerborn then announced that the President and CEO report will be presented by President Flanders later in the agenda because he is currently presenting testimony to a legislative committee.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle presented the report for the System Council of Presidents. The Council received information on strategies to increase the College Going Rate, which has declined for recent years in Kansas. One initiative that is being implemented is increasing the number of students who complete the Free Application for Federal Student Aid (FAFSA) form. The Board received information on the strategies tied to this initiative last month, which included the FAFSA recognition program and FAFSA completion events. President Rittle noted that the Council asked for the FAFSA completion data to be broken down by ethnicity and/or subpopulations so that they have a better understanding of the environment in Kansas. The Council then received a report from the System Council of Chief Academic Officers on Advanced Placement Exams and transfer and articulation. The last item the Council discussed was the initiative to close the equity gaps in the higher education system. The initiative is a part of the Board's strategic plan, *Building a Future*. The Council is interested in identifying best practices to reduce the equity gaps, and it was noted that President Flanders along with several other institutional leaders have reached out to Georgia State University's National Institute for Student Success for more information on how we might implement best practices learned at Georgia State University..

INTRODUCTIONS

Chancellor Girod introduced the University of Kansas's new Chief Financial Officer, Jeff DeWitt, and Interim Athletic Director, Kurt Watson.

REPORT FROM PRESIDENT AND CEO

President Flanders reported that the Board received a Grant Award Notification from the U.S. Department of Education under the Governor's Emergency Education Relief (GEER) Fund round two program in the amount of \$11.7 million. President Flanders is recommending these funds be spent on targeted initiatives tied to the Board's strategic plan - \$5 million to address equity gaps, \$4.5 million to address student well-being, \$2 million to address the College Going Rate, and \$30,000 to increase open educational resources (OER). However, President Flanders noted the Board office is still waiting on guidance to determine exactly how the funds can be spent. Additionally, President Flanders reported that in the FY 2021 budget, the Board was appropriated \$20,000 for the "Governor's Scholars Program." Last year, these funds were awarded to the four community colleges with the highest student success index. This year, the funds will be awarded to the four technical colleges with the highest student success index – Salina Area Technical College, Flint Hills Technical College, North Central Kansas Technical College, and Washburn Tech. Each college will receive \$5,000 to award five Governor's Scholarships to students with financial need who are enrolled at the colleges. He noted this award is a great opportunity to provide some students with financial assistance.

REPORT FROM COUNCIL OF PRESIDENTS

Interim President Muma presented the report for the Council of Presidents. The Council approved Emporia State University's Master of Arts in Applied Sociology, which is on the Board's consent agenda for final action. The Council then received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Student Affairs Officers, Council of Government Relations Officers, and the Council of Chief Diversity Officers. The Academic Officers reviewed new program proposals from Kansas State University and the University of Kansas and approved several program name changes. The Business Officers discussed the Board's deferred maintenance initiative, reviewed the policy that addresses enrollment of students who have an outstanding balance due from a prior semester, and noted that the cyber insurance premiums for the system will increase by 66 percent next year. The Government Relations Officers provided a legislative update and the Council received further information on House Bill 2188 – IT Project Management changes. It was noted that the Regents Information Technology Council is monitoring this bill. The Student Affairs Officers are hoping student housing will be at full capacity next year and noted that no campus is requiring proof of vaccination to live on campus. They also reported that crisis cases on the campuses have increased this year. The Diversity Officers reported that they have scheduled another roundtable training session with the community colleges on April 15.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn reported that the Council of Faculty Senate Presidents is supportive of the new workgroup formed by the Governance Committee. This group will provide input on the processes associated with the Board's temporary, pandemic-related policy on workforce management. The Council hopes this workgroup sets a standard of how shared governance can be used on future topics. The Council also discussed the COVID-19 vaccine distribution processes on the campuses and returning to a more normal teaching format in the fall. Dr. Sternfeld-Dunn stated that technology in the classroom has changed because of the pandemic and noted that faculty are discussing how it can be used moving forward. The Council also discussed the decline in faculty morale.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan presented the report for the Students' Advisory Committee. The Committee continues to focus on its goal to increase student counseling services on the campuses, and as noted earlier, a portion of the GEER 2 funds may be used to help address student well-being initiatives. The Committee is also working on an initiative to designate national election dates as a university holiday. The Committee believes that more students will be able to vote in person and participate in voting activities if there are no classes scheduled on election days. The Committee also discussed the COVID-19 vaccination process for students.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle presented the report for the community colleges. This month he highlighted Johnson County Community College, Kansas City Kansas Community College, Labette Community College, Neosho County Community College, Pratt Community College and Seward County Community College. This spring, all of the colleges plan to conduct graduation ceremonies to celebrate student success. Most plan to offer in person ceremonies that will also be livestreamed. Some plan to hold multiple ceremonies so that people can spread out and others are

planning to limit the number of guests who can attend in person. Dr. Rittle stated that many of the employees at the colleges have received at least their first dose of the vaccine but noted that vaccines have been more accessible in rural communities. For the 2021 fall semester, the colleges are planning to return to normal campus operations with the understanding that operations may need to change, depending on local health orders.

REPORT FROM THE TECHNICAL COLLEGES

President Genandt reported that the four technical colleges that were awarded the Governor's Scholars program funds appreciate the opportunity to assist students with their financial needs. He then highlighted activities on the different campuses. Northwest Kansas Technical College received a \$1.2 million economic development grant that will be used to expand its Diesel Technology program. Manhattan Area Technical College recently started teaching its CMA and CNA courses at its Wamego site and increased its adult education enrollment by 24 percent. Salina Area Technical College went through its accreditation review and was informed earlier this year that the Higher Learning Commission was reaffirming its accreditation. President Genandt stated the House passed House Bill 2315 that would provide for a refundable tax credit for donors to the technical colleges. The technical colleges would then be required to deposit contributions to their capital outlay funds. The technical colleges asked that the Board advocate for this bill as it moves through the Senate.

REPORT FROM THE UNIVERSITY CEOS

President Mason reported that the Tiger Media Network was recently recognized by the Kansas Association of Broadcasters (KAB) for its work on the University's virtual commencement ceremony in December. The Network was awarded first place in KAB's public affairs category. She stated for the spring semester, Fort Hays plans to hold both in-person and virtual commencement ceremonies and noted all the ceremonies will be livestreamed. For the fall semester, the University is moving forward with plans to resume on-campus operations. President Mason stated the University will continue to monitor cases on campus and in the community and the administration will continue to work with its local health department. Based on the data, the University will begin modifying or rescinding policies and procedures related to COVID-19. President Mason announced that the University identified 94 courses that will use zero-cost Open Educational Resources (OER) course materials beginning in the fall, which will save students thousands of dollars. She also reported that in a typical year, Fort Hays State's two wind turbines produce more than 56 percent of the electricity used by the University, which results in about \$600,000 in savings.

Interim President Muma stated that Wichita State University is planning to resume on-campus operations in the fall but will continue to monitor the virus cases on campus and in the community. He noted that Sedgwick County recently updated its local health order to remove restrictions on mass gathering limitations; however, the order still requires face coverings and social distancing in public areas. This fall, Dr. Muma believes student activities like Homecoming, intramural sports, and fall break will resume. To ensure the safety of the campus community, the University plans to continue using the COVID-19-19 guidelines issued by the local health department and will continue to run COVID-19 tests at the WSU Molecular Diagnostics Lab. Dr. Muma noted that faculty and staff have begun receiving the COVID-19 vaccine and believes everyone who wants a vaccine will be able to get one before the start of the fall semester. Additionally, Dr.

Muma announced that former WSU President, Eugene Hughes, recently passed away. Dr. Hughes was WSU's 11th President and served from 1993 to 1998.

President Garrett reported that Emporia State University athletes are competing in spring sports and the hope is that fall sports will resume in a normal setting. However, student athlete testing protocols are set by the NCAA and/or conferences, and it is unknown at this time if any COVID-19 testing will be required in the fall. It is also unknown if the University will be able to allow fans to attend the events at full capacity. The University plans to continue to have COVID-19 testing available to students through the fall semester and will identify a few housing spaces that can be used to isolate students if needed. President Garrett stated that ESU's teaching formats will not need to change that much since the majority of ESU's classes were taught in person this year. Regarding COVID-19 vaccinations, over 50 percent of ESU's faculty and staff have received at least the first dose. President Garrett also announced that ESU's Debate Team will compete at the National Debate Tournament this month.

President Myers announced that Kansas State University has formed a Taskforce to design and implement a process to support university-wide academic program review and revitalization. Through this work, the University will establish a common framework and set of metrics that will provide an objective and transparent path to reveal programs for revitalization, investment and growth. President Myers stated the Dean of the College of Education, Debbie Mercer, and the Dean of the College of Health and Human Sciences, John Buckwalter, will co-chair the Taskforce. President Myers reported that All In for K-State is a 24-hour fundraising event that supports a specific University project or program. On March 24, 2021, this event will raise funds for the University's Textbooks 2.0 initiative, which is a grant program that provides funding to faculty and instructors so they can develop or adopt digital alternatives to print textbooks. Regarding the fall semester, KSU is expecting to resume normal operations on its campuses. President Myers then shared employment data on KSU's 2019-2020 bachelor's degree graduates. Regent Hutton stated that he is interested in the university-wide academic program review, and he would like to receive updates on the progress of this initiative. President Myers noted that the Taskforce will create the framework for the review and a smaller group, which will include the Provost, will make the decisions on program outcomes.

President Scott thanked President Flanders for his work with the Legislature. Regarding COVID-19-19, no new cases have been reported on the PSU campus over the last two weeks. The University has a designated vaccination site on campus for its employees, and so far, 443 employees have been vaccinated. In the coming weeks, student employees will be eligible to receive the vaccine. President Scott thanked the Community Health Center of Southeast Kansas for its help with the COVID-19 vaccination process. He also noted that the University has an excellent partnership with the Crawford County Health Department, which has used the University's parking lots as drive through testing sites and Block22 as a vaccination site. Additionally, President Scott reported that PSU plans to fully reopen the campus in the full and noted all employees will be brought back to the campus.

Chancellor Girod reported the positivity and hospitalization rates in Douglas County continue to decline. The University has conducted 620 COVID-19 tests over the last seven days and only ten came back positive. KU is assisting the county with its COVID-19 vaccination process and has

begun to offer vaccinations to its employees at the Watkins Health Center. Chancellor Girod believes that all faculty and staff members who want to be vaccinated will have that opportunity before the fall semester starts. He noted KU is planning to resume on-campus activities in the fall, but it is unknown at this time whether any COVID-19 restriction will be needed. This spring, KU will hold two in person commencement ceremonies on different weekends. The Class of 2021 will celebrate their graduation on May 16, and the Class of 2020 will be honored on May 23. Chancellor Girod noted the importance of inviting the Class of 2020 back since they were unable to have an in-person graduation ceremony last year. Chancellor Girod reported that the University of Kansas ranks fifth nationally among Tier 1 research institutions in the annual “Military Friendly Schools” survey. KU has been ranked a Military Friendly Top 10 school since 2018 and has earned “Gold” award status since 2017. Chancellor Girod also announced that the University of Kansas, Kansas State University, and **Wichita State University** were named to Phi Theta Kappa’s 2021 Transfer Honor Roll, which recognizes excellence in the development of transfer pathways.

BREAK

The Chair called for a ten-minute break at 3:13 p.m. and resumed the meeting at 3:23 p.m.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Kiblinger reported that the Board Academic Affairs Standing Committee reviewed the Board’s Admission policy and discussed the University of Kansas’s request to change its qualified admission requirements. She noted that KU’s request will be reviewed by the Board later in the agenda. Board staff then provided an update on the Apply Kansas initiative, which is an annual statewide campaign in which high schools conduct events to help seniors apply to college. This year 108 schools registered to host an event, which is up 25 schools from last year.

FISCAL AFFAIRS AND AUDIT

Regent Rolph reported that the Fiscal Affairs and Audit Standing Committee reviewed the fiscal items on today’s Board agenda and the Committee directed the Business Officers to bring back a recommendation for a long-term Board policy amendment to allow students to enroll with outstanding balances owed to the university. **Wichita State University**, Kansas State University, and the University of Kansas provided updates on their financial outlooks. They discussed expenditure trends, their Composite Financial Index data, revenues tied to student enrollment and their federal CARES Act funding.

GOVERNANCE

Regent Feuerborn presented the Governance Committee report. At the request of the Council of Faculty Senate Presidents, the Committee created and charged a workgroup to make recommendations to the Committee and Board with regard to how faculty may provide input into development of any framework proposed by a state university to implement the Board’s temporary, pandemic-related workforce management policy. Any recommendations are to be brought to the Committee and the Board on April 14. The Committee also discussed a directive to the state universities that might accompany the Board’s Free Expression Statement, which is on today’s agenda for consideration. The directive will be presented to the Board at a future meeting.

RETIREMENT PLAN

Regent Bangerter reported that the Retirement Plan Committee (RPC) met yesterday. The investment consultant, Advanced Capital Group (ACG), recommended two investment fund lineup changes with TIAA for the Mandatory Plan, and the RPC agreed with that recommendation. Those changes will be brought to the Board at its next meeting. ACG also reported that the assets in the Mandatory Plan grew from \$4.11 billion on June 30, 2020, to \$4.68 billion on December 31, 2020. The Committee was notified that an error calculating the contribution limits for some participants on the Voluntary Plan has been corrected and no further action is required. The Committee was informed that its project consolidating recordkeepers for the Voluntary Retirement Plan was completed and contributions to the new contracts began in January. The new contracts with TIAA and Voya reduced pricing, so participants will maintain even more of their retirement savings. Finally, the Committee authorized Board staff to reach out to the State's Purchasing Office to issue a request for proposals for retirement plan legal services.

APPROVAL OF CONSENT AGENDA

Regent Schmidt moved, with the second of Regent Van Etten, that the Consent Agenda be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Bangerter, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

*Academic Affairs***ACCREDITATION FOR MASTER OF ENGINEERING AND MASTER OF SCIENCE IN PROJECT MANAGEMENT – KU**

The University of Kansas received authorization to seek accreditation with the Global Accreditation Center of Project Management Education Programs for its Master of Engineering and Master of Science in Project Management programs. The initial accreditation is estimated to cost \$16,000 and the annual renewal fee is \$2,500.

MASTER OF ARTS IN APPLIED SOCIOLOGY – ESU

Emporia State University received approval to offer a Master of Arts in Applied Sociology. This program will total 30 semester credit hours and will be taught online. The estimated cost of the program for the first three years is as follows: year one - \$133,982, year two - \$153,149, and year three - \$228,456. Student tuition and fees will finance the program.

*Fiscal Affairs & Audit***AMENDMENT TO FY 2022 CAPITAL IMPROVEMENT PLAN FOR WEEDE PHYSICAL EDUCATION BUILDING – PSU**

Authorization was given to Pittsburg State University to amend its FY 2022 Capital Improvement Plan to include the repairs and improvements in John Lance Arena at the Weede Physical Education Building. The estimated cost of the project is \$1,902,000, which will be fully funded by private gifts. The program plan for this project was also approved.

RAZE BUILDING – KSU

Kansas State University received approval to raze a storage shed located at 2209 Agronomy Field Road (building #36700-00555) and a farm equipment storage shed located at 2305 Agronomy Central Road (building #36700-00529). The buildings are on the Agronomy farm north of Kimball Avenue and tearing them down will allow the City of Manhattan to construct a new access road, which was recommended by a Traffic Improvement Study conducted by the City of Manhattan in 2014. The cost to raze the two buildings, the replacement value of the existing buildings and the new access road will be funded from the City's road improvement project.

Technical AuthorityREALIGNMENT OF WELDING PROGRAM

The revisions to the Welding Technology program alignment were approved.

(New Alignment Map filed with Official Minutes)

EXCEL IN CTE FEES FOR DODGE CITY COMMUNITY COLLEGE

The Excel in CTE Fees for Dodge City Community College's Home Health Aide program were approved.

(Fees filed with Official Minutes)

CONSIDERATION OF DISCUSSION AGENDAAcademic AffairsLOW ENROLLMENT PROGRAMS – PSU AND ESU

Vice President Archer stated that Emporia State University and Pittsburg State University have completed their internal reviews of their low-enrollment programs. He introduced Provost Cordle and Provost Smith to present their respective university's recommendations. He also reminded the Board that under the strategic program alignment policy, the Board decides the final outcome of these programs.

Provost Cordle stated that Emporia State University reviewed 13 programs under this process. He noted that Music Education was discontinued as a separate program several years ago but is currently on the list because ESU is teaching out the remainder of the students who are enrolled in it. The Biochemistry and Molecular Biology program has no costs associated with it because its courses are offered by the Biology and Chemistry programs. Provost Cordle stated the program does not attract a lot of students, but it's a great option for the ones who choose it, which is why ESU recommends continuing it. Physical Sciences is another program that does not cost the University anything to offer because all of its required courses are offered by other programs. ESU recommends continuing the program. Health Education is a second licensure option for Physical Education majors. It does have some instructional costs, but the courses generate enough tuition and fee revenue to cover all but \$200 of the cost. Provost Cordle stated that ESU recommends

merging Health Education with the Physical Education program, which should gain some efficiencies. Business Education is a teacher licensure program that does generate some revenue for the University. ESU recommends continuing the program. Provost Cordle then reviewed the following six programs: 1) Chemistry, 2) Economics, 3) Modern Languages, 4) Earth Science, 5) History, and 6) Political Science. Each of these programs have a small number of majors but they are productive programs that generate net revenue for the University because they teach a lot of general education courses. The University recommends continuing all six programs. Theatre is a big part of the cultural life of the campus and the community, but it is expensive to offer. Provost Cordle stated he has never been associated with a Theatre program anywhere that generated net revenue, but private donors do give to the program. ESU recommends continuing the program and will continue to review its costs and funding as a part of ESU's comprehensive budget reduction process. Physics does not attract many majors, but it is an important degree for society. Provost Cordle stated that the University wants to continue to review this program as part of its comprehensive budget reduction process. Provost Cordle stated that ESU's comprehensive budget reduction process is currently underway and that the University must achieve \$4,700,000 in permanent budget savings. Significant cuts will take place in academic programs, but most of those savings will come from programs that are not being reviewed under this process.

Provost Smith reported that since 2009, Pittsburg State University has discontinued 52 programs, certificates, minors, and emphases. Under the Board's program review process, PSU looked at 25 programs. Pittsburg State is recommending the following programs be discontinued: Graphic Design; French Language Teacher Education; Psychology Teacher Education; Spanish Language and Literature; Spanish Language Teacher Education; Biology Teacher Education; Chemistry Teacher Education, Physics Teacher Education; Family and Consumer Science/Home Economics Teacher Education; Mathematics Teacher Education; Teacher Education and Professional Development, Specific Subject Areas, Other; and Clinical Laboratory Science/Medical Technology/Technologist. Provost Smith stated that many of these programs have already been discontinued or are currently in the process of elimination. He also noted that students enrolled in these programs will be allowed to finish their degrees. PSU recommends continuing the following academic support programs: General Economics, General Foreign Languages and Literatures, Geography, General Music Performance, General Physics, General Political Science and Government, and General Sociology. For General Mathematics and General History, PSU recommends discontinuing the Bachelor of Arts degrees and continuing the Bachelor of Science degrees. PSU recommends continuing its two interdisciplinary and coordinating programs - Multi-/Interdisciplinary Studies and Polymer Chemistry. Provost Smith stated that PSU's Interior Design program was started in 2016 and has been growing in enrollment each year. Since this is a new program, PSU recommends continuing it. The International Business program allows students to develop and understand business tactics and strategies as they relate to a changing international marketing place. Provost Smith stated that the faculty are evaluating this program and therefore, PSU recommends monitoring it.

Regent Kiblinger moved to approve the recommendations from Emporia State University and Pittsburg State University. Regent Schmidt seconded. Regent Hutton stated that there seems to be a lot of programs that feed the core curriculum and wants to know if the universities need that many options to satisfy the credit hour requirements. President Flanders stated that the Board may want to discuss how to make the review process at the Board level more efficient and believes this

could be a Board retreat topic. He noted that Vice President Archer and the Provosts are the subject matter experts and need to be part of the discussion. Regent Hutton stated that under program costs, the universities are only listing the total salaries and benefits attached to the program and noted the full cost of a program would also include the facility operational expenses. He wanted to know if those costs could be calculated into the total cost of the program. Regent Harrison-Lee believes this would be a good retreat topic. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

(Reports filed with Official Minutes)

AMENDMENTS TO NEW ACADEMIC UNITY AND ACADEMIC PROGRAMS POLICY

Vice President Archer presented the proposed amendments to the New Academic Units and Academic Programs policy. The Board Academic Affairs Standing Committee determined it was necessary to amend the policy to ensure the colleges have an opportunity to provide comments when a university wants to offer an associate degree. Regent Van Etten moved to approve the policy amendments. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following amendments were adopted:

Chapter II

A. ACADEMIC AFFAIRS

7. NEW ACADEMIC UNITS AND ACADEMIC PROGRAMS

...

d. Approval of New Academic Program Proposals

i. Overview

(1) When the Board considers the establishment of a new degree program or major, information regarding its need, quality, cost and means of assessment become paramount. The minimization of unnecessary program duplication is a high priority of the Kansas Board of Regents.

(2) State universities must submit a complete program proposal to ~~board~~ Board staff and enter the proposed program into the Program Inventory Database. Once ~~board~~ Board staff receives a complete program proposal and the program is entered into the Program Inventory Database, the proposal will be available electronically for institutions to view. All institutions shall be automatically notified of the proposed program by email through the Program Inventory Database. If a state university wishes to express concerns about a proposed associate, baccalaureate, masters, or doctoral degree, the president or chief academic officer shall address such concerns in writing to the Board staff within 45 calendar days of notification of the proposed

program. Institutions with concerns, comments or objections to the program must state those in writing to Board Staff within 45 calendar days of notification of the proposed program. If a community or technical college wishes to express concerns about a proposed associate degree, the president or chief academic officer shall address such concerns in writing to the Board staff within 45 calendar days of notification of the proposed program. During the 45 calendar day ~~calendar~~ comment period, the list of concerns, comments and objections will be compiled by Board staff and forwarded to the state university for follow-up. The state university proposing the program is expected to communicate with other institutions filing concerns, comments or objections to minimize or eliminate the identified issues. Final proposals must include evidence that concerns, comments or objections have been addressed. This process is designed to make the approval process more transparent, improve proposals and reduce potential conflict related to unnecessary duplication. The 45 calendar day ~~calendar~~ comment period shall run concurrently with the approval procedures for new academic program proposals.

The Board President and Chief Executive Officer, or designee, shall determine if each proposed program is similar to others in the state and may serve the same potential student population. A similar program is one that has a like CIP code, title, content or competencies. If the President and Chief Executive Officer, or designee, determines that one or more similar programs exist, the following information included in the program proposal narrative shall be taken into account: the ability/inability to offer the program collaboratively, the level of student interest in the program, existing and future labor market demand, and availability of clinical sites, if applicable.

Board staff shall compile, analyze and make recommendations to the Board on the information provided in the program proposal narrative. The recommendations and information provided shall be reviewed by the Board Academic Affairs Standing Committee to determine whether the program represents unnecessary program duplication before forwarding the proposal to the full Board for action.

CHANGES TO ADMISSION REQUIREMENTS – KU

Jean Redeker, KU's Assistant Vice Provost for Academic Affairs, introduced the University of Kansas' proposed changes to its qualified admission requirements. Dr. Redeker stated that KU currently offers two guaranteed admission options for freshmen applications received by February 1st: 1) applicants with at least a score of 21 on the ACT and a minimum 3.25 cumulative high school GPA, or 2) applicants with at least a score of 24 on the ACT and a minimum 3.0 cumulative high school GPA. Both options require that a high school student achieve at least a 2.5 GPA on any college courses taken in high school. Dr. Redeker noted that last spring, the pandemic caused ACT/SAT testing sites to close and all in-person ACT/SAT testing appointments were cancelled. Because of KU's admission requirements, the University was only able to admit freshmen without test scores through an existing option outlined in current regulations. That option allows applicants with no test scores to be admitted through a special review but does not guarantee admission. Dr. Redeker stated that KU is proposing two options (listed below) that will accommodate applicants

without a test score while still preserving the test score option for those who do have an ACT or SAT score.

- Option One: preserves a pathway for students with a test score by guaranteeing admission for those with at least a 21 ACT score and a 2.0 cumulative high school GPA, or
- Option Two: guarantees admissions for applicants with at least a 3.25 cumulative high school GPA, regardless of test score or without a test score.

Both options require that a high school student achieve at least a 2.0 GPA on any college courses taken in high school. Dr. Redeker stated having a guaranteed test-flexible pathway competitively aligns KU with regional and national markets, which are placing less emphasis on test scores. Regent Bangerter asked whether the University's retention and graduation rates will be impacted by these changes. KU believes that a student with at least a 3.25 cumulative high school GPA is prepared and can be successful at the University. Regent Rolph moved to approve the changes, and Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. It was noted that Board staff will begin the process to change the regulations and that it is anticipated that the changes will take effect beginning with applicants for the Spring of 2022.

Fiscal Affairs and Audit

EXTEND SUSPENSION OF BOARD POLICY RELATED TO PAYMENT OF TUITION AND FEES

Elaine Frisbie, Vice President for Finance and Administration, reported that at the April and December 2020 meetings, the Board suspended portions of the Board's Tuition and Fees policy so that students who are experiencing financial difficulties related to the COVID-19-19 pandemic could continue their studies. Vice President Frisbie stated that both the University of Kansas and Kansas State University enrolled students with outstanding balances during this timeframe but capped an individual student's outstanding amount at \$2,000. The universities are requesting that the Board continue to suspend that portion of the policy for the summer and fall semesters of 2021. Vice President Frisbie stated the Board Fiscal Affairs and Audit Committee asked the Council of Business Officers to review the policy and make recommendations on whether the policy should be amended permanently to allow students to enroll with outstanding balances owed to the university. Regent Rolph moved to temporarily suspend, for the summer and fall 2021 semesters, the portions of Board policy II.D.1.d.i. and II.D.1.d.ii. that currently state "No student shall be permitted to enroll for any semester if there are outstanding delinquencies from prior semesters, . . . [and International] 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." Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

Governance

CHANGE OF ATHLETIC CONFERENCES POLICY

General Counsel Julene Miller presented the Athletic Conferences policy. The proposed policy directs the university CEO to obtain approval from the Board Chair and Board President and CEO before entering negotiations related to changing conferences. She noted the state university CEOs have reviewed and provided feedback on the proposed policy. Regent Rolph moved to adopt the policy, and Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following policy was adopted:

CHAPTER II: GOVERNANCE – STATE UNIVERSITIES

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F OTHER

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9 ATHLETIC CONFERENCES

Any change by a state university in its athletic conference membership shall require expedited Board Chairman and Board President and CEO approval before entering negotiations relative to such change. The state university chief executive officer shall make a recommendation to the Board Chairman and Board President and CEO upon full consideration of all relevant factors, including student competition in intercollegiate sports appropriate to the institution, fiscal resources available, and sound standards of student academic performance.

FREE EXPRESSION STATEMENT AND POLICY AMENDMENTS

General Counsel Julene Miller reported that one of the Board's goals this year was to develop guidance on free speech and civil debate at state universities. The Governance Committee began its work by reviewing statements, principles and policies from around the nation including the State University System of Florida Statement on Free Expression, the Chicago Principles on Freedom of Expression, Kansas State University's Freedom of Expression Statement, and the Arizona Board of Regents policies. General Counsel Miller noted the Board's Statement is based on the concepts and language from these other statements, but it was tailored to fit the Kansas state university system. General Counsel Miller then reviewed the draft Statement, which focuses on student speech in non-classroom settings. She noted that at the Governance Committee meeting, Regent Schmidt requested that footnotes be added to the Statement to define specific terms and cite the legal precedent. Regent Schmidt stated he believes it is important to cite the legal definitions in the Board's Statement so that there is no confusion. He then moved to approve the Board's Free Expression Statement with the added footnotes. Regent Harrison-Lee seconded. Regent Hutton stated that he likes the Statement but wanted to know how the universities are going to use the Statement and if the Board's Statement supersedes any of the state university statements. He also asked whether it applies to the colleges. General Counsel Miller stated that the Governance Committee is developing a directive that will give details on what the next steps are for the state universities with regard to the Board's Statement. The Committee plans to place the directive on the April Board agenda for consideration. She stated that she believes Kansas State University is the only state university that has a Freedom of Expression Statement and its Statement is consistent with the Board's Statement. President Flanders stated that a plan needs to

be developed on how the Board's Statement will be communicated with the campus communities. President Myers stated that he has no issues with the Board's Statement but noted that Kansas State University spent a lot of time developing its Statement and that he would not want to replace it with the Board's Statement. He did concur that the two statements do complement each other. Additionally, General Counsel Miller noted that the Statement is written for the state universities but if a college or Washburn wants to adopt a freedom of expression statement, its local board of would need to take such action. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

General Counsel Miller stated accompanying the Board's Statement are proposed amendments to the Use of Campus Facilities and Interference with Conduct of Institution policies. These amendments provide more clarification and guidance to the universities. Regent Van Etten moved to approve the policy amendments, and Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following amendments were adopted:

CHAPTER II: GOVERNANCE – STATE UNIVERSITIES

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E. FACILITIES

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16. USE OF CAMPUS GROUNDS AND FACILITIES

a. State university facilities and grounds shall not be made available for fund raising events for any candidate, party committee or political committee, or for filming or otherwise producing partisan political advertisements.

b. Except as prohibited in subsection a., state university facilities may be made available for the purpose of holding political meetings, or public forums, provided there is no interference with regularly scheduled functions, the person requesting the space can clearly demonstrate that there is not otherwise available a reasonably suitable facility in the community, students are permitted to hear the speakers without charge, and payment of the regular fees for use of the facilities is made in advance of such use. University policies regulating availability and use of campus facilities shall be content-neutral and limited to narrowly drawn time, place and manner restrictions that are consistent with established principles of the First Amendment to the Constitution of the United States.

c. The outdoor areas of each state university campus are public forums, open on the same terms to any member of the campus community subject to reasonable time, place, and manner restrictions that are consistent with established principles of the First Amendment to the Constitution of the United States. Members of the campus community may engage in non-commercial expressive activity in any outdoor area of campus in accordance with published university policies establishing time, place and manner restrictions. University policies regulating availability and use of campus outdoor areas shall be content-neutral and limited to narrowly drawn time, place and manner restrictions that are consistent with established principles of the First Amendment to the Constitution of the United States.

d. Members of the campus community shall be permitted to engage in non-commercial chalking in the outdoor areas of campus, subject to the following restrictions. Universities may prohibit chalking in designated portions of the outdoor areas of campus provided members of the campus community are afforded ample alternative areas to engage in non-commercial chalking. University policies regulating chalking in outdoor areas of campus shall be content-neutral and limited to narrowly drawn time, place and manner restrictions that are consistent with established principles of the First Amendment to the Constitution of the United States.

e. The state universities shall not discourage students, faculty and staff from hearing diverse points of view from speakers and programs sponsored by the university or recognized student, faculty, and employee organizations. University policies or rules on the advance reservation of rooms, the posting of notices, the payment of rental charges when applicable, and such other rules as the university prescribes for the use of its facilities to avoid interference with the regular program of the institution shall be content-neutral and limited to narrowly drawn time, place and manner restrictions that are consistent with established principles of the First Amendment to the Constitution of the United States.

f. Nothing in this policy shall be interpreted as prohibiting a state university from regulating or restricting expressive activity that is not protected by the First Amendment.

g. Other than the Governor, elected officials and candidates for elected office shall not be introduced or recognized on campus unless they are in attendance at a campus event in an official capacity and at the request of the university.

h. The distribution of handbills shall be prohibited in those areas devoted primarily to instruction and study [or at the immediate sites and times of enclosed public events].

i. State universities shall have the authority to develop additional policies and guidelines that are not in conflict with this policy and that are consistent with First Amendment precedent. Such policies and guidelines shall be reviewed by the Governance Committee and filed with the President and Chief Executive Officer of the Board.

j. For purposes of this policy, the terms ‘candidate,’ ‘party committee,’ and ‘political committee’ shall have the meanings specified in K.S.A. 25-4143, as amended. ‘Campus community’ means students, administrators, faculty and staff at the relevant state university and guests invited to the university by the university’s students, administrators, faculty, or staff. ‘Outdoor areas of campus’ means the generally accessible outside areas of campus where a majority of students, administrators, faculty, and staff at the university are commonly allowed without ticketed entrance.

...

F. OTHER

2. INTERFERENCE WITH CONDUCT OF INSTITUTION

Actions by faculty, staff, students or visitors that unnecessarily or unreasonably obstruct or interfere with the teaching, research or learning functions or other normal and necessary activities of a state university, or that create an imminent threat of danger to persons or property, may constitute grounds for restitution, suspension, dismissal or termination, ~~for~~ or temporary or permanent exclusion from the campus or any part thereof.

Interference with the conduct of the institution shall include, but not be limited to, actions by faculty, staff, students or visitors that violate any statutory, administrative, or regulatory provision that could subject the university to any sanction under any federal or state law, regulation, or policy, or to any potential or actual loss of accreditation. Interference with the conduct of the institution shall not include any constitutionally protected expression, though such expression may be limited by reasonable, narrowly drawn and content neutral time, place or manner restrictions.

(Board's Freedom of Expression Statement filed with Official Minutes)

Other Matters

HONORARY DEGREE – KU

Chancellor Girod presented a request to bestow an honorary degree on Dr. Barney Graham. Dr. Graham has contributed to science, particularly in the fields of immunology, virology and vaccinology. He currently serves as the Deputy Director of the Vaccine Research Center at the National Institutes of Health and the Chief of the Viral Pathogenesis Laboratory. Regent Rolph moved to approve, and Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The honorary degree will be conferred by the University of Kansas at its May 16, 2021 Commencement.

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported that the Senate passed its budget earlier today, which included an additional \$25 million to the higher education system budget and the \$10.3 million for the Board's capital renewal initiative. The Senate also adopted language that would remove the square footage formula from the EBF proviso as requested by the Board. The House began its budgetary process and will be considering some of the same provisions that are in the Senate budget. Director Casey noted that all the university CEOs presented testimony to the House Appropriations Committee on how classes were offered during the pandemic, and how the federal funds have been utilized to help with the financial impact due to COVID-19-19. These presentations were made to address Representative Tarwater's amendment to the state universities' budget to refund students 50 percent of their tuition for all virtual days that they were not in person in the classroom and 100 percent of the tuition for the days where the academic calendar was cut short during the semester. Director Casey also provided an update on the progress of the Board's non-budgetary legislative items.

(Representative Tarwater's amendment filed with Official Minutes)

EXECUTIVE SESSION

At 5:12 p.m., Regent Harrison-Lee moved, followed by the second of Regent Hutton, to recess into executive session for 45 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was to prepare for university CEO evaluations and the purpose was to protect the privacy of the individual Board employees involved. Participating in the executive session were members of the Board, President Flanders, and General Counsel Julene Miller. At 5:57 p.m., the meeting returned to open session.

RECESS

Chair Feuerborn adjourned the meeting at 5:57 p.m.

RECONVENE

The meeting resumed on Thursday, March 18, 2021 at 9:45 a.m.

MEMBERS PRESENT:

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

CONSIDERATION OF DISCUSSION AGENDA*Fiscal Affairs and Audit***FACILITY RENEWAL INITIATIVE**

Regent Rolph stated that last month the Board approved two motions related to the deferred maintenance initiatives and decided to dedicate this meeting to discussing the details of the motions. He noted that the backlog of deferred maintenance on the state university campuses is a large and expensive issue that needs to be addressed. The Board is looking for solutions to solve these issues but also understands that every campus is different.

Chad Bristow, Director of Facilities, reported that historically the state has not committed sufficient resources for facility renewal. Currently, the state universities have \$1.2 billion in deferred maintenance backlog for Educational Building Fund (EBF)-eligible mission critical buildings. To address these issues, Director Bristow stated that the system will need to consider ways to ensure ongoing investment in facility renewal, develop a systemwide strategic policy framework, and look at ways to right-size and revitalize the state university campuses for the 21st century.

Last month the Board approved two motions related to the capital renewal initiative. The first motion was to set off the \$10.3 million in the Governor's FY 2022 budget exclusively for the repayment of debt incurred as part of a state university capital renewal initiative. Director Bristow stated that the Senate has approved including the \$10.3 million in its budget for capital renewal projects and the House is currently working its budget. Elaine Frisbie, Vice President for Finance and Administration, stated the Board has several options to consider if the funds are approved. To bond against the \$10.3 million, the 2021 Legislature will need to authorize the Board to issue debt for the university system. The Kansas Development Finance Authority (KDFA) would then include the Board's financing in their cycle with other state agencies. Under this scenario, the first bond payment would likely be due in FY 2023. For FY 2022, the Board could therefore consider using the \$10.3 million to raze buildings, pay for maintenance on current projects, or cover the

universities' \$5 million assessment for FY 2022 and 2023. The Board discussed the options, and Regent Hutton stated he believes the funds should be used for bond payments and if no payment is required in FY 2022, then the funds should be held for future payments. He also noted that he views this initiative as a partnership between the state and the universities, which is why he suggested withholding \$5 million from the universities' operating funds. The university CEOs expressed their concerns about having enough resources to fund their portion of the \$5 million. They noted that funding for this initiative would either need to come from their State General Fund (SGF) appropriation or student tuition revenue. President Garrett and Chancellor Girod also stated that this initiative currently only addresses EBF-eligible buildings, but the universities have other categories of buildings that also have deferred maintenance needing to be addressed, which includes historic buildings. Regent Hutton expressed willingness to consider updating statutes as needed to support the Board's capital renewal initiative, but also stated he thought that buildings used for auxiliary functions should be maintained by those streams of revenue. President Scott stated that private donations should be considered when looking at the university's contributions. Regent Hutton believes that private donations could count for the university's portion but believes the definition for what a deferred maintenance project is needs to be narrowly defined. President Mason stated that Fort Hays State University would be able to cover its portion of the \$5 million with cash and does not want to take on additional debt through bonding. Vice President Frisbie stated the Board will need to decide if it wants to ask the Legislature for bonding authority against the \$10.3 million, which will involve the Board office doing the bond issuance. The Board can also ask for flexibility on the timing for the issuance and potentially do more than one to spread out the bond proceeds over time. Another aspect for the Board to consider is how much of the bond proceeds the universities can handle during a specific timeframe. Regent Harrison-Lee asked how the Board office will handle the administration of the issuance. Vice President Frisbie stated that the Board office would probably need to hire someone to oversee the financing aspect of the capital renewal initiative but further review is needed before a decision is made. Regent Hutton stated that the administrative costs would be built into the initiative.

Director Bristow stated under the second motion there were six action items to review. The first item is to discuss the idea of contributing up to \$5 million in university operating funds for debt payment. Director Bristow reported that a formula will need to be established to determine each university's portion of the \$5 million. That formula could be based off the current EBF formula and could factor in the Facility Condition Index (FCI). He also stated that standards and requirements for facilities conditions will need to be maintained and updated to ensure fair and accurate calculations. Vice President Frisbie stated there will be accounting challenges associated with bonding the \$5 million from the universities and trying to figure out what portion of the proceeds would be apportioned to each campus. She also noted that there will be a cost associated with the issuance, but specified details on those costs will need to come from KDFR. Regent Harrison-Lee stated that she likes the idea of including the FCI in the formula. Chancellor Girod stated that assessing building conditions takes a lot of manpower on the campuses and noted that if the Board decides to include buildings that are currently not eligible for EBF, then there would need to be a study done to assess their conditions. The group discussed not wanting to penalize campuses that have historical buildings, and President Flanders recommended placing these buildings in a separate category because the universities are required to maintain them. Regent Schmidt concurred with that recommendation. Regent Kiblinger asked to receive a list of all the campus buildings that have been designated as historic.

Director Bristow stated that the second item to review is whether to commit 50 percent of the EBF annual proceeds for debt payment. Vice President Frisbie stated that if the Board decides to move forward with bonding the EBF, KDFFA will require it to be a separate leverage from the SGF bond, and suggests only leveraging 50 percent of it. She stated that the Crumbling Classroom bonding program leveraged 50 percent of the EBF, which created problems for the universities because they had less cash available to address maintenance issues during the out-years when the proceeds were spent. It was also noted that the Crumbling Classroom projects included more than just deferred maintenance projects. The Board discussed the use of the proceeds and how the universities would manage the projects. Regent Hutton stated more study may be needed to determine how to get the best value for these funds for deferred maintenance and then a comprehensive plan needs to be put together. Regent Rolph would like staff to create a predictive model based on the universities' five-year plans so the Board can understand what the system would look like if nothing changed with the EBF. He assumes the system is losing ground every year and thinks it would be helpful to compare the different scenarios. President Flanders stated that staff can also look at what happened between Crumbling Classrooms and now. Vice President Frisbie stated that a detailed analysis with KDFFA will need to be conducted to compare the various bonding scenarios.

Director Bristow stated that the third item to review is whether to establish a policy for a "Maintenance Assessment" fund. A couple of options for the Board to consider is to establish policy to create a central fund managed at the system level, which may require additional staff at the Board Office, or establish policy that requires each university to hold the Maintenance Assessment fund at the campus level. Regent Hutton stated that as long as there are controls in place and the universities are committed to following the policies, he is fine with either option. Director Bristow reviewed a hypothetical formula for creating the Maintenance Assessment fund, which would be used for the annual maintenance on the campuses. Chancellor Girod expressed concerns about funding the maintenance plans. Regent Hutton stated that it may be a good idea to compare the formula to what the universities are currently spending on maintenance. Chancellor Girod also stated that emergency maintenance issues occur on the campuses, which may not be included in any of the plans, and was concerned that the university would not have the funds needed to address these issues because all the funds are tied up in these plans. Regent Hutton stated one solution is to set-off a portion of this funding for emergency issues. Regent Murguia stated that some of the universities have EBF money that is already dedicated to specific projects and wanted to know how this process accounts for those funds. It was noted that EBF obligations would be factored into each university's formula.

BREAK

Chair Feuerborn called for ten-minute break at 11:30 a.m. and resumed the meeting at 11:40 a.m.

Director Bristow stated that the fourth item to review is whether to establish a "Classroom Efficiency" policy. The Board could consider the following options: 1) establish a policy that requires universities to update their campus master plans to include detailed strategies for improving space utilization, 2) engage a single consultant to establish systemwide policy standards for best practices, performance metrics and target goals, or 3) establish policy standards defining minimum requirements for campus space management methodology and space utilization data

maintenance. Director Bristow reminded the Board that the space utilization study that was recently completed assessed only academic spaces and offices. Regent Hutton stated this is a critical component to right-sizing the campuses and will be crucial to reducing the level of deferred maintenance.

Director Bristow stated that the fifth item is to discuss whether to create a systemwide master plan for campus consolidation and demolition. Some options for the Board to consider include: 1) hire a consultant at the system level to support the universities as they update their campus master plans focusing on space utilization, campus consolidation and right-sizing strategies, or 2) make the universities responsible for analysis and development of their own plans within the guidelines established for the System. Regent Schmidt stated he is concerned about implementing strategies to reduce the size of the campuses when the Board recently approved its new strategic plan that focuses on increasing enrollments. Regent Hutton stated that by removing the inefficient, older buildings the universities would have the capacity to build more efficient facilities to meet their future enrollment needs. Director Bristow also noted the utilization of research space needs to be included in the review.

Director Bristow stated the final item to discuss is whether to establish a policy for a “Maintenance Reserve” fund. The Board could establish a policy requiring a standard, prescriptive, detailed plan to account for future annual maintenance costs for all new space and construction projects and determine how those will be funded. President Flanders stated that this proposal would put more structure around facilities projects by identifying the exact funds that will finance future maintenance of a new building. Director Bristow stated that a potential next step on this item would be to re-engage Accruent for assistance in developing a cost projection template that would contain calculations based on industry standards by building usage and construction type. The group discussed funding sources and noted the decline in state support. Regent Hutton stated that the lack of state funding is an issue, but maintenance of university buildings cannot be avoided. President Flanders stated the Legislature may be more willing to partner with the system to address maintenance issues if the Board has detailed plans in place that show how progress will be made. Regent Feuerborn stated that with no additional state funding, he is concerned about how the universities are going to meet all their funding obligations.

Vice President Frisbie stated that Board staff will work with KDFA to gather more information on bonding options and will further refine the proposals that were presented today. Regent Rolph thanked the universities and Board staff for the information and noted the Board and universities will continue discussing this topic at the May Board meeting.

(PowerPoint filed with Official Minutes)

ADJOURNMENT

The Chair adjourned the meeting at 12:22 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

February 17, 2021

The February 17, 2021, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn at 1:01 p.m. This was a virtual-only meeting, and proper notice was given according to law.

MEMBERS PRESENT:

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

ANNOUNCEMENT

Chair Feuerborn stated that due to the Shawnee County emergency order issued November 12 and extended January 14, the Board meeting is being conducted pursuant to the Attorney General's regulation for virtual-only meetings. He asked all participants to place their microphones on mute when they are not speaking to allow listeners and observers to hear the meeting unimpeded. Chair Feuerborn stated that participants should ask to be recognized if they have a question or comment and when recognized, the participant should state their name and title so he or she can be identified by the audience. Chair Feuerborn noted for each action item a roll call vote would be taken to be clear how each Regent has voted. However, a roll call vote will not be taken for the approval of the minutes and no motion is needed to adjourn the meeting. It was also noted that there will be no opportunity for public comment during this meeting and no executive session is scheduled.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Schmidt moved that the minutes of the January 20, 2021 meeting be approved. Following the second of Regent Rolph, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Feuerborn reported that the format of future Board meetings will continue to be dictated by local health orders. However, with the COVID numbers trending downward in Shawnee County, he is hopeful that the Board can move to a hybrid format in the future. As for the April Board meeting, the Chair announced he is canceling the Fort Hays State University campus visit. Instead the Board will conduct either a virtual or hybrid meeting depending on what health restrictions are

in place in Topeka. Chair Feuerborn then encouraged next year's Board chair to consider implementing the same campus visit schedule that was planned for this year.

REPORT FROM PRESIDENT AND CEO

President Flanders reported that he attended a University of Kansas Student Senate meeting. Topics discussed included the Board's COVID-19 emergency policy and the program review process. He thought the meeting was productive and thanked the students for inviting him. President Flanders stated Chancellor Girod contacted him requesting an extension to July 1 of the 45-day timeline for submitting a framework for implementation of the temporary, COVID-related policy the Board adopted in January. The Chancellor indicated that the additional time will enable KU to continue pursuing other avenues for addressing their financial challenges before determining whether use of this policy will be necessary. Because the policy was adopted with a December 31, 2022 end date, President Flanders believes it makes sense to push this initial timeline out another four months. He then asked the Chair to consider amending today's agenda to add this as the next agenda item.

AMEND AGENDA

Chair Feuerborn amended the agenda to add the proposed amendment of the Board's COVID-19 emergency policy as the next item.

TEMPORARY PANDEMIC-RELATED AMENDMENT TO THE SUSPENSIONS, TERMINATIONS AND DISMISSALS POLICY

Regent Bangerter moved to approve the University of Kansas's request to extend the timeline for a university to submit a framework to implement the temporary policy. Regent Van Etten seconded. It was clarified that the motion includes extending the framework submission deadline to July 1, 2021. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following policy amendments were approved:

CHAPTER II: GOVERNANCE - STATE UNIVERSITIES

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C. CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF

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6. SUSPENSIONS, TERMINATIONS AND DISMISSALS

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b Other

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- ii. In light of the extreme financial pressures placed on the state universities due to the COVID-19 pandemic, decreased program and university enrollment, and state fiscal issues, effective immediately through December 31, 2022 and notwithstanding any other Board or institutional policy, any state university employee, including a tenured faculty member, may be suspended, dismissed, or terminated from employment by their respective university. Such

terminations, suspensions, or dismissals shall follow the procedure set forth below. Declaration of financial exigency and the processes associated with declaration of financial exigency shall not be a prerequisite to any suspension, dismissal, or termination authorized by this provision, and no existing university policy hearing procedures shall apply to such decisions.

The chief executive officer of any state university, before making any suspensions, dismissals or terminations under this provision and ~~within 45 days of the effective date of this provision~~ before July 1, 2021, shall present to the Board for approval a framework for the university's decision-making under this provision. Once approved, that framework shall be used for any suspension, dismissal, or termination under this provision. Frameworks for decision-making shall be determined by each state university's chief executive officer and may be based on factors such as, but not limited to, performance evaluations, teaching and research productivity, low service productivity, low enrollment, cost of operations, or reduction in revenues for specific departments or schools.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle reported that the System Council of Presidents received an update on the progress of the group working on the systemwide general education transfer package. The working group surveyed the institutions and identified sixteen Association of American Colleges and Universities (AAC&U) knowledge and skill areas that will be reviewed for inclusion in the general education package. After the general education package is established, the next steps will be to develop a conceptual framework for a systemwide associate-to-baccalaureate transfer initiative; and identify the potential programs for a systemwide associate-to-baccalaureate transfer initiative. The System Council of Chief Academic officers updated the CEOs on the Board's FAFSA completion initiatives, the progress of the online proctoring workgroup, and the progress of the Transfer and Articulation Council. The Council then discussed last month's presentation by Dr. Mark Becker on Georgia State University's student success program. **Interim President Muma summarized the presentation** and noted that representatives from the universities, community and technical colleges, and Board staff will be communicating with Georgia State's National Institute for Student Success to gather more information on Georgia State's model. President Rittle noted that the colleges and universities will be developing their own internal plans, which will include best practices and metrics, to address the equity gaps in Kansas.

REPORT FROM COUNCIL OF PRESIDENTS

Interim President Muma presented the report for the Council of Presidents. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Student Affairs Officers, Council of Government Relations Officers, and the Council of Chief Diversity Officers. The Academic Officers approved Emporia State University's Master of Arts in Applied Sociology and approved a program name change at the University of Kansas. The Business Officers reviewed the system's cybersecurity liability premium level and determined that the \$20 million coverage limit is sufficient. They continue to monitor the federal funding related to the pandemic and noted this is one-time funding that does not replace the loss of State General Fund appropriations. The Government Relations Officers reported on the legislative budget

progress and the bills they are monitoring. It was noted that in the House Appropriations Committee there was discussion centered around state universities refunding student tuition and fees for any day during the current academic year where classes were canceled due to the pandemic and refunding half of student tuition and fees for each day their classes were online. The CEOs are concerned about this language, but they will have an opportunity to present testimony on this topic later in the session. The Council is also concerned about House Bill 2188 related to IT project management changes, which will impact the timing and cost of IT projects at the universities. The Student Affairs Officers discussed how the CARES Act funds are helping students and noted they are monitoring the vaccination distribution around the state. The Chief Diversity Officers held a roundtable discussion with the community colleges earlier this month. The group discussed diversity strategies and potential initiatives that the colleges can deploy on their campuses to engage with students. It was also reported that the annual Tilford Conference will be held in a virtual format October 18-21, 2021. The Council of Presidents then received an update from President Flanders on the status of the Board's draft Freedom of Expression Statement.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn reported that the Council of Faculty Senate Presidents discussed the COVID related amendment to the Suspensions, Terminations, and Dismissals policy. He stated that the faculty understand that the policy applies to all university employees, but since the Council represents the faculty on the campuses, his report is going to center on the faculty's concerns. Dr. Sternfeld-Dunn spoke about the importance of tenure and how difficult it is for a faculty member to obtain tenure status, which is a peer-review process. Tenure status allows a faculty member the academic freedom to conduct research without fear of retaliation. Tenure research also helps universities bring in grant funding. Dr. Sternfeld-Dunn also spoke about the importance of shared governance within the university structure. Shared governance allows campus constituents to participate in discussions on issues that affect the university. He noted universities that embrace shared governance tend to adapt more quickly when change is needed, which was demonstrated across the nation when the pandemic started. He stated when the Board adopted its temporary COVID-19 Suspensions, Terminations, and Dismissals policy, faculty across the university system expressed their disappointment that shared governance was not part of the process. The amendments were provided to the Council less than 24 hours before the Board took action because the amendments were deemed critical. Dr. Sternfeld-Dunn stated that faculty do not understand why the amendments were deemed critical when five of the universities stated they were not going to implement the policy provision and the sixth university just received an extension to the framework deadline to July 1. The faculty want to understand why policy amendments did not go through the normal policy review process and asked the Board to consider temporarily suspending the policy amendments that were adopted in January. The faculty would like the Board to form an ad hoc committee to review the policy amendments and other policies related to university finances. The Council recommended that the committee membership include the following: a Regent who serves on the Governance Committee, a faculty member from the Council, a university CEO, a university provost, a university human resource officer, a university staff representative, and legal counsel from the Board office and the universities.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan presented the report for the Students' Advisory Committee. The Committee members updated each other on their legislative efforts to secure state funding to increase student counseling

services on the campuses. The Committee is also tracking legislation that they believe negatively impact the universities, and it was noted that each student senate may act to oppose certain bills by passing internal resolutions that could then be shared with legislators. The Committee discussed designating national election dates as holidays on the university academic calendars and plan to work with the Board office on how to move their request forward. Additionally, the Committee discussed tuition and fees and recommends that the Board hold next year's tuition and fees flat at the state universities. The Committee does not believe the burden to increase revenues at the universities should fall on the students because students are still struggling financially due to the pandemic. The universities and Board should find alternative ways to increase revenues. The Committee also expressed their disappointment with the Governor's proposed budget, which reduces state funding for higher education. Regent Murguia thanked Rija for her report and noted that if students need additional services including mental health, there may be community-based services available along with resources on different websites. She noted this may be helpful for students while the Committee continues to pursue its initiative to increase the number of mental health counselors on the campuses.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle presented the report for the community colleges. This month he highlighted Dodge City Community College, Garden City Community College, Highland Community College, Hutchison Community College, Fort Scott Community College, and Independence Community College. The colleges noted that one of the major challenges that they have faced during the pandemic was making sure isolated students were receiving all the resources they needed to continue their education. The colleges reported that the pandemic has also negatively impacted their high school student enrollments especially in technical education. On a positive note, the colleges believe that the pandemic has strengthened many of their partnerships within their local communities and school districts. President Rittle stated that student recruitment efforts are underway for the fall semester. The colleges will be using traditional in-person methods with the proper COVID safety guidelines in place and technology-based tours. President Rittle also thanked the Chief Diversity Officers at the universities for hosting a roundtable discussion with the community colleges earlier this month.

REPORT FROM THE TECHNICAL COLLEGES

President Genandt presented the report for the technical colleges. The technical colleges have continued to offer in person and online courses to students. The colleges have found that students like having the option of listening to online lectures and recorded classes. All of the colleges will be holding either in person or virtual commencement ceremonies at the end of the semester. Regarding COVID cases on the campuses, President Genandt stated that many of the colleges are dealing more frequently with students who have been exposed to the virus rather than positive cases. All of the campuses have used the federal stimulus funds to purchase protective gear and are conducting campus wide deep cleaning every week. President Genandt believes that the COVID procedures on the campuses have contributed to their low positivity rates. President Genandt reported that in the fall some of the technical colleges saw a decrease in high school student enrollments, which was a concern for them. However, the data for the spring semester indicate those enrollments are bouncing back.

REPORTS FROM THE UNIVERSITY CEOS

President Mason reported that because of the extremely cold weather the state has been experiencing, Midwest Energy requested that Fort Hays State reduce its electrical and gas consumption. The University was able to use its energy management system to convert its boilers from natural gas to diesel and also relied upon wind generation. As a result, the University was able to assist in the efforts to reduce electric and gas energy usage, which helped to prevent rolling electrical blackouts in the region. President Mason stated that the University's spring intersession enrollment was up 23 percent. The current spring enrollment numbers show a slight increase for incoming freshman, and a slight decrease for online and transfer students. President Mason stated one of the biggest challenges for the University's fall 2021 enrollments is that it will graduate a class in spring that is as large as its current on-campus student population. The University's strategic enrollment management initiative has helped mitigate the loss of enrollment due to COVID. This initiative includes the University's new online scholarship program, targeted program enrollment growth, and short course offerings. Regarding COVID, President Mason reported that the University continues to use its procedures that were put in place last fall. Currently, there are no students in isolation or quarantine. President Mason noted that at the beginning of the semester a student-athlete tested positive for the UK variant of the virus. The Kansas Department of Health and Environment did COVID surveillance testing at the University and did not find anyone else who was positive with the variant.

Interim President Muma reported that Wichita State University's enrollment management team continues to work on strategies to increase the University's enrollment. Currently, the data indicates that the spring enrollment will be down one or two percent. Dr. Muma stated this decline is mainly associated with concurrent enrollment offerings, which are not high revenue producing courses. The enrollment for traditional degree-seeking students and graduate students continue to hold steady. Dr. Muma reported that applications for the fall semester are strong and admissions for high school seniors and transfer students have increased. He also noted that scholarship and housing applications are up for the fall. Interim President Muma is hopeful that these trends will hold. Regarding recruitment efforts, WSU continues to hold in person campus visits with the appropriate safety protocols in place. The University has also conducted over 70 virtual events for interested students. Dr. Muma noted that many of the recruitment strategies put in place to mitigate the impact of the pandemic will continue to be utilized even after the pandemic is over because they have proven to be successful tools.

President Garrett reported that Emporia State University is expecting the spring headcount enrollment to be flat. ESU's graduate programs continue to grow in enrollment and are expected to be up seven percent in the spring. President Garrett stated that recruitment strategies have changed some because of the pandemic. Recruitment officers are traveling less but are utilizing different technologies to reach prospective students. ESU has also decided to waive some application fees for students who are struggling financially. Regarding international enrollment, ESU is working to build several international partnerships. International enrollments were down in the fall, but President Garrett believes these new partnerships will positively impact future enrollments. President Garrett concluded by noting that the University continues to emphasize the importance of in person learning. Last fall, 74 percent of classes were taught in person and that percentage will remain the same for the spring semester.

President Myers reported that Kansas State University closed campus earlier this week because the extreme cold caused electrical blackouts in the Manhattan region. The campus is now back open and fully operational. President Myers presented an overview of the University's COVID data since the beginning of the pandemic. KSU has tested over 22,000 individuals and the overall positivity rate is 7.31 percent. Since the start of the spring semester in January, KSU's positivity rate was 10.25 percent but has since decreased to 1.9 percent. This past week the Manhattan and Salina campuses had a total of 107 students in isolation and 39 in quarantine. President Myers stated that KSU has implemented communication and recruitment strategies to respond to the impact of the pandemic. KSU has changed recruitment strategies to include more virtual options for students; however, the campus will continue to offer limited in-person tours. KSU continues to expand its marketing and communication efforts on different social media platforms to reach more students. The University has also extended scholarship deadlines and expanded its need-based aid to address affordability issues. Additionally, President Myers spoke about KSU's new strategic enrollment management system. He noted that the fall 2021 applications and admissions to the University are currently up, and he is hopeful that the trend holds.

President Scott stated that it is important for everyone to understand that the universities did not shorten last year's fall semester or this year's spring semester because of COVID. Many of the universities adjusted their academic calendars, but students received or will receive the required amount of instructional days. Looking at the spring semester, President Scott reported that Pittsburg State University did not experience a surge in the virus when the students returned to the campus, and noted that the University's Bicknell Center is being used as a testing and vaccination site for the Pittsburg community. Regarding enrollment, President Scott expects the University to be down around three percent for the spring and fall semesters. Like the other universities, PSU is implementing new recruitment strategies to attract students. The University recently announced a new \$1,000 scholarship for any Crawford County high school senior who graduated in May 2020. President Scott stated this reward will help students and the community. Additional strategies that the University has implemented to increase enrollments include hiring a full-time student recruiter who is responsible for responding to website inquiries, eliminating application fees, and adjusting the PSU's marketing strategies to target the University's top 15 programs. President Scott stated that the 15 programs identified are the ones that drive enrollment on the campus.

Vice Chancellor Cook reported the spring semester at the University of Kansas campuses will include the same safety measures and course offering formats that were offered last semester. He noted the safety measures implemented proved effective because last semester there was no evidence that COVID was being transmitted in the classrooms or labs. Looking at this semester, KU tested over 16,000 individuals before they returned to campus and the overall positivity rate was .05 percent. Throughout the semester, the University will continue prevalence and symptomatic testing. Vice Chancellor Cook reviewed KU's COVID-19 dashboard, which provides data on overall testing and positivity rates for the different cohorts on the campus. He also discussed the University's financial losses associated with the pandemic. For FY 2020 and FY 2021, the University's Lawrence and Medical Center campuses lost \$71.7 million in revenues associated with enrollments, housing, dining, parking, and events. To address the FY 2021 budget short fall, the University cut \$34 million by eliminating jobs, furloughing employees, reducing salaries in executive leadership positions, offering a retirement incentive program, and reducing

services. Vice Chancellor Cook stated that the projected budgetary shortfall for FY 2022 is \$74.6 million. To address this shortfall, KU may need to implement large scale furloughs and layoffs. Vice Chancellor Cook reported that KU spent \$44 million on pandemic related expenses, and these expenses were covered by the federal relief funds. However, it was noted that currently the federal funds are restricted and cannot be used to make up for the losses associated with the University's general operations. Regarding enrollment, Vice Chancellor Cook stated that the University experienced a decrease of 2.8 percent in overall enrollment last semester. The spring enrollment seems to be holding steady with graduate student enrollments slightly increasing.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Kiblinger presented the Board Academic Affairs Standing Committee report. The Committee received an update on the Kansas Health Science Center, which is a new private Osteopathic Medical Institution located in Wichita. The Institution will begin teaching students in August 2022. Emporia State University and Pittsburg State University presented their recommendations on their low-enrollment programs. These recommendations will be presented to the Board at the March meeting. The Committee also received an update on the progress of the General Education Working Group, the Direct Support Professionals Work, and the Coordinating Council.

FISCAL AFFAIRS AND AUDIT

Regent Rolph reported that the Fiscal Affairs and Audit Standing Committee reviewed the fiscal items on today's Board agenda and the Committee commended Wichita State on its Clinton Hall project that will consolidate student services into one location on campus and improve the building's condition. Fort Hays State University, Emporia State University, and Pittsburg State University provided updates on their financial outlooks. They discussed expenditure trends, their Composite Financial Index data, revenues tied to student enrollment and their federal CARES Act funding. All three state universities compare favorably to their peers on students' cost for tuition. The Committee heard an update from Board staff on the accomplishments that have occurred thus far on the Board's deferred maintenance initiative. Regent Hutton then discussed committing the \$10.3 million in the Governor's budget toward payment of debt to be incurred for a deferred maintenance initiative beginning in FY 2022 and for no less than 20 years. The Committee concurred with Regent Hutton's request. Regent Rolph requested that the Board Chair add Regent Hutton's request to the Board's agenda for consideration and noted that Regent Hutton also plans to present another motion related to the deferred maintenance initiative at that time.

AMEND AGENDA

Chair Feuerborn amended the agenda to add the deferred maintenance initiative as the first item under Other Matters.

Regent Bangerter stated that the Board just approved the University of Kansas' request to extend the timeline for submitting a framework related to the temporary COVID policy amendments that the Board adopted last month. He stated that KU is looking at the policy because it is facing a budget shortfall of \$75 million. Regent Bangerter asked KU to provide an update on where they are in the process and how the faculty and staff are involved in the University's processes. Provost

Bichelmeyer stated that KU's financial challenges are centered around its Lawrence campus, which has a \$400 million annual operating budget. The Chancellor requested the policy extension so that the University can continue to work on multiple options to address the \$75 million shortfall. Some of the cost saving measures that the University either has implemented or is reviewing include discontinuing or consolidating low-enrollment programs, implementing a new travel policy and travel system that may save a few million dollars a year, reviewing procurement processes to find more efficiencies, and determining if there are buildings that can be taken offline. KU is also looking at strategies to increase revenues, which would include increasing student enrollments, helping students persist and graduate, and improving research administration. Provost Bichelmeyer noted that the University is updating its university academic workload policy and academic unit workload guidelines. Regarding shared governance issues, KU has been engaged with its faculty and staff representatives.

Regent Rolph thanked Provost Bichelmeyer for her remarks and noted that he would like to see the academic workload policy and the standards used for all six universities. **Dr. Sternfeld-Dunn** stated the faculty are still concerned that the Board's policy does not require a shared governance structure, and they would like shared governance officials to be part of the decision-making process when it comes to terminating faculty and staff, which is the process used when a university declares financial exigency. Provost Bichelmeyer stated that KU's shared governance leaders have been engaged and have provided feedback on the work being done.

BREAK

Chair Feuerborn called for a 15-minute break at 3:00 p.m. and resumed the meeting at 3:15 p.m.

GOVERNANCE

Regent Feuerborn reported that the Governance Committee reviewed three Board contracts related to online proctoring services and the adult education programs. The Committee authorized the Board President to execute the contracts. The Committee reviewed the Student Advisory Committee's comments and suggestions on the Board's Freedom of Expression Statement and adopted the Statement as revised. The Statement and its companion policies will be placed on the Board's March agenda for consideration. Fort Hays State University and Kansas State University then presented their annual campus safety and security reports.

APPROVAL OF CONSENT AGENDA

Regent Van Etten moved, with the second of Regent Harrison-Lee, that the Consent Agenda be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

Academic Affairs

BACHELOR OF ARTS IN INTERDISCIPLINARY ENTREPRENEURSHIP – ESU

Emporia State University received approval to offer a Bachelor of Arts in Interdisciplinary Entrepreneurship. This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year

one - \$81,927, year two - \$290,858, and year three - \$406,622. Student tuition and fees will finance the program.

AY 2019 PERFORMANCE REPORTS

The AY 2019 Performance Reports were approved. Below are the approved funding levels for each institution.

Institution	Funding Recommendation
Emporia State University	100% funding
Fort Hays State University	100% funding
Kansas State University	100% funding
Pittsburg State University	100% funding
University of Kansas	100% funding
University of Kansas Medical Center	100% funding
Wichita State University	100% funding
Washburn University/Washburn Tech	100% funding
Allen County Community College	100% funding
Barton Community College	100% funding
Butler Community College	100% funding
Cloud County Community College	100% funding
Coffeyville Community College	100% funding
Colby Community College	100% funding
Cowley Community College	100% funding
Dodge City Community College	100% funding
Fort Scott Community College	100% funding
Garden City Community College	100% funding
Highland Community College	100% funding
Hutchinson Community College	100% funding
Independence Community College	100% funding
Johnson County Community College	100% funding
Kansas City Kansas Community College	100% funding
Labette Community College	100% funding
Neosho County Community College	100% funding
Pratt Community College	100% funding
Seward County Community College	100% funding
Flint Hills Technical College	100% funding
Manhattan Area Technical College	100% funding
North Central Kansas Technical College	100% funding
Northwest Kansas Technical College	100% funding
Salina Area Technical College	100% funding

Wichita State University Campus of Applied Science and Technology	100% funding
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Fiscal Affairs & Audit

AMENDMENT TO THE FY 2021 CAPITAL IMPROVEMENTS REQUEST AND REVISED PROGRAM STATEMENT FOR THE CAMPUS INFRASTRUCTURE IMPROVEMENTS PROJECT – KSU

Kansas State University received approval to amend its FY 2021 Capital Improvement Plan to revise the campus infrastructure improvement project. The scope of the project will now include King Hall and the Chemistry/Bio-Chemistry building. The estimated revised project cost is \$3.5 million. The project will be implemented in two phases. The cost of the first phase, estimated at \$2,155,000, will be funded from the University’s allocation of the Educational Building Fund, restricted fees and the deferred maintenance interest fund. Construction is expected to begin April 2021 and be completed December 2021. Phase two will begin once additional university funds are identified. The revised project is expected to reduce the deferred maintenance amount for the Chemistry/Bio-Chemistry building by \$3.2 million and adjust the FCI from .41 to .31.

Technical Education Authority

EXCEL IN CAREER TECHNICAL EDUCATION FEES FOR THE COLLEGES

The 2022 Excel in Career Technical Education fees for the following colleges were approved: Butler Community College, Cloud County Community College, Flint Hills Technical College, Hutchison Community College, Independence Community College, Kansas City Kansas Community College, Labette Community College, Neosho Community College, North Central Kansas Technical College, Northwest Kansas Technical College, Salina Area Technical College, and Seward County Community College. A complete list of fees for each career technical education course and program at each institution is maintained at the Board office and is available for public inspection.

CONSIDERATION OF DISCUSSION AGENDA

Presentation

REPORT ON THE BOARD’S STRATEGIC PLAN, *BUILDING A FUTURE*

President Flanders presented the first annual report of the Board’s strategic plan, *Building a Future*. The plan contains the following three messaging pillars: 1) Kansas families, 2) Kansas businesses, and 3) Kansas economic prosperity. President Flanders reviewed the structure of the plan, which contains areas of focus, dashboard metrics (lagging indicators), progress metrics (leading indicators), and promising practices. He noted that this first report establishes the baseline numbers for the metrics in the plan.

President Flanders highlighted some of the metrics under Pillar One. In the Affordability category, President Flanders shared data on graduation rates, student loan default rates, students taking 30 credit hours per year, and retention rates. Under graduation rates, it was noted that the universities and community colleges have increased their percentage points over the past five years and that over 50 percent of students at the community and technical colleges complete on-time. The data associated with the student loan default rates shows that Kansas two-year institutions have lower default rates when compared to other states. In the Access category, President Flanders highlighted the enrollment equity gaps and college going rate metrics. The enrollment equity gaps are measured by looking at the 18 to 24-year-old Kansas population and comparing it to resident enrollment in the same age group in the categories of race/ethnicity and rural/non-rural. The data shows the system has enrollment gaps in the Hispanic and Black or African American populations along with the rural population. The college going rate is measured by looking at the number of Kansas high school students who enroll in a public postsecondary institution in the state after graduating from high school. President Flanders stated the college going rate continues to decline in the state, which is concerning and the Board office is partnering with the Kansas State Department of Education on several initiatives that will hopefully increase the rate. Under the Success category, President Flanders reviewed the percentage of graduates in jobs with sustaining wages and the number of degrees and certificates awarded. He reminded everyone that the benchmark for sustaining wages is set at 250 percent of the federal poverty level, meaning that in 2020, a graduate must earn at least \$31,900 to be in a job with a sustaining wage. Regarding degrees and certificates awarded, President Flanders noted that in the Board's last strategic plan, *Foresight 2020*, the Board set a systemwide attainment goal of 60 percent. He stated the Board may want to consider setting an attainment goal for *Building a Future* and noted that the Governor's Council on Education recently adopted a more aggressive attainment goal of 71 percent by 2030, which includes credentials from postsecondary institutions and industry recognized credentials such as apprenticeships.

President Flanders stated that Pillar Two focuses on the crucial role that the colleges and universities play in developing a workforce. Under the Talent Pipeline category, special initiatives and enrollment and graduation rates in programs that lead to high demand, sustaining wage jobs will be measured. President Flanders noted each institution selected its own programs under the high demand, sustaining wage jobs metric and stated that each will be responsible for increasing enrollments and graduation rates in their selected programs. Regarding special initiatives, *Building a Future* will continue to track the University Engineering Initiative and the Excel in CTE Initiative. President Flanders stated that under the Innovation category, funding for the university research enterprises will be tracked.

President Flanders reported the third Pillar, Economic Prosperity, demonstrates how the higher education system supports economic growth in Kansas. This pillar emphasizes the intentional economic development activities of the institutions. Each institution will focus on a mix of its existing strengths and emerging capabilities that together uniquely position the higher education system to partner with business and industry to create jobs and grow the economy.

Regent Schmidt thanked President Flanders for the report and noted that last year the Board received a presentation on Purdue University's income share agreement program and wanted to know if that type of program should be incorporated into the plan. President Flanders stated that

an institution would need to bring forward a plan if it wanted to implement an income share agreement program. Regent Harrison-Lee highlighted the importance of growing partnerships with business and industry to advance the Economic Prosperity Pillar. Regent Kiblinger stated that the Board should adopt an attainment goal for the system and believes it should be reviewed.

(PowerPoint filed with Official Minutes)

Academic Affairs

ASSOCIATE OF APPLIED SCIENCE IN CAREER & TECHNICAL EDUCATION – PSU

Daniel Archer, Vice President for Academic Affairs, introduced Pittsburg State University's request to offer an Associate of Applied Science in Career and Technical Education. Dr. Archer stated the program will be taught using online and hybrid formats, which will allow the University to recruit out-of-state students. It was noted that several states require Career and Technical Education (CTE) teachers to have an associate degree to meet their certification requirements and that this program will fulfill that need. Vice President Archer stated that the Board's Academic Affairs Committee reviewed the proposal and the colleges were able to provide their feedback to the Committee, all of which was positive. Regent Hutton stated that he supports the proposed program but also expressed his concern that this opens up the possibility for institutions to begin bringing forward requests to offer degrees that they do not traditionally offer. He also believes there needs to be a fair process when evaluating program requests that fall within this category. Regent Kiblinger stated that the Academic Affairs Committee discussed this issue and decided to recommend that the Board's policy be revised to outline the process for these types of requests. She also noted that Committee members support this specific degree request because they believe it will benefit students and the state. President Scott clarified that PSU currently offers other associate degrees so this would not be a first for the University. Following discussion, Regent Rolph moved to approve PSU's Associate of Applied Science in Career and Technical Education. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

LOW-ENROLLMENT PROGRAMS REVIEW – FHSU AND KU

Vice President Archer stated that Fort Hays State University and the University of Kansas have completed their internal reviews of their low-enrollment programs. He introduced Provost Arensdorf and Provost Bichelmeyer to present each university's recommendations. He also reminded the Board that under the strategic program alignment policy, the Board decides the final outcome of these programs.

Provost Arensdorf stated that Fort Hays State University reviewed six programs under the strategic program alignment policy: Art Teacher Education, General Art/Art Studies, General Foreign Languages and Literatures, General Physics, Philosophy, and General Music. The Art Teacher Education program prepares aspiring artist educators with pedagogical and content skills necessary to provide quality fine arts instruction within K-12 education. Students graduating with the art teacher education degree are afforded extremely high employment opportunities largely due to extreme teacher shortages in Kansas and other Midwest states. Provost Arensdorf noted that 80

percent of graduates are employed in the region. The General Art/Art Studies program is an interdisciplinary course that does not have any faculty solely dedicated to it. It offers pathways in both Art History and Studio Art and prepares students for careers as fine artists and craftsmen, archivists, curators, museum technicians, and conservators. Provost Arensdorf stated that the University recommends merging the Art Teacher Education program with the General Art/Art Studies program and that a concentration in Art Education be developed within that degree program to serve students desiring to become licensed art educators. General Foreign Languages and Literatures offers language and culture courses tailored to student career goals and designed for traditional and non-traditional students. The program aligns with the University's mission in its commitment to the development of engaged global citizen leaders and is often a second major for students. Provost Arensdorf noted that the department initiated the Spanish for Specific Purposes in the fall semester of the academic year 2017-2018; therefore, five-year enrollment data is not yet available. She also noted the University is seeing some growth in its Spanish major. The program's revenues also exceed its expenses. Provost Arensdorf stated the University recommends additional review of this program to allow the department chair and faculty to discuss what the program will look like in the future. The General Physics program produces graduates with the skills necessary to attend and successfully complete a range of different graduate and professional programs. It supports the University's KAMS/AMS program and stands out from area schools based on its affordability and small class size. Provost Arensdorf stated the University recommends continuing the program and noted that FHSU is working to create an entirely online physics degree option, which would be one of only a few in the country. The Philosophy program has a growing number of students in the online program. It heavily supports General Education and FHSU's programs in China. Dr. Arensdorf stated that the Department is focusing on updating their senior capstone experience that will lead to more graduates from the program, and therefore, the University recommends continuing the program. The General Music program is an interdisciplinary course that does not have any faculty solely dedicated to it. The program aligns with the mission of the University and supports General Education. Provost Arensdorf stated the University recommends additional review of this program to allow the Department time to increase enrollments and graduations.

Provost Bichelmeyer reported that the University of Kansas reviewed 15 programs and is recommending that seven programs be merged, two be discontinued, and six continue. She also noted that while outside the scope of the review, KU is also recommending merging two departments and discontinuing one department. Latin American & Caribbean Studies and European Studies are recommended to merge as concentrations within the existing Global & International Studies degree. Both programs slated for merger have no assigned tenure/tenure-track faculty. They are interdisciplinary, and use faculty from other departments. The Classics Department is recommending merging its two degrees (Classical Languages and Classical Antiquity) to form one Classics major. The University is recommending merging its German Studies, Russian, East European & Eurasian Studies, and the Slavic and Eurasian Languages & Literature Studies, which will form one-degree program. Provost Bichelmeyer noted that KU is recommending that the German Studies Department be merged with the Slavic and Eurasian Languages & Literature Department. There will be minimal savings for the University with this merger because many of the programs are interdisciplinary, but it will streamline options for students. Provost Bichelmeyer stated that KU is recommending discontinuing its Visual Art Education undergraduate program and its Humanities program. Both programs have had

challenges growing enrollments and majors. She also noted that the University recommends closing the Humanities department. Provost Bichelmeyer stated that the elimination of the Visual Art Education program will produce \$100,000 in savings, and it is estimated that the closure of the Humanities department will have an annual savings of \$400,000. Provost Bichelmeyer reported that KU recommends continuing the following degrees because they are critical to the University's mission, run efficiently, and the departments have viable plans for increasing enrollments and graduation rates: Dance, American Studies, Religious Studies, African & African-American Studies, Astronomy, and Physical Education Plus. Provost Bichelmeyer then reviewed other programs that KU has eliminated, which resulted in annual savings, and discussed KU's new strategic plan, *Jayhawks Rising*.

The Regents thanked the Provosts for their presentations. Regent Bangerter stated *The Chronicle of Higher Education* published an article titled "The Great Contraction," which talks about the budget and enrollment issues that higher education institutions are facing. He believes many higher education institutions, including the ones located in Kansas, will need to make tough decisions that will shape the future of higher education. Regent Hutton asked Provost Bichelmeyer about the University's timeline for completing its academic workload policy. Provost Bichelmeyer stated that KU is working to create a University-wide policy that will set the baselines for faculty workloads, and anticipates providing an update on the policy later this spring. Regent Harrison-Lee thanked KU's staff and Provost for all their work on the program review. Following discussion, Regent Van Etten moved to approve the recommendations from Fort Hays State University and the University of Kansas. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

(PowerPoint filed with Official Minutes)

FAFSA COMPLETION INITIATIVES

Vice President Archer stated that one of the recommendations that came out of the Future of Higher Education Council was for the Board to identify strategies to increase completions of the Free Application for Federal Student Aid (FAFSA) form. In 2020, less than half of Kansas high school graduates completed the FAFSA, which placed Kansas at 36th in the nation on completions. Dr. Archer noted that the FAFSA completion rate is an important indicator for the higher education system because it is linked to higher college going rates. FAFSA completion studies have indicated that completers are 63 percent more likely to enroll in college immediately after high school compared to non-completers. Vice President Archer reported that over the last several months Board staff and the Kansas State Department of Education (KSDE) identified two strategies to help boost FAFSA completion around the state: the FAFSA recognition program and FAFSA completion events.

The FAFSA recognition program will be a competition between high schools to see which ones can increase the number of students who complete the form. The program will start in the fall of 2021, and two high schools from each of the six Kansas State High School Activities Association divisions will be recognized as the winning schools in either September or October. Dr. Archer noted that the high school with the highest FAFSA completion percentage will be named the state

champion and the high school with the most significant increase in FAFSA completion from the last year will be recognized as the most improved.

The FAFSA completion events will be scheduled between September and December either during or after school. The events will provide information to seniors and their parents on what FAFSA is and financial aid representatives will be available at the event to answer any questions. Dr. Archer noted that the Board office and KSDE will be sending guidance out on how a school or community can conduct one of these events.

Fiscal Affairs and Audit

DISTRIBUTION OF FY 2021 STATE FUNDS FOR TECHNICAL EDUCATION (EXCEL IN CTE, AO-K PROVISIO) AND RECONCILE FY 2020 GED ACCELERATOR PAYMENT

Elaine Frisbie, Vice President for Finance and Administration, presented the proposed FY 2021 distribution of state funds for Technical Education (Excel in Career Technical Education and the Accelerating Opportunity-Kansas proviso). She noted the amounts are based on current FY 2021 enrollment data submitted by the colleges and appropriations available to finance the program. The distribution amounts are also contingent upon the Board's assessment of each institution's performance pursuant to the performance agreement process. Vice President Frisbie noted that after the AY 2020 data collection was closed, a process that requires each college president to certify the college's data, Allen County Community College identified an error in its high school data from the spring 2020 semester and requested that the collection be re-opened to allow them to correct their data error. Vice President Frisbie described the process that the Board office used to assess this specific situation and request. The Technical Education Authority reviewed all the information surrounding the request and decided that granting the request was not clearly allowable by state law, and would open the door for other institutions to make similar requests without any clear guideposts for analyzing those requests. The TEA therefore recommended against re-opening the collection. Additionally, Vice President Frisbie presented the FY 2020 GED Accelerator payments that need to be reconciled. Regent Rolph moved to approve the distributions and reconciliation. Regent Van Etten seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. The following amounts were approved:

Excel in CTE

Institution	FY 2021 Distribution for Fall 2020 Enrollment	FY 2020 (Prior Year) Reconciliation	FY 2021 Proposed Net January Distribution
Allen County Community College	\$323,224	(\$486,014)	(\$162,790)
Barton County Community College	\$112,085	(\$44,839)	\$67,246
Butler Community College	\$338,556	(\$47,406)	\$291,150
Cloud County Community College	\$102,796	\$75,573	\$178,369
Coffeyville Community College	\$489,258	(\$80,934)	\$408,324
Colby Community College	\$88,331	(\$72,063)	\$16,268

Cowley County Community College	\$389,137	\$38,260	\$427,397
Dodge City Community College	\$244,665	(\$79,678)	\$164,987
Flint Hills Technical College	\$855,260	\$435,777	\$1,291,037
Fort Scott Community College	\$440,123	\$110,453	\$550,576
Garden City Community College	\$206,427	\$103,750	\$310,177
Highland Community College	\$628,722	(\$277,944)	\$350,778
Hutchinson Community College	\$1,154,731	(\$506,304)	\$648,427
Independence Community College	\$79,038	(\$9,282)	\$69,756
Johnson County Community College	\$805,023	(\$82,942)	\$722,081
Kansas City Kansas Community College	\$1,203,258	(\$58,959)	\$1,144,299
Labette Community College	\$256,021	(\$4,835)	\$251,186
Manhattan Area Technical College	\$247,906	\$168,749	\$416,655
Neosho County Community College	\$691,101	\$188,334	\$879,435
North Central Kansas Technical College	\$235,268	\$26,986	\$262,254
Northwest Kansas Technical College	\$495,697	(\$105,023)	\$390,674
Pratt Community College	\$170,657	(\$90,063)	\$80,594
Salina Area Technical College	\$527,200	\$10,343	\$537,543
Seward County Community College	\$386,644	\$234,855	\$621,499
Washburn Institute of Technology	\$2,186,369	\$339,885	\$2,526,254
WSU Campus of Applied Sciences & Technology	\$2,795,504	\$213,321	\$3,008,825
Total	\$15,453,001	\$ --	\$15,453,001

Accelerating Opportunity: Kansas

Institution	FY 2021 Distribution for Fall 2020 Enrollment	FY 2020 (Prior Year) Reconciliation	FY 2021 Proposed Net January Distribution
Allen County Community College	\$ --	\$ --	\$ --
Barton County Community College	\$32,256	\$16,667	\$48,923
Butler Community College	\$916	(\$5,017)	(\$4,101)
Cloud County Community College	--	--	--
Coffeyville Community College	--	--	--
Colby Community College	\$38,536	\$0	\$38,536
Cowley County Community College	\$43,110	\$3,606	\$46,716
Dodge City Community College	--	(\$964)	(\$964)
Flint Hills Technical College	--	--	--
Fort Scott Community College	\$3,456	(\$12,874)	(\$9,418)
Garden City Community College	--	\$1,655	\$1,655
Highland Community College	\$15,881	\$43,686	\$59,567
Hutchinson Community College	--	(\$7,072)	(\$7,072)

Independence Community College	--	--	--
Johnson County Community College	\$2,830	(\$7,566)	(\$4,736)
Kansas City Kansas Community College	--	\$12,352	\$12,352
Labette Community College	--	--	--
Manhattan Area Technical College	--	--	--
Neosho County Community College	--	(\$4,409)	(\$4,409)
North Central Kansas Technical College	--	--	--
Northwest Kansas Technical College	--	--	--
Pratt Community College	--	--	--
Salina Area Technical College	--	(\$9,366)	(\$9,366)
Seward County Community College	--	(\$29,673)	(\$29,673)
Washburn Institute of Technology	\$64,160	(\$48,860)	\$15,300
WSU Campus of Applied Sciences & Technology	\$45,738	(\$73,869)	(\$28,131)
Total	\$246,883	(\$121,704)	\$125,179

GED Accelerator

Institution	(For Reference) FY 2020 Distributions	Prior Year Reconciliation
Allen County Community College	\$ --	\$ --
Barton County Community College	\$3,700	\$12,850
Butler Community College	--	\$3,782
Cloud County Community College	--	--
Coffeyville Community College	--	--
Colby Community College	--	\$13,360
Cowley County Community College	\$670	\$3,340
Dodge City Community College	--	--
Flint Hills Technical College	--	--
Fort Scott Community College	--	\$1,282
Garden City Community College	\$2,840	\$840
Highland Community College	--	--
Hutchinson Community College	--	--
Independence Community College	--	--
Johnson County Community College	--	\$5,180
Kansas City Kansas Community College	--	--
Labette Community College	--	--
Manhattan Area Technical College	--	--
Neosho County Community College	--	(\$143)
North Central Kansas Technical College	--	--
Northwest Kansas Technical College	--	--

Pratt Community College	--	--
Salina Area Technical College	\$3,000	\$7,340
Seward County Community College	\$840	\$4,510
Washburn Institute of Technology	\$15,530	\$10,380
WSU Campus of Applied Sciences & Technology	--	\$6,180
Total	\$26,580	\$68,901

AMENDMENT TO THE FY 2021 CAPITAL IMPROVEMENT PLAN AND PROGRAM STATEMENT FOR THE CLINTON HALL STUDENT SUCCESS CENTER - WSU

Chad Bristow, Director of Facilities, introduced Wichita State University's request to amend its FY 2021 Capital Improvement Plan to add the Clinton Hall project. With the construction of Woolsey Hall for the W. Frank Barton School of Business, Clinton Hall will be vacated. WSU wants to house all its student services in Clinton Hall, which will require the building to be renovated along with adding a new addition to the south side. The anticipated cost of the project is approximately \$16.4 million, which will be funded by a combination of private funds, student fees, and revenue bond funds. Director Bristow stated that Clinton Hall has a Facilities Condition Index (FCI) in the "Fair" category and the renovation will resolve approximately \$5.65 million of deferred maintenance costs in the building. WSU also anticipates that this project will allow for programs and building occupants in five university buildings (Brennan I, Brennan II, Brennan III, Intensive English Language Center, and the Intensive English Annex) to relocate into space vacated by the departments and centers moving into Clinton Hall. Demolishing these five buildings would reduce the overall campus footprint by 62,403 gross square feet and remove an additional \$2.49 million of deferred maintenance backlog from the system. Director Bristow noted that WSU plans to use the University's general funds for the future operation and maintenance of the building. Regent Rolph moved to approve, and Regent Hutton seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried.

AMEND AGENDA

Due to time restrictions, Chair Feuerborn tabled the proposed policy on Athletic Conference Changes to the March Board meeting.

Other Matters

DEFERRED MAINTENANCE INITIATIVE

Regent Rolph stated the Board set its budget request back in September and asked for full funding of the higher education system. The Governor's budget was presented in January, which included a \$37 million cut to the higher education system and an approximately \$10.3 million operating grant appropriation to the Board. The Board would have the discretion to use this money as it sees fit and after speaking with several legislators the Fiscal Affairs and Audit Committee members believe it would be in the best interest of the Board to clearly state how it intends to use the discretionary operating grant. Regent Rolph noted that the Fiscal Affairs and Audit Committee discussed using the funds to address deferred maintenance instead of for operating expenses. He noted that deferred maintenance at the state universities is an ongoing issue that needs to be

addressed in a meaningful way. Regent Hutton moved that the Board commit, beginning FY 2022 and for no less than 20 years, the \$10,292,230 in the Governor's FY 2022 budget for the exclusive use toward payment of debt incurred as part of the Deferred Maintenance Initiative. Regent Van Etten seconded. Regent Schmidt asked why the timeframe was set at 20 years and whether this will be built in as annual state funding. Regent Hutton noted that 20 years is a common timeline for bonding, but it could be shorter. He also noted that the proposed funds would continue annually unless the Legislature goes in and removes it. Vice President Frisbie stated the premise of the motion means the Board would need to seek bonding authority from the Legislature, which would then be back for a timeframe by a State General Fund appropriation. She noted in the Governor's budget, Governor Kelly included a 2.5 percent salary increase for state employees, but excluded the university employees. Instead the Governor recommended appropriating the \$10.3 million to the Board, which would be annual funding. President Scott stated that he understands the Board has discretion to use these funds, but he believes it will be hard for the faculty and staff on the campuses to understand why the funds are not being tied to salaries when the Governor arrived at the \$10.3 million by calculating the proposed salary increases for other state employees. President Scott also noted that the Governor's budget includes cuts to the universities that will not get backfilled. Regent Bangerter stated that he understands that deferred maintenance is a large problem that needs to be addressed; however, with the fiscal challenges facing the universities at this time, he believes the funds should go to other priorities rather than deferred maintenance. Regent Feuerborn concurred. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, and Regent Van Etten. The motion carried. Regent Bangerter and Regent Feuerborn voted against the motion.

Regent Hutton then moved, with the second of Regent Rolph, that the Board instruct the staff to work with the universities to study, analyze, and bring back to the Board for consideration the following action items and policies:

1. That, for a period of time deemed appropriate by the Board, the Board consider an amount up to \$5 million be withheld from universities operating funds for the exclusive use toward payment of debt incurred as part of the Deferred Maintenance Initiative and that the report includes a proposed formula that incorporates the Facilities Condition Index for each campus when determining a Universities assessed portion of the \$5 million.
2. That, for a period of time deemed appropriate by the Board, the Board consider committing 50% of the annual proceeds from the Educational Building Fund (EBF) be dedicated for the exclusive use towards payment of debt incurred as part of the deferred maintenance initiative, with the balance of the funds reserved for the annual maintenance of qualifying facilities.
3. The formation of a "Maintenance Assessment" policy that would establish the basis for assessing the amount of funds that a University would be charged annually for the maintenance of their facilities and what facilities, if any, would be exempt. This report should include a proposed formula that takes into account each Universities Facility Condition Index, the gross area of their buildings, and an industry recognized method of

estimating the annual cost to adequately maintain their buildings as the method of establishing a Universities charge for their Maintenance Assessment.

4. Formation of a “Classroom Efficiency” policy that would require each University to obtain the goal of bringing their campus facility utilization in line with the standards established in the Efficiency Report. This should include a proposed method for establishing the metrics that will drive the policy and for a reasonable transition time frame to allow for compliance with a policy, and what, if any, ramifications there are if compliance is not met.
5. Begin negotiations with a single qualified consultant to work with our universities to create a system wide master plan for the consolidation and demolition of facilities necessary to comply with the “Classroom Efficiency” policy and to bring a proposal to the board for consideration.
6. A “Maintenance Reserve” policy that requires any new proposed facility to establish a funding mechanism that provides for the annual maintenance of the new building for a period of no less than 50 years, with the amount established by an independent industry recognized consultant. This report should also include what buildings would be exempt as well as acceptable alternative methods.

The Board discussed the elements of the motion and some Regents were concerned about the language and scope of the motion. It was clarified that Board and university staff are being charged with analyzing the six items, which does not mean the Board is going to move forward with the proposed items. President Myers stated that the space utilization study did not include research areas and he believes those spaces should be included and the Regents concurred. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Bangerter, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Feuerborn. The motion carried. It was noted that the Board will continue to discuss its deferred maintenance initiative at the March meeting.

LEGISLATIVE AND BUDGET UPDATE

Matt Casey, Director of Government Relations, presented the legislative and budget update. The budget process is moving quickly through both Chambers. Earlier today the House Appropriations Committee received the higher education budget sub-committee report. During the Committee meeting, Representative Tarwater made an amendment to the budget to refund students 50 percent of their tuition for all virtual days that they were not in person in the classroom and 100 percent of the tuition for the days where the academic calendar was cut short during the semester. This amendment was adopted but the Committee Chair requested to have the Board and the university CEO’s present information on how classes were offered during the pandemic, and how the federal funds have been utilized to help with the financial impact due to COVID-19. These presentations will be scheduled in early March after turnaround. The Committee will then work its mega budget bill. Director Casey also provided an update on the progress of the Board’s non-budgetary legislative items.

ADJOURNMENT

The Chair adjourned the meeting at 5:28 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

January 20, 2021

The January 20, 2021, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn at 1:00 p.m. This was a virtual-only meeting, and proper notice was given according to law.

MEMBERS PRESENT:

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

ANNOUNCEMENT

Chair Feuerborn stated that due to the Shawnee County emergency order issued November 12 [and extended January 14], the Board meeting is being conducted pursuant to the Attorney General's regulation for virtual-only meetings. He asked all participants to place their microphones on mute when they are not speaking to allow listeners and observers to hear the meeting unimpeded. Chair Feuerborn stated that participants should ask to be recognized if they have a question or comment and when recognized, the participant should state their name and title so he or she can be identified by the audience. Chair Feuerborn noted for each action item a roll call vote would be taken to be clear how each Regent has voted. However, a roll call vote will not be taken for the approval of the minutes and no motion is needed to adjourn the meeting. It was also noted that there will be no opportunity for public comment during this meeting and no executive session is scheduled.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Kiblinger moved that the minutes of the December 16, 2020 meeting be approved. Following the second of Regent Harrison-Lee, the motion carried.

PRESENTATION

PRESENTATION ON GEORGIA STATE UNIVERSITY'S STUDENT SUCCESS INITIATIVE THAT HAS ELIMINATED ACHIEVEMENT GAPS BASED ON RACE, ETHNICITY, AND INCOME

Dr. Mark Becker, President of Georgia State University, presented information on Georgia State's student success program. Georgia State University comprises six campuses with its main campus located in downtown Atlanta. The five suburban campuses offer associate degrees and its main campus, which is classified as a R1 research university, offers bachelor's degrees and advanced

degrees. Over 54,000 students are enrolled at Georgia State, and the University has one of the most diverse student bodies in the country. President Becker noted the racial mix within the student body is balanced with no majority group and is similar to the racial mix of the State of Georgia. Dr. Becker also noted that 60 percent of the University's students are Pell-eligible.

Dr. Becker stated Georgia State has implemented a model, as part of its strategic plan, that has been successful in helping students from all backgrounds succeed and graduate in record numbers. The model is student centered and data driven. However, President Becker noted the success of the model only occurred because the University made significant shifts in academics, advising, and student services.

Under academics, the University realized that freshmen were feeling overwhelmed on a large campus, so strategies were introduced to connect students to each other and to the University. Dr. Becker stated when students register, they are required to enroll in one of seven meta majors: STEM (science, technology, engineering and math), Arts & Humanities, Health, Education, Policy & Social Science, and Exploratory. Once students have selected their meta-major, they are given a choice of several block schedules, which are pre-populated course timetables including courses relevant to their first year of study. On the basis of their timetable selection, students are assigned to Freshman Learning Communities consisting of 25 students who are in the same meta major and take classes according to the same block schedules. Dr. Becker noted the curriculum in these pathways helps students decide what degree path they want to pursue. He also stated that the University uses predictive analytics to identify students admitted to the fall freshman class who are academically at risk and require these students to attend their Summer Success Academy, which includes many different student support services. President Becker reported that students who have gone through the Academy are better academically prepared and have a high retention rate. Dr. Becker also discussed the University's academic coaching and peer tutoring efforts.

When it comes to academic advising, Dr. Becker stated the University moved to centralized advising for the freshman and sophomore years because under the old system, the data showed that students were not getting the advice they needed to make good decisions, resulting in students taking classes they did not need or staying in a major that was not a good fit for them. Georgia State University's Advising Center employs professional advisors who are specialized in the different academic pathways. Their advising system uses predictive analytics and contains more than 800 alerts to track student activities and identify at-risk behaviors. When an alert is flagged by the system, both the advisor and student will get a message, which allows the advisor to contact the student in a timely manner. The advisor and student can then discuss any issues and determine the best course of action to help the student.

President Becker then discussed changes that Georgia State has implemented in its student services. Based on its data, the University noticed that hundreds of students who were admitted to the University were not showing up to the campuses. The University discovered that barriers like completing the FAFSA were preventing some students from starting college. To address these issues, the University began using an AI communication system. The system integrates university data with required tasks that students need to complete. Dr. Becker stated the system sends a text to students if the data indicated that they have not completed a required task such as submitting their FAFSA. The AI system then sends those students information about applying for financial

aid and a step-by-step process on how to complete the form. Dr. Becker noted that students who have completed a task would not receive any notification. He also stated that the AI system is built to address a large range of issues, challenges, and questions that students may have, and it can answer an inquiry within seconds of receiving it. However, if the student asks a question that the system does not recognize, the system forwards it to a person for follow up. President Becker stated another student service that the University implemented was retention grants. These grants are provided to junior or senior students who are facing financial difficulties that may prevent them from graduating.

President Becker stated that over the last twelve years, the University has dramatically increased graduation rates and eliminated disparities because of the changes it implemented. He spoke about the importance of having strong leadership and noted that Georgia State has a Senior Vice President who is charged to deliver the Student Success Initiative. He also stated that the model can and has been replicated at other institutions and that institutional leaders can reach out to the University's National Institute for Student Success for more information on Georgia State's model.

Regent Harrison-Lee thanked Dr. Becker for his presentation and asked whether the University had difficulty scaling the programs that were either implemented or changed. Dr. Becker stated that in order for a university to be successful with this model, the president needs to be personally involved and committed to the process because there will be push back. Regent Hutton asked about Georgia State's admission policy and level of academic support that students require. Dr. Becker stated that Georgia State admits almost all students who apply because they are either enrolled at its main campus or at Perimeter College, which offers associate degrees. He also noted that the University successfully replicated its model at Perimeter College after the two entities were consolidated four years ago, which resulted in higher graduation rates and the elimination of achievement gaps based on race, ethnicity and income at the College. President Becker stated the Summer Success Academy is a valuable intervention tool, but the University is only able to enroll the bottom five percent of the freshman class because of financial constraints. The Board also discussed the advising system and how Georgia State coordinates with local high schools. Chair Feuerborn thanked Dr. Becker for his presentation on Georgia State's student success model.

(PowerPoint filed with Official Minutes)

GENERAL REPORTS

REPORT FROM CHAIR

Chair Feuerborn welcomed everyone back from their holiday break. He stated that as the spring semester begins, the higher education system will still face challenges related to the COVID-19 pandemic. However, he is optimistic that the vaccine, which is being distributed in phases, will reduce the number of COVID cases in Kansas over time.

REPORT FROM PRESIDENT AND CEO

President Flanders reported that Board staff has begun compiling data for the first *Building a Future* report, which will be presented to the Board next month. He stated that since this is the first year of the strategic plan, the report will contain baseline data for most of the metrics. He

also noted that under Pillar II the institutions are selecting three to five programs that meet the sustaining wage and high demand criteria, and those programs will be listed in the first report.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle reported that the System Council of Presidents received an update from the System Council of Chief Academic Officers regarding systemwide transfer, the Ad Astra Micro-Internship Program, and the College Board CLEP report. President Flanders then reminded the CEOs that each institution must submit three to five programs that meet the sustaining wage, high demand criteria for the Talent Pipeline metric in the new strategic plan, *Building a Future*, and noted the first report of the new plan will be presented to the Board in February. The Council also received an update from colleges on their progress to align spring breaks. President Genandt reported the technical colleges will align with the university spring break schedules that were approved last month. President Rittle stated that the majority of community colleges will be in alignment by 2023.

REPORT FROM COUNCIL OF PRESIDENTS

Interim President Muma presented the Council of Presidents report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Student Affairs Officers, Council of Government Relations Officers, and the Council of Chief Diversity Officers. The Academic Officers reviewed several programs and approved multiple program consolidations requested by Pittsburg State University. The Business Officers continue to monitor funds associated with the COVID-19 pandemic and reported that the leave provision in the Families First Coronavirus Response Act expired on December 31, 2020 and was not extended. The Government Relations Officers reported on the start of the legislative session, and the Student Affairs Officers discussed student programs that have been eliminated because of the pandemic and the impact of the Governor's proposed budget for higher education. The Diversity Officers will discuss their strategic initiatives during a roundtable discussion on February 10. They also reported that the Michael Tilford Conference will be held at the University of Kansas this year. The Council then discussed the state's vaccine distribution phases and expressed their disappointment that faculty and staff at the higher education institutions were not included as a priority group.

The Council of Presidents approved the following degree programs: 1) Emporia State University's Bachelor of Arts in interdisciplinary Entrepreneurship, and 2) Pittsburg State University's Associate of Applied Sciences in Career & Technical Education. These programs will be forwarded to the Board for consideration at a future meeting.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn reported that the Council of Faculty Senate Presidents discussed the proposed temporary amendments to the Suspensions, Terminations, and Dismissals policy, which was discussed at the Governance Committee meeting. The Faculty are deeply concerned with the language in the policy and are unanimously against its adoption. They believe the proposed amendments will essentially suspend tenure for a year and will set a dangerous precedent moving forward. The Council stated that the policy will bring unwanted national attention and may negatively impact recruitment efforts at the universities. They believe implementing the policy will damage faculty morale and lead to numerous lawsuits. Dr. Sternfeld-Dunn reported even

though this is a temporary policy amendment, the Council is concerned that it may become a permanent policy in the future. The Faculty also believe there are other options the Board and universities could deploy to address the financial issues at the universities. Dr. Sternfeld-Dunn noted that each of the universities already have a financial exigency policy and a chronic low performance of faculty policy. The Council asked the Board to either table the proposed policy amendments so that more discussion can take place or vote against its implementation.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan presented the report for the Students' Advisory Committee. The Committee discussed its legislative items for the students' Higher Education Day at the Statehouse and the Board's draft freedom of expression statement. The Committee reported that it would like the freedom of expression statement to apply to all individuals on the campuses and not just the students. The students feel it is important to have one statement for everyone and plan to submit their recommendations to Board staff.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle stated that as the community colleges begin the spring semester, they will be implementing many of the same COVID-19 procedures that were used during the fall semester. Some of the colleges will offer COVID-19 testing to students when they return to campus including the students who will be staying in the dorms, and many are implementing mask requirements. Regarding vaccine distribution, President Rittle reported that the colleges are working with their local county officials to help determine when their faculty and staff will be eligible to receive the vaccine. President Rittle also reported that the Kansas Jayhawk Community College Conference moved the majority of the fall sports to the spring semester. Competitions will begin on February 5 and the colleges are working to accommodate the student athletes' academic needs.

REPORT FROM THE TECHNICAL COLLEGES

President Genandt reported that the technical colleges have started their spring semester and the majority of their classes are being taught in-person. Some colleges are offering online and hybrid options specifically for general education courses or lectures. President Genandt stated that secondary student enrollments are slightly down because of scheduling changes at the high schools and because of restrictions on in-person recruiting. Some of the colleges were able to conduct virtual recruiting events but those were not as effective as in-person events. Additionally, President Genandt reported that the same safety and COVID testing procedures are being used this semester.

REPORTS FROM THE UNIVERSITY CEOS

Chancellor Girod reported that classes began at the KU Medical Center on January 19 and will begin at the Lawrence and Edwards campuses on February 2. Spring break was incorporated into the winter break schedule for the two campuses, which is why they are starting later. The Chancellor stated that the processes and protocols related to COVID will be the same as last semester's including mask mandates and social distancing requirements. Regarding COVID testing, all the campuses are requiring entry testing for anyone returning to campus so that positive cases can be identified. Testing has already taken place at the Medical Center and will be completed by February 9 for the other campuses. Dr. Girod stated that at the end of last semester,

the University sent test kits home with the students who will be returning to the dormitories and Greek housing facilities. With regard to class offerings, the University will continue to have a mix of in-person, hybrid, and remote learning options. Chancellor Girod reported that the University is prepared to help with the distribution of the COVID-19 vaccine and noted that several hundred of the University's pharmaceutical students are certified to give vaccinations. The University will continue to work with the Douglas County Health Department and will offer to assist if needed. Additionally, Chancellor Girod reported that earlier this month the University launched the Center for Certification & Competency-Based Education. The Center will develop a framework to gather information about the knowledge, skills and dispositions that employers desire from workers in particular fields, assess the competencies that learners gain, and validate that learners have mastered certain competencies so businesses can be confident that employees will be successful in their jobs. Dr. Girod stated Diane DeBacker and Neal Kingston will lead this new Center. Chancellor Girod also acknowledged the work of Dr. Barney Graham, who is the NIAID Deputy Director of the Vaccine Research Center and led the design team of the COVID-19 vaccine.

Emporia State University will begin its spring semester on January 25. President Garrett stated like many of the other universities, ESU adjusted its academic calendar to eliminate the traditional spring break week in March. Instead the University extended the students' winter break and incorporated a few short breaks during the spring semester. President Garrett expressed her disappointment that the State did not prioritize higher education's faculty and staff in the early vaccine distribution phases and noted that employees who do qualify for the early stages are encouraged to get the vaccine. President Garrett reported that ESU will operate in the same manner as it did last semester regarding safety protocols and COVID-19 testing. The teaching formats will also be similar with 74 percent of classes being taught in-person, 20 percent being taught in a hybrid format, and six percent being taught completely online. President Garrett also announced that ESU's Provost, David Cordle, is retiring and that the University is conducting a national search to fill the position.

President Myers reported that students at Kansas State University will start the spring semester on January 25. Classes will be conducted entirely online for two weeks to help mitigate the spread of COVID-19 in the community. President Myers stated that student services such as on-campus housing, libraries, recreation centers and the Lafene Health Center will be operational on January 25, and that the University plans to return to the hybrid and in-person teaching modalities used in the fall semester after the two-week period on February 8. He also reported that KSU has expanded its symptomatic and asymptomatic testing procedures. This semester the University will set up testing sites in the Student Union and dormitories including Greek housing, which are more convenient locations for students. KSU has also offered to help the county with vaccine distribution if it is needed. Additionally, President Myers announced that in 2020 the University's School of Engineering graduated a record-setting 782 students. President Myers stated the increased number of graduates over the years is a direct result of the state's Engineering Initiative, and he hopes the Legislature will renew the Initiative, which is set to expire in 2022.

Pittsburg State University began its spring semester this week. President Scott noted that the University decided to adjust its academic calendar to move the traditional March spring break to the end of the semester. With this adjustment, the PSU will end its semester early on May 7. President Scott spoke about the impact of COVID-19 including the loss of life within the campus

community. PSU continues to work with its local health department on safety protocols for the campus. President Scott noted that the health department supports its plan for in-person instruction, which will be 57 percent of its classes. He also announced that his President Council meetings are in-person because he believes that if the students, faculty, and staff are meeting in-person then the leadership of the University needs to do the same.

Interim President Muma reported that Wichita State University developed its COVID-19 protocols last summer for the fall and spring semester. In order to mitigate the spread of the virus, WSU will begin classes on February 1, and courses will be offered in several formats: in-person, online, and hybrid. Dr. Muma stated out of an abundance of caution and concern for the health, safety, and well-being of the entire campus community, the University has eliminated its traditional spring break in March. The last day of the semester will be May 6 with finals taking place the following week. Dr. Muma noted that WSU has scheduled its May commencement ceremony for May 15, but the date and format are subject to change. Dr. Muma reported that the University's Student Government Association has designated two weeks during the semester as wellness weeks. During this time, information and resources will be promoted, such as counseling, testing, and staying connected with friends and classmates. Regarding COVID testing, WSU's Molecular Diagnostic Laboratory is able to process 3,000 specimens a day from individuals on the WSU campus and from the community at large. The Lab is able to produce results within 24-hours or less.

President Mason reported that Fort Hays State University did not adjust its academic calendar for the spring semester and noted that classes started earlier this week. She stated that when the University returned from its fall semester break there were two weeks left in the semester and only three students were in isolation and one student was in quarantine. The testing protocols for the spring semester include voluntary re-entry testing, surveillance testing, and symptomatic testing. Dr. Mason stated that the University worked with its local county health administrator to gain access to vaccines for its student health employees, nurses, and allied health students who will be in clinicals. She reported that the Fort Hays State Student Health Center is applying to become an approved vaccination site. President Mason also reported that the University's internal critical incident group and external medical advisory group continue to be active.

BREAK

The Chair called for a ten-minute break at 3:18 p.m. and resumed the meeting at 3:28 p.m.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Kiblinger presented the Board Academic Affairs Standing Committee report. The Committee approved the University of Kansas' request to seek accreditation for its Bachelor of Science in Interior Architecture, which is on the Board's consent agenda. Board staff presented the Qualified Admissions report, which contained data from the 2019-2020 academic year. Fort Hays State University and the University of Kansas presented information on their low enrollment programs. These programs will be placed on the Board's February agenda for discussion and action. The Committee also discussed revising Board policy to address cases when a university wants to offer an associate degree. The proposed revision would allow the two-year colleges the

opportunity to provide written feedback during the approval process. Regent Kiblinger noted the Committee will continue to discuss the approval process at a future meeting.

FISCAL AFFAIRS AND AUDIT

Regent Rolph presented the Fiscal Affairs and Audit Standing Committee report. The Committee received its annual update on the state's investment in the following research programs: Kansas State University's Veterinary Medical Center, Kansas State University's Global Food Systems, Wichita State University's Aviation Research, and the University of Kansas Medical Center's Cancer Center. Representatives from each university discussed how the state's investment has impacted their programs. Each of the internal auditors at the state universities presented an annual report to the Committee. The auditors explained how they are functioning under current circumstances, reviewed their university's transactional financial activity and internal controls, and discussed how their staff are being trained to reduce findings. The auditors are also looking at ways to keep IT systems secure and are monitoring Title IX processes. Regent Rolph noted the Committee encouraged the auditors to contact them directly about any concerns on their campuses. Director Bristow then provided the Committee with an overview of the biennial facilities report, which is on today's Board agenda, and the Committee heard from Fort Hays State University, Wichita State University, Kansas State University, and the KU Medical Center on how the campuses plan to correct their audit findings in this year's state financial audit.

GOVERNANCE

Regent Feuerborn reported the Governance Committee reviewed a new Board policy that outlines the Board's involvement when a state university changes from one athletic conference to another. The policy will be placed on the Board's February agenda for consideration. The Committee also reviewed and approved a new temporary COVID-19 related policy that will provide an additional tool for addressing financial difficulties and low enrollment on the state university campuses. Regent Feuerborn then amended the agenda to place the proposed policy on today's agenda immediately before the Wichita State University Presidential Profile item, which will make the proposed policy the new item D.1. of the Discussion Agenda. Regent Feuerborn then reported that the Committee discussed changes to the annual CEO assessment tool. Data related to the Board's new strategic plan, *Building a Future*, will be incorporated into the tool, and each CEO is being asked to address their university's data in their self-assessments. The Committee also received the annual campus safety and security reports from Pittsburg State University, the University of Kansas, and the University of Kansas Medical Center and approved a new restricted access area for KU's Lawrence campus.

APPROVAL OF CONSENT AGENDA

Regent Kiblinger moved, with the second of Regent Van Etten, that the Consent Agenda be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Academic AffairsACCREDITATION FOR BACHELOR OF SCIENCE IN INTERIOR ARCHITECTURE – KU

The University of Kansas received approval to seek accreditation for its Bachelor of Science in Interior Architecture with the Council for Interior Design Accreditation. The estimated cost for accreditation is between \$4,400 to \$7,300 with an annual accreditation fee of \$2,200.

CONSIDERATION OF DISCUSSION AGENDAPresentationUPDATE FROM THE KANSAS INDEPENDENT COLLEGE ASSOCIATION

Matt Lindsey, President of the Kansas Independent College Association, presented an update on the Kansas independent colleges. The independent colleges are private institutions that are exempted from the Kansas Private and Out-of-State Postsecondary Educational Institution Act, which the Board administers. All the independent colleges offer undergraduate degrees, have open admissions, and are domiciled in Kansas. The institutions receive no state support, but students are eligible for some state-based student aid funds. Mr. Lindsey reviewed enrollments, student demographics, the number of degrees and certificates awarded, and student debt rates for these institutions.

(PowerPoint filed with Official Minutes)

Academic AffairsLOW ENROLLMENT PROGRAMS REVIEWED UNDER STRATEGIC PROGRAM ALIGNMENT – KSU & WSU

Daniel Archer, Vice President for Academic Affairs, stated that in June 2020, the Board endorsed a plan to review low-enrollment programs under its strategic program alignment policy. A low-enrollment undergraduate program is defined as a program with less than 25 juniors and seniors majoring in it. He noted that 60 programs at the state universities were identified as low-enrollment and the Board directed the universities to assess these programs based on the following criteria: essentiality, productivity, and cost effectiveness. Dr. Archer stated that Kansas State University and Wichita State University have completed their internal review of their programs and will present their recommendations. Dr. Archer noted that under the strategic program alignment policy, the Board decides the final outcome of these programs.

Provost Taber reported that Kansas State University reviewed seven programs under the strategic program alignment: Associates in Applied Business, Bachelors in Humanities, Bachelors in Physical Sciences, Bachelors in Medical Laboratory Science, Bachelors in Statistics, Bachelors in American Ethnic Studies, and Bachelors in Gender, Women, & Sexuality Studies. Through its review, the University considered the Board's minima for majors and graduates, the interdisciplinary nature of each program, its contribution to general education, its contribution to KSU's mission, and its financial impact (student credit hours produced). He also noted that over

the last five years, KSU has eliminated 15 programs through its program review process. Provost Taber then reviewed each of the University's recommendations for the programs currently under review.

The Bachelors in Humanities and Bachelors in Physical Sciences are both interdisciplinary courses that do not have faculty solely dedicated to them. Neither of the programs cost the University additional funds to operate and both bring in tuition revenue. Provost Taber stated the strength of these programs is that they offer a pathway to graduation for students who are undecided on a major, which is why KSU recommends continuing both of programs. The Bachelors in Medical Laboratory Science is another interdisciplinary course that has a slight cost associated with it because it has a part-time student advisor. Provost Taber stated that students who graduate from this program have 100 percent placement with excellent salaries. The University believes with enhanced marketing, it can grow enrollment in this degree program and therefore KSU recommends continuing the program. The Associates Degree in Applied Business started in 2019 and is a pathway course to the University's Bachelors in Applied Business and Technology Management. All the courses in the Associates Degree count toward the bachelors program, and the program adds no additional cost to the University. KSU recommends continuing this program. The Bachelors in Statistics is a revenue earner for the University because it is part of the general education curriculum that nearly every major uses. Provost Taber noted that students also have a variety of job opportunities upon completion of the program, which is why KSU recommends continuing the program. Provost Taber reported that the Bachelors in American Ethnic Studies and Bachelors in Gender, Women and Sexuality Studies are both are interdisciplinary programs. He stated that both departments offer their own courses, but other departments can offer courses in each major. The two Departments contribute to the general education mission for diversity and supports the University's mission on diversity and inclusion. Regarding costs, both departments are small and have a slight net gain revenue. Provost Taber stated that KSU believes these programs enrich the University even though their graduation rates are low and because of those reasons, the University is considering combining the two programs. Provost Taber stated faculty will begin the process of looking at the two degrees and the options for combining the departments. He stated that fall 2022 is the estimated timeframe to complete the process.

Regent Kiblinger thanked Provost Taber for including the financial and enrollment information in his presentation. She then expressed her concern that the recommendation language on the Bachelors in American Ethnic Studies and Bachelors in Gender, Women and Sexuality Studies is vague on whether KSU is going to merge these two programs. She is also concerned about the long timeline. Provost Tabor stated that the faculty are looking at the plan now, but it does take time to combine two departments because programs will need to be discontinued and new programs will need to be approved. He also noted that KSU wanted to hear from its faculty before committing to the merger, but he believes the merger will take place after the review process. Regent Hutton asked Provost Taber to provide more information to the Board on the 15 programs that were eliminated. He wants information on any changes in faculty and the overall cost savings. Regents Harrison-Lee and Van Etten also expressed their concerns with the vague language and long timeline for the merger. Regent Harrison-Lee noted that the pandemic has shown that university leaders can make important impactful decisions very quickly that produce immediate change. President Myers stated he understands the Regents concerns but noted the internal processes at the University are important especially when combining departments. Regent

Harrison-Lee stated she believes the faculty review is a critical part of the process and that it should not be overlooked but would like KSU to bring a tighter timeline on this process back to the Board this fall. Regent Kiblinger then moved to accept KSU recommendations with the following amendment: the University will move forward with merging the Bachelors in American Ethnic Studies and Bachelors in Gender, Women and Sexuality Studies. KSU will also provide the Board, in the fall of 2021, with a tighter timeline on the merger. Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Interim Provost Lefever stated that Wichita State University reviewed three programs under this process: Manufacturing Engineering, which was renamed Product Design and Manufacturing Engineering; Honors Baccalaureate/Multi-Interdisciplinary Studies; and Philosophy. The Product Design and Manufacturing Engineering Bachelor of Science program was created in 1994 because of the importance of manufacturing to the economy in the region. Five year ago, WSU began the process of revamping this program because manufacturing was evolving. Dr. Lefever stated that the changes in the program have increased enrollments and graduation rates, and noted that WSU recommends continuing this program. The Honors Baccalaureate is an Interdisciplinary program that is the only program of its kind in the region. To grow enrollments, new courses and pathways are being developed. Dr. Lefever stated WSU recommends continuing this program. Provost Lefever reported that the Department of Philosophy plays a central role in WSU's mission, strategic plan, and goals. It supports many of the courses offered at the University and currently has nine faculty dedicated solely to its BA program. Dr. Lefever stated the overall quality of the Philosophy Bachelor of Arts program is excellent, and the Department's goal is to steadily increase the number of majors and graduates. Therefore, the University recommends continuing the program.

Regent Kiblinger moved to accept Wichita State University's recommendations. Regent Van Etten seconded. Regent Hutton stated he is concerned with the recommendation for the Philosophy program because WSU has not explained how it is going to increase enrollments and graduation rates. He noted he is fine with continuing the program for now but believes the University should provide a progress report on the program next year. Regent Harrison-Lee concurred with Regent Hutton. Following discussion, Regent Hutton offered an amended motion to accept WSU's recommendations and directed WSU to report to the Board next year on the progress of its Philosophy program. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(PowerPoints filed with Official Minutes)

COURSES FOR SYSTEMWIDE TRANSFER

Vice President Archer reported that the Transfer and Articulation Council reviewed the Kansas Core Outcomes Groups report and approved outcomes for eight additional courses to be recognized for transfer across the Kansas Board of Regents System. Regent Bangerter, who is the Board's liaison on the Transfer Council, expressed his appreciation for the work that the Council

and the Core Outcome Groups continue to do on transfer. He stated the next step and a priority for the Board is to begin the process of transferring courses into programs, which will benefit students. Regent Bangerter then moved to approve the eight new transfer courses. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following courses are approved for systemwide transfer effective summer 2021:

- BUS1030 Principles of Marketing
- CRJ2010 Criminal Law
- EDU2010 Children's Literature
- MAT0990 Intermediate Algebra
- PSI2010 Meteorology Lecture and Lab (combined)
- PSI2011 Meteorology Lecture
- PSI2012 Meteorology Lab
- REL1020 Old Testament

AMEND AGENDA

Due to time restrictions, Chair Feuerborn tabled the report on the FAFSA completion initiatives to the February Board agenda.

Fiscal Affairs and Audit

REPORT ON STATE UNIVERSITY BUILDING INVENTORY, SPACE UTILIZATION AND FACILITIES CONDITION

Chad Bristow, Director of Facilities, stated the Board of Regents is required by statute to submit biennial reports to the Legislature that include an inventory of buildings and space utilization information as well as a report on deferred and annual maintenance. This report was submitted to the Legislature on January 14 and contains information from the Facility Condition Assessment Report and the Space Utilization Study.

Other Matters

TEMPORARY PANDEMIC-RELATED AMENDMENTS TO THE SUSPENSIONS, TERMINATIONS AND DISMISSALS POLICY

General Counsel Julene Miller presented the proposed temporary amendments to the Suspensions, Terminations, and Dismissal policy. She stated that since the beginning of the pandemic, the Board has expedited temporary COVID-related adjustments to several policies. The proposed amendments on today's agenda are being forwarded because of the extreme financial pressures that the state universities are facing due to the COVID-19 pandemic, decreased program and university enrollments, and the state's declining fiscal support. General Counsel Miller stated the proposed amendments would create an additional tool for the CEOs to use as they deal with the financial challenges at the universities and noted that the provisions in the amendment would be effective only through December 31, 2021. She then reviewed the new language in the policy, which applies to all university employees, and highlighted that any university CEO who chooses to implement the policy would have 45 days after the Board's approval to submit a framework for

the university's decision-making process. The Board would then approve the framework before it can be utilized on the campus.

Regent Schmidt wanted clarification on what actions would cease on the expiration date specifically when dealing with an appeal process. He also stated that this policy requires the CEO to develop a framework that the Board will approve, and he wanted to know whether there is an expectation that faculty will be involved in the framework development process. General Counsel Miller stated that the expiration date halts the actions of the CEO utilizing the policy and has no effect on appeals submitted in accordance with the policy process. As far as developing the framework, the policy only states that the CEO will develop a framework. It does not specify how a university will develop the framework. She also clarified that the policy is not directed solely at faculty. It applies to all categories of employees on the campuses. Regent Kiblinger stated that it is her understanding that the provisions in the policy cannot supersede any contractual agreements or bargaining unit agreements that are in place. General Counsel Miller stated that it would depend on how each agreement is written but noted that contractual obligations would need to be honored. Regent Kiblinger thanked the faculty for their comments and noted that the proposed policy seems to fill a gap in process for some employee groups who may not currently have an appeal process through other university policies. Regent Bangerter stated that he understands that the proposed policy is very extreme, but it is needed because the universities are facing extreme financial challenges, including the Governor's current recommendation to cut approximately \$13 million in state funding. He stated that he and the other Board members understand the gravity of this decision and noted that no one wants to let valuable employees go. He knows that if a university chooses to implement this process, that the CEO will do it judiciously and through as much process as possible. His hope is that the universities will receive additional state or federal funding or that enrollment will begin to grow so that the policy is not needed. Regent Bangerter concluded by stating that the Board is trying to set the universities on a course so that they not only survive but also thrive in the future. Regent Hutton stated he appreciated the comments by the Chair of the Council of Faculty Senate Presidents, **Dr. Sternfeld-Dunn**, regarding the other options for collaboration at the universities. He noted that this policy does not eliminate the use of those other options but instead provides the CEOs with an additional tool to deploy to ensure the financial strength of the university. Regent Hutton stated the proposed policy is not a threat to tenure because tenure does not mean that a job is guaranteed regardless of financial circumstances. Tenure was put in place to ensure academic freedom, which the Board highly values, and handcuffing a university's ability to ensure financial strength in the name of tenure is counter to its purpose. Regent Hutton stated that he believes that the financial challenges are going to continue beyond 2021, and he suggested changing the expiration date in the policy to December 31, 2022, which will allow the Board and the universities additional time to evaluate financial ramifications related to the pandemic. Regent Harrison-Lee stated that she was pleased that the policy includes a process for the Board to approve the framework, which will ensure that there is transparency and equity. She noted that she values all the contributions that faculty and staff provide to the universities, but the universities are in a position where they need to be leaner, more efficient, and more effective. Regent Harrison-Lee stated that she sees this policy as another option for the CEOs during these unprecedented times. Regent Schmidt stated he appreciated the faculty's comments and noted that if a university decides to implement this process, he believes it is important for a university to gather feedback from its faculty when developing its framework. Following discussion, Regent Hutton moved to approve the policy amendments as proposed but

with the expiration date changed to December 31, 2022. Regent Van Etten seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following policy amendments were approved:

CHAPTER II: GOVERNANCE - STATE UNIVERSITIES

C. CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF

6. SUSPENSIONS, TERMINATIONS AND DISMISSALS

a Felony Offenses

- i. **Felony Conviction.** The chief executive officer of a state university has the authority to discharge any employee, including a tenured faculty member, immediately upon conviction of any felony.
- ii. **Felony Charge.** The chief executive officer of a state university has the authority to discharge or place on leave without pay any employee, including a tenured faculty member, who has been charged with a felony offense. Prior to any such determination, the employee shall be given notice of the proposed action and an opportunity to respond.

b Other

- i. Faculty and staff may also be suspended, dismissed or terminated from employment for reasons of significant reduction in or elimination of the funding source supporting the position, program discontinuance, financial exigency, or for just cause related to the performance of or failure to perform the individual's duties or for violation of the reasonable directives, rules and regulations, and laws of the institution, the Board and the State of Kansas or the United States.
- ii. In light of the extreme financial pressures placed on the state universities due to the COVID-19 pandemic, decreased program and university enrollment, and state fiscal issues, effective immediately through December 31, 2022 and notwithstanding any other Board or institutional policy, any state university employee, including a tenured faculty member, may be suspended, dismissed, or terminated from employment by their respective university. Such terminations, suspensions, or dismissals shall follow the procedure set forth below. Declaration of financial exigency and the processes associated with declaration of financial exigency shall not be a prerequisite to any suspension, dismissal, or termination authorized by this provision, and no existing university policy hearing procedures shall apply to such decisions.

The chief executive officer of any state university, before making any suspensions, dismissals or terminations under this provision and within 45 days of the effective date of this provision, shall present to the Board for approval a framework for the university's decision-making under this provision. Once approved, that framework shall be used for any suspension, dismissal, or termination under this provision. Frameworks for decision-making shall be determined by each state university's chief executive officer and may be based on factors such as, but not limited to, performance evaluations, teaching and research productivity, low service productivity, low enrollment, cost of operations, or reduction in revenues for specific departments or schools.

(1) The university chief executive officer shall provide no less than 30 days' written notice of the suspension, dismissal, or termination to the affected employee, including the reasons for the action.

(2) Any employee given notice of a suspension, dismissal, or termination that expressly invokes the authorization of this provision may submit an appeal of the action of the university chief executive officer, through the Board of Regents office as provided below, to the Office of Administrative Hearings. Suspension, dismissal, or termination not invoking this policy shall have solely those appeal rights provided by existing university policy or other applicable existing procedures.

(3) The employee must submit the appeal to the Board office within 30 days of receiving notice of the employment action. The initial submission must include a copy of the notice of the action being appealed and a written statement, including any relevant supporting evidence or documentation, setting forth the reasons the employee believes the decision to suspend, dismiss, or terminate the employee (a) is substantially inconsistent with the university's decision-making framework approved by the Board, (b) was the result of unlawful bias or discrimination; or (c) was otherwise unreasonable, arbitrary or capricious. These shall be the only grounds for reversing the state university chief executive officer's decision. The employee shall provide a copy of the appeal and supporting evidence and documentation to the university's chief executive officer at the time the appeal is submitted.

(4) The university chief executive officer shall have 30 days from receipt to respond in writing to the appeal, including any supporting evidence or documentation, and shall provide a copy of the response and any supporting evidence and documentation to the employee at the time the response is submitted. This 30-day period may be extended for good cause as determined by the Board President and Chief Executive Officer.

(5) Within 10 days of receiving the university chief executive officer's response, the Board office shall refer the appeal to the Office of Administrative Hearings, which shall provide a hearing and decide the case based on the

standards stated in this policy and in the university's Board-approved framework. The Board shall provide a copy of the submissions to the Office of Administrative Hearings, along with a copy of this policy and the decision-making framework approved by the Board. The state university shall be responsible for fees charged by the Office of Administrative Hearings.

(6) The burden of proof in any appeal shall be on the employee. There shall be no right of discovery. The review shall be based on the written submissions, and the hearing shall allow oral presentation to the administrative hearing officer by the employee and the university, each of whom may be represented by counsel.

(7) Decisions of the administrative hearing officer shall be final and are not subject to further administrative review by any officer or committee of the university or by the Board of Regents.

(8) An appeal under this policy will not stay the effective date of the suspension, dismissal, or termination. Employees who prevail in their appeal under this policy shall be entitled to reinstatement, back pay and restoration of other lost benefits.

c. Grievance Procedure

- i. Each state university shall establish and publish grievance procedures for use by faculty and staff in appealing employment decisions of the institution. The procedures shall provide the employee with notice of the action to be taken, the reasons for the action where appropriate, and an opportunity to be heard. A copy of all institutional grievance procedures shall be provided to the institution's general counsel for review prior to becoming effective.
- ii. The decision of the chief executive officer, or the chief executive officer's designee, concerning any grievance appealing employment decisions of the university shall be final and is not subject to further administrative review by any officer or committee of the university or by the Board of Regents.

WICHITA STATE UNIVERSITY PRESIDENTIAL PROFILE

Regent Schmidt introduced the draft Wichita State University Presidential Profile. The Presidential Profile is a recruitment document that contains information about the University and the City of Wichita. It describes the responsibilities of the WSU president and lists the desired presidential attributes. Regent Schmidt stated that the WSU Presidential Search Committee provided its feedback on the proposed Profile at its first meeting and noted that the target submission date for anyone who is interested in the position is March 8, 2021. He noted that once the Board approves the profile, the search consultants will begin the recruitment phase. Regent Schmidt then moved to approve the WSU Presidential Profile. Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent

Feuerborn, Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(WSU Presidential Profile filed with Official Minutes)

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, reported that the Legislative session began on January 11, 2021. Director Casey stated that the Board's non-budgetary legislative items have been introduced and hearings have already been scheduled for the Private Postsecondary bill, the concurrent enrollment bill, and the Promise Act. He noted that the Engineering Reauthorization bill was introduced in the House Appropriations Committee and is awaiting a hearing date. Vice President Frisbie then gave an overview of the Governor's proposed budget, which cuts the higher education system by \$37 million. Under this budget, the universities would receive a 5.5 percent cut, the Board office would be reduced by 5 percent, and the coordinated institutions would be cut by two percent. Vice President Frisbie noted that the Governor's budget does include a \$10.2 million operating grant appropriation to the Board.

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 5:40 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

December 16, 2020

The December 16, 2020, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn at 1:00 p.m. This was a virtual-only meeting, and proper notice was given according to law.

MEMBERS PRESENT:

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Rolph moved that the minutes of the November 18, 2020 meeting be approved. Following the second of Regent Kiblinger, the motion carried.

GENERAL REPORTS

REPORT FROM PRESIDENT AND CEO

President Flanders reported that at the September meeting, the Board inquired about minimum instructional standards. Board staff compiled a report, which was sent to the Board, that addresses how each university and other systems handle this issue. President Flanders stated in Kansas there are no system-level minimum instructional standards. Instead each university determines its own standards. Some institutions have a standard that applies campus-wide while others rely on individual departments to set these standards. President Flanders stated there are multiple state systems that have minimum instructional standards and many of their policies make a distinction between regional and research universities. President Flanders noted the Board may want to consider the information in the report as it begins reviewing the low-enrollment programs over the next few months and noted that the Board Academic Affairs Committee will review the information in the report.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

The report for the System Council of Presidents meeting was presented by President Rittle. The Council received an update from the System Council of Chief Academic Officers. The Academic Officers reported that the Transfer and Articulation Council approved six courses for systemwide transfer, which will be forwarded to the Board for final consideration in January. The Academic Officers also noted that four faculty members (two from the universities and two from the colleges)

will be added to the General Education Working Group and that training will begin on how to use Open Educational Resources. The CEOs then received an update from President Flanders on Pillar II in the Board's strategic plan, *Building a Future*. Pillar II emphasizes the crucial role of Kansas colleges and universities in developing a talent pipeline that meets the demands of employers and the state's economy. Under this Pillar, each institution will identify three to five programs that meet the sustaining wage, high demand criteria set out in the strategic plan. The programs will then be measured by the number of enrollments and graduates in these programs. President Rittle noted that the institutions will need to submit their programs to the Board office in January 2021. The System Council of Presidents then discussed diversity and inclusion on the campuses, and it was noted that Georgia State University is widely recognized as the national leader in student success, which has resulted in dramatic increases in its graduation rates of minority students. President Rittle stated Georgia State University President, Dr. Mark Becker, will attend next month's Board meeting to share some of the strategies Georgia State has implemented to address equity gaps.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle presented the report for the community colleges. This month he highlighted Allen County Community College, Barton County Community College, Butler County Community College, Coffeyville Community College, Colby Community College, and Cowley County Community College. The colleges noted the semester was challenging with all the uncertainty surrounding enrollments, budgets, and the federal relief funds associated with the COVID-19 pandemic. The colleges reported they are working on their processes and procedures for the spring semester and noted that the health and safety of their faculty, staff, and students are their top priority. President Rittle then highlighted partnerships that the colleges are involved with, including Colby Community College's partnership with its local hospital to reduce student clinical costs, Cowley County Community College's partnership with Ford Motor Company that allows students in their automotive program to work on Ford diesel engines, and Coffeyville Community College's partnership with its local community to provide COVID testing.

REPORT FROM COUNCIL OF PRESIDENTS

Interim President Muma presented the Council of Presidents report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Student Affairs Officers, Council of Government Relations, and the Council of Chief Diversity Officers. The Academic Officers reviewed two programs: Emporia State University's request to offer a Bachelor of Arts in Interdisciplinary Entrepreneurship, and Pittsburg State University's request to offer an Associate of Applied Science in Career and Technical Education. The Business Officers continue to manage the federal COVID funding that the universities received. The Government Relations Officers are preparing for the upcoming legislative session, which is scheduled to begin in January. The Student Affairs Officers discussed the upcoming spring semester and how each campus will be handling COVID testing and commencement ceremonies. It was noted that each campus has its own testing procedures and guidelines. The Diversity Officers continue to work on their strategic plan and will be meeting with their university CEOs and student leaders to gather feedback.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn presented the Council of Faculty Senate Presidents report. Board staff met with the Council to discuss issues surrounding the transfer process, and it was noted that this conversation was beneficial. The Council then finalized its statement on freedom of expression, which was reviewed by each university's faculty senate. Dr. Sternfeld-Dunn read the following freedom of expression statement:

The historical purpose of universities is to engage students and the greater academic community to empower them to confront, challenge, evaluate, and think critically about new ideas and how they may be used to solve age-old questions. Mere exposure to ideas does not serve that mission. When institutions support and encourage full and open discourse and the robust, respectful exchange of ideas and perspectives, students and the academic community at large feel more open about questioning assumptions, testing beliefs, and refining knowledge. This kind of atmosphere should be created in classrooms: Instructors have the power to determine the curriculum and pedagogical approach that advances their educational goals, as well as to determine what may hinder those goals. Academic freedom guarantees the right of faculty to teach, write, and publish without fear of censorship.

The Council of Faculty Senate Presidents reaffirms its commitment to the first amendment rights of faculty, staff, and students to express their diverse and often conflictual viewpoints. Our institutions' commitment to the First Amendment is essential for the protection of freedom of expression on our campuses. At the same time, the Council of Faculty Senate Presidents reaffirms its commitment to protect students from hostile educational environments that adversely affect students' educational opportunities. A hostile educational environment is incompatible with a university's educational mission. Thus, the protection of free expression on our campuses is coextensive and coterminous with the First Amendment. Our commitment to freedom of expression is paired with our obligation to uphold and protect the dignity of all members of our university communities in our classrooms

A commitment to freedom of expression is not incompatible with a commitment to diversity and to nurturing a positive and collaborative environment where everyone can thrive. On the contrary, the ability to express and debate our divergent beliefs and ideas is fundamental to the personal learning and growth needed for society to progress as a whole.

Members of the university community should be encouraged to bring a variety of voices onto campus to engage in rigorous debate in a variety of arenas. We are responsible, as educators, to provide an environment where civil discourse can take place, to protect human dignity, and to promote the core values and purpose of a university. Simultaneously, we desire a university to not be silent when hate speech occurs on campus. The university cannot attempt to limit constitutionally protected speech, but it is empowered to call hate speech out for what it is—divisive, dehumanizing, and deleterious— and to do so emphatically, forcefully, and immediately.

The Regents thanked the faculty for their work on their statement, and Dr. Sternfeld-Dunn stated that the Council will review the draft Board statement at its next meeting.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan reported that the Students' Advisory Committee is working on their Higher Education Day at the Statehouse. She noted this year because of the restriction with COVID, the students are going to set up virtual meetings with legislators to discuss their legislative priorities. She noted their top priority is to advocate for increases in the student counseling services on all the university campuses. The Committee is also planning to work with the Board's Student Insurance Advisory Committee on ways to make student health insurance more accessible and affordable. Ms. Khan noted she appreciated the Insurance Advisory Committee's efforts to keep the students informed as it evaluated the rate options for next year's plan, and she is looking forward to working with the Committee in the coming months. Additionally, Ms. Khan reported that the Committee plans to review the Board's draft freedom of expression statement at their next meeting.

REPORT FROM THE TECHNICAL COLLEGES

The report for the technical colleges was presented by President Genandt. President Genandt highlighted activities at the colleges. Northwest Kansas Technical College received approximately \$500,000 from the Kansas Department of Commerce. This grant will be used for equipment and training in its Engineering Technology program. Northwest Tech also announced that its associate track coach, Derek White, will be a member on the U.S. Olympic Bobsled Team for the 2022 Winter Olympics. Washburn Tech announced a partnership with Stormont Vail Health and Unified School District 501 to allow students to use simulation laboratories. Flint Hills Technical College has completed renovations to its welding and culinary arts facilities, and Manhattan Area Technical College continues to see increased graduation rates in its Adult Education Program. President Genandt also reported that President Utash will be the new chair for NC3 (National Coalition of Certification Centers).

ACADEMIC AFFAIRS

Regent Kiblinger presented the Board's Academic Affairs Standing Committee report. The Committee received an update from the General Education Workgroup, which is identifying the core knowledge and skills that will be emphasized in the statewide General Education package. It was reported that this group will expand its membership to include teaching faculty from the community college and university sectors. The Committee received an update on Wichita State University's efforts to create a career and technical education pathway for high school students who want to pursue a career as a Direct Support Professional. Regent Kiblinger also provided the Committee with an update on the Coordinating Council's activities and noted the Council finalized its recommendations to align the K-12 and higher education spring break schedule, which the Board will act on later in the agenda. Kansas State University then presented a request to change its spring 2021 academic calendar to make April 16, 2021 a wellness day for students.

Regent Kiblinger moved to add Kansas State University's request to change its spring 2021 academic calendar to the Board's consent agenda. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent

Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Regent Rolph requested that when the Academic Affairs Committee begins reviewing the minimum instructional standards, he would like to see metrics on faculty workload for each university and how the workloads compare to peer institutions. He also noted that there may be other metrics that the universities want to use.

REPORT FROM THE UNIVERSITY CEOS

President Garrett reported that Emporia State University held virtual commencement ceremonies for graduate and undergraduate students last weekend. She believes the students and their families appreciated having a ceremony even if it was not in person. President Garrett stated with the legislative session beginning soon, she is concerned about additional budget cuts. The system of higher education has already been cut \$24 million in the current fiscal year (FY 2021), and ESU's portion of that cut was a little over \$824,000, which was removed from its base funding. The full effect of the cut was not felt this year because the federal COVID relief funds filled the gap, but she is concerned about the lasting impact after the federal funds expire. President Garrett reported the state's Budget Office asked all the institutions to plan for an additional ten percent cut, which if that occurs, the University would sustain a 13 percent cut this year. To address the continued decline in state funding, ESU has cut nine programs over the last six years, and are reviewing additional programs for possible elimination. President Garrett noted she is communicating with legislators about the harmful impact of these cuts.

President Mason reported that Fort Hays State University held a virtual commencement ceremony on December 11, and she thanked Regent Rolph and Governor Kelly for their remarks shared during the ceremony. She also thanked Regent Schmidt for his comments during the University's Veterans Day celebration. President Mason noted she appreciated the Board's support during the pandemic, and allowing the universities to be flexible in their planning. She also stated that she appreciated all the collaboration between the university CEOs, and noted she is grateful for the continued support and guidance from her local community leaders. President Mason also thanked the students, faculty, and staff for their work this semester.

Chancellor Girod announced that Diane Goddard, KU's Chief Financial Officer, is retiring at the end of the year after 36 years of service and Jim Modig, KU's Architect, is retiring at the beginning of next year after 41 years of service. The Chancellor expressed his appreciation to both Diane and Jim for all their work over the years and congratulated them on their retirements. Chancellor Girod stated there are many individuals at KU who have been recognized for their work. Jack Cline, Associate Vice Chancellor for Federal Relations, has been named the recipient of the Jennifer Poulakidas Outstanding Achievement Award by the APLU's Council on Government Affairs for outstanding contributions and achievements in university governmental relations. Three KU professors were named as fellows of the American Association for Advancement of Science: James Kindscher, professor of anesthesiology at KU Medical Center; Joan Sereno, professor of linguistics' and Joane Nagel, University Distinguished Professor of Sociology. The Chancellor also announced that Lilah Wilder, a 2019 KU graduate, earned a Charles B. Rangel Fellowship. Ms. Wilder is KU's third recipient of this Fellowship and she will receive up to \$100,000 in benefits to prepare herself for a career in the U.S. Foreign Service. Additionally,

Chancellor Girod reported that the University of Kansas Medical Center has been chosen as a training center in Kansas for a nationwide interactive virtual initiative that will share best practices to improve COVID-19 infection control, safety and preparedness in skilled-nursing facilities.

President Myers thanked the faculty, staff, and students for all their hard work this semester, which allowed the University to continue operating as planned. He also noted that the success of the semester would not have been possible without the help of the Board, Governor Kelly, and the local community leaders. Kansas State University held a virtual commencement ceremony for its graduates because of the rise in COVID-19 infection rates but the hope for the spring is to hold commencement in person at an outdoor venue. President Myers reported that Kansas State University will resume classes in January and the teaching format will be the same as this semester: a mix of in person, hybrid, and online. President Myers stated that the University plans to use the Student Union as a COVID testing site next semester because it will be more convenient for students. He also noted that the University will be testing students who are in the Greek sorority and fraternity houses along with students who reside in the residence halls. This past semester, Greek houses had many COVID positive cases, and the University is hoping with additional testing, positive cases can be identified early to prevent spread. President Myers also announced that Peter Dorhout, KSU's Vice President for Research, will be leaving the University for a position at Iowa State and that Lori Goetsch, Dean of K-State Libraries, is retiring at the end of the spring semester.

President Scott thanked everyone at Pittsburg State University and in the local community for all their work this semester. Because of everyone's efforts, PSU students were able to attend classes in person, the PSU football team was able to compete in four games, and PSU graduates were able to attend their commencement ceremony. He noted the County Health Department reviewed all the procedures associated with the commencement ceremony, and he thanked them for their work. Pittsburg State University is scheduled to begin its spring semester on January 19 and the majority of classes will be in person. President Scott also reported that he held a Town Hall meeting to update the community on the upcoming legislative session. Additionally, President Scott highlighted that on today's consent agenda, the Board will consider PSU's request to expand the McPherson Hall projects. The scope of the expansion includes creating a simulation hospital that will enhance practical experiences and provide the opportunity for additional growth in the nursing program. This project will be funded with private gifts and will significantly improve the condition of the facility without using any of the university's EBF allocation.

Interim President Muma reported the WSU Foundation's Shock the World campaign raised over \$307 million, which surpasses its goal of \$250 million. Over 32,000 individuals donated to the campaign and the money is being used on student scholarships, faculty support, and capital improvements. Dr. Muma announced that WSU has created a scholarship to help individuals who live near the campus. The Shocker Neighborhood Commitment provides funding to make college more affordable for recent high school graduates living in the Shocker Neighborhood. Interim President Muma stated WSU's spring semester will start February 1, and he anticipates the same COVID procedures will remain in place.

STANDING COMMITTEE AND OTHER REPORTS

FISCAL AFFAIRS AND AUDIT

Regent Rolph reported the Fiscal Affairs and Audit Standing Committee reviewed the fiscal items on the Board agenda. The Committee discussed how the universities are handling students with outstanding balances as it relates to the portion of the tuition policy that was suspended earlier this year. The Committee reviewed the universities' housing and food service rates for FY 2022. While the members were concerned about some occupancy rates and the general burn rate of auxiliary enterprise cash reserves, the Committee believes the proposals will serve to contain students' cost of attendance next year. Board staff then reviewed the FY 2020 EBF expenditures, the FY 2022 allocation for rehabilitation and repair, and the overall capital budgeting process. Regent Rolph noted that the Committee recommended approval on all the fiscal and facilities items that are on the Board's agenda. Regent Hutton then presented an update on the tuition work group, which held its first meeting and examined undergraduate tuition pricing structures. On Regent Hutton's motion, the Committee expanded the work group's charter to include a discussion of examining Board policy on how students are determined eligible for the resident tuition rate as opposed to non-resident tuition.

GOVERNANCE

Regent Feuerborn reported that the Governance Committee approved a research contract extension between the Board office and Dr. Donna Ginther of the University of Kansas and authorized President Flanders to execute the contract. The Committee reviewed a proposed policy on Athletic Conference Changes and discussed the Board's draft free speech statement. Both of these items will be discussed further at future Committee meetings.

APPROVAL OF CONSENT AGENDA

Regent Kiblinger moved, with the second of Regent Rolph, that the Consent Agenda be approved as amended. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Academic Affairs

BACHELOR OF ARTS IN APPLIED LINGUISTICS – WSU

Wichita State University received approval to offer a Bachelor of Arts in Applied Linguistics. This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$241,581, year two - \$245,190, and year three - \$323,843. Student tuition and fees will finance the program.

MASTER OF SCIENCE IN DATA SCIENCE IN ENGINEERING – WSU

Approval was given to Wichita State University to offer a Master of Science in Data Science in Engineering. This degree will total 30 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$191,881, year two - \$417,331, and year three - \$611,072. Student tuition and fees will finance the program.

MASTER OF SCIENCE IN BUSINESS ANALYTICS – WSU

Wichita State University received authorization to offer a Master of Science in Business Analytics. This degree will total 30 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$141,070, year two - \$330,750, and year three - \$330,750. Student tuition and fees will finance the program.

MASTER OF SCIENCE IN MATHEMATICAL FOUNDATIONS OF DATA ANALYSIS – WSU

Wichita State University received approval to offer a Master of Science in Mathematical Foundations of Data Analysis. This degree will total 30 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$121,307, year two - \$257,100, and year three - \$283,049. Student tuition and fees will finance the program.

*Fiscal Affairs and Audit***AMEND CAPITAL IMPROVEMENT PLAN AND APPROVE ARCHITECTURAL PROGRAM STATEMENT FOR MCPHERSON HALL EXPANSION AND TARGETED RENOVATIONS – PSU**

Pittsburg State University received authorization to amend its Capital Improvement Plan to add the McPherson Hall Expansion and targeted renovations projects. The estimated cost of the project is \$6 million, which will be financed with private gifts and pledges. The facility will be operated and maintained by the University. The University's goal is to have the facility open for the fall semester of 2023.

EPSCOR PROPOSALS

The EPSCoR Program Review Committee's recommendations for the below Experimental Program to Stimulate Competitive Research (EPSCoR) proposals were approved:

- For Dr. Doug Wright at the Kansas IDeA Network of Biomedical Research Excellence (located at the University of Kansas Medical Center), the Committee recommended awarding \$125,000 to support four grant proposals to increase their competitiveness for National Institutes of Health funding. This award provides a 29.7:1 leverage for state funds (federal:state). This award is for FY 2021.
- For Dr. Kevin Leonard at the Center for Environmentally Beneficial Catalysis (located at the University of Kansas), the Committee recommended awarding \$115,286 to support a National Science Foundation funded project designed to apply data science and machine learning to the field of catalysis. This award provides a 5.4:1 leverage for state funds (federal:state). This award is for FY 2021.
- For Dr. P. Scott Hefty at the Chemical Biology of Infectious Disease Center at the University of Kansas, the Committee recommended awarding \$625,00 over five years to match the National Institutes of Health for a

Center of Biomedical Research Excellence Phase II award. This award provides an 18.2:1 leverage for state funds (federal:state). This award is for FY 2022.

- For Dr. Belinda Sturm at the University of Kansas, the Committee recommended \$2,000,000 over five years to support a National Science Foundation Research Infrastructure Improvement Track-1 proposal. This award provides a 10:1 leverage for state funds (federal:state). This award is for FY 2023.

Technical Education Authority

DEGREE AND/OR CERTIFICATE PROGRAMS SUBMITTED BY GARDEN CITY COMMUNITY COLLEGE

Garden City Community College received approval to offer a Technical Certificate A (17 credit hours) in Early Childhood Education (19.0709). The estimated cost of the program is \$59,600, which will be financed by the College’s funds.

EXCEL IN CAREER TECHNICAL EDUCATION (CTE) FEES FOR GARDEN CITY COMMUNITY COLLEGE’S PROGRAM

The below fees for Garden City Community College’s Early Childhood Education Certificate A were approved.

Institution Name:	Garden City Community College
Program Title:	Early Childhood Education
Program CIP Code:	19.0709

Please list all fees associated with this **program**:
Only list costs the institution **is** charging students.

<i>Fee</i>	<i>Short Description</i>	<i>Amount</i>
\$75	CDA Licensing Application	\$75
\$20	Foundations for Safe and Healthy Early Care Facilities Module	\$20

Please list all courses within the program and any fees associated to those **courses** :
Only list costs the institution **is** charging students. Do not duplicate expenses.

<i>Course ID</i>	<i>Short Description</i>	<i>Amount</i>
EDUC 1062	Observation I--Fingerprinting and background check	\$50
ECHD 109	Health and Safety--CPR and First Aid Certification	\$50

Please list items the student will need to purchase on their own for this program:
Institution **is not** charging students these costs, rather students are expected to have these items for the program.

<i>Item</i>	<i>Short Description</i>	<i>Estimated Amount</i>

Total Fees	\$195
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UPDATED A-OK APPROVED CREDENTIALS AND PATHWAYS LIST

The updated A-OK credentials and pathways list was approved. The new list contains two new pathways: Engineering Technology and Renewable Energy.

(Updated List filed with Official Minutes)

EXCEL IN CAREER TECHNICAL EDUCATION (CTE) FEES FOR THE COLLEGES

The 2022 Excel in Career Technical Education fees for the following colleges were approved: Allen County Community College, Barton Community College, Coffeyville Community College, Colby Community College, Cowley Community College, Dodge City Community College, Fort Scott Community College, Garden City Community College, Highland Community College, Johnson County Community College, Manhattan Area Technical College, Pratt Community College, Washburn Institute of Technology, and Wichita State University Campus of Applied Sciences and Technology. A complete list of fees for each career technical education course and program at each institution is maintained at the Board office and is available for public inspection.

Other Matters**APPOINTMENTS TO THE MIDWEST STEM CELL THERAPY CENTER ADVISORY BOARD**

Dr. Frank Blecha representing Kansas State University and Dr. Weijing Sun representing the University of Kansas were appointed to the Midwest Stem Cell Therapy Center Advisory Board. Each will serve a three-year term, which will expire on June 30, 2023.

ACADEMIC CALENDAR CHANGE – KSU

Kansas State University received authorization to change its spring 2021 academic calendar schedule to add April 16, 2021 as a wellness day for students.

CONSIDERATION OF DISCUSSION AGENDA**Coordinating Council****SPRING BREAK ALIGNMENT**

Daniel Archer, Vice President for Academic Affairs, stated one of the goals of the Coordinating Council was to align spring break schedules for the entire Kansas education system. The Council, which comprises Board of Regents, State Board of Education, and Kansas Chamber members, believes that aligning spring breaks will benefit students and their families. Dr. Archer noted the Council recommended the dates noted below be adopted and stated the rationale behind this scheduling is that many colleges and universities begin the Spring semester one day after Martin Luther King Day. These dates would allow colleges and universities that start on this day to complete eight weeks of classes before Spring Break. This would 1) establish a symmetrical sixteen-week semester and 2) create a schedule in which all first eight-week Spring courses are

completed before Spring Break and all second eight-week Spring courses start after Spring Break. Dr. Archer noted at last week's State Board of Education meeting, the Board members supported the proposed dates and highly encouraged each school district to adopt the schedule. He also stated because of the different governance structures in Kansas, the technical and community college boards of trustees will each need to adopt the dates. Regent Hutton wanted to know how likely it would be for the school districts to adopt these dates. Regent Kiblinger noted she has not heard any pushback on the idea of aligning spring breaks and stated with the State Board of Education support, she believes many districts will implement it. Following discussion, Regent Rolph moved to approve the spring break dates for the state universities. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

- 2022 March 14-18;
- 2023 March 13-17;
- 2024 March 11-15; and
- 2025 March 17-21.

Fiscal Affairs and Audit

FY 2022 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSALS SUBMITTED BY STATE UNIVERSITIES

Elaine Frisbie, Vice President for Finance and Administration, presented the FY 2022 housing and food service rate adjustment proposals for the state universities. It was noted the Board had a first read of these rates last month. Regent Rolph moved to approve the rates, and Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

(FY 2022 Housing and Food Rates filed with Official Minutes)

BREAK

At 3:30 p.m., Chair Feuerborn called for a ten-minute break and resumed the meeting at 3:40 p.m.

SUSPEND BOARD POLICY RELATED TO PAYMENT OF TUITION AND FEES

Vice President Frisbie stated at the April meeting, the Board approved suspending portions of the Board's Tuition and Fees policy for the 2020 summer and fall semesters so that students who are experiencing financial difficulties related to the COVID-19 pandemic may continue their studies. The state universities would like the Board to extend the suspension for the Spring 2021 semester. Regent Rolph moved to temporarily suspend, for the Spring 2021 semester, the portions of Board policy II.D.1.d.i. and II.D.1.d.ii. that currently state "No student shall be permitted to enroll for any semester if there are outstanding delinquencies from prior semesters, . . . [and International] 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." The policy otherwise would remain effective unless and until the Board takes further action to amend it. Regent Schmidt seconded. On a roll call vote, the following Regents voted

affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

ALLOCATION OF FY 2021 CORONAVIRUS RELIEF FUND GRANTS TO PUBLIC INSTITUTIONS OF HIGHER EDUCATION

Vice President Frisbie stated the Recovery Office has allocated an additional \$2.5 million from the state's Coronavirus Relief Fund for the community colleges. The money for the institutions must be spent by December 30, 2020 and will be used to reimburse the institutions for eligible expenses already incurred. These costs will be necessary expenditures incurred due to the public health emergency and were not accounted for in the budget most recently approved as of March 27, 2020. Also, they are costs that will be incurred between March 1, 2020 and December 30, 2020. Vice President Frisbie noted that Johnson County Community College is not listed in the distribution because the College indicated it had no eligible COVID-19 related expenses left. She noted that three of the state universities and Washburn University are also seeking additional allocations from the Coronavirus Relief Fund, however, the Recovery Office has not finalized allocations in response to their requests. Regent Harrison-Lee moved to approve the allocation. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following distributions will be made:

College	Grant Award
Allen Community College	\$95,300
Barton Community College	\$50,000
Butler Community College	\$100,000
Cloud County Community College	\$50,000
Coffeyville Community College	\$50,000
Colby Community College	\$106,100
Cowley Community College	\$140,000
Dodge City Community College	\$50,000
Fort Scott Community College	\$50,000
Garden City Community College	\$100,000
Highland Community College	\$50,000
Hutchinson Community College	\$300,000
Independence Community College	\$50,000
Kansas City Kansas Community College	\$663,300
Labette Community College	\$120,000
Neosho County Community College	\$250,000
Pratt Community College	\$25,300
Seward County Community College	\$250,000
Total	\$2,500,000

REPORT OF FY 2020 EDUCATIONAL BUILDING FUND SPENDING – SYSTEM

Chad Bristow, Director of Facilities, stated a few years ago the Board implemented a new process that allows the universities to report annually to the Board on how Educational Building Funds (EBF) were used rather than the Board approving a specific project list in advance. In FY 2020, the Board allocated the amounts listed below to the universities and each university has submitted a report on how those funds were spent.

Allocation of Funds for Rehabilitation and Repair Projects FY 2020 - \$44,000,000 (EBF)

Adjusted gross square feet (EBF-Eligible Buildings Only):

	<u>Gross Sq. Feet</u>	<u>% of Total</u>	<u>Allocation</u>
The University of Kansas	5,488,301	26.87	\$11,822,800
The University of Kansas Medical Center	2,297,176	11.25	4,950,000
Kansas State University	6,105,374	29.90	13,156,000
Wichita State University	2,243,148	10.98	4,831,200
Emporia State University	1,232,601	6.04	2,657,600
Pittsburg State University	1,507,841	7.38	3,247,200
Fort Hays State University	<u>1,548,171</u>	<u>7.58</u>	<u>3,335,200</u>
Total	20,422,612	100.00	\$44,000,000

(FY 2020 University Project Reports filed with Official Minutes)

ALLOCATION OF FY 2022 EDUCATIONAL BUILDING FUND APPROPRIATION – SYSTEM

Director Bristow presented the proposed allocation of the FY 2022 Educational Building Fund appropriation. Regent Schmidt wanted to know if there is a possibility of the Legislature removing the EBF allocation. President Flanders stated some legislators are interested in eliminating the state’s property tax levy that goes to the EBF and forcing the System to rely on State General Fund appropriations, which is problematic. If this change occurs, the state funding would be subject to cuts and the allocations, most likely, would never increase to match the ongoing need for rehabilitation and repair projects. President Flanders noted Board and university staff are communicating with legislators on how this change will negatively impact the state universities. Regent Rolph moved to approve, and Regent Hutton seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following allocations were approved:

**Allocation of Funds for Rehabilitation and Repair Projects for Institutions of Higher Education as Appropriated to the Kansas Board of Regents
FY 2022 - \$44,000,000 (EBF)**

Adjusted gross square feet (EBF-Eligible Buildings Only):

	<u>Gross Sq. Feet</u>	<u>% of Total</u>	<u>Allocation</u>
University of Kansas	5,488,301	26.87	\$11,822,800
University of Kansas Medical Center	2,297,176	11.25	4,950,000
Kansas State University	6,105,374	29.90	13,156,000
Wichita State University	2,243,148	10.98	4,831,200
Emporia State University	1,232,601	6.04	2,657,600
Pittsburg State University	1,507,841	7.38	3,247,200
Fort Hays State University	<u>1,548,171</u>	<u>7.58</u>	<u>3,335,200</u>
Total	20,422,612	100.00	\$44,000,000

ADDITIONAL INFORMATION ON DEFERRED MAINTENANCE INITIATIVE – SYSTEM

Director Bristow reported last month the Board received the findings of the 2020 Facility Condition Assessment Report and the Space Utilization Study. From that discussion, the Board wanted a better understanding of the restrictions placed on the Educational Building Fund (EBF) whether it is in statute, Board policy, or practice. Director Bristow indicated that the state universities own over 1,000 buildings on state property. Of those, 500 are considered mission critical and 330 are EBF-eligible. It was noted that mission critical is defined as facilities that support the academic missions of the universities.

In state statute, the EBF is the primary dedicated source of funding for capital projects and the law prohibits universities from requesting additional State General Fund (SGF) appropriations for operating expenses and maintenance on privately funded projects built after 2007. However, Director Bristow noted the law does not limit the EBF to specific buildings. It has been the practice of the Board to limit the use of EBF to mission critical facilities built before 2007. Board policy also requires the universities to have capital improvement plans for new spaces, and in those plans, the universities have to identify the funding sources for paying annual maintenance and operating costs. Additionally, Director Bristow stated there has been a proviso attached to the EBF appropriation that dictates how the EBF can be allocated using a square footage formula. Regent Van Etten wanted additional information on how many facilities were built with private funds after 2007. President Myers stated that Kansas State University has at least one building that was funded with both state and private funds and wanted to know if it would be eligible for state funding. Director Bristow stated that if a facility was built after 2007 and 51 percent of the cost was funded with private money, then the law would prohibit the university from requesting additional State General Fund (SGF) appropriations for maintenance. He also stated the Board would have required through its policy a maintenance and operational plan under this scenario. The Board discussed using the EBF for debt service on bonds. Vice President Frisbie reviewed the history of using EBF for bonding and stated one of the recommendations moving forward is to leverage a portion of the EBF with bond issuance and request new annual SGF appropriations in support of a bond issuance.

Director Bristow reviewed the proposed next steps for the Board's deferred maintenance initiative. As noted last month, the Facility Condition Assessment Report included assessments on 500 mission critical buildings. An important next step for the system is to survey and log every university building on state property so there is a complete assessment on the deferred maintenance needs. To maintain and analyze the data that is being collected, it is recommended that a facilities condition committee and a space committee be established. The Board may also want to consider

establishing parameters for using EBF that allow for new construction that offset deferred maintenance liability and setting targeted goals for facility condition index (FCI) and space utilization. Regarding funding and legislation, the Board could pursue leveraging a portion of the EBF for bonding, updating the statute on the State Educational Institution Long-Term Infrastructure Maintenance Program, and seeking a change to consolidate the two biennial legislative reports into a single report. It was noted this year the Board office requested that the proviso on the EBF regarding the square footage formula be removed, which would allow the Board more flexibility. Regent Hutton stated part of the deferred maintenance process will require universities to consolidate spaces, which will also require funding, and there needs to be a plan to address these funding needs.

Governance

AMENDMENT TO POLICY ON BUILDING NAMING

General Counsel Julene Miller presented the proposed amendments to the Naming of Buildings policy. The amendments would prohibit a university from naming a building for any sitting federal, state or local elected official. General Counsel Miller noted the current policy already prohibits naming buildings for sitting university CEOs and sitting Board members. Regent Van Etten moved to approve, and Regent Harrison-Lee seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried. The following amendments were adopted:

CHAPTER II: GOVERNANCE – STATE UNIVERSITIES

E FACILITIES

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13. 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. For purposes of this policy, any time a proper noun name is to be displayed on the exterior of a building or facility, it will be treated as a building naming and shall be submitted to the Board for consideration in accordance with this policy.

b. Criteria

i. 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, or for major donors to the construction of the building.

ii. 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.

iii. Buildings will not be newly named for sitting presidents, chancellors, ~~or~~ Board members or federal, state or local elected officials, however buildings named for a ~~president or chancellor~~ such individuals before appointment or election or between appointments or election to ~~the position~~ one or more of those positions of ~~president or chancellor~~ need not be re-named.

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 Chief Executive Officer of the Board 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 at the open meeting of the Board.

Other Matters

NEXT STEPS ON THE FUTURE OF HIGHER EDUCATION COUNCIL RECOMMENDATIONS

President Flanders stated that last month the Board received the fourteen recommendations from the Future of Higher Education Council. He then reviewed the next steps for each of the recommendations.

Access and Success

- 1) Implement/incentivize systemwide corequisite remediation in math and English
 - Board staff will survey institutions in spring 2021 to obtain feedback about the timeline for implementation and plans to implement systemwide corequisite remediation by July 2022.
- 2) Develop a plan to address implementing math pathways
 - Board staff recommends beginning work on a plan next academic year.
- 3) Explore additional ways to connect Kansas businesses with colleges and universities to enhance the talent and innovation pipeline
 - Board staff recommends connecting with the Department of Commerce during the current academic year.

- 4) Explore an initiative that includes all public postsecondary institutions working in conjunction to promote the importance of higher education to students and families
 - Board staff recommends bringing the communication and marketing teams from all institutions in the system together in spring 2021.
- 5) Analyze mechanisms by which student debt relief can be used as an incentive to keep graduates of Kansas colleges and universities in the state after graduation
 - Board staff recommends gathering data on financing and developing a list of pilot careers.
- 6) Conduct a comprehensive review of teacher preparation programs to ensure that they are providing teachers with skills needed for success including math, computer science and literacy skills
 - Board staff recommends bringing this issue to the Coordinating Council at the next meeting to obtain the Kansas Department of Education's (KSDE) feedback and assistance with conducting such a review.

Equity and Social Mobility

- 7) Explore, develop and scale early college programs using a comprehensive, multifaceted approach to ensure equity and access
 - A foundational piece of this effort is already underway – the effort to pass legislation allowing school districts to fund concurrent and dual enrollment.
- 8) Advocate for universal completion of the Free Application for Federal Student Aid (FAFSA) at the high school level
 - Board staff recommends bringing this issue to the Coordinating Council at its next meeting. KSDE has offered to include FAFSA completion in its scorecard.
- 9) Advocate for enhanced need-based student financial aid to support equity and social mobility
 - While the Board did not request enhanced need-based student financial aid this year, there is a commitment to addressing equity gaps in its budget request. If the Governor or Legislature were interested in need-based student financial aid, the Board has the Kansas Access Partnership grant framework identified.

Structure of the Higher Education System

- 10) Begin to implement administrative collaboration/efficiency in areas such as information technology, finance, and data
 - Board staff recommends connecting with states that have had success in this area to gather additional information during spring 2021.
- 11) Implement a plan to address deferred maintenance and align facilities with current and projected enrollments
 - The Board has already begun to develop a long-term facilities renewal plan.
- 12) Identify mechanisms (including tax credits) to support building needs at technical colleges and community colleges
 - Board staff recommends supporting legislation brought forward by two-year colleges.
- 13) Advocate for legislation allowing smoother pathways toward affiliations between universities and community colleges and technical colleges

- This effort is part of the Board's current legislative agenda.
- 14) Work to improve program-to-program articulation to increase seamlessness across the public higher education system
- The Board made this a goal this year, and the work to improve articulation is currently being undertaken by the Board Academic Affairs Standing Committee.

Regent Harrison-Lee thanked Board staff for all their work and requested that President Flanders keep the Board updated on the progress of each of these recommendations. Regent Hutton believes the system needs to analyze whether there are savings associated with administrative collaboration and efficiency items even if it means spending money upfront. Regent Schmidt stated the Kansas Rural Opportunity Zones program has a student loan repayment option and this program should be reviewed as one of the mechanisms to incentivize graduates to stay in Kansas. The Board also discussed the permissive legislation that would allow pathways for universities and community colleges and technical colleges to affiliate or merge. It was noted that community and technical colleges should be involved with drafting the legislative language.

NON-BUDGETARY LEGISLATIVE PROPOSALS

Matt Casey, Director of Government Relations, stated the 2021 Legislative Session will begin on January 11, 2021. He reviewed the members elected to leadership positions and noted guidance will be issued on how the Legislature will operate under COVID-19 restrictions. Director Casey then reviewed the proposed non-budgetary legislative items that the Board received last month. Regent Van Etten moved to approve the non-budgetary legislative items. Regent Rolph seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

ALLOCATION OF FY 2021 CORONAVIRUS RELIEF FUND GRANTS

President Flanders stated that four of the universities have requested additional Coronavirus Relief Fund Grants from the Recovery Office. He believes those additional funds will be approved by the Recovery Office within the next couple of days. Because these funds need to be spent by December 30, 2020, he requested authorization to allow the Board Chair and himself to approve the allocations to the universities. Regent Rolph moved to approve, and Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

APPOINTMENTS TO THE WICHITA STATE UNIVERSITY PRESIDENTIAL SEARCH COMMITTEE AND COMMITTEE CHARGE

President Flanders presented the proposed Wichita State University Presidential Search Committee charge and a list of committee members. Regent Harrison-Lee moved to approve the Committee charge and the Committee members. Regent Kiblinger seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Feuerborn, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Regent Kiblinger requested that President Flanders work with the search consultant to determine when the Board will be interviewing candidates. She stated that she would like to add the dates to her calendar as soon as possible. The Board discussed the search process, and Regent Hutton requested that the Board be given additional time to review candidates.

(Committee Charge and Member Appointment list filed with Official Minutes)

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 4:24 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

November 18, 2020

The November 18, 2020, meeting of the Kansas Board of Regents was called to order by Vice Chair Cheryl Harrison-Lee at 1:30 p.m. This was a virtual meeting, and proper notice was given according to law.

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

MEMBER ABSENT: Bill Feuerborn, Chair

ANNOUNCEMENT

Vice Chair Harrison-Lee stated that due to the Shawnee County emergency order issued November 12, the Board meeting is being conducted pursuant to the Attorney General's regulation for virtual-only meetings. She asked all participants to place their microphones on mute when they are not speaking to allow listeners and observers to hear the meeting unimpeded. Vice Chair Harrison-Lee stated that participants should ask to be recognized if they have a question or comment and when recognized, the participant should state their name and title so he or she can be identified by the audience. Vice Chair Harrison-Lee noted for each action item a roll call vote would be taken to be clear how each Regent has voted. However, a roll call vote will not be taken for the approval of the minutes and no motion is needed to adjourn the meeting. It was also noted that there will be no opportunity for public comment during this meeting and no executive session is scheduled.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Kiblinger moved that the minutes of the October 14, 2020 meeting be approved. Following the second of Regent Rolph, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Vice Chair Harrison-Lee reported that the end of the semester is approaching and thanked all the faculty, staff and administrators at the universities and colleges for their work. She noted it has been a difficult semester, but the procedures the institutions put in place to address COVID have allowed students to continue their education with in-person, hybrid, and online course options. Vice Chair Harrison-Lee also thanked the students for following the COVID safety protocols on

the campuses. She then stated that the pandemic will continue to pose challenges for higher education, but the system will keep working collectively to safeguard the health and safety of everyone at the institutions and deliver the quality education that students deserve.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle reported the System Council of Presidents received an update from the System Council of Chief Academic Officers. The Academic Officers reported the Kansas Core Outcome Group, a faculty led discipline-specific group, met in October and recommended six new courses for inclusion in the Kansas systemwide transfer list. These courses will continue to move through the approval process. They noted that the Kansas Board of Regents signed a contract with Open Education Network for access to its Open Textbook Library and provided an update on the Apply Kansas initiative. The System Council of Presidents then discussed aligning the system's spring break schedule beginning in spring 2022. The CEOs had no issues moving this initiative forward, but it was noted that some institutions may not be able to adjust their calendars until 2023 because their 2022 calendars are currently aligned with the school districts in their county. The CEOs also requested that the Board consider moving its March meeting so that it does not coincide with spring break. The final topic the Council discussed was strategies for closing the enrollment and graduation equity gaps. It was decided that the Council will bring in a guest speaker from a system that has made progress in this area to discuss best practices.

REPORT FROM COUNCIL OF PRESIDENTS

Interim President Muma presented the Council of Presidents report. The Council received reports from the Council of Chief Academic Officers, Council of Business Officers, Council of Student Affairs Officers, Council of Government Relations, and the Council of Chief Diversity Officers. The Academic Officers reviewed several programs and approved multiple program name changes, which per Board policy will be forwarded to the Board President and CEO for final approval. The Business Officers continue to manage the federal COVID funding that the universities received, which has been a difficult process with the changing guidance and numerous reporting requirements. They also began reviewing the results of the facilities condition and space utilization studies, which the Board will discuss later in the agenda. The Student Affairs Officers reported that the pandemic has increased student stress levels and noted that student housing cancellations are up compared to previous years. The Government Relations Officers reviewed the state's election results and the proposed non-budgetary legislative items that are on today's Board agenda for first read. The Diversity Officers reported that they continue to work with minority students to make sure they are receiving the support they need to be successful.

The Council of Presidents approved the following degree programs for Wichita State University: 1) Bachelor of Arts in Applied Linguistics, 2) Master of Science in Data Science in Engineering, 3) Master of Science in Business Analytics, and 4) Master of Science in Mathematical Foundations of Data Analysis. These programs will be forwarded to the Board for consideration at a future meeting. The Council then reviewed a draft of the Board's free speech statement and accompanying policies, and the CEOs will provide feedback to Board staff in the next few weeks. It was noted that the drafts will be presented to the Board's Governance Committee in December for further review.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn presented the Council of Faculty Senate Presidents report. The Council discussed the Board's General Education Working Group with Daniel Archer, Vice President for Academic Affairs, and members expressed their concerns that the Working Group does not have a teaching faculty representative on it. Council members strongly encourage that a teaching faculty representative be added and in the future the Council recommends that teaching faculty be included at the beginning of any process that involves curriculum. It was noted that faculty want to have a system where students can easily transfer credits and graduate on time; however, the Council believes that high school students taking concurrent enrollment courses need to be advised on what general education courses to take in order for the credit to count toward a degree. It was noted that when the Board mandated undergraduate degrees be 120 credit hours, many of the programs folded general education courses into the degree requirements. The Council also does not want to limit general education course offerings at the universities. It was noted that each university has its own mix of general education course requirements, and the Council believes the uniqueness of the universities needs to be preserved. Dr. Sternfeld-Dunn stated the Council is finalizing its freedom of speech statement and hopes to share it at a future meeting. Additionally, Dr. Sternfeld-Dunn thanked President Flanders for attending a Wichita State University Faculty Senate Council meeting and noted that the faculty would like to establish additional communication pathways with the Regents.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Rija Khan presented the Students' Advisory Committee report. The Committee has two priorities for this year: 1) increase and diversify the staff in the student counseling services on all the university campuses, and 2) advocate for higher education funding. Ms. Khan reported that members of the Committee are attending the different Board committee and council meetings, and she thanked the different groups for the work they are doing. Ms. Khan also noted that the students are always willing to provide their perspective on issues and stated that councils and committees can contact her if they need a student representative at a meeting.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle presented the report for the community colleges. This month he highlighted Neosho County Community College, Seward County Community College, Johnson County Community College, Labette Community College, and Pratt Community College. With the semester coming to an end, the colleges noted some of the biggest challenges they faced were being nimble enough to shift course when guidelines regarding COVID changed and increasing student services when budgets are strained. The colleges reported they are pleased that the campuses were able to offer in person classes this semester and that the spread of the virus on the campuses was limited and manageable. President Rittle then highlighted partnerships that the colleges are involved with, including Neosho County Community College's partnership with its local hospital on rapid COVID testing, Seward County Community College's partnership with its local unified school districts to increase wireless options, and Johnson County Community College's partnership with its local unified school districts to increase student enrollment. President Rittle also announced that Cloud County Community College named Amber Knoettgen as its next president.

President Rittle then read the following statement regarding the community colleges position on the proposed legislation authorizing voluntary affiliation or merger between state universities and community and technical colleges:

The Community Colleges deeply appreciate the work of the Board of Regents and their spirit of tenacity and attitude of unity to support the advancement of Higher Education. However, a piece of legislation was presented which caused disagreement with our constituents.

With Regards to the Legislative Proposal Authorizing Voluntary Affiliation/Merger between State Universities and Community and Technical Colleges, We, the Community Colleges, with all due respect do not support this proposed legislation. Why? We believe the legislation is unnecessary because we believe each instance involving a Community College will be a case-by-case scenario requiring careful thought for intended and unintended consequences. There are substantive differences between affiliations and mergers. Furthermore, with respect to Community Colleges, much legislation already exists pertaining to funding and other service delivery expectations. Our trustees are elected officials and granted taxing authority. Thus, it is our position that if a merger or affiliation should occur between a Community College and any other public postsecondary institution, *there should be a substantial amount of legislative discussion and thought before such a merge or affiliation should be permitted with a Community College. Thus, it is our position that we both support and welcome the role of the state legislature in a merger or affiliation review process.* We also understand and respect that Universities and Technical Colleges may have differing positions on this proposed legislation. Notwithstanding their differing perspectives, we do not support this legislation and if asked would indicate a posture of opposition to this proposal with no disrespect to the Regents or any of our fellow public organizations. This is where Community Colleges stand on this sensitive topic.

Regent Hutton asked President Rittle why the community colleges did not express their opposition to the proposed legislation when it was being discussed at the council level. President Rittle stated the colleges were not asked to provide their opinion and that the group of community college CEOs met and discussed the proposal last week. Regent Hutton stated that the colleges can share their position even if not directly asked. President Flanders clarified for the Board that the proposed permissive legislation would lay out a pathway by which a public college and university can merge or affiliate and noted the local boards of trustees will maintain the authority to determine if their college should move through either of these processes.

REPORT FROM THE TECHNICAL COLLEGES

The report for the technical colleges was presented by President Genandt. Wichita State University Campus of Applied Sciences and Technology (WSU Tech) is working with Spirit AeroSystems on a work recovery program to retrain workers who were laid off and are now returning to work. WSU Tech and Northwest Kansas Technical College are piloting a work ethic certificate program, which is based on Mike Rowe's WORKS Foundation curriculum. This program is being expanded across the county with the help of the Charles Koch Foundation, Mike Rowe, and the National Coalition of Certification Centers (NC3). Most of the technical colleges have completed the

Opportunity America survey, which is used to collect information from the colleges on economic recovery efforts. Salina Area Technical College is helping the Abilene school district with a work based learning program. President Genandt thanked all the faculty, staff, and students at the colleges for their work to limit the spread of COVID-19 on the campuses.

REPORT FROM THE UNIVERSITY CEOS

Chancellor Girod reported that the University of Kansas has conducted almost 36,000 COVID-19 tests over the fall semester and currently has a 3.4 percent positivity rate. It was noted that 34,000 of those tests were performed on individuals who had no symptoms of COVID-19 and this group's positivity rate was 2.4 percent. The Chancellor stated the University has seen an increase in cases over the last week and saw a sharp rise in its 14-day percent positivity rate, which was to be expected with the significant rise in cases in the county and state. He did note that Douglas County is faring better than some of the other counties in Kansas, but hospitalizations are increasing around the state. Chancellor Girod reported the University changed its calendar at the beginning of the semester to have students leave campus over the Thanksgiving holiday week. Students will then return to remote learning after the holiday to complete the semester. He stated that KU is offering COVID-19 exit testing to students and noted over 1,500 students have registered to take the test before leaving campus. The University's student health center will continue to offer testing through the winter break for students who are staying in the area. Chancellor Girod stated the COVID-19 procedures for the spring 2021 semester will be similar to the fall semester and noted the spring 2020 semester showed that the universities can safely operate in a face-to-face setting because there were no outbreaks connected to the classrooms. The Board and the Chancellor discussed the potential vaccine and how it may be distributed among the population. It was noted that when a vaccine is ready for mass distribution, it will most likely go to frontline workers and high-risk individuals first.

President Garrett reviewed Emporia State University's COVID-19 statistics. The on-campus infection rate has remained low throughout the semester, with just under 200 total positive cases reported. ESU is also offering students the option of taking a COVID test before leaving campus ahead of the Thanksgiving holiday. President Garrett then highlighted a report by the Association of International Educators on the economic impact of international students. For Kansas, it estimated that international students added around \$250 million to the state's economy and are responsible for 2,200 jobs. President Garrett also reported that ESU's Coaching Education program was reaccredited through the Center of Coaching Excellence and ESU's Counselor Education program received a grant through the U.S. Department of Education, which will be used for tuition, training, and professional development of students.

President Scott reported Pittsburg State University currently has 15 active COVID-19 cases in its student population, which brings the semester total to 450 positive cases. For PSU faculty and staff, 26 had tested positive throughout the semester with only one case currently active. President Scott stated that Crawford County added 321 new infections over this past weekend, which brings the total number of cases for the county to 2,100. President Scott then thanked PSU's faculty and staff and the Crawford County health officials for all their work this semester. He also announced that PSU's fall commencement will move forward in a smaller capacity and that the Crawford County Health Department approved all the COVID-19 procedures for the event.

President Myers thanked Kansas State University faculty, staff, and students for their flexibility this semester. He then reviewed KSU's COVID-19 statistics for the semester. Since March, the University's Lafene Health Center has tested almost 13,000 students, faculty, and staff, and has recorded 1,138 positive results, which is a positivity rate of 9.1 percent. However, the University has seen increased cases during November, which has resulted in a ten percent positivity rate for the month. President Myers reported that because of the increased cases and the hospitalization rate in the county, KSU has changed its fall commencement to a virtual format and noted the graduates will be invited back for the spring commencement, which will hopefully be held in person. The University has begun planning for the spring semester, and President Myers is hoping to increase the number of in-person classes. President Myers also reported that the renovations of Hale Library will be completed in January and announced that later this week the University will hold a ribbon cutting to celebrate the completion of the Morris Family Multicultural Student Center.

Regent Murguia asked whether the universities are seeing lower student performance in online classes compared to in-person classes. President Myers stated that some students do struggle with remote learning but does not believe it is a widespread issue. Chancellor Girod believes that freshman are struggling the most with remote learning because they never had the chance to create support networks or locate university resources. President Scott stated that remote learning has also created barriers for students to develop social relationships, which is harmful for the students and will affect the university retention rates because students do not feel as connected to the campus.

Interim President Muma stated Wichita State University has been fortunate to make it to the end of the semester without significant disruption from the virus and thanked the campus community for all their efforts. He then reviewed WSU's COVID-19 statistics. Since August, WSU has tested 2,651 individuals, which resulted in 193 positive cases for a positivity rate of 7.3 percent. Dr. Muma noted that Sedgwick County's positivity rate is over 20 percent. Like other universities, WSU is offering COVID tests to students as they leave campus for the holiday break. To slow the spread of the virus, WSU postponed its fall commencement ceremony and moved all student activities online. Interim President Muma also reported that WSU will begin its spring semester on February 1, 2021 and plans to have COVID testing options available as students return to campus.

President Mason reported that Fort Hays State University's Nursing Department lifted the cap on the number of hours faculty can work in practice sites, which will allow the University's nursing faculty to help the strained hospitals, clinics, and nursing homes in the region. She also reported the University's Allied Health Department entered into an agreement with the Hays hospital to receive their used ultrasound equipment and announced that beginning in fall 2021, ten first generation students will receive a full-ride renewable scholarship thanks to the generosity of a FHSU donor. She noted that when this program reaches its full capacity in four years, 40 students will be receiving this scholarship.

STANDING COMMITTEE AND OTHER REPORTS

ACADEMIC AFFAIRS

Regent Kiblinger presented the Board Academic Affairs Standing Committee report. Melinda Roelfs from Pittsburg State University presented the Transfer and Articulation report, which highlighted the top majors selected by Kansas transfer students, the number of students who transfer from the two-year sector to public universities, and the course outcomes exhibited by transfer students. She also reported that Kansas ranked first in the nation in the percentage of baccalaureate degree earners who started at two-year public colleges. The Committee then received an update on the Apply Kansas Program, which is a program that is intended to help support high school seniors with completing a college application. This fall, 154 high schools have registered to participate in the program; however, the number of students completing a college application may be down because of COVID-19 restrictions. Representatives from KSU and WSU presented their low-enrollment program reviews, and the Committee made suggestions that the universities add more details to their reports before they are presented to the Board. The Committee received an update from Regent Schmidt on the progress of the Direct Support Professionals work at Wichita State University. It was noted that WSU is creating some badge programs to help train individuals who are interested in this field of work. Regent Kiblinger also reported that the Committee received an update on the Coordinating Council, and the two new work groups that were formed – Individual Plan of Study Work Group and Academic Advising Work Group. Regent Schmidt commented that the Committee asked Board staff to collect data on the Apply Kansas Program to determine if it is helping first-generation and minority students.

FISCAL AFFAIRS AND AUDIT

Regent Rolph reported that the Fiscal Affairs and Audit Standing Committee reviewed the universities' housing auxiliary reserves and the requests for FY 2022 housing and food service rates, which is on the Board's agenda for first read. It also discussed KU Medical Center's request to amend its Capital Improvement Plan and PSU's request to change its fee structure. The Committee recommended approval of both these items, which the Board will consider later in the agenda. Board staff then presented information on the Board's deferred maintenance initiative and the Committee discussed next steps, including developing a strategy for the Governor and Legislature. Membership on the work group to examine non-resident undergraduate tuition pricing has been identified and the first meeting will be scheduled in the next few weeks. Regent Rolph thanked Regent Hutton for chairing this group. Board staff presented the Board Office's budget for FY 2021 and reviewed the annual audit of the Alumni Account, which had no finding in FY 2020. The Committee learned that the Joint Committee on Information Technology reviewed the Board of Regents' IT security audit in executive session and commended the agency on its efforts to ensure IT systems and data are safe and secure. The Committee also discussed the state's fiscal outlook and the updated revenue estimate. Regent Rolph then reported that the Committee reviewed the Board's Financial Reporting policy that requires a review of non-public funds management when there is a change in CEO at a state university, and the Committee recommended suspending the policy with regard to the departure of President Golden because a full review was conducted last year after the passing of President Bardo.

Regent Rolph moved to suspend Section II.D.6. "Financial Reporting" of the Board policy manual for Wichita State University for this fiscal year to avoid unnecessary and costly expense. Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the

motion: Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

GOVERNANCE

Regent Harrison-Lee presented the Governance Committee report. The Committee discussed the Board's CEO search policy and process options and approved updates to the Board's 360 survey tool, which will align the tool with the Board's annual assessment form. The changes to the 360 survey will be forwarded to the Board for consideration at a future meeting. Board staff provided an update on the Board's goal to develop free speech guidance, and the Committee reviewed two proposed policies – amendments to the Building Naming policy and a new policy on athletic conference changes. The Committee also received the annual campus safety and security reports from Emporia State University and Wichita State University and acted on a requested temporary adequate security measures proposal for a leased location on the WSU campus.

APPROVAL OF CONSENT AGENDA

Regent Kiblinger moved, with the second of Regent Rolph, that the Consent Agenda be approved. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Academic Affairs

MASTER OF ENGINEERING IN BIOENGINEERING – KU

The University of Kansas received approval to offer a Master of Engineering in Bioengineering. The estimated cost of the program is \$26,995 per year. Student tuition and fees will be used to fund the program

BACHELOR OF HEALTH SCIENCES – KU

The University of Kansas received approval to offer a Bachelor of Health Sciences, which will be offered online by the KU Edwards campus. This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$250,370, year two - \$259,602, and year three - \$253,857. Student tuition and fees along with Johnson County Education Research Triangle funds will finance the program.

BACHELOR OF SCIENCE IN PUBLIC HEALTH – KSU

Kansas State University received authorization to offer a Bachelor of Science in Public Health. This program will total 120 semester credit hours. The estimated cost of the program for the first three years is as follows: year one - \$128,329, year two - \$373,273, and year three - \$380,193. Student tuition and fees will finance the program.

BACHELOR OF ARTS AND BACHELOR OF SCIENCE IN INTEGRATED COMPUTER SCIENCE – KSU

Kansas State University received approval to offer a Bachelor of Arts and a Bachelor of Science in Integrated Computer Science. The estimated cost of the

program for the first three years is as follows: year one - \$313,615, year two - \$365,424, and year three - \$394,636. Student tuition and fees along with Global Campus funds will be used to finance the program.

Fiscal Affairs and Audit

AMENDMENT TO FIVE-YEAR CAPITAL IMPROVEMENT PLAN – KUMC

The University of Kansas Medical Center received authorization to amend its Five-Year Capital Improvement Plan to add the Clinical and Translation Science Unity project to FY 2023. The estimated cost of the project is \$11,658,844, which will be financed with private gifts or other sources yet to be identified.

Technical Education Authority

DEGREE AND/OR CERTIFICATE PROGRAMS SUBMITTED BY COWLEY COUNTY COMMUNITY COLLEGE AND SALINA AREA TECHNICAL COLLEGE

Cowley County Community College received approval to offer a Technical Certificate A (19 credit hours), Technical Certificate C (55 credit hours), and an Associate of Applied Science degree (64 credit hours) in Aviation Mechanic – Powerplant (47.0608). The estimated cost of the program is \$940,400, which will be funded by GE Aviation and the College’s funds.

Salina Area Technical College received approval to offer a Technical Certificate B (33 credit hours) in Fire Science (43.0203). The estimated cost of the program is \$19,250.

EXCEL IN CAREER TECHNICAL EDUCATION FEES

The below Excel in CTE fees for Cowley County Community College’s Aviation Mechanic – Powerplant program and Salina Area Technical College’s Fire Science program were approved, as recommended by the TEA.

Cowley County Community College – Aviation Mechanic - Powerplant Excel in CTE tuition and fee schedule

Institution Name:	Cowley College
Program Title:	Aviation Mechanic - Powerplant
Program CIP Code:	47.0608

<i>Please list all fees associated with this program. Only list costs the institution is charging students.</i>		
Fee	Short Description	Amount
	none	

<i>Please list all courses within the program and any fees associated to those courses : Only list costs the institution is charging students. Do not duplicate expenses.</i>		
Course ID	Short Description	Amount
ALL AMG courses	FAA General Curriculum	\$ 100.00
ALL AMP Courses	FAA Powerplant Curriculum	\$ 100.00

<i>Please list items the student will need to purchase on their own for this program: Institution is not charging students these costs, rather students are expected to have these items for the program.</i>		
Item	Short Description	Estimated Amount
	Laptop	\$1,000.00
	Steel Toed Shoes	\$100.00
	Students will be required to purchase tools to be used in class. These tools will be useful when entering employment.	\$1,000.00

Salina Area Technical College – Fire Science Excel in CTE tuition and fee schedule

Institution Name:	Salina Area Technical College
Program Title:	Fire Science
Program CIP Code:	43.0203

<i>Please list all fees associated with this program : Only list costs the institution is charging students.</i>		
Fee	Short Description	Amount
Uniform	Student uniform fee	\$ 25.00
Uniform	Student uniform fee	\$ 25.00
Testing	EMT exam fee	\$ 314.00

<i>Please list all courses within the program and any fees associated to those courses : Only list costs the institution is charging students. Do not duplicate expenses.</i>		
Course ID	Short Description	Amount
FIR100	Introduction to Fire Science	\$ 25.00
FIR110	Hazardous Materials	
FIR 115	Firefighter I	
FIR 116	Firefighter II	
FIR 121	Fire Science Hydraulics and Water Supply	
PSS100	Introduction to Public Service Careers	
PSS101	Introduction to Emergency Communications	
ALH120	Emergency Medical Technician	\$ 339.00

<i>Please list items the student will need to purchase on their own for this program: Institution is not charging students these costs, rather students are expected to have these items for the program.</i>		
<i>Item</i>	<i>Short Description</i>	<i>Estimated Amount</i>
<i>Textbook</i>	<i>FIR 100 ebook</i>	<i>\$ 25.00</i>
<i>Textbook</i>	<i>FIR 110 book</i>	<i>\$ 60.00</i>
<i>Textbook</i>	<i>PSS 101 book</i>	<i>\$ 95.00</i>
<i>Textbook</i>	<i>FIR115 book</i>	<i>\$ 95.00</i>
<i>Textbook</i>	<i>FIR 121 book</i>	<i>\$ 60.00</i>
<i>Textbook</i>	<i>ALH120 book</i>	<i>\$ 120.00</i>

Total	\$ 364.00
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Other Matters

APPOINTMENT TO THE JOHNSON COUNTY EDUCATIONAL RESEARCH TRIANGLE AUTHORITY

Michael Boehm was appointed to serve as the Board’s representative on the Johnson County Educational Research Triangle Authority. Mayor Boehm will serve a four-year term beginning on December 1, 2020.

BREAK

Vice Chair Harrison-Lee called for a break at 3:00 p.m. and resumed the meeting at 3:10 p.m.

CONSIDERATION OF DISCUSSION AGENDA

Fiscal Affairs and Audit

FY 2022 HOUSING AND FOOD SERVICE RATE ADJUSTMENT PROPOSAL SUBMITTED BY STATE UNIVERSITIES (FIRST READ)

Elaine Frisbie, Vice President for Finance and Administration, presented the first read of the FY 2022 Housing and Food Service Rate Adjustment proposals for the state universities. The Board will act on the proposals at the December meeting.

(Proposals filed with Official Minutes)

RESULTS OF FACILITIES CONDITION SURVEY AND SPACE UTILIZATION STUDY

Chad Bristow, Director of Facilities, presented the finding of the 2020 Facility Condition Assessment Report and the Space Utilization Study. These two systemwide studies of the state universities were commissioned by the Board in early 2020 and were financed by the Board’s appropriation from the Educational Building Fund. Director Bristow noted the data from the studies will be used to develop the Board’s comprehensive deferred maintenance initiative, which is a Board goal this year.

Accruent LLC conducted the systemwide facilities condition assessment on 474 buildings. Director Bristow noted the university system has approximately 1,000 buildings but given the time and resources available it was determined the scope of the assessment needed to be focused on mission critical facilities that support the academic missions of the universities. It was also noted that KU had already had an assessment done by Accruent before this study was commissioned and the assessment from its facilities was incorporated into the systemwide report, which brought the number of buildings included in the report to over 500. Director Bristow reported the facilities condition assessment conducted by Accruent adhered to industry standards for property condition assessments and was more intensive, systematic, and granular in detail than the methodology utilized for past reviews, which were conducted by university staff and validated periodically by a third party. In its assessment, Accruent defined deferred maintenance as the backlog of past-due work needed to address building deficiencies and properly maintain facilities, and Accruent used RSMeans Construction Cost Data, a trusted industry standard, to develop the present and future cost estimates for each building system.

Director Bristow reviewed the Facility Condition Index and noted the average condition of all buildings assessed was rated as “Fair” on the Index. He then broke down the number of buildings in each condition category on the Index – 121 excellent, 89 good, 178 fair, 113 poor, and 20 deficient. He also reviewed the cost to restore the buildings to 90 percent condition, and noted the buildings listed in the fair and poor categories would cost the most to restore – fair \$573,879,489 and poor \$728,994,881. Director Bristow stated the current estimate to restore the buildings that were assessed to a very good condition is \$1.46 billion and if the buildings were brought back to near perfect condition, it would cost \$2.16 billion. Comparatively, the estimated cost of renewal of the 321 EBF-eligible buildings identified in the 2018 Report on State University Deferred and Annual Maintenance report back to a good condition is estimated at approximately \$1.2 billion.

Regent Hutton asked that the buildings in the Facility Condition Index be broken down into EBF-eligible and non-EBF eligible. He stated the Board will need to determine if it is going to request any statutory restrictions on the EBF be removed, which will allow the Board to have more flexibility to address these deferred maintenance issues. Regent Hutton also believes that the buildings listed in the good and fair categories should be addressed first so they do not slip to the poor and deficient categories. President Flanders stated that the Board will be provided information on the restrictions associated with the EBF that are currently in statute or Board policy.

Director Bristow stated that Gould Evans, in association with Rickes Associates, conducted the university system space utilization study. The study focused on instructional and office space in 277 buildings, which, when combined, represents two-third of all assignable square footage (ASF) on the 11 campuses. Director Bristow stated the assessment involved the collection and analysis of enrollment and personnel and class schedule data that was collected during the fall of 2019 and that the study does not include the effects of the pandemic.

The results of the study showed that while the state universities are comparatively similar to other nationwide public universities with respect to assignable square feet (ASF) per FTE, each of the 11 campuses in Kansas used instructional space below, and sometimes well below, target metrics and that there is more office space across the campuses than is hypothetically necessary. Overall,

Gould Evans identified a total of 1,920,000 ASF that could be considered ‘opportunity’ space, with at least half of that amount considered practical to repurpose or remove from service.

Director Bristow stated that Accruent has also been hired to incorporate the facilities condition and space utilization data sets together into a single database system that the Board and universities will be able to use. He then reviewed what the next steps are for the Board’s deferred maintenance initiative, which include: 1) producing a consolidated deferred maintenance and inventory report for the Legislature, 2) working with KDFRA on bonding scenarios, 3) developing a systemwide capital planning prioritization and ranking system for projects, 4) establishing a space committee to develop and implement space utilization and area standards, and 5) establishing a facilities condition committee to develop VFA Facility data maintenance standards. Regent Hutton stated the report to the Legislature will need to be a concise executive summary that explains the challenges that the system faces while also showing ways to move forward.

(PowerPoint filed with Official Minutes)

REPLACE ONLINE FEE WITH COURSE INFRASTRUCTURE FEE – PSU

President Scott presented Pittsburg State University’s request to replace its online fee with a course infrastructure fee beginning in spring 2021. The proposed change includes eliminating the Electronic Access Fee of \$36 per credit hour and replacing it with a new Course Infrastructure Fee at \$8 per credit hour for part-time students and a flat amount of \$120 per semester for full-time students. President Scott stated the object of the change is to provide a more consistent and simpler fee structure for students and noted under the flat rate most students will see similar or lower charges. Regent Schmidt moved to approve the fee structure change. Regent Rolph seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried

Academic Affairs

BOARD POLICIES REGARDING THE STATE AUTHORIZATION RECIPROCITY AGREEMENT (SARA)

Daniel Archer, Vice President for Academic Affairs, presented two new Board policies related to the State Authorization Reciprocity Agreement (SARA) student complaint process. Dr. Archer stated the Board serves as the State Portal Entity for Kansas and is responsible for maintaining consumer protection processes concerning SARA activities as well as determining institutional eligibility and compliance with SARA policies. He also noted recently the National Council for State Authorization Reciprocity Agreements updated its policies to require member states to develop and implement a process to accept and resolve appeals from institutions for which initial approval of participation or renewal of participation has been denied. This process must be implemented by January 1, 2021. To address the Council’s new requirements, the following policies were drafted:

CHAPTER I: BOARD OF REGENTS MEMBERS, OPERATIONS AND STAFF

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B. BOARD OFFICE AND OFFICE OPERATIONS

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6 PROCEDURES RELATING TO INSTITUTIONAL APPEALS UNDER THE STATE AUTHORIZATION RECIPROCITY AGREEMENT (SARA)

- a The Board of Regents, as the State Portal Entity, is authorized to exercise all powers, duties and responsibilities associated with and required under the terms of the state authorization reciprocity agreement (SARA) for any postsecondary educational institution that has a physical presence in the state and has voluntarily submitted to the jurisdiction of the Board of Regents to the extent required to enable the postsecondary educational institution to participate in SARA. (K.S.A. 74-32,194). SARA Manual Version 20.2 (June 2020) requires that the State Portal Entity develop and implement a means to hear and internally resolve appeals from institutions for which the State Portal Entity denies initial participation or renewal of participation in SARA. The State Portal Entity is also required to have an appeal process for institutions removed for violation of, or noncompliance with, SARA policies.

- b Grounds for appeal. Institutions can appeal the denial of initial participation or renewal of participation on two grounds: (1) the State Portal Entity did not follow initial application or renewal processes as outlined in the SARA Manual; and/or (2) the State Portal Entity erroneously determined that the institution is not eligible to participate or renew its participation in SARA. An institution can appeal its removal for violation of, or noncompliance with, SARA policies by showing it complied with all SARA policies.

- c Appeal Procedure
 - i Timeline
 - (1) Notice of Intent to Appeal. Appealing institutions must submit a notice of intent to appeal in writing to the State Portal Entity within 7 days after receiving notice of the adverse decision.

 - (2) Appeal. Appealing institutions must submit a letter identifying the grounds for the appeal and all supporting documentation to the State Portal entity within 7 days after submitting the notice of intent to appeal.

 - ii Appeal Content. The appeal must consist of a letter stating the grounds for the appeal and include the supporting documentation demonstrating that the SARA procedures were followed, the institution meets the eligibility criteria, and/or the institution complied with all SARA policies.

 - iii Decision by the State Portal Entity. The Board President and Chief Executive Officer, on behalf of the Board, shall provide a written decision on the appeal within 14 days of the appeal's receipt. If the appeal is denied, the Board President and

Chief Executive Officer, or designee, will immediately notify the SARA Regional Compact of the decision.

iv Further Appeal Rights. The institution may appeal the denial of initial participation or renewal participation within 30 days to the Regional Compact to ensure SARA policies were upheld during the State Portal Entity's review process. If an institution is removed for violation of, or noncompliance with, SARA policies, the institution can ask the Regional Compact to determine if the Home State continues to meet SARA requirements, but the Regional Compact cannot direct the State Portal Entity to make a different determination regarding the specific case.

d Institutional Status During Appeal. During any appeal, the Institution's status as a SARA participating or non-participating Institution remains unchanged. If an institution's SARA participation expires during the appeal process, the institution will remain a participating institution until such time as the appeal process is resolved.

CHAPTER III: COORDINATION¹ - STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, WASHBURN UNIVERSITY AND/OR THE WASHBURN INSTITUTE OF TECHNOLOGY

A ACADEMIC AFFAIRS

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17 STUDENT COMPLAINT POLICY FOR STATE AUTHORIZATION RECIPROcity AGREEMENT (SARA) PARTICIPATING INSTITUTIONS

A The Board of Regents, as the State Portal Entity, is authorized to investigate certain complaints received from out-of-state students enrolled in programs offered by Kansas based SARA participating institutions.

B Before a complaint can be filed with the State Portal Entity, a student must go through the institution's own procedures for grievance resolution.

C If the student is not satisfied with the outcome of the institutional process for handling complaints, qualifying complaints may be appealed within two years of the incident about which the complaint is made. The Board of Regents SARA Complaint Form must be used.

D Complaints about grades or student conduct violations may not be appealed. Examples of issues that may be raised include, but are not limited to:

i Veracity of recruitment and marketing materials;

ii accuracy of job placement data;

¹ See Chapter I., Section A.3 for definition of Coordination.

- iii accuracy of information about tuition, fees and financial aid;
- iv complete and accurate admission requirements for courses and programs;
- v accuracy of information about the institution's accreditation and/or any programmatic/specialized accreditation held by the institution's programs;
- vi accuracy of information about whether course work meets any relevant professional licensing requirements or the requirements of specialized accrediting agencies;
- vii accuracy of information about whether the institution's course work will transfer to other institutions; and
- viii operation of distance education programs consistent with practices expected by institutional accreditors (and, if applicable, programmatic/specialized accreditors) and/or the C-RAC Guidelines for Distance Education.

Regent Van Etten moved to approve the new policies, and Regent Schmidt seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried

Future Council

RECOMMENDATIONS FROM THE FUTURE OF HIGHER EDUCATION COUNCIL

Regent Harrison-Lee stated that during the 2020 Session, the Kansas Legislature directed the Board to develop a three-, five- and ten-year plan for higher education. In response to this request, the Board established the Future of Higher Education Council with legislative, governor and higher education sector representatives. The Board charged the Council with 1) analyzing affiliations and partnerships in the KBOR system to enhance the delivery of higher education to Kansans, and 2) ensuring alignment of facility and infrastructure capacity with projected enrollments. She noted the Council met five times over the summer and fall and at its final meeting, approved 14 recommendations for the Board to consider. Regent Harrison-Lee thanked the Council members for their time and the Board staff for supporting the Council.

President Flanders stated that because of how the pandemic impacted the higher education system, the Council decided to focus its efforts on developing recommendations that will influence the system well beyond ten years. Throughout the different meetings, three key themes emerged from the Council's discussions: 1) access and success, 2) equity and social mobility, and 3) structure of the higher education system. President Flanders then presented the below recommendations.

Access and Success

- 1) Implement/incentivize systemwide corequisite remediation in math and English

- 2) Develop a plan to address implementing math pathways
- 3) Explore additional ways to connect Kansas businesses with colleges and universities to enhance the talent and innovation pipeline
- 4) Explore an initiative that includes all public postsecondary institutions working in conjunction to promote the importance of higher education to students and families
- 5) Analyze mechanisms by which student debt relief can be used as an incentive to keep graduates of Kansas colleges and universities in the state after graduation
- 6) Conduct a comprehensive review of teacher preparation programs to ensure that they are providing teachers with skills needed for success, including math, computer science and literacy skills

Equity and Social Mobility

- 7) Explore, develop and scale early college programs using a comprehensive, multifaceted approach to ensure equity and access
- 8) Advocate for universal completion of the Free Application for Federal Student Aid (FAFSA) at the high school level
- 9) Advocate for enhanced need-based student financial aid to support equity and social mobility

Structure of the Higher Education System

- 10) Begin to implement administrative collaboration/efficiency in areas such as information technology, finance, and data
- 11) Implement a plan to address deferred maintenance and align facilities with current and projected enrollments
- 12) Identify mechanisms (including tax credits) to support building needs at technical colleges and community colleges
- 13) Advocate for legislation allowing smoother pathways toward affiliations between universities and community colleges and technical colleges
- 14) Work to improve program-to-program articulation to increase seamlessness across the public higher education system

President Flanders stated that work on some of the recommendations has already begun because they align with the Board's strategic plan, *Building a Future*. For the other recommendations, Board staff will be developing implementation timelines and the scope of work descriptions, which will be presented to the Board at a future meeting. He also noted some of the recommendations will require legislative partnership in order to move forward. The Board discussed funding for the different recommendations, and Regent Hutton suggested that the recommendations should be sent to the Governor so she can decide if she wants to include any of them in her budget. Regent Kiblinger stated implementing corequisite remediation in math and English and implementing math pathways will remove barriers and may be one way to impact equity gaps.

(Report filed with Official Minutes)

Other Matters

NON-BUDGETARY LEGISLATIVE PROPOSALS (FIRST READ)

Matt Casey, Director of Government Relations, presented the first read of the non-budgetary legislative proposals, which are listed below.

- 1) Amendments to the Private and Out-of-State Postsecondary Educational Institution Act to clarify and strengthen the Board's authority over private and out-of-state postsecondary educational institutions operating in Kansas to allow for additional consumer/student protection and institutional accountability.
- 2) Renewal of the Engineering Initiative Act to FY 2032
- 3) Amendments to the Motorcycle Safety Fund and Truck Driver Training Fund statutes to shift responsibility for administration of motorcycle safety courses and programs and truck driver training courses and programs from the Board of Regents to the Division of Motor Vehicles.
- 4) Support legislation authorizing voluntary affiliation/merger between state universities and community and technical colleges
- 5) Increased 529 investment options to allow for third-party investments into 529 college savings accounts as well as other statutory amendments to provide more investment pathways for Kansans to achieve a postsecondary credential.
- 6) Support school district tuition payment flexibility To allow school districts the flexibility to pay for tuition, fees, books, materials, and equipment for any qualified high school student who is concurrently or dually enrolled at a post-secondary education institution.

The Board will act on these proposals at the December meeting. Director Casey then reported that the Board office made a budget submission asking that the proviso on the EBF regarding the square footage funding formula be amended, and he reviewed the results of the state elections.

REPORT FROM TECHNICAL EDUCATION AUTHORITY

Scott Smathers, Vice President for Workforce Development, provided an update on the Technical Education Authority's (TEA's) program review of Excel in CTE tuition and fees. He stated the Board is responsible for establishing general guidelines for tuition and fee schedules in career technical education courses and programs. To meet this requirement, the TEA worked with the community and technical colleges and Board staff to establish which fees would be allowed. The allowable fees generally are the ones associated with items or services the students can take with them or are industry-specific fees that are required for entrance into a program. Vice President Smathers noted at its February 2020 meeting, the TEA reviewed all course and program fees for each of the 26 colleges and approved the allowable fees as defined in the guidelines. The Board then approved the fee list at its March 2020 meeting. He also noted that after the TEA approves new Excel in CTE programs and the fee structures, these items will be forwarded to the Board for final approval.

WICHITA STATE UNIVERSITY PRESIDENTIAL SEARCH PROCESS

Regent Harrison-Lee stated that Board policy requires the Board to determine the appropriate process for selecting a university CEO. Experience has shown that many sought-after candidates are in university leadership positions, and for that reason are reluctant to be publicly linked to a search at another institution. So, in order to attract as many qualified candidates as possible, the

recommendation is to conduct a closed, committee-led search. President Flanders reviewed the Board's Appointments policy, which stated that the Board can appoint a search committee or lead the search itself. The process can be open or closed with the only difference being in an open search, candidates visit the campus to meet constituents. President Flanders then recommended the Board hire AGB Search as the search consultant, and if the Board decides to have a committee-led search, he recommends appointing Regent Schmidt to serve as the Board representative and recommends appointing Dan Peare, who is a WSU graduate and a WSU Foundation Board member, as committee chair. President Flanders informed the Board that he received statements from the WSU student government and faculty regarding the makeup of the committee, and both groups requested that the Board consider adding more WSU students, faculty and staff to the committee. The Board discussed the committee membership and noted the importance of having a variety of constituent groups associated with the University on the committee. Most of the Regents concurred that adding a few more faculty and student representatives to the committee would be appropriate to even the balance of internal and external members. Following discussion, Regent Rolph moved that the Wichita State University Presidential Search be a closed committee-led search and that the Board hire AGB Search as the search consultant. He also moved that the Board appoint Dan Peare as the Committee Chair and appoint Regent Schmidt and President Flanders to serve on the Committee as the Board representatives. Regent Hutton seconded. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Harrison-Lee, Regent Murguia, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, Regent Van Etten, and Regent Bangerter. The motion carried.

Regent Kiblinger requested that President Flanders work with the search consultant to determine when the Board will be interviewing candidates. She stated that she would like to add the dates to her calendar as soon as possible. Regent Van Etten stated that she would like the Committee to forward at least three to five candidates for the Board to consider.

ADJOURNMENT

Vice Chair Harrison-Lee adjourned the meeting at 5:05 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

October 14, 2020

The October 14, 2020, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn at 10:00 a.m. The meeting was held in the Board Office located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT:

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Regent Harrison-Lee moved that the minutes of the September 9-10, 2020 regular meeting and the September 24, 2020 special meeting be approved. Following the second of Regent Hutton, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Chair Feuerborn reported that Wichita State University held its 2020 spring and summer commencement ceremony last weekend. On behalf of the Board, he congratulated all the graduates and their families and noted the importance of continuing to celebrate student success during the pandemic. Regent Feuerborn also reported that today's Board agenda includes carry over items from last month's meeting and specific topics for the Board to discuss and for which to provide guidance.

REPORT FROM PRESIDENT AND CEO

President Flanders stated that in June the Board resumed its practice of meeting in person at the Board office and noted that the Board room is set up to meet social distancing standards. He stated the regular Board meetings will continue to be livestreamed and noted that an overflow room in the office will be used when the capacity in the Board room is reached.

President Flanders reported that last month members in the higher education system were all deeply saddened to learn of the passing of Reggie Robinson. Reggie was an important leader in the state's public higher education system, serving as President and CEO of the Board of Regents

and later as Vice Chancellor at the University of Kansas. His legacy in higher education was significant. Reggie created the structure of the Board's first ever strategic plan, *Foresight 2020*, which was an enormous step for the system, and he oversaw the implementation of the Board's first transfer and articulation plan. Also during his administration, the Postsecondary Technical Education Authority was created by the Legislature, the affiliation between Washburn University and Kaw Area Technical College was approved by the Board, and four university CEO searches were conducted, including three that occurred simultaneously, one of which resulted in the hiring of President Scott. President Flanders stated that as important as his accomplishments were, Reggie also touched many lives as a leader, friend and mentor. A tribute video was then shared which contained comments from past Board Chairs who served with Reggie – Regent Jack Wempe (2002), Regent Janice DeBauge (2003), Regent Christine Downey-Schmidt (2007), and Regent Jill Docking (2009). President Scott, Chancellor Girod, Regent Bangerter, and Regent Feuerborn also shared their memories of working with Reggie and all of his amazing accomplishments throughout the years. President Flanders, on behalf of the Board and the system of higher education, extended his condolences to Reggie's wife Jane and daughters Clare and Paige.

REPORT FROM THE COMMUNITY COLLEGES

President Rittle stated he worked with Reggie at the Board office and extended his condolences to Reggie's family.

President Rittle reported that this year during his community college reports he will be highlighting activities for a third of the colleges each month. This month he covered Fort Scott Community College, Garden City Community College, Highland Community College, Dodge City Community College, and Hutchinson Community College. The leaders at these colleges reported that issues related to the pandemic have been challenging, and one college noted the biggest challenge it has faced is trying to keep students who are either quarantined or isolated connected to their classes, so they do not fall behind. It was noted students may be isolated for two or more weeks depending on their individual circumstances. The college leaders reported that the increase in communication between the colleges and their local communities and community leaders is one positive byproduct of the pandemic. The pandemic has also highlighted the importance of having face-to-face classes for students. President Rittle then highlighted partnerships that the colleges are involved with, including Fort Scott Community College's partnership with the Crawford County Career & Technical Center and the collaboration between Garden City Community College and Cloud County Community College on their paramedic programs. Regent Rolph requested information on the COVID-19 positivity rates for the college campuses. President Rittle reported that the vast majority of the college students who have contracted the virus have experienced mild symptoms, and he noted at his College, Cowley County Community College, the positivity rate is 0.3 percent, which includes students, faculty, and staff.

President Rittle also announced that the Seward Community College Board of Trustees recently named Brad Bennett as their new president. President Bennett had served as Executive Vice President at Colby Community College before accepting this position.

REPORT FROM THE TECHNICAL COLLEGES

President Genandt reported that the technical colleges continue to update their websites with information related to the pandemic and noted that Manhattan Area Technical College has reported

only twelve positive cases on campus since returning to in-person classes in May. He thanked all the students, faculty and staff for their efforts to slow the spread of the virus. President Genandt reported that Northwest Kansas Technical College is preparing for an accreditation visit at its Gove County location where its welding technology program is housed. This visit was previously delayed because of the pandemic. It was noted that this program has strong enrollment and is supported by the local businesses. Flint Hills Technical College is currently renovating its Culinary Arts facility, which should be completed in April 2021. This is a \$2 million renovation project. Four colleges (Manhattan Area Technical College, Salina Area Technical College, North Central Kansas Technical College, and Northwest Kansas Technical College) submitted a grant proposal to the U.S. Department of Labor. If funded, the money will be used for transportation and construction trades in each of the college's service areas. It was also reported that Flint Hills Technical College, North Central Kansas Technical College, Manhattan Area Technical College, and Northwest Kansas Technical College were each awarded the Advanced Manufacturing Grant.

REPORT FROM THE UNIVERSITY CEOS

President Garrett reported that the format for classes this semester at Emporia State University is 74 percent face-to-face, twenty percent hybrid, and six percent online. As of this morning, ESU has two students in quarantine and one in isolation on campus. President Garrett stated that, as anticipated, total enrollments at the University are down – 49 in headcount and 102 in full-time equivalency (FTE). However, she stated that graduate student enrollments increased and are the largest enrollments on record for the University. President Garrett reported that the University also increased its retention and graduation rates. Regarding student success, President Garrett stated that the School of Business's Beta Gamma Sigma Chapter received the national society's highest honor for the fifth year in a row and is the only school in Kansas to receive this honor. She also reported that the Teachers College is partnering with the College Football Playoff Foundation on the Go Teach Project, which is an initiative designed to help athletic and academic departments recruit qualified student-athletes into the teaching profession. Currently, ESU has 53 student athletes who are majoring in education.

Chancellor Girod reported the University of Kansas's overall enrollment for fall is down 2.8 percent. The one-year retention rate is the second highest in University history at 85.7 percent and the two-year retention rate is at an all-time high of 77.1 percent. Chancellor Girod stated the University's freshman class has the highest high school GPA of any class at 3.64. KU also set records in its diversity, out-of-state, and military enrollments. The Chancellor reported that later this week KU will hold a ground-breaking for Phase III of the Bioscience & Technology Business Center (BTBC) project. It was noted that the BTBC is a unique partnership between the City of Lawrence, Douglas County, Kansas Department of Commerce, University of Kansas, and the Lawrence Chamber of Commerce to support the bioscience and technology industries in northeastern Kansas. Chancellor Girod reported that KU is involved with several research projects related to COVID-19 and stated that Dr. Steven Soper, a KU chemistry and mechanical engineering professor, and his graduate students are leading the way on developing an at-home COVID-19 test. He also noted that the University of Kansas Medical Center was chosen as one of 32 institutions to receive a grant from the National Institutes of Health (NIH) to support projects designed to rapidly implement COVID-19 testing strategies in populations disproportionately affected by the pandemic. The Chancellor then paid tribute to two successful Jayhawks who passed away in September – Chancellor Gene Budig and Gale Sayers.

President Myers stated that half of the semester has been completed, and he is hopeful that the University can continue to operate with the same class format, which is a mix of in-person, online, and hybrid courses, for the remainder of the semester. However, he is still concerned that off campus activities are spreading the virus and is worried about the start of the flu season. President Myers reported that last week, the University had 18 positive COVID-19 cases out of the 937 individuals who were tested at the Lafene Health Center, which is a positivity rate of 1.9 percent. The week before, the positivity rate was 4.7 percent. President Myers stated he is proud of the KSU students for adhering to the University's mask policy and noted that the KSU marching band has been able to put procedures in place to allow the students to continue to play. KSU's fall graduation will take place over three days and will be held in Bramlage Coliseum. Each graduate will be able to invite two guests, which will allow the University to de-densify the Arena to adhere to social distancing guidelines. President Myers reported that KSU increased its retention rate to 81.1 percent and increased its six-year graduation rate. He also announced that Claudia Petrescu was recently named to serve as the Dean of the Graduate School. She will be replacing Dean Carol Shanklin, who is retiring at the end of the year.

President Scott reported that Pittsburg State University's student enrollments are down 3.7 percent, but despite it being down the mix of enrollment will allow the University to meet its revenue projections for the year. President Scott stated that he will be attending a Town Hall meeting later this week to discuss the University's finances and with the current projections, he is not expecting to implement any furloughs or salary reductions during FY 2021 unless something significant changes. However, the financial environment for FY 2022 is more concerning with the state's financial challenges. Regarding the COVID-19 case rate on campus, President Scott reported the University numbers are trending down with only three positive student cases being reported last week. However, the community is concerned with the number of positive cases and hospitalizations in Crawford County. President Scott stated that the University will continue to work the city and county officials to help slow the spread of the virus. President Scott announced that the Pittsburg State football team will play five games this year and two of them will be home games. For the home games, the stadium will be at 25 percent capacity with no tailgating allowed. Pittsburg State will also hold a fall commencement ceremony later in the semester and graduates will be allowed to invite four guests each. President Scott also announced that PSU has created a Diversity, Equity, and Inclusion Council that will be led by Deatrea Rose, Director of Student Diversity Programs. The charge for this Council is to build a plan to ensure Pittsburg State is a place in which everyone feels safe and is treated fairly and equitably, and its first task is to conduct a university-wide climate survey. President Scott also reported that Pittsburg State University is moving its spring break to the end of the spring semester.

President Mason stated that during the summer Fort Hays State University started enrolling students in its new online Bachelor of Social Work program. The University's five-year enrollment projection showed the program starting with ten students in the fall of 2020 and then growing to 65 students by fall of 2024. President Mason reported the enrollments for this fall doubled the projections with 22 student enrollments. The University's Master of Social Work program also enrolled 21 more students than was projected for a total enrollment of 56. President Mason stated the University's Journey fundraising campaign is the largest, most aggressive campaign in school history with a goal of raising \$100 million. With a full year left, the University

is on track to reach its goal. President Mason reported that over 23,000 donations have been made to the campaign and that \$18.3 million in student scholarships have already been awarded. Lastly, President Mason reported that Fort Hays State increased its student retention rate to 78 percent, which surpassed the University's goal of 75 percent.

Acting President Muma reported that the Council of Presidents met briefly this morning to discuss the proposed student health insurance benefits and premium rates for plan year 2021-2022. After receiving information from the Student Insurance Advisory Committee, the Council approved the proposed early renewal recommendation of a nine percent fixed rate increase with no changes in benefits. Acting President Muma stated that the Board is scheduled to consider this proposal later in today's agenda. The Council also approved the University of Kansas's request to offer a Master of Engineering (ME) in Bioengineering, which will be forwarded to the Board for consideration at a future meeting.

Acting President Muma reported that Wichita State University's enrollment was down three percent, which the University had projected. The University was down in concurrent enrollments but slightly up in graduate student enrollments. It was also noted that the University's revenues are stable even with the decrease in enrollments. Dr. Muma stated so far this semester 62 students have tested positive for COVID-19, which has resulted in a positivity rate of 3.3 percent. He then reported that on Monday, October 19, there will be ribbon cutting ceremony to mark the opening of Wichita State University's Molecular Diagnostics Lab. This Lab, when fully operational, will be able to conduct 3,000 COVID-19 test per day, and Dr. Muma noted it will be the only high-volume test lab in the state. Dr. Muma stated that Wichita State student-athletes set a school record with a 3.54 cumulative grade point average, which continued a 30-semester streak of 3.0 or higher. Also in spring 2020, 119 Shocker athletes were named to the Dean's List with a GPA of 3.5 or higher, 54 had a 4.0 GPA, and all 11 teams earned a cumulative GPA above 3.0. Dr. Muma noted that Deloitte and Wichita State University recently announced the launch of The Smart Factory @ Wichita, which is a groundbreaking and immersive experiential learning environment that will accelerate the future of manufacturing. Acting President Muma also reported that Wichita State will complete a comprehensive review of its Campus Master Plan in 2021.

BREAK

Chair Feuerborn called for a break at 11:25 a.m. and resumed the meeting at 11:35 a.m.

APPROVAL OF CONSENT AGENDA

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

Technical Education Authority

MANHATTAN AREA TECHNICAL COLLEGE'S CRITICAL ENVIRONMENTS TECHNOLOGIES PROGRAM

Manhattan Area Technical College (MATC) received approval to offer a Technical Certificate B (38 credit hours) and an Associate of Applied Science degree (62 credit hours) in Critical Environments Technologies (15.0599). The initial cost of the program is estimated at \$92,650, which will be funded with a National Science

Foundation Advanced Technology Education grant. Ongoing costs of the program will be funded with tuition, fees, state aid, MATC foundation funds, Capital Outlay, and Carl D. Perkins funding (if eligible). The College will begin offering the program in the fall of 2020.

ALIGNMENT FOR AUTOMOTIVE COLLISION AND REFINISHING TECHNOLOGY REVISIONS

The revisions to the Automotive Collision and Refinishing Technology program alignment were approved. The attached alignment maps reflect the changes.

(Maps filed with Official Minutes)

CONSIDERATION OF DISCUSSION AGENDA

Technical Education Authority

REPORT FROM THE KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Ray Frederick, Chair of the Kansas Postsecondary Technical Education Authority (TEA), provided an update on the TEA's activities. At its last meeting, the TEA approved its FY 2021 goals, which are listed below.

- Continue the Extraordinary Costs review – the TEA is developing an ongoing process to update systemwide expenditures using actual institution data to ensure extraordinary costs accurately account for real institutional costs. Approximately 50 programs will be reviewed during AY 2020 (2020-2021).
- Excel in CTE fund allocations – Based on future expected state revenues and the current Excel in CTE FY 2021 budget reduction, the TEA plans to evaluate alternative allocation methodologies that might better meet the objectives of the program.
- Continue existing CTE programs review – the TEA will review all programs whose graduates are employed in jobs that pay less than 250% of the poverty rate. Conducting this review in no way means that the programs will automatically be reclassified to non-tiered, as each program will be reviewed on its own merits.
- Work based learning definitions, guidelines and processes – the TEA will ensure that the postsecondary system is aligned with Federal and the Kansas Department of Commerce guidelines and will ensure that the definitions, rules and regulations are consistent, which will help avoid confusion for both the institutions and students.
- CTE program alignment with the Kansas State Department of Education (KSDE) – the TEA will work with KSDE on program alignment to help define what programs at the high schools have a pathway into college. As part of this effort, common definitions between secondary and postsecondary will need to be established.
- College Program Information Marketing – the TEA will review ideas for expanding awareness of the multiple websites that already exist that help users search for a program of interest, find every institution that offers it, and acquire specific information regarding the program such as certifications earned, program cost, required courses, etc.

He noted that many of these goals are a continuation of 2020 goals. Chair Frederick also thanked the Board's Workforce Development Unit for all the work they do to support the TEA. Regent Hutton stated he is pleased that the TEA is reviewing CTE programs and asked what the TEA is hearing from business and industry. Chair Frederick spoke about the importance of having business and industry leaders involved with program alignment and noted the Board just approved the new alignment for the Automotive Collision and Refinishing Technology program. That review was initiated in response to a request by business and industry leaders. Regent Kiblinger stated she likes the idea of partnering with KSDE to identify what programs at the high schools have a pathway into a CTE program. She noted the importance of increasing access to these pathways so that secondary students throughout the state have the same opportunities. She understands that this is a complicated issue but would like the TEA and KSDE to identify the access barriers so that solutions can be developed. Regent Schmidt asked for clarification on how the TEA is going to review programs whose graduates are employed in jobs that pay less than 250% of the poverty rate. Chair Frederick stated the TEA will review each program on its own merits and not every program will be reclassified to non-tiered. The TEA understands that certain programs are vital to the state's workforce even if its graduates earn less than 250%. President Flanders thanked the TEA for conducting this review and noted it is difficult but important work. He also encourages the TEA to continue to look at the extraordinary costs and fees associated with programs because these can be barriers for students.

Student Health

KANSAS BOARD OF REGENTS STUDENT HEALTH INSURANCE BENEFITS AND PREMIUM RATES FOR PLAN YEAR 2021-2022

Doug Ball, Chair of the Student Insurance Advisory Committee, presented the Committee's recommendation for the plan year 2021-2022 student health insurance benefits and premium rates. The Board's student health insurance plan is offered through MHECare and is underwritten by UnitedHealthcare – Student Resources (UHC-SR). For plan year 2021-2022, UHC-SR made an early renewal offering available, which will allow students and families to obtain information sooner. The early renewal may also positively impact the enrollments in the voluntary plan. Chair Ball stated the Committee reviewed the two proposals from UHC-SR for plan year 2021-2022:

1. Commit to Renew Now ("Fixed Rate"): At an agreed upon increase of 9% to lock in the premium rates for the next academic year; or,
2. Commit to a Future Renewal ("Rate Guarantee"): UHC-SR will agree that the renewal rates for the next academic year will not exceed a cap of 12%. The actual rates will be increased by 12% or less, determined through negotiation at the typical renewal time.

Following its review of the proposals, the Committee decided to recommend the 9% across-the-board fixed rate option, which was viewed as a reasonable increase. It was also noted that the plan benefits will not change for the 2021-2022 plan year. Chair Ball stated the Council of Business Officers and the Council of Presidents concurred with the fixed rate recommendation. Regent Bangerter moved to approve the Committee's recommendation. Regent Schmidt seconded, and the motion carried.

BREAK

The Board took its lunch break at 12:00 p.m. and resumed its meeting at 12:45 p.m.

Academic Affairs**RECOMMENDED HIGH SCHOOL COURSES FOR COLLEGE PREPARATION**

Daniel Archer, Vice President for Academic Affairs, stated when the new Qualified Admission regulations take effect, specific high school courses will no longer be a requirement for admission to the state universities. However, to help guide high school counselors, parents, and students toward a pathway that fosters college readiness, the Kansas Scholars Curriculum is being repurposed. This Curriculum includes recommended coursework for high school students who wish to pursue postsecondary education at a state university. The coursework also aligns with the Kansas State Scholarship award. The details of the proposed curriculum are listed below, and Dr. Archer reiterated that the curriculum framework is only recommended and is not required for admission into a state university.

Recommended Scholars Curriculum Courses*English - 4 years*

One unit to be taken each year. Must include substantial recurrent practice in writing extensive and structured papers, extensive reading of significant literature, and significant experience in speaking and listening.

Mathematics - 4 years

Algebra I, Algebra II, Geometry, and one unit of advanced mathematics--suggested courses include: Analytic Geometry, Trigonometry, Advanced Algebra, Probability and Statistics, Functions or Calculus.

Science - 3 years

One year each in Biology, Chemistry, and Physics, each of which include an average of one laboratory period a week. Applied/technical courses may not substitute for a unit of natural science credit.

Social Studies - 3 years

One unit of U.S. History; minimum of one-half unit of U.S. Government and minimum of one-half unit selected from: World History, World Geography or International Relations; and one unit selected from: Psychology, Economics, U.S. Government, U.S. History, Current Social Issues, Sociology, Anthropology, and Race and Ethnic Group Relations. Half unit courses may be combined to make this a whole unit.

Foreign Language - 2 years

Two years of any one language. Latin and Sign Language are accepted.

Regent Harrison-Lee moved to approve the Kansas Scholars Curriculum as the Board's recommended college preparation curriculum. Regent Schmidt seconded, and the motion carried.

NEW FRAMEWORK FOR PERFORMANCE FUNDING

Vice President Archer stated with the adoption of the Board's new strategic plan, *Building a Future*, it is time to begin the process of developing a new framework for performance funding. He noted that the current performance funding model is limited because it lacks the structure to ensure that there is continuity among institutions, alignment with the Board's strategic plan, and a system in which the data can be consistently verified. Dr. Archer stated after analyzing performance funding in other states, three recurring themes regarding their metrics stood out: 1) they are based on national and state higher education system data sources, 2) they are pre-defined, and 3) they aligned with the state higher education system's strategic plan. Based on this information and concerns raised by Board members on how the current plan functions, the following recommendations were made for the new performance funding framework.

- The performance funding initiative should be retitled "student-centered funding" to ensure that students are at the forefront of this initiative;
- The preliminary framework would require institutions to select from a pre-determined list of metrics that align with the student-centered areas identified in the Board's strategic plan: 1) success and completion, 2) improving affordability, 3) expanding access, and 4) decreasing equity gaps; and
- The metrics would be based on data available in the Kansas Higher Education Data System, the National Student Clearinghouse, or IPEDS.

Vice President Archer stated in each student-centered area, the institutions would be allowed to select either one or two metrics from the pre-determined list in each section. He also noted the earliest the new framework could be implemented is FY 2022. Regent Bangerter stated he likes the idea of aligning the performance agreements with the Board's new strategic plan and having pre-defined metrics that can be verified. He noted the current framework is not helpful because it lacks these elements. Regent Schmidt concurred that the current performance agreement model provides little value with regard to evaluating the institutions. He believes the new framework needs to include metrics that will move the institutions and system forward and likes the fact that this framework is using data that is already being collected. Regent Schmidt did note that the number of metrics that the institutions are to be measured on should be limited and believes six is way too many. He also wanted to know if the metrics will be the same for the colleges and universities. Vice President Archer stated that the new framework will most likely contain two tracks – one for colleges and one for universities. Regent Kiblinger stated it is critical to align the new performance funding model with the Board's strategic plan and believes there needs to be plenty of metric options under each category for institutions to choose from. She also likes the idea of limiting the number of metrics that the institutions are evaluated on. Regent Harrison-Lee stated that by aligning with the Board's strategic plan, the performance agreements will help the institutions and the Board address some of important needs for the system like closing the enrollment equity gaps. Chancellor Girod stated that institutional research is a large component of the three research universities and believes it should be included in the new framework. President Myers concurred and stated that placement rates should also be considered as a metric option. Regent Kiblinger agreed that research and placement rates should be included in the new model. Regent Van Etten likes the idea of the new performance model and asked about the process to move this forward. Dr. Archer stated the next steps are to work with the institutions and the Board's Academic Affairs Standing Committee to solidify the framework and identify metrics

under each category. He noted the institutions will have many opportunities to provide feedback on the new model.

Fiscal Affairs and Audit

ALLOCATION OF FY 2021 EDUCATIONAL BUILDING FUND APPROPRIATION – SYSTEM

Chad Bristow, Director of Facilities, reported the two deferred maintenance studies that the Board commissioned earlier this year will serve as an initial step to evaluate state university facilities and gather data to support a request for state funding to address deferred maintenance. To further develop the data that was gathered, it is recommended that Accruent LLC be engaged to incorporate the facilities condition and space utilization data together into a single database, as well as work with the Board Office and university stakeholders to configure the database with an analytic mechanism. It is also recommended that an allocation from the Educational Building Fund (EBF) be used to finance the cost of this additional service. Regent Hutton asked whether compiling the data into a single database will delay the final reports. Director Bristow stated the reports from the two studies are still scheduled to be completed by the end of October 2020 and that this additional step will not impact those reports. He also noted that a single database will be helpful to the Board as it develops its comprehensive plan. Regent Rolph moved to approve the recommendations. Regent Murguia seconded, and the motion carried. The following distributions will be made from the EBF:

Allocation of Educational Building Funds for State University Deferred Maintenance Data Analysis and Process Development

	<u>Allocation</u>
University of Kansas	\$33,894
University of Kansas Medical Center	\$14,238
Kansas State University	\$37,800
Wichita State University	\$13,734
Emporia State University	\$7,560
Pittsburg State University	\$9,324
Fort Hays State University	<u>\$9,450</u>
Total	\$126,000

Other Matters

BOARD GOALS FOR 2020-2021

President Flanders reported the Board adopted its new strategic plan, *Building a Future*, at the June Board meeting. The plan contains three messaging pillars: 1) Kansas families, 2) Kansas businesses, and 3) Kansas economic prosperity. Under each pillar are areas of focus and dashboard metrics. President Flanders reviewed why specific areas of focus were identified in the plans including affordability, access, success, and the talent pipeline. He noted that level of education matters to individuals and to the state. Those who have attained a degree or certificate beyond high school earn more and tend to be less affected by an economic downturn, which can be seen in the unemployment data associated with the pandemic. President Flanders stated the state's recovery after the last economic downturn was slow and noted that the net outmigration over the

past decade in Kansas was over 52,000 people. It was also noted that many of these individuals have degrees beyond high school and are leaving Kansas to pursue more lucrative positions in other states. President Flanders stated these trends need to be reversed in order for the state and Kansans to prosper, and he believes the metrics identified in the strategic plan can help move the state forward. He then highlighted the proposed Board goals, shown below, for this year and noted that most of the goals directly advance the priorities laid out in the strategic plan.

Helping Kansas Families

1. Improve academic program transfer by creating a systemwide general education (GE) package to align programs under a common framework that guarantees seamless transfer and evaluate the pilot program that increased the number of credit hours eligible for transfer.
2. Review the 60 low-enrollment programs at the six state universities to assess program viability and strengthen the efficiency of degree program inventories.
3. Review university, community college and technical college plans and best practices to improve college-going rates, retention rates, and graduation rates of students from underrepresented populations.
4. Promote simplicity, transparency, and degree completion by exploring tuition rate strategies for resident and non-resident students attending the state universities.
5. Develop a comprehensive plan to finance deferred maintenance of public institutions of higher education facilities to be presented to the 2021 Legislature.

Advancing Economic Prosperity

6. Establish five- and ten-year systemwide objectives within *Building a Future* by leveraging individual university strengths into the creation of direct jobs and direct investments from beyond the state borders into Kansas.

Governance

7. Develop Board guidance on free speech and civil debate at state universities.

Regent Harrison-Lee stated economic development will be important to the state as it recovers, and she believes the universities can help drive the economy. She also believes that the system needs to work with the school districts so that high school students and parents understand the different degree pathways and the income associated with them. It was noted the Kansas DegreeStats website will be an important tool. Regent Bangerter stated he likes that the Board's strategic plan is being implemented and wanted to know if there was a reason the enrollments at the community colleges declined so much. He noted that typically during an economic downturn the community colleges see enrollment growth. President Flanders stated the college going rate of Kansas high school graduates has been declining over the last several years, and it will be important to work with the institutions to identify the issues surrounding the low enrollment

numbers so solutions can be formulated. Following discussion, Regent Rolph moved to approve the Board's 2020-2021 goals. Regent Harrison-Lee seconded. The motion carried.

WICHITA STATE UNIVERSITY'S SECURITY EXECUTIVE COMMITTEE RESOLUTION

General Counsel Julene Miller presented an updated Resolution transferring the Board's authority to exercise management, control, and supervision over security of certain classified information at Wichita State University to the University Security Executive Committee. She noted the Resolution excludes any acting or interim president of WSU from seeking a personnel security clearance and thereby access to any classified information that will become accessible to the University if it moves forward with U.S. government-funded projects subject to national security controls at the Secret and Top Secret levels and involving the National Institute of Aviation Research (NIAR) and other similar entities. The Resolution also temporarily permits the Wichita State University Senior Vice President of Industry and Defense Programs to oversee all classified programs and operations and requires the Senior Vice President to report directly to the President and CEO of the Board regarding any management matters that directly impact classified programs or information. Regent Feuerborn asked for clarification on why an acting or interim president needs to be excluded from serving on the University Security Executive Committee. General Counsel Miller stated the process to receive security clearance of this nature is extensive and can take several months to complete, and by the time an acting or interim president completes the process, the Board may be ready to name a permanent president to WSU. Regent Schmidt moved to approve, and Regent Rolph seconded. The motion carried.

(Resolution filed with Official Minutes)

LEGISLATIVE UPDATE

Matt Casey, Director of Government Relations, presented the legislative update. The general election is twenty days away, and Director Casey noted there will be membership changes in the Kansas Legislature. Regarding legislative leadership positions, the Senate will have a new Senate President and new Majority Leader with the retirements of Senator Wagle and Senator Denning. In the House, Representative Ron Ryckman, if reelected, will be seeking a third term as Speaker, which has never happened in the Kansas House. Director Casey reported the state is facing a \$1.4 billion budget shortfall that the Legislature and Governor will need to address in the upcoming session. He also noted that revenues for the state are coming in each month above what was estimated, which is promising. The next revenue estimate is scheduled for November 6. Director Casey reported that the university Government Relations Officers are reaching out to their local chambers of commerce and individual legislators to discuss the Board's legislative priorities.

EXECUTIVE SESSION

At 1:45 p.m., Regent Harrison-Lee moved, followed by the second of Regent Van Etten, to recess into executive session for 45 minutes to discuss personnel matters of non-elected personnel. The subject of this executive session was to discuss possible interim candidates for Wichita State University and the purpose was to protect the privacy of the individual Board candidates involved. Participating in the executive session were members of the Board and President Flanders. The motion carried. At 2:30 p.m. the meeting returned to open session. Regent Harrison-Lee moved to extend the session for 15 minutes, and Regent Kiblinger seconded. The motion carried. At 2:45 p.m. the meeting returned to open session. Regent Harrison-Lee moved to extend the session for

10 minutes, Regent Kiblinger seconded. The motion carried. At 2:55 p.m., the meeting returned to open session. Regent Harrison-Lee moved to extend the session for 10 minutes, and Regent Kiblinger seconded. The motion carried. At 3:05 p.m. the meeting returned to open session.

INTERIM PRESIDENT – WSU

Regent Van Etten moved to appoint Dr. Rick Muma as Interim President of Wichita State University. Regent Harrison-Lee seconded, and the motion carried. Regent Rolph voted against the motion.

ADJOURNMENT

At 3:11 p.m., Regent Kiblinger moved to adjourn the meeting. Regent Harrison-Lee seconded, and the motion carried.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS
MINUTES OF SPECIAL MEETING
September 24, 2020

The Thursday, September 24, 2020 special meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn 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:

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

EXECUTIVE SESSION

At 1:31 p.m., Regent Harrison-Lee moved, followed by the second of Regent Hutton, to recess into executive session for two hours to discuss personnel matters of non-elected personnel. The subject of this executive session was a personnel matter and the purpose was to protect the privacy of the individual Board employee involved. The motion carried. Participating in the executive session were members of the Board, President Flanders, and General Counsel Julene Miller (for a portion). At 3:30 p.m. the Board returned to open session.

ADJOURNMENT

Chair Feuerborn adjourned the meeting 3:31 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

September 9-10, 2020

The September 9, 2020, meeting of the Kansas Board of Regents was called to order by Chair Bill Feuerborn at 9:00 a.m. This was a joint meeting between the Kansas Board of Regents and the Kansas State Board of Education, and it 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:

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

WELCOME AND INTRODUCTIONS

Chair Feuerborn welcomed Chair Kathy Busch and the members of the Kansas State Board of Education.

REPORTS ON FALL SEMESTER

Commissioner Watson reported in mid-March when schools across Kansas closed their facilities due to the pandemic, a taskforce of 40 members was formed in order to develop the Continuous Learning Plan. This Plan included guidelines on how student learning outside of normal practices can move forward. The Commissioner noted the taskforce developed the Plan within 48 hours. Then over the summer, more than 700 teachers, administrators, parents, school board members, service center employees, members of the medical community and Kansas State Department of Education (KSDE) employees collaborated to develop *Navigating Change: Kansas' Guide to Learning and School Safety Operations*. This document was created to help school districts as they begin planning for the 2020-2021 school year and focuses on emotional and social needs as well as the importance of maintaining academic rigor standards. Commissioner Watson stated the document references three learning environments: 1) in-person learning: students and teachers are in the school with or without social distancing practices put into place, 2) hybrid learning: students spend part of their time at school and the other part learning remotely; and 3) remote learning: students take all their classes away from the school. Commissioner Watson noted each school district will determine what learning format works for their local needs, and the local school boards will make decisions on which safety protocols to implement. Commissioner Watson reported that the pandemic has increased the stress level for school administrators and teachers and noted that these individuals have to be ready to shift practices quickly to address any issues related to COVID.

He thanked them for their service and noted all Kansas students are in school taking classes in one of the learning formats because of the hard work of these individuals. Chair Busch also thanked all the employees for their dedication during these tough times.

President Golden reported that all the Kansas public universities have resumed on-campus classes this fall. Like the school districts, the universities will offer face-to-face classes and will be utilizing some hybrid and online courses to meet the needs of the students, faculty and staff. To bring students, faculty, and staff back to the campuses, the universities each implemented cleaning, screening, and COVID testing procedures. Dr. Golden stated that the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds are being used to offset some of the expenses related to the pandemic including paying for testing supplies. He noted each university has a live web portal that explains their testing procedures and it shows the on-campus testing results. Regarding athletics, the universities are following the guidelines that are issued by their conferences. President Golden stated that students and employees are doing a great job of following safety procedures while on campus but there are challenges related to off-campus activities. He noted the universities continue to work with their local community leaders and health departments to help address these challenges. Dr. Golden also reported that the enrollments at the universities are expected to be down this year.

President Rittle stated that the community colleges started their fall semester early this year with the majority of classes being taught on the campuses. The colleges installed hygiene stations, spaced out classrooms to adhere to the social distancing guidelines, are cleaning high touch surfaces throughout the day, and have implemented multiple dining options for students. Health assessments are being conducted on students entering housing facilities and on campus student athletes. President Rittle reported that the Kansas Jayhawk Community College Conference has allowed specific sports programs to compete this fall including cross country and golf, and decided to move other fall sports competitions to the spring semester. This schedule will allow athletes in football, soccer, and volleyball to compete later in the academic year. President Rittle also stated that the misalignment of the academic calendars this year between secondary and postsecondary schools is going to significantly impact high school student enrollments in dual, concurrent, and Excel in CTE courses. However, the colleges are working with their local school districts to address some of the issues.

President Genandt reported that last spring the technical colleges adapted as quickly as possible to online instruction for general education and incorporated some technical education lecture components with some skilled lab demonstrations. Each institution worked with their county health directors on their campus reopening plans. To help keep the students, faculty and staff informed, all the colleges have listed procedures and processes related to COVID on their websites. President Genandt stated most of the colleges were able to partially reopen their campuses in May for targeted technical programs so that students could complete labs and thanked the Kansas Board of Nursing for allowing colleges to move clinical training online. Going forward, the colleges are reviewing simulation programs, but President Genandt emphasized that hands on training is critical for technical education. Students need to be trained on proper equipment to meet program outcomes and business and industry expectations. He noted the technical colleges appreciated the CARES Act and SPARK funding, which was used for student grants, safety expenses related to COVID, and upgrading technology and broadband on the campuses. Like the community colleges,

the technical colleges are also concerned about high school student enrollments in dual, concurrent and Excel in CTE courses. President Genandt concluded by thanking the faculty and staff at the colleges for adapting quickly to the changing environment.

The Board members discussed athletics at the high schools, and it was noted that the Kansas State High School Activities Association and the local school boards will make decisions on whether high school sports will be played in the fall. Members also asked questions about quarantine procedures on the university and college campuses. Many of the institutions have identified spaces either on their campus or in the community to isolate students who have either been exposed to or contracted the virus. It was noted that institutional staff along with local health department staff monitor these students and care for the mental and physical health. The students also receive academic support while they are in isolation. Regent Rolph asked if the institutions or school districts are collecting information on whether mitigation procedures in the classroom setting are working. Commissioner Watson stated that the guidance schools have received from public health officials is that if a student tests positive for the virus then anyone in close contact would need to self-quarantine for 14 days even if the proper safety protocols were in place at the time. Regent Rolph believes it is important to know whether transmission of the virus is occurring in the classrooms when proper safety procedures are in place because if transmission is not occurring, then in-person learning can continue even with positive cases identified. Chair Busch stated this may be an area the two Boards can work on together to see if there is a way to collect data on the effects of mitigation efforts.

CONSIDERATION OF DISCUSSION AGENDA

ALIGNING SPRING BREAKS FOR THE ENTIRE KANSAS PUBLIC EDUCATION SYSTEM

Regent Kiblinger reported that the Coordinating Council discussed aligning the spring break schedule for the Kansas public education system beginning in the 2021-2022 school year. She noted the alignment of calendars would allow high school students more opportunities to enroll in concurrent, dual, and Excel in CTE courses because schedules will be synchronized and families that have children enrolled in different institutions will be able to plan activities. Regent Kiblinger also stated that it is important for the two Boards to identify and eliminate potential barriers that prevent students from accessing college courses, and the Council believes not having aligned spring breaks is preventing some students from taking courses, specifically dual and Excel in CTE courses since these are taught on the college campuses. President Flanders stated that academic schedules are important and highlighted how the misalignment of calendars due to the pandemic has impacted high school enrollments in college courses. He also noted the importance of eliminating barriers that prevent students from accessing higher education and believes giving more opportunities and engaging students while they are in high school will positively impact the Kansas college going rate. Commissioner Watson concurred that aligning calendars is a first step to reducing barriers for students and stated that the State Board of Education has a goal in its strategic plan to have 75 percent of high school graduates earn a postsecondary certificate or degree. Currently, only 50 percent of Kansans continue their education after high school. Commissioner Watson stated the schools are moving the rate a couple of percentage points every year, but the progress is too slow if the education systems want to see significant change to the state's college going rate. He believes that the systems need to look at ways to blend the last two years of high school with the first two years of college in order to give students more opportunities.

Commissioner Watson stated that aligning spring breaks is a solid first step and believes if the Board of Education endorses it, then a high percentage of school boards will adopt it.

The members discussed the process of aligning spring breaks. It was noted that the local school boards and individual board of trustees set the calendars for the schools and colleges and that the Kansas Board of Regents sets the calendars for the state universities. Members also discussed the importance of getting feedback from the different educational sectors and local communities. Following discussion, a consensus was reached that Commissioner Watson and President Flanders should work with the two Board Chairs to form a working group, which will gather information on the best ways to move forward with aligning spring breaks. The group should present its recommendations to the two Boards at each of their December meetings.

BREAK

Chair Busch called for a break at 10:24 a.m. and resumed the meeting at 10:36 a.m.

KANSAS DEGREESTATS

Elaine Frisbie, Vice President for Finance and Administration, highlighted the Board's Kansas DegreeStats web portal, which was developed after legislation was passed in 2015. The portal is an interactive tool that allows individuals to review cost and earnings data from real graduates for each undergraduate degree program offered at a public university or college in Kansas. Vice President Frisbie stated that some students choose not to pursue education beyond high school because the total annual cost for a degree is high. However, with this tool, students are able to explore and add different financial investment options such as scholarships, financial aid, and personal loans, which will then demonstrate the actual cost of the degree. Students are also able to see the cost difference by changing the estimated time to degree. Vice President Frisbie noted the most effective way to save money on a four-year degree is to complete it within four years. Loan payment information is also included in the tool along with wage information. Vice President Frisbie stated that the wage data in the tool is collected from the Kansas Department of Labor and includes data from Missouri. It was noted that promoting the portal has been difficult, but the Coordinating Council had expressed interest in incorporating it into the high school students' individual plans of study.

Commissioner Watson reported that steps are being taken to integrate the Kansas DegreeStats' link into the individual plans of study but students will need to be taught how to utilize the tool. He agrees that the sticker price of higher education turns students away, which is why it is important to show students and families that there are financial options that make higher education attainable. The Board members believe this tool will be helpful not only for students and parents but also for academic advisors and counselors. Chair Busch stated that high school counselors often have group training sessions during the academic year, and this would be an opportunity to demonstrate the portal to a larger group. It was also noted that it may be helpful to students if program GPA requirements were listed, so students understand up front that acceptance in certain college programs require specific GPAs. Board members were also interested in whether the Board office is looking at the traffic analytics of the site to determine which programs are being looked at the most. Vice President Frisbie stated that the office is tracking some of the data mentioned, but perhaps more consistent reporting to the Board of Regents could be implemented.

GOALS FOR CONCURRENT ENROLLMENT IN HIGH SCHOOL

President Flanders and Commissioner Watson reported that the two Boards have been researching and discussing ways to increase concurrent enrollment opportunities for high school students for the past three years. The research indicates that students who complete at least 15 college credit hours while in high school are more likely to go on to earn a degree in college. Commissioner Watson stated that having students who complete 15 hours will significantly impact the State Board of Education's goal to have 75 percent of high school graduates enter postsecondary education, but it will also impact the Kansas economy because those students are more likely to complete degrees and enter the workforce in higher-wage jobs. He also noted having more concurrent enrollment opportunities can make the senior year of high school more meaningful for those students who have already met the majority of their high school requirements. President Flanders believes in order to move this initiative forward, data needs to be collected on how many students have access to and have completed 15 to 30 college credit hours. The two systems then need to look at joint funding solutions. He noted another step the Boards could take is supporting the concurrent enrollment legislation that was introduced last year (2020 SB 335), which would allow the local school districts to fund concurrent enrollment courses for their students. President Flanders then asked Vice President Archer to present information on the Early College High School initiative.

Vice President Archer reported that Early College High School Concurrent Enrollment programs have emerged across the nation over the last ten years and many of the programs focus on serving minority and low-income populations. To create an Early College High School program, a postsecondary institution enters into a partnership with a school district. These entities then invest funds to support the program and determine the enrollment parameters. Dr. Archer stated that high school students enrolled in the program typically take classes from a college professor on the college campus, and the students receive additional academic support like tutoring and counseling to help them be successful. The completion data on these programs show that students who participate are ten times more likely to earn a college degree than their peers. They are also more likely to complete a Free Application for Federal Student Aid (FAFSA) form. Dr. Archer stated that Early College High School programs have also helped to increase college going rates and graduation rates.

It was noted that students who participate in these types of programs graduate with their high school diploma, and they have also earned up to 60 college credits. Chair Busch noted that some of these programs are housed at the high school instead of at the college depending on the partnership. Member Mah stated that the majority of college credit taken by high school students is being taught by high school teachers, and she expressed her concern with the Higher Learning Commission's (HLC) faculty qualification changes, which will prohibit many of the teachers from teaching college courses because they do not meet the new standards. President Flanders stated the HLC, which is the accreditation body for the postsecondary institutions, did change faculty qualification standards, and those new standards will be implemented in the near future. He noted a number of years ago the Governor, Commissioner Watson and he sent a letter to HLC explaining how the changes will negatively impact the Kansas system and asked for it to reconsider but that request was not granted. Member Mah also stated that she believes the two Boards should introduce legislation asking for the state to fund some concurrent enrollment courses for high school students. It was noted several years ago the Boards formed a Concurrent Enrollment

Taskforce, which collected information on cost of delivery and return of investment. The Taskforce ultimately recommended that legislation be introduced for the state to fund one concurrent enrollment course for eligible high school students. However, this legislation fell short of enactment. President Flanders stated that the legislation can be introduced again but the Boards would need to decide if, given the current fiscal challenges, it is the right time to do so. Member Mah would like to know how much it would cost to fund three to six credit hours. Chair Busch stated she would like to explore Early College High School programs to determine if there is interest by any of the institutions. She also believes that the systems need to figure out how to address the new faculty qualification standards so that the level of concurrent enrollment courses being taught now does not decline. Chair Busch asked Commissioner Watson and President Flanders to determine what the next steps should be for the Boards to increase concurrent enrollment opportunities. Regent Bangerter agreed that the two Boards need to figure out how to offer high school students 15 college credit hours at no cost to them and believes if this is accomplished it will benefit the students and the state.

ANNOUNCEMENTS

Commissioner Watson congratulated Deputy Commissioner Dale Dennis on his upcoming retirement and noted that he has served the State of Kansas for 53 years. The Board members thanked the Deputy Commissioner for his years of service.

Chair Busch recapped the next steps for the three agenda items, which are listed below.

- Commissioner Watson and President Flanders will work with the two Board chairs to form a working group that will develop recommendations for aligning spring breaks.
- The Kansas State Department of Education and the Kansas Board of Regents will integrate Kansas DegreeStats into the high school students' individual plans of study.
- Commissioner Watson and President Flanders will determine what the next steps are for the Boards to increase concurrent enrollment opportunities.

ADJOURN

The meeting was adjourned at 11:46 a.m.

CALL TO ORDER

Chair Feuerborn called the regular meeting of the Kansas Board of Regents to order on September 10, 2020 at 9:47 a.m.

MEMBERS PRESENT:

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

APPROVAL OF MINUTES

Regent Rolph moved that the minutes of the May 20-21, 2020 regular meeting, June 10, 2020 special meeting, June 17-18, 2020 regular meeting, August 4-6, 2020 Budget Workshop and Retreat, and August 10, 2020 special meeting be approved. Following the second of Regent Kiblinger, the motion carried.

INTRODUCTIONS

President Scott introduced Pittsburg State University's leadership team including the President of the Student Government Association, Sumner Mackey; the President of the Faculty Senate, Cole Shewmake; the President of the University Support Staff Senate, Terri Blessent; and the President of the Unclassified Professional Staff Senate, Jason Kegler. President Mason introduced Fort Hays State University's Student Body President, Haley Reiter; Student Government Association Legislative Affairs Director, Crystal Rojas; Staff Senate President, Jennifer Whitmer; Faculty Senate President, Kevin Splichal; and AAUP President, Janette Naylor-Tincknell. President Flanders introduced the Board office's new Director of Facilities, Chad Bristow.

GENERAL REPORTS**REPORT FROM CHAIR**

Chair Feuerborn reported that the Board had a productive retreat in August. The Board reviewed and discussed the university budgets, received information on campus diversity, inclusion and climate, and heard updates on the affordability and economic prosperity pillars in the Board's new strategic plan. The Board also discussed its unified budget request, which will be acted upon later in the agenda. Also in August, the Board held a special meeting to approve distributions of the Governor's Emergency Education Relief Fund and the Coronavirus Relief Fund Grants. Regent Feuerborn also reported that the Board met with the Students' Advisory Committee earlier today and had a conversation on the students' priorities for this year.

Regent Feuerborn then announced that the campus visits scheduled for October 14-15 at the University of Kansas and November 18-19 at Emporia State University are being postponed. Instead, the Board will meet at the Board office in Topeka on those dates.

REPORT FROM PRESIDENT AND CEO

President Flanders reported that as a state agency, the Board office is subject to the Legislative Post Audit Act and must participate in audits on a periodic basis. He stated over the summer, the office had an IT security audit and the results were presented to the Legislative Post Audit Committee last week in executive session. Because the audit contains sensitive information, President Flanders did not disclose any details but noted the legislative staff remarked on how rare it is for an agency to receive such high marks for IT security. President Flanders stated those efforts reflect the Board office's commitment to IT and data security, and he thanked the Board's IT Director, Steve Funk, and his talented staff for all their work.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Rittle presented the report for the System Council of Presidents. The Council discussed the challenges associated with the pandemic, including lower enrollments. This year students are facing financial hardships and travel restrictions, which is impacting their ability to attend college.

Many institutions are seeing decreases in enrollments this fall but the percentages vary by institution. Many reported that undergraduate and international student enrollments are down while most graduate student enrollments have stayed the same or increased. President Rittle stated that the CEOs are hopeful that enrollments will bounce back for the spring semester. The Council then discussed the diversity and inclusion efforts on the campuses, and it was noted that the Council of Diversity Officers are looking at ways to reduce the equity gaps in student enrollments, which was also discussed at the Board's retreat. The university Diversity Officers invited representatives from the community and technical colleges to participate in their monthly meetings.

REPORT FROM COUNCIL OF PRESIDENTS

President Golden 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, Council of Student Affairs Officers, and Council of Diversity Officers. The Academic Officers approved new degree programs and discussed precollege curriculum. The Business Officers met three times over the summer to discuss the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds and prepare for the Board's budget workshop in August. The Government Relations Officers are talking with legislators about how the pandemic has impacted the campuses and what steps are being taken so that in person classes can resume. The Student Affairs Officers noted that September is suicide awareness prevention month and reported that they are discussing the mental health issues that arise as a result of COVID-19. The Diversity Officers reported that they will be looking at ACT/SAT entrance requirements during its upcoming meetings and noted that the Tilford Conference was rescheduled for next year due to the pandemic. President Myers then provided the Council information regarding Kansas State University's proposal to offer the resident tuition rate to full-time, domestic, undergraduate students from Missouri.

The Council of Presidents approved the following degree programs: 1) Bachelor of Health Sciences at the University of Kansas, 2) Bachelor of Arts and Bachelor of Science in Integrated Computer Science at Kansas State University, and 3) Bachelor of Science in Public Health at Kansas State University. These programs will be forwarded on to the Board for consideration.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

Aleks Sternfeld-Dunn presented the report for the Council of Faculty Senate Presidents. The Council is currently working on a statement endorsing freedom of speech on the campuses and are reviewing what the boundaries are inside the classrooms. The Council also discussed their concerns with the Board's associate-to-baccalaureate degree program transfer initiative and noted the common core outcomes need to be faculty-led. Regent Bangerter stated that the purpose of the initiative is to allow students to transfer courses that are equal to the university course, which will allow those students to shorten their path to completion and asked if the Council agrees with the intent of the initiative. Dr. Sternfeld-Dunn stated the Council agrees with the spirit of the initiative but has concerns about quality assurances. Regent Bangerter believes the quality assurance concerns can be worked through with faculty involvement.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

The Students' Advisory Committee report was presented by Rija Khan. The Committee will be working on the following two initiatives this year: 1) increasing mental healthcare services on the campuses, and 2) looking at ways to make student health insurance more accessible and affordable. Ms. Khan noted that the Committee will be gathering data on what mental health services are currently being offered on the campuses and the capacity of those services.

REPORT FROM UNCLASSIFIED SUPPORT STAFF COUNCIL

Trish Gandu presented the Unclassified Support Staff Council report. This Council represents the largest number of employees on the campuses. She reported that last year the University Support Staff and Unclassified Professional Staff conducted a satisfaction survey on five of the university campuses, which showed that declining morale and stagnant salaries are the biggest concerns among employees. The impact of the pandemic has increased these concerns because with budgetary challenges employees are doing more for either the same or reduced salaries. Ms. Gandu noted to address morale issues, many of the universities are implementing different initiatives to recognize employee contributions and are celebrating employee achievements. She also noted many employees who are able to perform their jobs remotely would like the ability to continue this practice because they see it as an additional benefit. The Council asked the Board and universities to continue to look at ways to improve employee morale and consider expanding remote working opportunities even after the pandemic has subsided.

REPORT FROM THE UNIVERSITY CEOS

President Myers reported that Kansas State University's Lafene Health Center is conducting COVID-19 tests on campus for those students, faculty, or staff who are symptomatic, which is what was recommended by the county health department. Since September 17, the Health Center has conducted 4,006 COVID-19 tests and of those 602 were positive, which is a positivity rate of 15.02 percent. The University is also conducting surveillance testing in the dormitories and for specific academic programs that require students to be in close spaces. This testing began on August 24 and has resulted in identifying eight positive cases out of 424 tests, which is a positivity rate of 1.7 percent. Additionally, President Myers reported KSU recently entered into an agreement with Stormont Vail to form an academic partnership in the College of Health and Human Sciences' Physician Assistant program. Through the partnership, students will have access to the Stormont Vail Health Simulation Lab, which will have adult, pediatric, infant and trauma simulators. He announced that the Kansas Department of Transportation awarded a \$2.5 million grant to the City of Manhattan to be used on the North Campus Corridor project. The City and the University will then contribute a combined local match of \$5 million for the project. Regent Bangertter asked for a breakdown of the percentage of students taking classes online versus in person. President Myers stated that the website that houses all the University's COVID data also contains information on the percentage of students taking in-person, hybrid, or online courses. He believes that around 60 percent of students are taking in-person and hybrid courses.

Chancellor Girod reported that a lot of planning occurred over the summer to open the campus for the fall semester. KU has de-densified spaces, implemented a mask policy, reconfigured housing and dining spaces, and condensed its academic calendar for the Lawrence and Edward campuses. The Chancellor stated that the Lawrence and Edward campuses will be offering three class formats: in-person, hybrid, and remote. The percentage offered by credit hour is broken down as follows:

48 percent remote, 38 percent hybrid, and 15 percent in-person. For the Medical Center, all clinical learning, simulations, and standardized patient care will be done in-person. Chancellor Girod stated that a Pandemic Medical Advisory Team was formed to review data and monitor indicators as it relates to campus operations. Regarding testing, the Lawrence and Edwards campuses required-entry testing for anyone returning to campus before September 7 so that positive cases could be identified earlier, and the testing established a baseline rate for the University to use going forward. The Chancellor stated that 22,556 individuals were tested and 546 were positive, which is a positivity rate of 2.42 percent. Moving forward, KU will conduct random testing through a lottery system.

President Scott reported that students at Pittsburg State University have completed their fourth week of classes. Pittsburg State, like the other universities, is collecting testing data, but President Scott noted the data does not show the whole picture because students may get tested outside the community. President Scott stated last week 101 students were in isolation because they had tested positive and this week that number is down to 56. The number of students required to quarantine has also dropped within the last week from 600 to 500. President Scott expressed his appreciation for the work that has been done by the individuals at the local health department and the University Health Center. He stated that PSU's faculty and staff returned to the campus in July, which allowed them time to acclimate to the new learning environment. He also emphasized the importance of communicating with the students, faculty and staff about what is happening on the campus. Additionally, President Scott thanked Dale Dennis, who will be retiring from the Kansas State Department of Education, for his service to Kansas.

President Mason reported she has formed advisory groups to review Fort Hays State University's data related to COVID-19 and highlighted that multiple people both on campus and in the county are reviewing and providing input as the University moves forward with in person and hybrid instruction. President Mason stated the University's traditional academic model with regard to headcount mix is 50 percent of students are online, 25 percent are on campus, and 25 percent are international including the China program. President Mason noted that 66 percent of classes are being taught either in person or as a hybrid on the campus. With regard to isolating and quarantining practices, the University has partnered with the county to isolate positive students in local hotel rooms. Students who are required to quarantine can do so in their residence hall. Additionally, President Mason reported that the new Transfer & Military Center opened during the summer.

President Garrett reported Emporia State University's Health Center is testing students who are symptomatic and next week the University will begin its surveillance testing. COVID-19 testing results collected on the campus and from Lyon County will be displayed on the University's website; however, President Garrett noted that this data will not include information on students who took a COVID test outside the county. President Garrett stated that this semester 71 percent of classes are being taught in person, 20 percent are being taught in a hybrid format, and six percent are completely online. Additionally, President Garrett reported that the University is anticipating that enrollment in both headcount and credit hour will be down this fall.

BREAK

President Flanders recognized President Ken Trzaska, who will be leaving Seward Community College for a new position at the end of this month. Chair Feuerborn called for a break at 11:12 a.m. and resumed the meeting at 11:22 a.m.

STANDING COMMITTEE AND OTHER REPORTS**ACADEMIC AFFAIRS**

Regent Kiblinger reported that the Board Academic Affairs Standing Committee discussed developing a policy outlining an appeal process for a college or university that was denied participation in the State Authorization Reciprocity Agreement. A draft policy will be presented to the Committee at its next meeting before being forwarded to the Board. The Committee approved the proposed Kansas Scholars Curriculum, which are the recommended high school courses that will help students prepare for collegiate coursework at the state universities. The Board will review the Kansas Scholars Curriculum at the November meeting. Board staff reported that the common general education package workgroup will have its first meeting on September 29 and will be co-chaired by Dr. Barbara Bichelmeyer from KU and Jon Marshall from Allen Community College. The Committee also discussed the dates in which each university will submit its low-enrollment program review reports, received an update on the development of a direct support professionals' curriculum, and reviewed the Coordinating Council's initiatives.

Additionally, Regent Kiblinger reported that in the Board's consent agenda the title for Kansas State University's request for accreditation should read "Act on Request to Seek Accreditation for Master of Science in Physician Assistant Studies" instead of Master of Science in Health Informatics. She requested that this change be included in the motion to approve the consent agenda.

FISCAL AFFAIRS AND AUDIT

Regent Rolph presented the Board Fiscal Affairs and Audit Standing Committee report. The Committee finalized its working plan for the year, which will include reviewing tuition for non-resident students and ensuring that the deferred maintenance initiative is launched with Board and legislative support. Board staff reviewed the Board policies that are relevant to the Committee's work. The Committee revisited a question that was asked during its June meeting with regard to a comparison of tuition and fees for online courses versus in person courses at the state universities. The results highlighted some of the complexity in place at some of the campuses. Kansas State University's request for a non-resident tuition, which is on the Board's agenda, was discussed. The Committee decided to form a working group led by Regent Hutton to review Board policy and statutes on tuition waivers and discounting, and the working group will then gather information on pricing strategies used by the universities so if the Board decides to make a change in approach in pricing for non-resident students, the Board is informed by campus experts and relevant data. Additionally, the Committee discussed the Board's unified budget request and developed a six-point proposal for the Board to consider when that item is discussed later in the agenda.

Regent Rolph stated that the Committee wants to amend the agenda and made a motion to place Wichita State University's project to construct a pedestrian bridge on the discussion agenda

following the Wichita State University mill levy request. Regent Harrison-Lee seconded, and the motion carried.

Regent Rolph stated that the Kansas State University consent agenda item regarding the lease agreement with the Salina Airport Authority needs to be corrected to read as follows: “The Salina Airport Authority will provide space at the Interim Applied Aviation Research Center, located at 2720 Arnold Court, Salina, Kansas. KSU Polytechnic will lease the space described in the agenda from the Airport, in support of its growing unmanned aircraft systems program.” He moved to approve this correction, and Regent Hutton seconded. The motion carried.

GOVERNANCE

Regent Feuerborn reported that the Governance Committee reviewed its Charter and the Committee’s schedule for the upcoming year. The Committee then reviewed the Board member annual conflict of interest disclosures, which are on the today’s agenda, and authorized execution of two Board office contracts. The Committee discussed the CEO assessment process and directed staff to update the 360 assessment survey form to align it with changes that have been made in recent years to the annual assessment form. The Committee plans to continue its discussion of these recommendations at its next meeting and will bring any proposed changes to the Board for final action. The Committee also began its discussion around crafting guidance for the state universities as they encourage civil discourse while upholding individual First Amendment rights.

RETIREMENT PLAN

Regent Bangerter reported that the Retirement Plan Committee met yesterday. The Board’s financial advisor for the retirement plans, Advanced Capital Group, provided its semi-annual report, recapping the markets and economy through the second quarter of 2020. Regent Bangerter stated that the market has recovered and the outlook is positive. He noted the Committee reviewed two TIAA funds that will remain on a watchlist until the Committee’s March 2021 meeting to ensure that their performance continues to improve and is not impacted by management changes. No additional funds were added to the watchlist. The Committee approved the amendments to the Mandatory and Voluntary Retirement Plan Documents. The amendments memorialize the decision to allow coronavirus-related distributions for Mandatory and Voluntary Plan participants as permitted by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The amendments also memorialize a change in federal law that allows participants to temporarily waive required minimum distributions, and the Voluntary Plan amendment updates the list of approved vendors for the Voluntary Retirement Plan. Representatives from TIAA and Voya shared information about creating a custom KBOR Retirement Program brand that will be used to communicate information about the Plans, including the upcoming consolidation of vendors for the Voluntary Retirement Plan. One goal is to encourage greater participation in the Voluntary Retirement Plan because it is an important retirement benefit.

FUTURE OF HIGHER EDUCATION COUNCIL

Regent Harrison-Lee reported that at the most recent Future of Higher Education Council meeting, the members discussed enrollment equity gaps, received information on the current efficiencies the institutions have implemented because of the pandemic, discussed streamlining opportunities for institutional affiliations, and looked at opportunities to improve administrative functions at the

institutions. Regent Harrison-Lee stated that at the next two Council meetings, the members will be developing recommendations that will be forwarded to the Board for consideration.

APPROVAL OF CONSENT AGENDA

Regent Rolph moved, with the second of Regent Van Etten, that the Consent Agenda be approved as amended by the Board Academic Affairs Standing Committee and the Fiscal Affairs and Audit Standing Committee. The motion carried.

Academic Affairs

NEW CERTIFICATE OF APPROVAL FOR DEGREE GRANTING AUTHORITY FOR THE UNIVERSITY OF ST. AUGUSTINE FOR HEALTH SCIENCES

The University of St. Augustine for Health Sciences received a Certificate of Approval to operate in Kansas and with degree granting authority. The University will offer online and blended learning formats to Kansas residents.

ACCREDITATION FOR MASTER OF SCIENCE IN PHYSICIAN ASSISTANT STUDIES

Kansas State University received approval to pursue accreditation for its Master of Science in Physician Assistant Studies program with the Council for Higher Education Accreditation. Total cost of initial accreditation is \$32,000, with an annual renewal fee of \$15,000.

Fiscal Affairs & Audit

LEASE AGREEMENT WITH THE KSU REAL ESTATE FUND LLC, A SUBSIDIARY OF KSU FOUNDATION – KSU

Kansas State University received authorization to enter a five-year master lease agreement with the KSU Real Estate Fund LLC, a subsidiary of the KSU Foundation. The lease is for office space in the KSU Foundation and the annual lease rate will be \$30.05 per square feet. The lease cost for FY 2021 will be \$32,333.80.

LEASE AGREEMENT WITH THE SALINA AIRPORT AUTHORITY – KSU

Kansas State University's Polytechnic Campus in Salina received authorization to enter into a three-year lease agreement with the Salina Airport Authority (SAA). KSU Polytechnic will lease office space from the SAA at the Interim Applied Aviation Research Center at a cost of \$5.7824 per square foot per year. The term of the lease is from June 1, 2020 through May 31, 2023 with the option of two additional years through May 31, 2025.

ACCEPTANCE OF REAL PROPERTY – KSU

Kansas State University received approval to accept ownership of the Foundation Tower, which is part of the Unger Complex located at 2323 Anderson Avenue in Manhattan.

SALE OF REAL PROPERTY – KSU

Kansas State University received approval to sale 4.4713 acres of land near the International Grain Science Industry Complex to the KSU Foundation. The property will be sold at the appraised value of \$1,160,000 and the proceeds will be deposited in the University's Restricted Fee Funds. Below is the legal description of the property:

Located in Riley county, Kansas: A Tract of land being part of the Southeast Quarter of Section 1, Township 10 South, Range 7 East, and part of Government Lot 19 in Section 6, Township 10 South, Range 8 East of the Sixth Principle Meridian, in the City of Manhattan, Riley County, Kansas. BEGINNING at the Southwest corner of Lot 2, KSU FOUNDATION ADDITION, UNIT 2, monumented by a found 1/2-inch reinforcing rod; Thence South 89°12'16" West, 250.00 feet, on the North Right-of-Way line of Kimball Avenue, as established in Book 277, Page 365; Thence departing said Right-of-Way line, North 02°20'41" West, 108.03 feet, parallel with and 250.00 feet West of the West line of said Lot 2; Thence North 47°31'54" West, 260.47 feet, on a line parallel with and 20.00 feet Northeast of an existing building located at 1980 Kimball Avenue and designated as IGP Institute; Thence North 02°20'41" West, 28.75 feet, parallel with and 434.69 feet West of the West line of said Lot 2; Thence North 42°24'43" East, 497.38 feet, on a line parallel with and 30.00 feet Southeast of an existing building located at 1980 Kimball Avenue, designated as Grain Science Center; Thence North 89°12'16" East, 84.52 feet, to a point on the West line of said KSU FOUNDATION ADDITION, UNIT 2, said point lying South 02°20'41" East, 125.00 feet, from Northwest Corner of Lot 3, said KSU FOUNDATION ADDITION UNIT 2; Thence South 02°20'41" East, 678.03 feet, on said West line, to POINT OF BEGINNING, said Tract containing 194,769 square feet or 4.4713 acres.

AMEND MEMORANDUM OF AGREEMENT BETWEEN PITTSBURG STATE UNIVERSITY AND PSU CHAPTER OF THE KANSAS NATIONAL EDUCATION ASSOCIATION (KNEA) – PSU

The amended Memorandum of Agreement between Pittsburg State University, the Kansas Board of Regents, and the PSU Chapter of the Kansas National Education Association was approved. The amendments went through the meet and confer process and include changes to the Salary and Duration Articles along with a number of other sections. The Chair of the Board is authorized to execute the amended Agreement on behalf of the Board.

Technical Education Authority

DEGREE AND/OR CERTIFICATE PROGRAMS SUBMITTED BY GARDEN CITY COMMUNITY COLLEGE AND JOHNSON COUNTY COMMUNITY COLLEGE

Garden City Community College received approval to offer a technical certificate C (49 credit hours) and an Associate of Applied Science degree (64 credit hours) in Industrial Machine Mechanic (47.0303). The estimated cost of the program is \$337,000, which will be funded with the College's new program development funds.

Johnson County Community College received approval to offer a technical certificate B (30 credit hours) in Plumbing Technology (46.0503). The initial cost of the program is approximately \$164,000, and the College's general fund will finance the first year of the program.

EXCEL IN CAREER TECHNICAL EDUCATION FEES

The below Excel in CTE fees for Johnson County Community College's Plumbing Technology program were approved, as recommended by the TEA.

Institution Name:	Johnson County Community College
Program Title:	Plumbing Technology/Plumber
Program CIP Code:	46.0503 Plumbing Technology/Plumber

<i>Please list all fees associated with this program: Only list costs the institution is charging students.</i>		
Fee	Short Description	Amount
Tools	Students will be asked to purchase tools to be used while in class; Students keep those tools and use them while employed as well	\$150-\$200
Exam Fee	Journeyman's Plumbers Licensing Exam Fee (Paid to a private testing center)	\$115.00

<i>Please list all courses within the program and any fees associated to those courses: Only list costs the institution is charging students. Do not duplicate expenses.</i>		
Course ID	Short Description	Amount
PLUM 110 Introduction to Plumbing Systems (3 credit hours)	Textbook-- Plumbing: Residential Construction	\$ 160.00
PLUM 130 Print Reading and Estimating (3 credit hours)	Textbook-- Print Reading and Drafting for Plumbers	\$ 120.00
PLUM 125 Residential Plumbing (3 credit hours)	Textbook-- Plumbing: Residential Construction	\$ 160.00
PLUM 140 Backflow Preventers (2 credit hours)	Possible OER (Open Educational Resources)	\$ -
INDT 125 Industrial Safety/OSHA 30 (3 credit hours)	EOS General Industry Student PK 2019	\$ 56.00
SPD/COMS 155 Workplace Skills (1 credit hours)	No Required Book; Possible OER (Open Educational Resources)	\$ -
PLUM 210 DWV and Water Distribution (3 credit hours)	Textbook-- Plumbing: Residential Construction Plumber's Handbook (pdf)	\$ 160.00
PLUM 250 Commercial Plumbing (3 credit hours)	Textbook--Plumbing, Venting, and Planning	\$ 114.65

PLUM 240 Installation, Maintenance, and Repair (3 credit hours)	Textbook-- Plumbing: Residential Construction	\$ 160.00
PLUM 275 Plumbing Code Review (3 credit hours)	International Plumbing Code; International Fuel Gas Code	\$ 125.00
PLUM 280 Plumbing Internship (3 credit hours)	JCCC Booklet	\$ 9.00
Total		\$1,219.65

EXTRAORDINARY COSTS FOR TECHNICAL EDUCATION

Extraordinary costs are defined as “required, program-specific equipment and consumable materials” for technical program courses that are not accounted for in Instructor, Instructional or Institutional costs within the KBOR Cost Model. Extraordinary costs are calculated by the below formula.

$$\text{Extraordinary Costs} = \frac{\text{Total 5 year reported expenditures}}{\text{Total 5 year reported tiered credit hours delivered}}$$

The Technical Education Authority reviewed 78 programs based on 2015-2019 Extraordinary Costs data, which was supplied by institutions, and the following recommendations of the TEA were approved: 1) 40 programs maintain the current Extraordinary Costs rate, 2) 24 programs increase the Extraordinary Costs rate, and 3) 14 programs decrease the Extraordinary Costs rate.

(List of Programs filed with Official Minutes)

Other Matters

UPDATED RESOLUTION TRANSFERRING BOARD’S AUTHORITY TO EXERCISE MANAGEMENT CONTROL OVER SECURITY OF CERTAIN UNIVERSITY OF KANSAS RELATED CLASSIFIED INFORMATION TO A SECURITY EXECUTIVE COMMITTEE – KU

The updated Resolution transferring the Board’s authority to exercise management, control, and supervision over security of certain classified information at the University of Kansas to the University Security Executive Committee was approved.

(Resolution filed with Official Minutes)

APPOINTMENTS TO THE VARIOUS BOARD COMMITTEES AND THE WASHBURN BOARD OF REGENTS

The following appointments were approved:

Standing Committees

Academic Affairs

Shelly Kiblinger – Chair
 Ann Brandau-Murguia
 Allen Schmidt
 Helen Van Etten

Fiscal Affairs and Audit

Jon Rolph – Chair
 Shane Bangerter
 Cheryl Harrison-Lee
 Mark Hutton

Governance

Bill Feuerborn – Chair
 Cheryl Harrison-Lee
 Shelly Kiblinger
 Jon Rolph

Regents Retirement Plan

Shane Bangerter – Chair

Board Representatives and Liaisons

Education Commission of the States	Ann Brandau-Murguia
Postsecondary Technical Education Authority	Mark Hess Mike Johnson Rita Johnson
Midwest Higher Education Compact (MHEC)	Helen Van Etten Blake Flanders
Washburn University Board of Regents	Helen Van Etten
Transfer and Articulation Advisory Council	Shane Bangerter
Governor’s Education Council	Allen Schmidt Helen Van Etten
Coordinating Council	Shelly Kiblinger Helen Van Etten

University Subcommittees 3 Regents per committee

Kansas State University	University of Kansas	Wichita State University
<u>Emporia State University</u>	<u>Fort Hays State University</u>	<u>Pittsburg State University</u>
Mark Hutton – KSU Chair	Shane Bangerter – KU Chair	Allen Schmidt – PSU Chair
Helen Van Etten – ESU Chair	Ann Murguia – FHSU Chair	Jon Rolph – WSU Chair
Cheryl Harrison-Lee	Shelly Kiblinger	Bill Feuerborn

CONSIDERATION OF DISCUSSION AGENDA

Academic Affairs

CHANGES TO PERFORMANCE AGREEMENTS: FUNDING GUIDELINES

Daniel Archer, Vice President for Academic Affairs, presented the proposed changes to the Performance Agreements: Funding Guidelines. Dr. Archer stated that due to the pandemic, many measures of institutional performance could be negatively affected for academic year 2019-2020 and academic year 2020-2021. Therefore, the Performance Agreement Working Group was reconvened to review the Guidelines and recommended removing the limitation of moving up only one funding tier for those institutions not qualifying for the 100% or 90% funding tier for the two

academic years. He noted the Board Academic Affairs Committee reviewed the proposed change. Regent Hutton would like information on how institutions measure faculty productivity against performance measurements. Dr. Archer stated the provosts are discussing this topic because there is no standard measurement of faculty productivity and noted it could be a component in the new performance agreements model. President Flanders stated that the universities may track this at the campus level and that Board staff can gather that information. Regent Bangerter expressed his dissatisfaction with how institutional performance is measured and does not believe the current model is helpful to the Board or the institutions. He would like the performance agreements to contain metrics that will positively change the institutions if achieved, and he believes the institutions should be rewarded if measurements are achieved. President Flanders stated the current performance agreement model was designed when there was state funding available to reward the institutions for meeting their goals and noted at the time, the Board did not have a strategic plan to help align measurements. Moving forward, President Flanders believes the metrics in the performance agreements need to be aligned with the Board’s strategic plan, *Building a Future*. Following discussion, Regent Van Etten moved to approve the changes to the Performance Agreements: Funding Guidelines. Regent Kiblinger seconded, and the motion carried. Below are the changes that were adopted:

Performance Agreements: Funding Guidelines.

If more than one indicator was affected by an unforeseen emergency, such as the COVID-19 pandemic or a natural disaster, the institution may make a case for each indicator affected. Each case shall include a narrative with specific evidence to substantiate that the unforeseen emergency contributed to the institution’s inability to meet the indicator. BAASC will review the evidence case and determine if an institution warrants recommended funding at the next a higher funding tier. If such a determination is made, the institution shall only be recommended for funding at the next higher funding tier and shall not qualify for funding tiers beyond that.

Fiscal Affairs and Audit

ANNUAL BUDGET FOR MILL LEVY – WSU

Vice President Frisbie presented the FY 2021 mill levy budget proposed by the WSU Board of Trustees. The property tax revenues are estimated at \$8.8 million, and the Trustees are proposing expenditures totaling \$8,795,587 for FY 2019. Regent Rolph moved to approve. Regent Harrison-Lee seconded, and the motion carried. The budget is as follows:

**Wichita State University
City of Wichita/Sedgwick County Mill Levy Budget
Fiscal Year 2021 Budget**

	FY 2020	FY 2021	Amount of
Revenues	Budget	Budget	Change
Mill levy Revenue	\$8,171,225	\$8,445,583	\$274,358
Interest	--	50,000	50,000
Contingent Revenue	300,000	300,000	--
Total Revenue	\$8,471,225	\$8,795,583	\$324,358

Expenditures			
Capital Improvements			
WSU Innovation Campus	\$2,634,360	\$2,834,244	\$199,884
Building Insurance	20,396	20,600	204
Total Capital Improvements	\$2,654,756	\$2,854,844	\$200,088
Student Support			
WSU Tech Support	\$800,000	\$800,000	\$--
Undergraduate Support	3,796,333	3,872,260	75,927
Graduate Support	417,136	425,479	8,343
Total Student Support	\$5,013,469	\$5,097,739	\$84,270
Economic and Community Development			
Interns – City/County	\$136,000	\$136,000	\$-
Business and Economic Research	150,000	150,000	-
City Government Services	80,000	100,000	20,000
County Government Services	80,000	100,000	20,000
Total Economic and Community Development	\$446,000	\$486,000	\$40,000
University Research and Support Services			
Organization and Development	\$57,000	\$57,000	\$-
Total Research and Support Services	\$57,000	\$57,000	\$-

AMENDMENTS TO THE FY 2021 CAPITAL IMPROVEMENT PLAN FOR A NEW PEDESTRIAN BRIDGE – WSU

Chad Bristow, Director of Facilities, introduced Wichita State University's proposal to amend its Fiscal Year 2021 Capital Improvement Plan to add the pedestrian bridge project. The 300-foot-long bridge will span across the water feature south of Woolsey Hall, and the estimated cost of the project is \$2.65 million. Director Bristow stated the University intends to fund the project with private gifts and that future maintenance will be funded by WSU. Regent Hutton asked for clarification on the funding priorities for this project because it is his understanding that this project is part of a \$5 million fundraising campaign that also includes upgrades to academic spaces in Woolsey Hall. President Golden stated the fundraising for the pedestrian bridge is separate from the Woolsey Hall project. He noted the University's priority is raising the money for the Woolsey Hall project, but there is always the potential of having a donor who would rather fund the bridge, which is why it is a separate funding request. Following discussion, Regent Rolph moved to approve. Regent Hutton seconded, and the motion carried.

BOARD'S UNIFIED STATE APPROPRIATIONS REQUEST

Vice President Frisbie stated the Kansas Higher Education Coordination Act requires the Board of Regents to develop and present to the Governor and Legislature each year a unified budget request for the public higher education system. The Board's request must be submitted by October 1. She noted at the June meeting, the institutions submitted proposed items for the Board's FY 2022 unified budget request, and the Board reviewed these items at its August retreat. Vice President

Frisbie reported that because of the pandemic, the state tax revenues have fallen short of projections which resulted in a budget shortfall in the state's FY 2021 budget. To address the shortfall, the Governor issued a budget allotment that reduced the higher education system's budget by \$46.2 million. It is anticipated that the state will continue to deal with budgetary challenges through FY 2022. Vice President Frisbie stated that these cuts are harmful to the state's higher education system and the cuts will directly impact students.

Regent Rolph stated that the Board Fiscal Affairs and Audit Committee drafted the items noted below for the Board to consider for its Unified Budget request. He stated these recommendations were developed to acknowledge that the higher education system understands the financial challenges the state will be facing while also requesting funding for specific programs that have been identified by the Board at the retreat.

- 1) Hold the state universities' State General Fund appropriations at \$608.4 million in FY 2022;
- 2) Continue the state's Engineering Initiative for ten more years;
- 3) Establish a dedicated capital fund from the state of \$13.5 million starting in FY 2023;
- 4) Create a pilot program to tackle the enrollment gaps Board staff have identified, such as with Hispanic, African American, First Generation and other students;
- 5) Enhance the state's need-based aid offerings by \$5 million in FY 2022 and another \$5 million in FY 2023; and
- 6) Advocate for enactment of legislation similar to 2020 SB 335 to allow public school districts to use state aid to finance high school attendance in postsecondary concurrent enrollment courses.

Some university CEOs expressed their concerns with not seeking funds to restore the allotments and noted the current funding losses along with the anticipated funding cuts will significantly impact services on the campuses. Regent Bangerter concurred and believes the Board should request funds to restore the allotment, which would bring the SGF appropriations for the state universities back to \$643.6 million. Regent Schmidt stated that increasing mental health services on the campuses is a priority of the Students' Advisory Committee and would like to include funding for it. Regent Kiblinger stated that if the Board seeks the \$643.6 million, a portion of it could be dedicated to student mental health services. Regent Hutton and Regent Van Etten expressed their concerns with requesting additional state funds when it is known that the state is in a budget crisis and they believe it will not be received well by the Governor's Office or the Legislature. Other Regents expressed their belief that it is the Board's responsibility to let the Governor and Legislature know what the funding needs are for the higher education system and that a statement can be added to the budget narrative to communicate the Board's understanding of the state's financial challenges. Regent Bangerter stated that the Board's request should also include the two-year colleges' and Washburn University's items. Regent Murguia asked about the state budgeting process, and Vice President Frisbie reviewed all the steps including who is involved with the process. Following discussion, Regent Schmidt moved that the following be included in the Board's Unified Budget request:

- 1) Return the state universities' State General Fund appropriations to \$643.6 million in FY 2022, directing the universities to augment services for student mental health;

- 2) Continue the state's Engineering Initiative for ten more years;
- 3) Establish a dedicated capital fund from the state of \$13.5 million starting in FY 2023;
- 4) Create a pilot program to tackle the enrollment gaps Board staff have identified, such as with Hispanic, African American, First Generation and other students;
- 5) Enhance the state's need-based aid offerings by \$5 million in FY 2022 and another \$5 million in FY 2023;
- 6) Advocate for enactment of legislation similar to 2020 SB 335 to allow public school districts to use state aid to finance high school attendance in postsecondary concurrent enrollment courses.
- 7) Fund programs at Washburn University (Center for STEM Education and Ensuring Pathways to Student Success);
- 8) Fund the Excel in CTE program based on a three-year rolling average (FY 2018, 2019 and 2020 average expenditure relative to current appropriation);
- 9) Fund the state's share of the cost model for tiered courses and non-tiered courses; and
- 10) Address State Aid for Career Technical Education Capital Outlay.

Regent Bangerter seconded. Regent Harrison-Lee believes adding additional funds during a budgetary crisis will be challenging and concurs with Regent Hutton that the Board should be more mindful of the state's position. Regent Kiblinger agreed with Regent Harrison-Lee. Regent Rolph asked for an amended motion to drop items four and five from the list. Regent Bangerter seconded. Regent Harrison-Lee stated that addressing enrollment gaps is a top priority of the Board and is critical for the state's economic prosperity. Regent Rolph then suggested dropping only item 5. Following discussion Regent Schmidt amended his original motion to include the following items:

- 1) Return the state universities' State General Fund appropriations to \$643.6 million in FY 2022, directing the universities to augment services for student mental health;
- 2) Continue the state's Engineering Initiative for ten more years;
- 3) Establish a dedicated capital fund from the state of \$13.5 million starting in FY 2023;
- 4) Create a pilot program to tackle the enrollment gaps Board staff have identified, such as with Hispanic, African American, First Generation and other students;
- 5) Advocate for enactment of legislation similar to 2020 SB 335 to allow public school districts to use state aid to finance high school attendance in postsecondary concurrent enrollment courses;
- 6) Fund programs at Washburn University (Center for STEM Education and Ensuring Pathways to Student Success);
- 7) Fund the Excel in CTE program based on a three-year rolling average (FY 2018, 2019 and 2020 average expenditure relative to current appropriation);
- 8) Fund the state's share of the cost model for tiered courses and non-tiered courses; and
- 9) Address State Aid for Career Technical Education Capital Outlay.

Regent Bangerter seconded, and the motion carried. Regents Hutton and Van Etten voted no on the motion.

NEW TUITION RATE – KSU

President Myers presented Kansas State University's request to charge a reduced out-of-state tuition rate that is equivalent to the resident tuition rate effective Fall 2021 to full-time, domestic,

undergraduate students (first time freshmen or transfer) from the State of Missouri. The reduced rate will be available to students pursuing any undergraduate major at K-State and the initial eligibility criteria will be a 3.25 overall high school grade point average (GPA) and a composite score of 22 on the ACT (1100 SAT) for first time, full-time freshmen and a 3.25 college GPA for new transfer students. President Myers stated the University will need to increase its Missouri enrollments by 24 to be neutral on tuition revenue but it is anticipating that the University will increase its students by 39, which would net \$150,000 in additional net revenue. Regent Bangerter moved to approve, and Regent Murguia seconded. The motion carried.

Governance

BOARD MEMBER CONFLICT OF INTEREST DISCLOSURE STATEMENTS

General Counsel Julene Miller presented a summary of reported items from the Board Member Conflict of Interest Disclosure Statements. The following disclosures were made:

1. One Regent will serve on the *governing* board of an institution that is *coordinated* by the Board:
 - Regent Van Etten will serve as the Kansas Board of Regents appointee to the Board of Regents of Washburn University pursuant to statutory requirement.

K.S.A. 13-13a04(a)(4) provides that one member of the Washburn University Board of Regents shall be a member of the Kansas Board of Regents. As this is a statutorily required appointment, it is not considered a conflict for purposes of the Board's policy.

2. One Regent has reported service on the *governing* board of a non-controlled *affiliated corporation* of an institution that is *governed* by the Board:
 - Regent Hutton serves as a member of the Board of Trustees of the Kansas State University Foundation, a non-controlled affiliated corporation of Kansas State University.

The Trustees of the Kansas State University Foundation elect members of the Board of Directors for the Foundation, and the Board of Directors serves as the governing body of the Foundation. Technically, service on the Board of Trustees is not subject to the Board's conflict of interest policy. Additionally, service on the board of an affiliated corporation that exists to raise and manage funds for its respective educational institution is generally in line with the Board's mission and goals and would be unlikely to constitute an actual conflict of interest for the Regent involved.

3. Two Regents have reported an Interest in an entity that has entered one or more contracts or transactions with one or more *institutions* that are *governed* by the Board:
 - Regent Hutton has an ownership interest and is CEO Emeritus and Director of a company (Hutton Construction) that has one or more construction contracts with Wichita State University, the University of Kansas, and Kansas State University, or their affiliated corporations. Projects that have been reported are the addition to Koch Arena, a potential project in Salina for the KU School of Nursing, the fire restoration of Hale Library, the NIAR building renovation/addition, and renovations to the Memorial Stadium at K-State on behalf of the KSU Foundation and marching band.

- Regent Kiblinger's spouse supervises student teachers for Pittsburg State University in accordance with the University's routine arrangements for such services; a small stipend is paid for each student teacher supervised, with total compensation expected to be less than \$5,000 for the year.

Regent Rolph moved to approve the continued service of Board members serving on the boards listed above, conditioned on each member's recognition that their duty is first to the Board of Regents, and for the Regents named in item 3 above, they are to excuse themselves from participating on behalf of the Board in matters involving or related to the contract or transaction. Regent Van Etten seconded. The motion carried.

AMEND AGENDA

Chair Feuerborn amended the agenda to move the Technical Education Authority Report and the Board Goals to the October Board meeting.

Other Matters

QUALIFIED ADMISSIONS REGULATIONS TO IMPLEMENT CHANGES TO FIRST TIME FRESHMAN STANDARDS

General Counsel Miller stated one of the Board's 2018 goals was "to study ways to simplify the undergraduate admission application process with a specific focus on Qualified Admissions precollege curriculum course requirements." Based on that study, the Board approved changes to the Qualified Admission standards at its September 2019 meeting and directed Board staff to start begin the regulation process. General Counsel Miller stated the changes include eliminating the requirement for completing a prescriptive precollege curriculum and, for most state universities, replacing the top third class rank option for admission with an option for admission based on an applicant's cumulative high school GPA. If adopted, the regulations and new standards would be effective for review of applicants for the summer 2021 term. Regent Kiblinger moved, and Regent Harrison-Lee seconded, that the proposed new and amended permanent regulations be adopted and the permanent revocations be adopted. On a roll call vote, the following Regents voted affirmatively: Regent Bangerter, Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, and Regent Van Etten. The motion carried.

STUDENT HEALTH INSURANCE PLAN REGULATION AMENDMENTS

General Counsel Miller reported that at the June 2020 meeting, the Board adopted a temporary amendment to K.A.R. 88-30-1, which suspended the eligibility requirement that students not be entirely online or receive instruction by distance education only, beginning with the upcoming plan year, August 1, 2020, during any semester when the institution at which the student is enrolled has eliminated or substantially restricted in-person class options. She noted the permanent regulation has now made it through the regulatory process and needs to be adopted to replace the temporary version, which expires in October. Additionally, a permanent amendment to K.A.R. 88-30-2 to clarify that students may elect spouse and/or dependent coverage only for plan years for which that coverage is offered has also successfully completed the process. Regent Rolph moved, and Regent Harrison-Lee seconded, that the proposed amended permanent regulations be adopted. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent

Bangerter, Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, and Regent Van Etten. The motion carried.

REVOCATION OF OUTDATED RETIREMENT PLAN REGULATIONS

Associate General Counsel Natalie Yoza stated that the Kansas Board of Regents Voluntary Retirement Plan's regulations (K.A.R. 88-10-1 through 88-10-8, 88-10-10, 88-10-12, 88-11-1 through 88-11-9, 88-11-11, and 88-11-12) are outdated and no longer needed to administer the Plan. The Retirement Plan Committee reviewed and approved revoking the regulations at its September 2019 meeting. It was noted that the administration of the Plan will not be impacted by removing the regulations because the Board has been operating its Voluntary Retirement Plan pursuant to the authorizing state statute, federal law, and the written Plan Document as required by law. Regent Bangerter thanked Associate General Counsel Yoza and Madi Vannaman for all their work on the Retirement Plan. Regent Bangerter then moved, and Regent Rolph seconded, that the revocations be adopted. On a roll call vote, the following Regents voted affirmatively to adopt the motion: Regent Bangerter, Regent Feuerborn, Regent Murguia, Regent Harrison-Lee, Regent Hutton, Regent Kiblinger, Regent Rolph, Regent Schmidt, and Regent Van Etten. The motion carried.

HONORARY DEGREE – WSU

President Golden nominated William Cohen Jr. to receive an honorary degree from Wichita State University. Regent Hutton moved to approve, and Regent Rolph seconded. The motion carried.

NAMING OF BUILDING

President Golden requested approval to name the Advanced Virtual Engineering and Testing Lab in honor of Jerry Moran. Regent Van Etten moved to approve, and Regent Harrison-Lee seconded. The motion carried. The building will be named the Jerry Moran Center for Advanced Virtual Engineering and Testing.

AMEND AGENDA

Chair Feuerborn moved the Legislative Update to the October meeting.

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 1:34 p.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS
MINUTES OF SPECIAL MEETING
August 13, 2020

The Kansas Board of Regents met virtually on Thursday, August 13, 2020. Chair Bill Feuerborn called the meeting to order at 9:00 a.m. Proper notice was given according to law.

MEMBERS PRESENT: Bill Feuerborn, Chair
 Cheryl Harrison-Lee, Vice Chair
 Shane Bangerter
 Shelly Kiblinger
 Jon Rolph
 Allen Schmidt
 Helen Van Etten

MEMBERS ABSENT: Ann Brandau-Murguia
 Mark Hutton

ALLOCATION OF FY 2021 GOVERNOR’S EMERGENCY EDUCATION RELIEF (GEER)
FUND GRANTS TO STATE UNIVERSITIES

Elaine Frisbie, Vice President of Finance and Administration, reported that the Governor’s Office was awarded \$26,274,163 under the Governor’s Emergency Education Relief Fund (GEER) by the U.S. Department of Education in early June. Governor Kelly allocated the full amount to the state universities. Vice President Frisbie noted the universities must expend all funds by September 30, 2021 and must comply with all the federal reporting requirements. If approved, each university CEO will sign a grant agreement with the Board’s President and CEO to ensure compliance. Regent Bangerter asked whether the universities are receiving the same amount in the distribution that was removed from each of them in the Governor’s allotment. Vice President Frisbie stated the distribution amounts for each university reflect the Governor’s allotment. Regent Bangerter moved to approve the distribution amounts as presented below. Regent Van Etten seconded, and the motion carried.

State University	GEER Allocation
University of Kansas	\$6,316,593
University of Kansas Medical Center	4,729,440
Kansas State University	6,690,455
KSU Polytechnic Campus	301,989
KSU Veterinary Medical Center	451,058
Wichita State University	2,997,749
Emporia State University	1,505,594
Pittsburg State University	1,684,463
Fort Hays State University	1,596,822
Total	\$26,274,163

ALLOCATION OF FY 2021 CORONAVIRUS RELIEF FUND GRANTS TO PUBLIC INSTITUTIONS OF HIGHER EDUCATION

Vice President Frisbie reported that the State Finance Council approved an allocation of \$64,942,923 (\$55.5 million for the public universities and \$9.4 million for the two-year colleges) from the Coronavirus Relief Fund to the public higher education institutions. These funds will be used by the institutions to make necessary preparations and expenditures to deliver in-person instruction and prepare for campus operations in the fall 2020 semester. Vice President Frisbie noted that grant agreements will be signed by each institution's CEO and the Board's President and CEO to ensure compliance with all the federal requirements. Regent Kiblinger moved to approve the distribution amounts as presented below. Regent Schmidt seconded, and the motion carried.

University	Grant Award
University of Kansas	\$19,013,829
University of Kansas Medical Center	2,802,917
Kansas State University	17,814,311
Wichita State University	5,222,375
Emporia State University	3,251,141
Pittsburg State University	2,719,658
Fort Hays State University	2,353,549
Washburn University	2,364,245
Total	\$55,542,023

Summary by Function	Amount
Equipment and Supplies	\$7,263,206
Continuity of Instruction	17,506,497
Facilities and Equipment	11,912,556
On-Campus Health Care/Student Health Centers	5,306,192
Campus Testing/Infection Prevention Advice/Surge Contact Tracing/Infection Prevention Education (Fall Semester)	13,553,572
Total	\$55,542,023

College	Grant Award
Allen Community College	\$312,743
Barton Community College	449,635
Butler Community College	581,379
Cloud County Community College	256,778
Coffeyville Community College	302,866
Colby Community College	249,605
Cowley County Community College	336,019
Dodge City Community College	258,339
Flint Hills Technical College	268,523
Fort Scott Community College	295,182
Garden City Community College	276,309
Highland Community College	373,988
Hutchinson Community College	545,832
Independence Community College	215,787
Johnson County Community College	1,012,491
Kansas City Kansas Community College	557,355
Labette Community College	254,753
Manhattan Area Technical College	208,419
Neosho County Community College	297,855
North Central Kansas Technical College	216,014
Northwest Kansas Technical College	230,102
Pratt Community College	238,033
Salina Area Technical College	234,917
Seward County Community College	287,094
Washburn Institute of Technology	463,956
WSU Campus of Applied Science and Technology	676,026
Total	\$9,400,000

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 9:08 a.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair

KANSAS BOARD OF REGENTS

MINUTES

August 4-6, 2020

The Kansas Board of Regents Budget Workshop and annual Retreat was called to order by Chair Bill Feuerborn on Tuesday, August 4, 2020 at 1:00 p.m. The meeting was held at T&C Hunt Club, 2461 Arrowhead Road, Arcadia, Kansas. Proper notice was given according to law.

MEMBERS PRESENT:

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

WELCOME

Chair Feuerborn welcomed everyone to the T&C Hunt Club and introduced the manager of the Club, Tim Spehr.

BUDGET OVERVIEW

Elaine Frisbie, Vice President for Finance and Administration, stated that Kansas operates on a fiscal year basis from July 1 through June 30. In late March, the Legislature approved the state's budget for FY 2021, which included \$8,024.1 million in expenditures from the State General Fund (SGF). She noted a large portion of the expenditures went to the Unified School Districts (\$4,127.1 million), followed by human services (\$2,175.3), and then higher education (\$869.8 million). It was noted that the higher education SGF expenditure's rate of growth is the slowest when compared to all other state expenditures over a ten-year period. On the revenue side, Vice President Frisbie highlighted how revenue source amounts for the state have changed over the years with the implementation of different tax policies. It was noted that the majority of the state's revenue comes from individual income tax and sales and compensating use taxes. Vice President Frisbie stated that due to the COVID-19 pandemic the state's planned expenditures over the next several fiscal years will outpace its revenues. She noted that on June 29, Governor Kelly issued her Allotment Plan to balance the state's FY 2021 budget, as required by state law. Through those allotments, \$46.2 million was removed from the public higher education system's SGF appropriations. For FY 2022, it is estimated that there will be a \$1.5 billion shortfall in the state's budget, which will need to be balanced by the Governor and the Legislature.

Vice President Frisbie reported total revenues of the state's public higher education system in FY 2018 totaled \$3.84 billion, of which \$2.9 billion is attributable to the state universities. The key categories of revenue sources for the public institutions are state appropriations, student tuition and fees, federal and private grants, auxiliary enterprises, local support, and affiliated component units. Vice President Frisbie noted the percent of revenue collected in each category will vary by sector and institution. On the expenditure side, the 32 public postsecondary institutions spent

nearly \$2.1 billion (57.5 percent) on salaries and benefits. The next major expense for the system is the operation and maintenance of the physical plant, which accounts for 6.8 percent of the total expenditures across the system. Vice President Frisbie reported that over the past couple of years the higher education system received increases in SGF base appropriations. However, the financial impact of the COVID-19 pandemic will very likely result in additional SGF cuts.

Vice President Frisbie then reviewed the federal funding available to address costs associated with the pandemic. In March, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump. This \$2.2 trillion economic relief package included numerous provisions related to higher education. Under the Higher Education Emergency Relief section, the Kansas public higher education system received \$41.1 million to use on COVID-19 related expenses (\$24.7 million for state universities, \$2.4 million for Washburn University, \$14.1 million for community colleges, and \$2.9 million for technical colleges). The institutions also received \$47.7 million to be distributed to students as emergency grants. The Governor's Office received \$26.3 million in the Governor's Emergency Education Relief Funds. In coordination with the Kansas State Board of Education, the Kansas Board of Regents requested that the Governor apply this money entirely to the Kansas higher education system. This request was granted, and the state universities will receive the \$26.3 million. For the remainder of the funds, the Governor's Strengthening People and Revitalizing Kansas (SPARK) Taskforce will make recommendations to the State Finance Council, which will make the final decisions on how the funds will be distributed. Vice President Frisbie reported that at its July 29 meeting, the State Finance Council approved an allocation of \$64,942,923 (\$55.5 million for the public universities and \$9.4 million for the two-year colleges). These funds will be used by the institutions to make necessary preparations and expenditures to deliver in-person and online instruction and prepare for campus operations in the fall 2020 semester.

Vice President Frisbie also reviewed the Composite Financial Index for the universities, which can be used to help assess the financial health of an institution.

UNIVERSITY BUDGETS

Chancellor Girod presented an overview of the University of Kansas's budget and its plan for the fall semester. The COVID-19 pandemic has had a significant financial impact on all the universities. For KU, the Lawrence and Edward campuses have lost \$35 million in FY 2020, which is primarily associated with lost revenues related to parking, student housing, and dining. It is projected that the two campuses will have a revenue shortfall of \$120 million in FY 2021. The Chancellor noted this is a moderate estimate based on assumed losses and stated that if students cannot return to the campuses, this number will increase. The University has also spent \$30 million on safety-related expenses for FY 2021, and only some of these expenses will be offset by federal funds. For the Medical Center, it lost \$4 million in FY 2020 and is anticipating a \$15 million revenue shortfall in FY 2021. Chancellor Girod stated the Medical Center did not completely shut down when the pandemic started because of its unique mission, which is why the revenue shortfall is lower than the main KU campus. To address the financial shortfalls on all of KU's campuses, the Chancellor reported that salary cuts have been made for leadership positions, a six-month salary reduction plan was implemented for faculty and staff, and a hiring freeze is in place. To help gain some revenue, KU is aggressively restarting its research enterprise. With regard to returning to in-person services, the Chancellor stated that decisions are being made based

on science and guidance from its medical partners. To return the campuses to in-person classes, KU has implemented a mandatory mask policy, condensed its academic calendar, reconfigured housing and dining protocols, identified spaces to be used for quarantine and self-isolation, invested in testing and contact tracing, and de-densified spaces on the campuses. Chancellor Girod stated one of the University's guiding principles in this process is to foster a culture of personal and shared responsibility.

President Scott stated that COVID-19 has impacted all aspects of Pittsburg State University's operation in unprecedented ways. The University will face budgeting challenges like all the other institutions of higher education with revenue losses and extra safety-related expenses. President Scott stated the toughest part is trying to make decisions with all the uncertainty surrounding the state's budget and student enrollment. So far, the University has been able to offset some of the revenue losses and the extra expenses by using the federal funds provided through the CARES Act and by using the University's reserve fund. However, using those funds is not sustainable for the long term. President Scott stated he is really concerned with the FY 2022 budget and the high possibility of incurring significant state budget cuts. The University is also waiting to see what the student enrollment numbers will be for the fall. President Scott indicated that information on enrollments has been a moving target because many students are delaying their decision on whether to attend. PSU will offer face-to-face classes in the fall where possible and will be utilizing some hybrid and online courses to meet the needs of the students, faculty and staff. President Scott emphasized the importance of communicating with the students, faculty and staff about what is happening on the campus. He also noted that PSU has informed students that classes may again be switched to online if circumstances change.

President Golden stated Wichita State University was facing a shortfall of \$3.2 million in tuition revenue prior to the pandemic because of a reduction in resident student enrollment. An additional \$3.6 million tuition revenue loss is now projected, which will bring the total estimated loss in tuition revenue for FY 2021 to \$6.8 million. WSU is also facing additional COVID-19 safety-related expenses and is monitoring the state's budget. President Golden concurred with President Scott that the projection for the state's FY 2022 budget is concerning and that there are a lot of unknowns regarding student enrollments and how COVID-19 will impact the campus. To mitigate the financial shortfalls for FY 2021, WSU has implemented a hiring freeze, restricted discretionary purchases, and reduced budgets for each division of the University. Like the other universities, WSU has put protocols in place to deliver in-person services on the campus for the fall semester. Students living on campus will be screened as they enter the facilities. Housing capacity has been reduced and face masks will be required.

President Mason stated that Fort Hays State University's situation is similar to the other universities. The University's financial situation is currently stable but FHSU is monitoring the state's budget and enrollment. It was noted that losses in tuition revenue and state funding will greatly impact the University's operations. FHSU is currently developing plans on how to manage any losses, which will include delaying capital improvement projects. For the University's China program, all classes have been moved to online, and the University is waiting to see if the pandemic will affect its enrollment. President Mason noted that FHSU has always had a strong online presence and is developing a market plan to emphasize its success and its competitive pricing.

However, the University is anticipating a seven percent decline in total enrollment for the upcoming year.

President Myers stated that Kansas State University developed the following principles to guide the campus for the fall semester: 1) preserve the health and safety of K-State's university community and our host communities, 2) maintain and deliver our land-grant mission through teaching, research, and extension/outreach, 3) preserve and maintain university operations necessary to support mission-critical activities, 4) preserve the financial capability of the university to deliver mission critical activities for the long-term fiscal health of the university, and 5) honor K-State's unique culture – students, faculty, and staff are at the heart of the University. He noted the fall semester will begin on August 17 and all individuals on the campus will be required to have a face covering. He spoke about the University's testing and contact tracing abilities and noted the importance of partnering with local county officials. On the research side, KSU received COVID research grants totaling \$1.5 million. However, in the same quarter of FY 2020, University spending on other grants and contracts was down \$9 million (20 percent). President Myers reported that from March to June 2020, KSU lost \$45 million because of decreased revenues and increased expenses. The University is estimating a \$51 million loss in FY 2021 and is concerned about the state's budget projection for FY 2022. To address the financial shortfalls, KSU furloughed 1,868 employees, terminated or non-reappointed approximately 100 employees, and is in the process of deploying \$38.75 million in additional budgetary actions.

Diana Kuhlmann, Vice President for Administration and Finance, presented an update for Emporia State University. In 2020 before the pandemic hit, ESU had reduced its expenditures and implemented cash management procedures to deal with tuition revenue losses. The University was already planning to reduce \$2 million from its budget in 2021 and because of the pandemic, ESU is now anticipating an additional \$3.4 million reduction in tuition revenues. Vice President Kuhlmann stated that currently enrollments are down about eight percent but that could change in the coming weeks. She reported that the University's cash balances are stable, but she is concerned with the 2022 state budget forecast. ESU is anticipating revenue losses associated with housing, fees, tuition, and athletics, which may total around \$6.5 million for FY 2021. Vice President Kuhlmann stated that the federal CARES Act stimulus funds have helped with some of the losses, but it is not enough to cover all of them.

The Board discussed the universities' AY 2021 plans. A question was asked regarding who makes the decision as to which courses are offered online. It was noted that the faculty work with department chairs and deans but ultimately the university provost will make the decision. The majority of CEOs also indicated that currently the number of online course offerings for each institution is about the same as it has been in previous years. The universities are also allowing some staff and faculty to work from home depending on their circumstances and their ability to perform their job functions remotely, which will help to de-densify the campuses. Chancellor Girod noted there will be COVID-19 cases on the campuses just like there are cases in the communities. In order for classes to stay face to face, the community both on and off campus will need to work to mitigate the spread so that the healthcare system does not get strained. The Board also discussed how COVID is impacting athletics at the universities.

BREAK

Chair Feuerborn called for a break at 2:59 p.m. and resumed the meeting at 3:07 p.m.

STATE UNIVERSITY TUITION RATES

Vice President Frisbie stated that at the June meeting, the Board requested an overview of the different university non-resident tuition rates and waivers. Each of the universities has its own structure of discounted rates and waivers for students who would otherwise pay full non-resident rates. Some of the waivers are based on state law while others have been granted by the Board over the years. Vice President Frisbie presented an inventory of all the different non-resident tuition discounts, waivers, and scholarship programs offered by the universities.

The reasons cited for offering non-resident tuition discounts and waivers include decreasing state financial support, changing demographics, competition from neighboring states and a decline of in-state student enrollments. She also reviewed how other states handle non-resident rates. Regent Bangerter stated this is a complex issue because the universities need the right mix of revenue to make their budgets work; however, he believes the Board's tuition policy needs to be reviewed so that the universities can continue to be competitive with other states. Regent Schmidt asked how the waivers are funded. The majority are financed by the universities. Regent Feuerborn asked the Board's Fiscal Affairs and Audit Standing Committee to study the different non-resident tuition rate and waiver structures and determine if the Board's tuition policy needs to be adjusted.

(Spreadsheets are filed with Official Minutes)

FY 2022 UNIFIED BUDGET REQUEST

Vice President Frisbie stated 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 each year. The Board's request must be submitted by October 1. At the June meeting, the institutions submitted proposed items for the Board's FY 2022 unified budget request. The Board discussed the state's budget forecast and noted that it is not realistic to submit a request asking for additional base funding, which has been a priority of the Board in the past. The Regents discussed the possibility of requesting funds for specific programs including items that are connected to economic development. The university CEOs expressed their concerns about additional State General Fund reductions and are hoping their state funds remain at least flat. The Board also discussed the Engineering Initiative, which will sunset in 2021, and the deferred maintenance initiative. Regent Feuerborn stated the Board has until the September meeting to determine if there are specific programs it wants to request funding for and if so, it will be important to get the request embedded in the Governor's budget.

ADJOURNMENT

The Chair adjourned the meeting at 4:36 p.m.

CALL TO ORDER

Chair Feuerborn called to order the August 5, 2020 meeting at 10:45 a.m.

MEMBERS PRESENT: Bill Feuerborn, Chair
Cheryl Harrison-Lee, Vice Chair
Shane Bangerter
Ann Brandau-Murguia
Mark Hutton
Shelly Kiblinger
Jon Rolph
Allen Schmidt
Helen Van Etten (by conference call)

CAMPUS DIVERSITY AND INCLUSION AND CAMPUS CLIMATE

Vice President Frisbie introduced Wichita State University's Chief Diversity Officer, Marché Fleming-Randle. Dr. Fleming-Randle will chair the Council of Chief Diversity Officers this year.

General Counsel Miller reported that over the summer, members of the Student Advisory Committee met with President Flanders to discuss how public universities handle free speech and assembly issues. The students are interested in exploring ways to address "hate speech" on the campuses. General Counsel Miller stated the universities are state agencies and strict parameters dictate what they may do to discourage, prohibit or sanction speech. Public universities may not censor, prohibit, chill or punish a student's expression, enact or enforce censorship policies, or compel speech through mandatory civility statements or codes simply because the university disagrees with the speaker's message or finds it to be hateful or offensive. Under the law, there are very limited types of speech or expression that a state university may restrict. However, General Counsel Miller noted that the universities can and have implemented policies prohibiting and punishing race discrimination and other forms of unlawful discrimination, and each has reasonable time, place and manner restrictions on use of campus facilities and open spaces, and each has a core values statement. President Flanders stated that the Board may want to consider adopting some form of guidance to address campus free speech issues.

President Flanders stated that the system also needs to address the enrollment equity gaps and asked Vice President Archer to provide some information on best practices to reduce these gaps. Vice President Archer reviewed the College Going Rate, which is the percentage of high school students entering postsecondary. Over the last eight years this rate has declined by six percentage points – going from 55.6% in 2010 to 49.3% in 2018. Vice President Archer noted the College Going Rate for Hispanic and Black students has significantly decreased since 2014. He then reviewed the first-year retention rates and six-year graduation rates for the total student population and the three largest race/ethnicity populations at each of the universities. The data shows that Hispanic and Black students typically have lower rates in both categories when compared to their white counterparts.

Vice President Archer stated race and ethnicity gaps in student enrollment is a national issue, and he reviewed several initiatives that have been implemented in other states to help reduce these gaps. At Georgia State University, students who are academically at-risk are automatically enrolled in the Summer Success Academy. These students earn seven hours of credit while receiving intensive academic and personal support. Vice President Archer reported that students who went through the Academy had higher retention and graduation rates. The University of

Georgia system has a statewide program titled the African American Male Initiative (AAMI). This program emphasizes study-skill activities, support services, mentoring, and leadership development. Since its launch, the six-year graduation rate for African American males in the system increased by 11.4 percentage points, going from 28.97% to 40.35%. Vice President Archer stated that many colleges and universities throughout the country have utilized Early College High School models, which allow students to earn college credits either throughout the entire high school experience or during the final two years of high school, to reduce the equity gaps. National Student Clearinghouse data indicates that minority students who participate in these programs are ten times more likely to earn a college degree than minority comparison students. Rutgers University's Future Scholars Program is a five-year program that runs from the seventh grade to the twelfth grade. Students in this program receive support and participate in activities that prepare them for college. Utah Valley University's Hispanic Initiative is a community outreach and concurrent enrollment program. The program provides 14-20 Hispanic parent open houses each year, free summer and concurrent bridge programs, and hosts Hispanic student conferences and cultural events. This initiative has helped increase Hispanic student enrollment by 324% and Hispanic graduation headcount by 372%.

Regent Murguia asked whether the universities had done any research to identify the specific barriers in Kansas that are deterring minority students from entering higher education. She believes that in order for solutions to be implemented to reduce the enrollment gaps, the Board and the universities need a better understanding of why minority students are not attending college – are there specific barriers or is it a personal choice. No university has conducted an in-depth review, but Chancellor Girod noted that the Mid-America Regional Council has conducted regional studies and some of its key findings are related to cost and access. President Flanders stated when he spoke with Hispanic high school students, many indicated it was difficult to fill out the college application and FAFSA paperwork. Geographical location can also be a barrier for Hispanic students because many Hispanics prefer to stay near their families, which is one reason why the Dodge City region was looking at partnering with a university to offer baccalaureate degrees.

Chancellor Girod stated it is important to not only recruit minority students but to also have services in place at the campuses to help with completion. He noted that for many students their pursuit of a degree can be derailed by any financial strife. President Myers stated the reasons students leave college before completing are usually associated with financial, academic, or social issues. KSU, like all the other universities, has support programs in place to help students, including peer mentoring, but these programs are constrained because of limited resources. However, President Myers noted that even with limited resources the programs are successful.

President Rittle reported that the makeup of the student population on the community college campuses varies depending on its location. He noted that the community colleges have several programs aimed to support low-income and first-generation students. One program is the TRIO Student Support Services, which is a federally funded program that helps students persist and graduate. President Rittle stated it is important for the institutions to let students who are struggling know they are valued, and these programs are just one tool the colleges use. Dr. Rittle stated that a diverse faculty also plays an important role because students feel more connected when they are being taught by someone who has a similar cultural background.

Regent Bangerter stated that each of the institutions has support programs in place to help low-income and minority students, but he would like the Board to review the initiatives that Dr. Archer presented to see if more can be done at the system level. President Flanders stated low-income, first-generation and other underserved populations benefit from concurrent enrollment programs and that legislation was introduced last year that would have allowed school districts to fund a student's concurrent enrollment classes. However, because the pandemic shortened the Legislature's work, the bill was not enacted. He also noted the importance of engaging students while they are in high school because there are support structures in place. Dr. Flanders stated the Council of Chief Diversity Officers would be a good group to engage with on this topic. The Diversity Officers can study the barriers associated with the equity gaps and bring forward recommendations on how the system can close the gaps. Regent Bangerter agreed that students need to be engaged early and that the programs Dr. Archer presented seem to be effective. He would like to see recommendations on how these types of programs can be implemented in Kansas along with recommendations on how they can be funded. Regent Schmidt stated that programs associated with reducing enrollment equity gaps could be a budget item the Board could request in the future. He believes that if there is data surrounding the request that shows its impact on shrinking the gap, it may get traction in the legislative process. Regent Harrison-Lee concurred that there needs to be a system-level approach and that other states' models should be studied, and she would also like to look at ways to help students complete the FAFSA.

Dr. Fleming-Randle stated that the Council of Chief Diversity Officers look forward to working with the university CEOs and the Board on these issues. She noted the Council will be looking into what is currently being done on the campuses, determine what has been successful, and then work on next steps.

On the free speech topic, Regent Hutton believes the Board should explore whether it needs to have a systemwide policy. He mentioned that the Arizona system has a policy that the Board could review. President Myers noted that KSU adopted the Chicago Principles. Both these documents will be sent to the Board. President Myers also stated that it is important to educate students on what the First Amendment means and how it is applied. KSU's General Counsel's Office does regular training on this topic with different campus groups.

BREAK

Chair Feuerborn called for a break at noon and resumed the meeting at 12:32 p.m.

COORDINATING COUNCIL AND FUTURE OF HIGHER EDUCATION COUNCIL UPDATES

Regent Kiblinger reported that the Coordinating Council discussed aligning the spring break schedule for the Kansas public education system beginning in the 2021-2022 school year. The alignment of calendars would allow high school students more opportunities to enroll in concurrent courses because schedules will be synchronized and families that have children enrolled in different institutions will be able to plan vacations. President Flanders noted that the Board office often receives complaints from parents regarding spring break schedules. Regent Bangerter asked whether the school districts will be able to align. Regent Kiblinger stated the State Board of Education is collecting feedback from the districts, but she believes the majority will be in favor

because many already align with the higher education institution that is located nearest to them. President Rittle stated the community colleges are willing to align but will need advance notice because the colleges use their spring breaks as a pivot point for when they start and stop classes. President Genandt stated the technical colleges are already aligned with their local school district, so it should not be a problem. None of the university CEOs had an issue moving forward with the alignment.

Regent Harrison-Lee reported that the Future of Higher Education Council has met twice and spent the majority of those meetings receiving background information on the higher education system. The Council discussed adding an icon to all the approved systemwide transfer courses so that they are easily identified. The members are also interested in looking at models to address equity gaps. Regent Harrison-Lee stated that at the next meeting the Council will discuss how the COVID-19 pandemic has impacted the higher education system and determine if those impacts should be addressed in the creation of the comprehensive three-year, five-year, and ten-year plan for higher education.

BUILDING A FUTURE: ECONOMIC PROSPERITY PILLAR UPDATE

President Flanders reported the third pillar, Economic Prosperity, demonstrates how the higher education system supports economic growth in Kansas. This pillar emphasizes the intentional economic development activities of the institutions. Under this pillar, each university will have established goals and will track the number of family sustaining jobs created and capital investment generated. The jobs captured under this pillar must be new jobs that are generated as a result of intentional economic development and corporate partnership efforts on the part of state universities. These jobs must be located in Kansas to guarantee that the state is deriving a benefit from the jobs. The universities will also track existing business expansion, business attraction, business formation and entrepreneurial endeavors, along with any jobs or investment associated with those projects.

President Flanders stated the Kansas higher education system is in the best position to help the state grow economically. Each university has strengths in specific areas that can be expanded to help Kansas attract and grow businesses. He noted the system will need to work with companies on strategies to retain graduates in the state and that wage discrepancies will need to be addressed. Scott Smathers, Vice President of Workforce Development, reported that a work group of university representatives are focused on developing Pillar Three and have been sharing ideas.

BREAK

The Chair called for a break at 1:32 p.m. and resumed the meeting at 1:48 p.m.

BUILDING A FUTURE: PROMOTING THE PLAN AND AFFORDABILITY

Matt Keith, Director of Communications, and Matt Casey, Director of Government Relations, stated that it will be important to share the Board's new strategic plan, *Building a Future*, with a variety of stakeholders including the Governor, legislators, business and industry organizations, school districts, military partners, and the higher education community. Promotional materials are being developed that will be given to Board members, Board staff, and the communication and marketing teams on the college and university campuses. The Board members can use these materials when they are presenting at events, giving interviews, or meeting with key stakeholders.

Vice President Archer stated that at the June Board meeting the Board approved moving forward with two initiatives that align with the strategic plan's emphasis on affordability. The first is the strategic review of low-enrollment programs. This review will primarily be based on assessing programs in three core areas: essentiality, productivity, and cost effectiveness. The universities will be required to provide data on specific criteria. Each university will then present its low-enrollment strategic program alignment findings and recommendations to the Board in the middle of FY 2021 (November 2020, December 2020, and January 2021). If a university wishes to extend its review beyond this period due to the challenges involving COVID-19, it may request an extension from the Board Academic Affairs Standing Committee. If approved, the university will present a minimum of 50 percent of its low-enrollment programs to the Board in the middle of FY 2021 and any remaining such programs will be presented to the Board at the end of FY 2021 (May and June 2021).

The second initiative is to develop strategies that advance associate-to-baccalaureate degree program transfer. A work group is being formed to develop a proposed policy that 1) defines a common general education package for transferable associate degrees; and 2) guarantees that a transferable associate degree is used to satisfy the general education requirements at the receiving baccalaureate-degree granting university. Vice President Archer stated another component of this process is to continue to examine associate and baccalaureate degree credit limits and highlighted the pilot program between the University of Kansas Edwards Campus and Johnson County Community College. Regent Bangerter believes the Board should move forward with amending the policy on baccalaureate degree credit limits to allow the other universities the ability to apply more than 60 hours toward the completion of a baccalaureate degree. He stated it will benefit students by cutting their time to completion and it will benefit the institutions by keeping students enrolled in Kansas. Vice President Archer stated this may need to be reviewed at the program level because there could be accreditation issues. The Board members would like to get feedback from the institutions regarding the benefits and drawbacks of amending the policy. Board staff will develop a timeline for gathering this information so the Board can decide on the policy.

Vice President Archer also highlighted the increased use of open educational resources (OER) on the campuses, which save students textbook costs. A study conducted by rpk group and SRI Education estimated that community college students save an average of \$66-\$121 per course when OER is used. OERs have also been linked to improved student success rates. Dr. Archer noted that a working group was formed with representatives of all sectors to look at ways to increase the use of OERs in the system.

NON-BUDGETARY LEGISLATIVE REQUESTS

Director Casey presented the non-budgetary legislative requests listed below. These items will be presented to the Board for consideration later in the fall.

- Amend the Kansas Private and Out-of-State Postsecondary Educational Institution Act (K.S.A. 74-32,162 et seq.) to clarify and enhance the Board's oversight.
- Support permissive authorizing language for affiliations between any two-year college and any four-year university without identifying specific institutions.

- Amend K.S.A. 74-32,434 to add “high school equivalency (HSE)” to the performance-based incentive payment program.
- Extend the Kan-Grow Engineering Initiative beyond FY 2022 and continue the \$3.5 million transfers specified in K.S.A. 74-8768 beyond July 1, 2021 to the three research universities.
- Amend K.S.A. 75-6609(f) to clarify that the proceeds resulting from the sale of universities’ real property are to be retained by the university (rather than having to state that in each land sale bill).
- Exempt the universities and the Board Office from K.S.A. 75-7201 that mandates KITO oversight of IT projects over \$250,000.
- Seek extension of COVID-related immunity for all public institutions of higher education. *See* Section 8(f) in 2020 House Bill 2054 and Sections 9 and 11 of 2020 House Bill 2016 passed in the special session.
- Repeal K.S.A. 76-393 that requires the Board office to authorize the Department of Administration to transfer funds from each of the six state universities to the University Press of Kansas at KU.
- Eliminate the requirement that the in-person oath of office in K.S.A. 54-101, et seq. and K.S.A. 75-4308, et seq. be notarized, or that it be done in-person.
- Support revival and passage of 2020 HB 2411, which would have removed the Division of the Budget from the Rule and Regulation Filing Act process.
- Repeal obsolete statutes for which KBOR provided rationale to the Office of the Repealer several years ago.

Vice President Frisbie then reviewed the budgetary requests that the community and technical colleges submitted. President Rittle stated the community colleges support the list of requests that was submitted and noted they are concerned that the pandemic will have a significant effect on their Excel in CTE enrollment.

DEFERRED MAINTENANCE

Kelly Oliver, Senior Director of Finance and Administration, reported that earlier this year the Board commissioned two studies related to deferred maintenance. Accruent LLC conducted a detailed condition assessment of university mission critical buildings and is currently working with the universities to develop databases so that the building conditions on each campus can be tracked. The databases will also generate reports that will help the universities and the Board make decisions on deferred maintenance issues. Gould Evans in association with Rickes Associates have completed their space utilization review on all the campuses and will have a final report to the Board in November. Regent Hutton asked when the databases will be operational. Director Oliver stated that the information is currently being entered into the databases but is unsure of the timing on when reports can be produced. He also wanted to know when a comprehensive plan to address deferred maintenance will be completed. President Flanders stated that the pandemic slowed the process some, but he expects to have something to the Board by December. He also noted that the space utilization needs for this year and possibly next year are going to be different than a normal year because of the pandemic. It was noted that the plan will need to address the penalties associated with losing Educational Building Fund allocations when a building is torn down. Right now, if a university wants to decrease its building footprint, it will lose funding because the EBF is calculated by square footage. The formula needs to be reviewed to determine

ways to address the problem while also trying to keep it equitable for the universities. Regent Hutton noted he was not advocating for changing the formula but believes there needs to be a plan to address the issues. Regent Harrison-Lee concurred that there needs to be a solid strategy and plan in place before the Board can take a recommendation to the Legislature. Regent Kiblinger stated that if the Board pursues the deferred maintenance initiative, the strategy and plan need to highlight the construction jobs that will be created, which will impact the Kansas economy. President Flanders stated that it is important for the Board to be involved with the development of the strategies and plan. Vice President Frisbie noted this will be a standing agenda item on the Fiscal Affairs and Audit Standing Committee so those Board members will have opportunities to provide feedback and guidance on a monthly basis.

BREAK

Chair Feuerborn called for a break at 2:55 p.m. and resumed the meeting 3:10 p.m.

OPEN DISCUSSION

The Board and the CEOs discussed how the campuses are addressing social justice issues. President Myers discussed KSU's strategies including creating a student ombudsperson office, forming a university policy working group to address institutional bias and barriers, increasing need-based scholarships, and developing a social media policy to balance free speech and university values. He noted faculty, staff, and students were involved with developing the items.

The Board also continued its discussion on how COVID-19 is impacting the system and the state. Chancellor Girod discussed how the healthcare system is responding and the importance of implementing the mitigation practices like wearing a face covering and socially distancing when possible. The CEOs discussed how they are working with their local counties so that consistent messaging is being delivered. President Garrett spoke about the challenges associated with athletics include the cost of testing all the athletes.

ADJOURNMENT

The Chair adjourned the meeting at 4:20 p.m.

CALL TO ORDER

Chair Feuerborn called to order the August 6, 2020 meeting at 8:45 a.m.

MEMBERS PRESENT:

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

UPDATE FROM THE COMMUNITY AND TECHNICAL COLLEGES

President Rittle spoke about the fall semester plans for the 19 community colleges. The campuses are installing hygiene stations, spacing out classrooms to adhere to the social distancing guidelines, cleaning high touch surfaces throughout the day, and implementing multiple dining options for students. Health assessments will be conducted on students entering housing facilities and on student athletes. Dr. Rittle noted that 18 of the 19 community colleges are requiring face coverings on campus and all are working with their local health departments on best practices. The 19 colleges are going to have face-to-face classes but are ready to move to online if the need arises. It was noted that when students return to the campuses it will be a different environment because there will not be many student activities.

President Genandt stated the technical colleges are implementing many of the same safety protocols as the community colleges. However, Northwest Kansas Technical College is the only college that will need to address student housing issues. He reported that the colleges brought some students back on campus in May to complete programs that require hands-on training, which was successful. Moving forward, many of the colleges are adjusting their academic calendars and are planning to frontload lab courses when possible. President Genandt reported that half of the colleges are requiring face covering and the others are strongly recommending it. All the colleges are working with their local health departments. President Genandt noted that the colleges are concerned about how the pandemic is going to affect high school student enrollment in Excel in CTE programs.

BOARD COMMITTEES

The Board Academic Affairs Standing Committee and the Fiscal Affairs and Audit Standing Committee met to go over items for the upcoming year.

2020-2021 BOARD GOALS

President Flanders reviewed the goals from last year and recapped the potential Board goals for the upcoming year, which are listed below. Staff will more fully develop the goals and present them to the Board for consideration at the September meeting.

1. Improve academic program transfer by creating a systemwide general education (GE) package to align programs under a common framework that guarantees seamless transfer and evaluate the pilot program that increased the number of credit hours eligible for transfer.
2. Review the 60 low-enrollment programs at the six state universities to assess program viability and strengthen the efficiency of degree program inventories.
3. Review university, community college and technical college plans and best practices to improve college-going rates, retention rates, and graduation rates of students from underrepresented populations.
4. Develop Board guidance on free speech to state universities.
5. Establish five- and ten-year systemwide objectives within *Building a Future* by leveraging

individual university strengths into the creation of direct jobs and direct investments from beyond the state borders into Kansas.

6. Develop a comprehensive plan to finance deferred maintenance of public institutions of higher education facilities to be presented to the 2021 Legislature.
7. Promote simplicity, transparency, and degree completion by exploring tuition rate strategies for resident and non-resident students attending the state universities.

The Board discussed the complexity and challenges associated with these goals and the Board feels that the issues need to be addressed in order for the system to move forward. Regent Hutton commented that he would like to see a budget request centered around reducing the equity gap. Regent Bangerter asked whether the Board should advocate for state funded concurrent enrollment courses. President Flanders stated that increasing the ability of high school students to take concurrent enrollment courses is one tool that can be used to address equity gaps, and he believes the first step should be getting the concurrent enrollment bill that was introduced last session passed, thereby allowing school districts to pay for concurrent tuition.

HOUSEKEEPING

General Counsel Miller distributed the conflict of interest forms for each Regent to complete. The Board will act on any actual or apparent conflicts in September. The Board members signed up for fall commencement ceremonies and reviewed the upcoming Board meeting calendar. Additionally, the Board came to a consensus that the 2021 budget workshop and retreat will take place the last week in July. President Flanders will forward the dates to the Board and the university CEOs. The Board also discussed the process for appointing a new Board chair and vice chair.

Chair Feuerborn announced that this year before each Board meeting he wants to recite the Pledge of Allegiance, and he would like to have the six university CEOs present monthly reports when there is enough time on the Board's agenda for them to do so.

ADJOURNMENT

Chair Feuerborn adjourned the meeting at 11:48 a.m.

Blake Flanders, President and CEO

Bill Feuerborn, Chair