

KANSAS BOARD OF REGENTS

June 23-24, 2010

2009-2010

Jill Docking, Chair
Gary Sherrer, Vice Chair

STANDING COMMITTEES

Academic Affairs

Gary Sherrer, Chair
Dick Hedges
Janie Perkins
Donna Shank

Fiscal Affairs and Audit

Jerry Boettcher, Chair
Dan Lykins
Christine Downey-Schmidt
Ed McKechnie

Regents Retirement Plan

Dan Lykins, Chair
Jerry Boettcher

The Kansas Board of Regents shall pursue measurable continuous improvement in the quality and effectiveness of the public postsecondary educational system in Kansas, while expanding participation for all qualified Kansans. To achieve that mission, the Board will demand accountability, focus resources, and advocate powerfully.

TABLE OF CONTENTS

MEETING SCHEDULE	3
BOARD AGENDA	4
MINUTES OF PREVIOUS MEETING.....	9
CONSENT AGENDA.....	23
DISCUSSION AGENDA.....	33
CONSENT AGENDA	55
DISCUSSION AGENDA (STATE UNIVERSITY WEDNESDAY)	67
DISCUSSION AGENDA (STATE UNIVERSITY THURSDAY).....	85
OTHER AGENDAS	
Board Fiscal Affairs and Audit Standing Committee	107
Council of Presidents.....	108
System Council of Chief Academic Officers.....	111
Council of Chief Academic Officers.....	115
Council of Faculty Senate Presidents.....	122
RESOURCES	
Board Meeting Schedule and Deadlines for Submission of Agenda Items	123
Board Committee Listing	124

June 23-24, 2010

**KANSAS BOARD OF REGENTS
MEETING SCHEDULE**

June 23-24, 2010
Curtis State Office Building
1000 S.W. Jackson, Suite 520
Topeka, KS

Wednesday, June 23, 2010

9:00 – 9:30 a.m. System Council of Chief Academic Officers – *Suite 530*

9:30 or Adjnmt Council of Chief Academic Officers – *Suite 530*

10:00 – 12:00 noon Council of Faculty Senate Presidents – *Kan-Ed Conference Room*

11:00 – 12:00 noon Board Fiscal Affairs and Audit Standing Committee – *Board Room*

11:00 – 12:00 noon Council of Presidents – *Suite 530*

12:00 – 1:15 p.m. **Lunch – Board of Regents and President Tompkins – *Conference Room B***

12:00 – 1:15 p.m. Lunch – Council of Chief Academic Officers – *Kathy Rupp Conference Room*

1:30 p.m. **Board of Regents – *Board Room***

4:00 p.m. or Adjnmt Students' Advisory Committee – *Kathy Rupp Conference Room*

6:00 p.m. **Dinner – Board of Regents, President Tompkins, University CEOs, Reginald Robinson, and Guests – *Topeka Country Club***

Thursday, June 24, 2010

8:30 a.m. **Board of Regents – *Board Room***

11:30 a.m. **Lunch – Board of Regents and President Tompkins – *Conference Room B***

**KANSAS BOARD OF REGENTS
AGENDA
June 23-24, 2010
1000 S.W. Jackson, Suite 520
Topeka, KS**

WEDNESDAY, JUNE 23, 2010

I. CALL TO ORDER

Chairman Jill Docking

- A. Approve Minutes/Board Meeting on May 17-18, 2010

Page 9

II. GENERAL REPORTS

- A. Introductions
- B. Report from the Chair
- C. Report from the President and CEO

**Chairman Jill Docking
President Andy Tompkins**

III. STANDING COMMITTEE REPORTS

- A. Academic Affairs
- B. Fiscal Affairs and Audit

**Regent Gary Sherrer
Regent Jerry Boettcher**

IV. APPROVAL OF CONSENT AGENDA

- A. *Academic Affairs*
Regent Gary Sherrer

**Gary Alexander
Vice President for Academic Affairs**

- 1. Approve Request for Additional Degree Granting Authority for Concorde Career College to offer an Associate of Applied Science in Nursing *Page 23*
- 2. Approve Request for Additional Degree Granting Authority for Bryan College to offer an Associate of Applied Science Degree in Criminal Justice and an Associate of Applied Science Degree in Medical Administrative Specialist *Page 25*
- 3. Approve Request for Additional Degree Granting Authority for Pinnacle Career Institute, Lawrence, Kansas for an Associate of Applied Science – Health Information Technician *Page 27*

**Blake Flanders
Vice President for Workforce Development**

- 4. Approve Request for Degree and Certificate Programs Submitted from *Page 29*
Community Colleges and Technical Colleges for the following: Dodge City Community College– Technical Certificate, Electrical Transmissions System Technician (46.0303) and Colby Community College – Associate of Applied Science and two Technical Certificates, Sustainable/Renewable Energy (CIP 14.9999)

V. CONSIDERATION OF DISCUSSION AGENDA

A. *Academic Affairs*
Regent Gary Sherrer

**Gary Alexander
Vice President for Academic Affairs**

- 1. Approve Request for New Degree Granting Authority for Everest University, Orlando, Florida to offer: *Page 33*

Associate

- a. Associate of Applied Science – Accounting
- b. Associate of Applied Science – Applied Management
- c. Associate of Applied Science – Business
- d. Associate of Applied Science – Computer Information Science
- e. Associate of Applied Science – Criminal Investigations
- f. Associate of Applied Science – Criminal Justice
- g. Associate of Applied Science – Medical Insurance Billing and Coding
- h. Associate of Applied Science – Paralegal

Bachelor

- a. Bachelor of Science – Accounting
- b. Bachelor of Science – Applied Management
- c. Bachelor of Science – Business
- d. Bachelor of Science – Computer Information Science
- e. Bachelor of Science – Criminal Justice
- f. Bachelor of Science – Paralegal

Master

- a. Master of Business Administration

- 2. Approve Request for New Degree Granting Authority for Everest College – Phoenix to offer: *Page 35*

Associate

- a. Associate of Applied Science – Accounting
- b. Associate of Applied Science – Business
- c. Associate of Applied Science – Criminal Investigations

- d. Associate of Applied Science – Criminal Justice

Bachelor

- a. Bachelor of Science – Business Administration
- b. Bachelor of Science – Business Administration Degree Completion Option
- c. Bachelor of Science – Criminal Justice
- d. Bachelor of Science – Criminal Justice Degree Completion Option

- 3. Approve Request for New Degree Granting Authority for Everest College, Kansas City, MO to offer an Associate of Applied Science in Criminal Justice *Page 37*

- 4. Act on Performance Reports *Page 38*

B. *Fiscal Affairs and Audit* **Diane Duffy
Regent Jerry Boettcher **Vice President for Finance and Administration****

- 1. Determine Distribution of FY 2011 Federal ARRA/SFSF Appropriations to Individual State Universities, Community Colleges, Technical Colleges, and Washburn University *Page 40*

- 2. Determine Distribution of FY 2011 State Appropriations to Individual State Universities, Community Colleges, Technical Colleges, and Washburn University *Page 46*

- 3. Determine Allocation of FY 2011 Tax Credit Program and Update on the Program – State Universities and Washburn University *Page 51*

VI. APPROVAL OF CONSENT AGENDA

A. *Academic Affairs* **Gary Alexander
Regent Gary Sherrer **Vice President for Academic Affairs****

- 1. Approve Request for a Master of Science in Health Informatics (51.2706) – KUMC *Page 55*

- 2. Approve Request for a Master of Science in Instructional Leadership (13.0404) – ESU *Page 59*

B. *Fiscal Affairs and Audit* **Diane Duffy
Regent Jerry Boettcher **Vice President for Finance and Administration****

- 1. Authorize Lease Agreement with the KU Endowment Association – KU *Page 64*

- 2. Authorize Land Lease to Kansas Wheat Commission (KWC) for Contruction of KWC Facility – KSU *Page 64*

- 3. Approve Energy Conservation Contract – KSU Page 66

VII. CONSIDERATION OF DISCUSSION AGENDA

- A. *Academic Affairs* **Gary Alexander**
Regent Gary Sherrer **Vice President for Academic Affairs**
 - 1. Receive Concurrent Enrollment Compliance Review Page 67
 - 2. Receive Spoken English Language Competency of Faculty and Graduate Teaching Assistants Report for Academic Year 2008-2009 Page 72
 - 3. Adopt Policy Amendment to Authorize Awarding of Honorary Degrees Page 78
 - 4. Act on Request to Revise Academic Calendar – KSU Page 80

VIII. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected Personnel (CEO Assessment) – Chancellor Gray-Little

THURSDAY, JUNE 24, 2010

IX. REPORTS

- A. Introductions
- B. Report from Council of Presidents **President Ed Hammond**
- C. Report from Council of Faculty Senate Presidents **Betsy Cauble**
- D. Report from Students' Advisory Committee **Michael Smith**

X. CONSIDERATION OF DISCUSSION AGENDA

- A. *Fiscal Affairs and Audit* **Diane Duffy**
Regent Jerry Boettcher **Vice President for Finance and Administration**
 - 1. Approve FY 2011 Tuition and Fee Proposals for State Universities Page 85
- Julene Miller**
General Counsel
 - 2. Adopt Board Member Conflicts of Interest Policy Page 90
 - 3. Adopt Bond Resolution – Energy Conservation Revenue Bonds – KSU Page 94
 - 4. Adopt Amendments to State University Purchasing Policy Page 98

B. *Other Matters*

**Chancellor Gray-Little
University of Kansas**

1. Receive Update from the University of Kansas Concerning Athletics

**Theresa Schwartz
Associate General Counsel**

2. Approve Memorandum of Agreement between KU and Kansas Association of Public Employees (KAPE), Local #6403, Representing Graduate Teaching Assistants

Page 103

Chairman Jill Docking

3. Elect FY 2011 Board Chair and Vice Chair

XI. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected Personnel (CEO Assessment) – President Schulz

XII. ADJOURNMENT

WEDNESDAY, JUNE 23, 2010

I. CALL TO ORDER

Chairman Jill Docking

- A. Approve Minutes/Board Meeting on May 19-20, 2010

**KANSAS BOARD OF REGENTS
MINUTES
May 19-20, 2010**

The May 19, 2010, meeting of the Kansas Board of Regents was called to order by Chairman Jill Docking at 1:30 p.m. The meeting was held in Board offices located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka. Proper notice was given according to law.

MEMBERS PRESENT:

Jill Docking, Chairman
Gary Sherrer, Vice Chairman
Jerry Boettcher
Christine Downey-Schmidt
Dick Hedges
Dan Lykins
Ed McKechnie
Janie Perkins
Donna Shank

INTRODUCTIONS

Chancellor Gray-Little introduced the University of Kansas's new Faculty Senate President Barbara Phipps and thanked the outgoing Faculty Senate President Lisa Wolf-Wendel.

APPROVAL OF MINUTES

Regent Downey-Schmidt moved that the minutes of the April 14-15, 2010 meeting be approved. Following the second of Regent Perkins, the motion carried.

GENERAL REPORTS

REPORT FROM CHAIR

Regent Docking thanked the Regents for their participation at the university commencement events. She noted that the first reading for the FY 2011 tuition proposals is on the Board agenda for Thursday, and that the Board needs to make fiscal decisions based on the harshness of today's Kansas economy and the fact that there will be no new stimulus dollars next year. The Board has a critical role to balance the strain on Kansas families and the need to grow the Kansas workforce. Regent Docking stated that tuition is one of the most important and difficult decisions the Board makes.

REPORT FROM PRESIDENT AND CEO

President Robinson thanked the leadership at Pittsburg State University for organizing and hosting the Regents' campus visit last month. Additionally, he thanked all the people who engaged with policy makers during the Legislative Wrap Up Session, the Governor for his leadership and commitment to no more cuts for higher education, and the Legislators who supported the Governor's proposals.

REPORT FROM SYSTEM COUNCIL OF PRESIDENTS

President Burke reported the System Council of Presidents discussed the State's budget and reviewed the strategic agenda for higher education document. The Council conceptually agrees with the strategic agenda, but there are concerns about the implementation regarding both time and resources.

STANDING COMMITTEE REPORTS**Academic Affairs**

Regent Sherrer reported the Board's Academic Affairs Standing Committee examined thirteen performance reviews, which will be forwarded to the Board for consideration.

Fiscal Affairs and Audit

The Fiscal Affairs and Audit Standing Committee report was presented by Regent Boettcher. The Committee approved a draft policy related to Board members' conflicts of interest and approved amendments to the purchasing policy. These policies will be forwarded to the Board for action in June. Additionally, the Committee received an update on the Legislative Post Audit study related to excess credit hours.

APPROVAL OF CONSENT AGENDA

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

Academic Affairs**ADDITIONAL DEGREE GRANTING AUTHORITY FOR CAPELLA UNIVERSITY**

Approval was given to Capella University to offer the following degrees: 1) Doctor of Nursing Practice, 2) Doctor of Health Administration, and 3) Master of Health Administration. These degrees are attained through online distance education programming.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR CONCORDE CAREER COLLEGE

Concorde Career College received approval to offer an Associate of Applied Science in Dental Assisting and an Associate of Applied Science in Dental Hygiene. These degrees will be offered at the Kansas City, MO campus.

ADDITIONAL DEGREE GRANTING AUTHORITY FOR UNIVERSITY OF PHOENIX

The University of Phoenix received approval to offer the following degrees: 1) Bachelor of Science in Information Technology, 2) Bachelor of Science in Business, and 3) Master of

Business Administration. These degrees will be offered at the Wichita Campus, Lenexa Learning Center, and the Topeka Resource Center.

DEGREE AND CERTIFICATE PROGRAMS FOR WICHITA AREA TECHNICAL COLLEGE

Wichita Area Technical College received approval to offer an Associate of Applied Science and a Technical Certificate in Aviation Interiors (48.0799). This program will equip graduates with the skills necessary to install interior equipment and furnishings in aircraft in accordance with industry standards. The start-up costs are estimated at \$67,584, which will be funded by the Wichita Area Technical College general funds.

CONSIDERATION OF DISCUSSION AGENDA

Academic Affairs

SURGICAL TECHNOLOGY ALIGNMENT

Blake Flanders, Vice President for Workforce Development, presented the proposed Surgical Technology Alignment. Currently, four community and technical colleges have surgical technology programs. Vice President Flanders stated that during the process college presidents presented comments and suggestions. Following discussion, Regent Boettcher moved to approve. Regent Docking seconded and the motion carried.

(Surgical Technology Program Alignment filed with Official Minutes)

Other Matters

REPORT AND RECOMMENDATIONS FROM AD HOC COMMITTEE REGARDING COMMUNITY COLLEGES' REQUEST FOR POSTSECONDARY AID

Regent Boettcher presented the report and recommendations from the ad hoc committee regarding Dodge City Community College, Pratt Community College, and Cowley County Community College's request for access to postsecondary aid. Regent Boettcher stated that the committee reviewed all the relevant statutes and all the documents that were submitted, including the request and supporting documents provided by from the three colleges.

The committee was mindful of the complexity of the issues and, based on its review of the materials, is making the following recommendations to the Board for consideration: 1) The committee recommends that the Board deny the Postsecondary Aid funding request made by Cowley, Pratt and Dodge; Cowley and Pratt have never been eligible for such funding and there is no legal authority for allowing Dodge to convert programs from Credit Hour Aid/Community College Operating Grant funding to Postsecondary Aid funding; and 2) The committee recommends that the Board include in its 2011 legislative package any statutory and/or budgetary amendments necessary to achieve implementation of a new approach for State funding of technical education by fiscal year 2012.

General Counsel Julene Miller presented to the Board three letters that were received earlier in the week from the colleges' attorneys. The Board also received a letter from Duane Dunn, President, Seward County Community College. Additionally, General Counsel Miller stated that Kansas City Kansas

Community College Board of Trustees voted to intervene in the lawsuit should the plaintiffs seek a temporary restraining order.

The Regents discussed the second recommendation regarding the implementation of a new approach to state funding. Regent Shank sought to separate the two recommendations and offered a motion to accept the first recommendation of the ad hoc committee report. Regent Downey-Schmidt stated that both recommendations need to be considered together because it was the intent of the committee to show that even though it is denying the request, a new technical education funding approach needs to be implemented. Regent Downey-Schmidt made a substitute motion to accept both recommendations but include the following language in the second recommendation: At the September 2010 Board meeting, the Technical Education Authority, as charged by state statute, shall present proposals on a new funding method for technical education to the Board. Regent McKechnie seconded and the motion carried.

(Ad Hoc Committee Report and Letters filed with Official Minutes)

RECESS

The Chairman called for a recess at 2:46 p.m. and resumed the meeting at 3:00 p.m.

REPORT FROM KANSAS POSTSECONDARY TECHNICAL EDUCATION AUTHORITY

Vice President Blake Flanders presented the report from the Kansas Postsecondary Technical Education Authority. The TEA has asked staff to strengthen connections with secondary programs and the Kansas State Department of Education's secondary career and technical programs. Staff will review how to better link higher education technical courses with K-12 courses.

LEGISLATIVE AND BUDGET UPDATE

Kip Peterson, Director of Government Relations and Communications, presented a report on the Board's legislative initiatives. Since the last Board meeting, the following bills have been either enrolled and presented to the Governor or signed into law by the Governor: 1) SB 131, Private & Out-of-State Postsecondary Institutions (formerly SB 485); 2) HB 2446, State University Investment Statutes Update; and 3) SB 131, Eliminate SSI Requirement for certain State University Faculty (formerly SB 416). Mr. Peterson also reported on the Senate Substitute HB 2360, 3-Year 1-Cent Sales Tax Increase.

Diane Duffy, Vice President for Finance and Administration, presented an update on the budget. The FY 2010 appropriation stands at \$747 million. The original FY 2010 State General Fund (SGF) appropriation at the close of the 2009 session was \$767 million. July and November allotments cut a net total of \$20 million leaving \$747 million, a level of SGF funding equal to the FY 2006 level and the level required for America Recovery and Reinvestment Act (ARRA) compliance. The FY 2010 appropriation of \$747 million is over \$100 million, or nearly 13%, less than the original FY 2009 appropriation. Assuming a Governor's veto of a legislative staff error, the FY 2011 appropriation will be \$751 million, which is the level the Legislature intended.

(PowerPoint and Handout filed with Official Minutes)

FORESIGHT 2020

President Robinson presented the updates to Foresight 2020: A Strategic Agenda for Higher Education in Kansas. Three of the Pillars were updated. In Pillar 1 the following objective was added: Enhanced K-12/Higher Education alignment will be reflected in two measureable ways: (1) Reduction in the need to

offer developmental education courses to recent high school graduates and (2) improved retention rates for first cohort of students admitted pursuant to new admissions standards. In Pillar 2 economic demography was added, and in Pillar 5 the advisory council's name was changed to KBOR Business & Industry Advisory Council. President Robinson stated the System Council of Presidents reviewed and supports the concepts of the document. However, there are concerns regarding implementation with regard to both time and recourses. The Presidents indicated that it would be helpful if the Board prioritized the Foresight 2020 goals and objectives. Following discussion, the Regents decided to place the Foresight 2020 document on the Board's June agenda.

EXECUTIVE SESSION

At 4:05 p.m., Regent Sherrer moved, followed by Regent Hedges, that the Board of Regents recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel, the annual CEO assessment of President Ed Hammond. Participating in the executive session were members of the Board, President Robinson, and President Ed Hammond. At 5:05 p.m., the meeting returned to open session.

RECESS

Chairman Docking recessed the meeting at 5:05 p.m., to resume the following morning at 8:30 a.m.

RECONVENE

Chairman Docking reconvened the meeting at 8:32 a.m. on Thursday, May 20.

MEMBERS PRESENT:	Jill Docking, Chairman
	Gary Sherrer, Vice Chairman
	Jerry Boettcher
	Christine Downey-Schmidt
	Dick Hedges
	Dan Lykins
	Ed McKechnie
	Janie Perkins
	Donna Shank

INTRODUCTIONS

President Beggs introduced the new Faculty Senate President at Wichita State University, Frederick Hemans. President Hammond introduced Fort Hays State University's new Faculty Senate President, Dr. Rita Hauck and the new Student Government President, Tyler Thompson. President Lane introduced Jonathan Rivers as the new President for the Associate Student Government at Emporia State University and presented Regent Sherrer with a signed photo and shirt from the Emporia State University's national champion women's basketball team.

Regent Docking thanked all the members of both the Council of Faculty Senate Presidents and the Students' Advisory Committee. She presented certificates to Dr. Jeff Burnett, outgoing Chair of the Council of Faculty Senate Presidents and Zach Gearhart, outgoing Chair of the Students' Advisory Committee. Regent Docking also presented President Robinson with his name plate and thanked him for his service to the State of Kansas.

REPORTS

REPORT FROM COUNCIL OF PRESIDENTS

President Hammond briefed the Board on the Council of Presidents' meeting. The Council received a report from the Council of Business Officers on the new reporting requirements pertaining to affiliated and non-affiliated corporations. January 4 is the recommended date for universities to annually report the status of the corporations to the Board. The Council reviewed the fiscal management procedures and approved Emporia State University's Master of Science Degree in Instructional Leadership. Additionally, the request for creating a council for unclassified employees was discussed and it was decided Kansas State University will chair the Council of Presidents next year. President Hammond stated that when the Board adopted the Board meeting calendar for next year, the March meeting was moved to the fourth week which is Spring Break for the universities.

BOARD OF REGENTS MEETING DATE FOR ACADEMIC YEAR 2010-2011

Regent McKechnie moved that the Kansas Board of Regents' March meeting date for Academic Year 2010-2011 be held in the third week. Followed by a second from Regent Perkins, the motion carried.

REPORT FROM COUNCIL OF FACULTY SENATE PRESIDENTS

The Council of Faculty Senate Presidents' report was presented by Dr. Jeff Burnett. The Council continued its discussion on how to recruit and retain faculty.

REPORT FROM STUDENTS' ADVISORY COMMITTEE

Zach Gearhart presented the report on the Students' Advisory Committee. The SAC approved a Resolution to extend employer contributions for student healthcare insurance to graduate assistants and discussed what the SAC would like to accomplish next year. Mr. Gearhart announced that the SAC elected Michael Smith, KU, as Chair and Jonathan Rivers, ESU, as Vice Chair for next year.

AMEND AGENDA

Chairman Docking amended the agenda to move the Transfer of Property from the Kansas State University Foundation to the University –KSU on the Consent Agenda to number 1 under the Fiscal Affairs and Audit Discussion Agenda.

APPROVAL OF CONSENT AGENDA

Regent Boettcher moved, with the second of Regent Hedges, that the Consent Agenda, as amended, be approved. The motion carried.

Fiscal Affairs and Audit

MODIFICATION TO FY 2011 CAPITAL IMPROVEMENTS PLAN TO EXPAND LARGE ANIMAL RESEARCH CENTER (LARC) – KSU

Kansas State University received approval to modify its FY 2011 Capital Improvements Plan to expand its Large Animal Research Center (LARC). Private funds of \$5.3 million will be used to add an 11,570 square foot animal suite to the LARC.

RENOVATION OF PORTIONS OF DYCHE HALL UNDER K.S.A. 76-759 – KU

The University of Kansas received approval to renovate portions of Dyche Hall. The project will upgrade building-wide infrastructure, expand the Genomics Complex, and construct new labs. The National Science Foundation (NSF) notified the KU Center for Research, Inc. (KUCR) that the project will likely be funded from the American Recovery and Reinvestment Act (ARRA) Federal Funding Opportunity. The estimated cost of the project is \$1,525,000. The KUCR will construct the project under K.S.A. 76-759.

RENOVATION OF PORTIONS OF NICHOLS HALL UNDER K.S.A. 76-759 – KU

The University of Kansas received approval to renovate portions of Nichols Hall. The project will renovate and expand 3,646 gross square feet, which will be designated as the Bioinformatics Computing Facility Core. The estimated cost of the project is \$4,657,860. The National Institute of Health (NIH) notified the KU Center for Research, Inc. (KUCR) that the project is likely to be funded from American Recovery and Reinvestment Act (ARRA) Federal Funding Opportunity. The project will be constructed by KUCR under K.S.A. 76-759.

LEASE OF LAND FROM UNIVERSITY TO PRIVATE DEVELOPER FOR CONSTRUCTION OF CAMPUS HOUSING – FHSU

Fort Hays State University received authorization to enter into a Ground Lease, a Development and Leasing Agreement, and an Addendum with Uniplace II, LLC. Uniplace II, LLC will lease property from FHSU to construct student housing on the site on which Agnew Hall currently sits. The facility will consist of one building with up to 316 bedrooms. The lease will be for a term of 45 years with three 15 year segments.

CONSIDERATION OF DISCUSSION AGENDA*Academic Affairs***PROGRAM REVIEW REPORT**

The Program Review Report was presented by Vice President Gary Alexander. A total of 89 academic programs were reviewed. Following discussion, Regent Docking moved to accept the report. Regent Sherrer seconded and the motion carried.

*Fiscal Affairs and Audit***TRANSFER OF PROPERTY FROM THE KANSAS STATE UNIVERSITY FOUNDATION TO THE UNIVERSITY – KSU**

Regent Boettcher presented the transfer of the property identified below from the KSU Foundation to the Board of Regents for the benefit of Kansas State University. Kansas State University made the final lease payment on the property, which houses students who rotate through the specialty critical care teaching hospital facility in Omaha, Nebraska. The KSU's College of Veterinary Medicine in Omaha generates its own revenue through the clinic a 501(c)(3) entity, which will fund future maintenance on the property.

Legal Description:

Lots 1 & 2, in PACIFIC PLAZA REPLAT 2, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska

FY 2011 STATE UNIVERSITY TUITION AND REQUIRED FEE PROPOSALS (FIRST READING)

Institutional representatives presented tuition proposals for the FY 2011 academic year. Following those presentations, the Regents asked staff to update a summary of each of the proposals to include separating the required expenditures from the other proposed increases. Regent Sherrer asked for a course fees comparison for FY 2010-2011 in the College of Health Professions at Wichita State University, and Regent Shank asked to receive a revenue growth analysis showing the projected tuition increase verses the actual increase for the last 5-years.

(Handouts filed with Official Minutes)

RECESS

The Chair announced a recess at 10:12 a.m. The meeting resumed at 10:24 a.m.

JOHNSON COUNTY EDUCATION RESEARCH TRIANGLE BUDGETS – KSU AND KU

Vice President Duffy introduced the Johnson County Education Research Triangle (JCERT) budgets. The budgets were reviewed and approved by the Board's Fiscal Affairs and Audit Committee and the JCERT Board. Regent Boettcher moved, with the second of Regent Docking, that the Board adopt the budgets for the JCERT program. The motion carried.

CAPITAL IMPROVEMENT REQUESTS FOR FY 2012

Director of Facilities Eric King presented a summary of capital improvement projects submitted by the state universities (Table 1) and a staff recommendation for allocation (Table 2). In addition to requests for State General Funds (SGF) for deferred maintenance, the state university requests include several SGF requests for new buildings, renovations, and special projects. The staff recommendation only includes SGF requests for deferred maintenance projects. Regent Boettcher moved to approve the staff recommendations for allocation (Table 2). Following the second of Regent Perkins, the motion carried.

(Table 1 and Table 2 filed with Official Minutes)

STATE UNIVERSITY 5-YEAR MAINTENANCE PLANS FY 2008 – 2012

Eric King presented the State University 5-Year Maintenance Plans for FY 2008-2012. Mr. King noted that the appropriations bill as passed eliminates state funding in FY 2011 and FY 2012. Regent Docking moved to accept the plans. Regent Boettcher seconded and the motion carried.

(Plans filed with Official Minutes)

Other MattersPOLICY AMENDMENT TO PROHIBIT SALE OR DISTRIBUTION OF TOBACCO PRODUCTS ON STATE UNIVERSITY CAMPUSES

General Counsel Julene Miller presented the proposed policy amendment to prohibit sale or distribution of tobacco products on state university campuses. Regent Sherrer made a motion to adopt the policy with an effective date of July 1, 2010. Following Regent McKechnie's second, the motion carried.

The following policy amendments were adopted:

23. POLICY ON SALES OF PRODUCTS AND SERVICES

It is the intent of this policy to establish guidelines for the conduct of sales of products and services for the ~~Regents institutions~~ state universities in fulfilling their required missions and statutory obligations, and establish principles upon which fairness in the sale of products and services is to be judged. The complex needs of the ~~Regents institutions~~ state universities require that a broad and flexible policy be established while at the same time making provision for the resolution of the legitimate grievances of the private sector which will occur from time to time. It is in the spirit of good faith and fair practice that this policy is established.

Any sale of products or services by a ~~Regents institution~~ state university, its auxiliary enterprises, or an affiliated corporation of a ~~Regents institution~~ state university (all hereinafter collectively referred to as "institution(s)") is deemed appropriate only if such sale is an integral part of or reasonably related to, an activity which is essential to the fulfillment of the institution's instructional, research or public service missions. Such activities must meet the following criteria:

a. Criteria for Sales of Products and Services to Students, Faculty, Staff, and University Guests

(1) Institutions may sell products and services to students, faculty, staff, and university guests; provided, that the products and services satisfy reasonable educationally related or convenience needs of the university community and provided that such products and services are not generally available to persons who are not students, faculty, staff or university guests. University guests are defined as persons who enter a campus for an educational, research, or public service activity, and not primarily to purchase or receive products and services. Sales to university guests shall be related to the guest's purpose or needs while on campus.

(2) Institutions may sell products and services to students, faculty, staff, and university guests if the product or service contributes to maintaining the quality of the educational, living, or work environment of the institution. Most crucial to maintenance of quality are efforts which impact positively on student, faculty and staff recruitment and retention, including, but not necessarily limited to: student activity association entertainment; movies; athletic and recreational events and facilities; institutional operation of student health facilities; counseling centers; musical, cultural and artistic activities; and auxiliary enterprise activities.

(3) The appropriateness of sales of products and services to students, faculty, staff and university guests should also be weighed by the availability or nonavailability of the

products or services in the community at the time sales were initiated. Availability may be defined in terms of convenience, quality or quantity of service.

(4) The sales of products and services to students, faculty, staff and university guests shall be advertised only in media which are aimed or specifically targeted to the university community or by other methods which are limited to the campus.

(5) Sale or distribution of tobacco products on state university campuses shall be prohibited.

b. Criteria for Sales to the External Community

In order for a product or service to be sold to the external community, two criteria must be met: 1) the product or service must be appropriate for sale; and 2) sale of the product or service must adhere to the appropriate policy on pricing. Any advertising of products or services appropriate for sale to the external community shall be reasonably related in content and cost to the product or service being sold.

(1) Appropriate Sales: The following is an exclusive listing of sales to the public which are deemed to be appropriate:

(a) An institution may sell a product or service which is directly related to the achievement of its institutional mission statement.

(b) An institution may sell a product or service where the sale enhances the academic, cultural, recreational, or artistic environment of the university community. This shall include, but not be limited to: attendance at addresses by public speakers, musical events, athletic events, museum exhibits, and art showings.

(c) Products and services which are by-products of the institution's instruction, research, or public service activities may be sold to the public; however, production of products or services for commercial sale shall not be the primary use of any institutional facilities or resources.

(d) Agricultural and mineral products produced from either research activities or from land owned or leased by the institution may be sold to the public.

(e) An institution may sell food service, but such food service shall be limited to the institution's campus.

(f) An institution may sell clothing and other gift and souvenir items imprinted with the institutional or conference logo, seal, emblem, initials, nickname, mascot or name.

(g) An institution may sell gift or souvenir items related to the operation of university museums or similar facilities.

(h) An institution may sell a product or service if it has specific state or federal statutory authority or mandate to do so.

(i) An institution may provide a product or service pursuant to a grant or contract with a governmental entity to provide such product or service either to the entity or to the public.

(j) An institution may offer a product or service to the external community if such product or service is unavailable elsewhere in the community and is reasonably related to the institution's mission. Unavailability may be defined in terms of convenience, quality or quantity.

(2) Sale or distribution of tobacco products on state university campuses shall be prohibited.

(3) Pricing Policies

(a) In establishing a price or fee for products or services, the price should generally reflect the direct and indirect costs of the products or services and should minimally reflect the price in the private marketplace. For the purpose of this policy, direct costs include, but are not limited to: all salaries, fringe benefits, supplies, and capital directly attributable to the sale of the product or service. An institution's negotiated federal indirect cost rate shall be used to determine indirect costs.

(b) If the activity is integral to the fulfillment of the institution's instructional, research or public service missions, prices may be established at less than full cost recovery upon approval by the institutional chief executive officer or the chief executive officer's designee.

(c) All contracts offering products or services to other state agencies shall be priced in accordance with Board policy on "Contracts with Other State Agencies, Indirect Cost Reimbursement" (Item 7.c., Page 6B).

(d) If a product is an agricultural or mineral product produced either as a by-product of teaching or research activities or as a product of land owned or leased by an institution, such product shall be sold for its market value.

c. Compliance.

(1) The chief executive officer of each ~~Regents institution~~ state university shall designate an officer at the Vice Chancellor or Vice President level who will approve the initiation of any new activity or program which will produce sales of products or services, or a substantial change in the type or level of existing sales of products or services, and determine that such activity or program complies with this policy. Each ~~Regents institution~~ state university shall develop policies and procedures for administrative approval of activities which satisfy the criteria of this policy.

(2) The Director of Internal Audit or other designated official at each ~~Regents institution~~ state university shall review service and product sales on a regular basis and shall report and identify activities to the designated Vice Chancellor or Vice President which are not in compliance with this policy. The designated Vice Chancellor or Vice President shall review the identified activities. If the designated officer agrees that the activity is not in compliance with the policy on competition, that officer shall prescribe parameters for compliance or shall require that the activity be curtailed.

(3) This policy will be applicable to private entities or individuals who sell products or services directly to students, faculty or staff pursuant to a contract with a ~~Regents institution~~ state university.

d. Competition Grievance Procedure

(1) The chief executive officer of each ~~Regents institution~~ state university shall designate an officer at the Vice Chancellor or Vice President level who will receive and evaluate complaints from private enterprises alleging inappropriate or unreasonable competition by the institution with private enterprise.

(2) Upon receipt of a written, formal and signed complaint, the designated official shall investigate the merits of the complaint and determine whether the activity is in compliance with the Board of Regents policy on sales of products and services. The designated official shall proceed to resolve the complaint through administrative channels if possible. If the designated official is unable to resolve the complaint within fifteen (15) working days of receipt, it will be presumed that the complaint cannot be resolved through administrative channels.

(3) If it is impossible for the complaint to be resolved by the designated official through administrative channels, the complaint shall be given to the chief executive officer of the university for referral, within ten (10) working days, to the Institutional Competition Review Committee for review. An Institutional Competition Review Committee (hereinafter "Committee") shall be separately constituted and appointed by the chief executive officer for each complaint. Each Committee shall be made up of five (5) members as follows: three (3) members from the university community (one of whom shall serve as Chair of the Committee) and two (2) members representing the private sector.

(4) The Committee shall, within five (5) working days of its receipt of the complaint, and after consultation with the complainant, determine whether the complainant wishes to make an oral presentation to the Committee or whether the issue(s) shall be determined based on written submissions of the parties. If the complainant desires to personally make an oral presentation to the Committee, same shall be held within twenty (20) working days of the receipt of the complaint. The Committee shall listen to the complainant and a representative of the department or area offering the product or service. The Committee shall determine whether sales of the product or service are in compliance with the Board of Regents policy on sales of products and services. The Committee will prepare a written conclusion of its determination and recommendation of action within fifteen (15) working days of the conclusion of the oral presentation, or within fifteen (15) working days of receipt of the written submissions.

(5) The Committee shall forward its recommendation to the chief executive officer of the university for review. The chief executive officer shall accept, reject, or modify the recommendation of the Committee and shall inform the President and Chief Executive Officer of the Board and the other chief executive officers of the recommendation of the hearing committee along with a statement of the action taken thereon by the chief executive officer within fifteen (15) working days of receipt of the Committee recommendation.

(6) If the proposed action of the chief executive officer does not satisfactorily resolve the complaint or charge, the complainant may appeal the chief executive officer's decision to the Kansas Board of Regents within twenty (20) working days of receipt of the Committee's recommendations. Should review be granted, the Chair of the Board shall appoint, within twenty (20) working days of receipt of the appeal, a Regents Review Committee to review the complaint of the complainant. A Regents Review Committee shall be separately constituted for each complaint. Each Regents Review Committee shall be made up of three (3) members as follows: one member, who shall serve as Chair of the Regents Review Committee, shall be the Chair of the Board of Regents or the Chair's designee, one member shall be designated by the institutional chief executive officer where the complaint arose and one member shall be designated by the complainant. The Regents

Review Committee will, within thirty (30) working days of its receipt of the complaints, make a complete review of the matter and provide its written Report and Decision to the President and Chief Executive Officer of the Board of Regents for implementation and reporting to the full Board of Regents.

(7) This procedure is intended to facilitate discussion and the resolution of issues and not as a formal or judicial process. Neither party may be represented by counsel. Time limits should not be used to adversely affect any complaints and unusual circumstances may justify a waiver of such time limits. It is further anticipated by the Board of Regents that a conscientious and good faith effort will be made by both parties to resolve the complaint at the earliest possible opportunity and that appeals to the Board of Regents will be the exception.

(8) This procedure shall not negate any other policy or afford additional rights relating to the processing of claims or charges of proscribed conduct which may be made by persons directly involved with or affected by the operation and management of a ~~Regents institution~~ state university. This procedure is applicable only to any individual without current access to an established institutional grievance procedure. (12-20-90)

POLICY AMENDMENT TO AUTHORIZE AWARDING OF HONORARY DEGREES

Vice President Gary Alexander presented the proposed policy amendments to authorize Awarding of Honorary Degrees. Following discussion, the Regents referred the proposed action to the Board's Academic Affairs Standing Committee for additional consideration.

UPDATE FROM THE UNIVERSITY OF KANSAS REGARDING PURSUIT OF NATIONAL CANCER INSTITUTE DESIGNATION

Dr. Barbara Atkinson, University of Kansas Medical Center, updated the Board on the University of Kansas's pursuit to be designated a National Cancer Institute (NCI). NCI is a research designation that represents the gold-standard for excellence in translating research into therapies for patients and only designated centers have access to advanced clinical trials. There are both academic and economic benefits of NCI designation including opportunities for students to learn how to treat cancer patients and job creation. Currently, KU is working on fundraising and recruitment of faculty. The University of Kansas is in year 6 of an 8-10 year process and has been invited to apply for NCI designation as early as September 2011.

(PowerPoint filed with Official Minutes)

EXECUTIVE SESSION

At 12:27 p.m., Regent Sherrer moved, followed by Regent Downey-Schmidt, that the Board of Regents moved the meeting to the Kathy Rupp conference room and recess into executive session for 60 minutes to discuss personnel matters of non-elected personnel, the annual CEO assessment of President Steve Scott. Participating in the executive session were members of the Board, President Robinson, and President Steve Scott. At 1:27 p.m., the meeting returned to open session

ADJOURNMENT

The Chair adjourned the meeting at 1:27 p.m.

Andy Tompkins, President and CEO

Jill S. Docking, Chair

II. GENERAL REPORTS

- A. Introductions
- B. Report from the Chair
- C. Report from the President and CEO

Chairman Jill Docking
President Andy Tompkins

III. STANDING COMMITTEE REPORTS

- A. Academic Affairs
- B. Fiscal Affairs and Audit

Regent Gary Sherrer
Regent Jerry Boettcher

IV. APPROVAL OF CONSENT AGENDA

- A. *Academic Affairs*
Regent Gary Sherrer

Dr. Gary Alexander
Vice President for Academic Affairs

1. **APPROVE REQUEST FOR ADDITIONAL DEGREE GRANTING AUTHORITY FOR CONCORDE CAREER COLLEGE TO OFFER AN ASSOCIATE OF APPLIED SCIENCE IN NURSING**

Summary and Staff Recommendation

In accordance with KBOR policy, Concorde Career College is requesting additional degree granting authority for an Associate of Applied Science in Nursing. After a thorough review of the institution's staff qualifications, facilities, record keeping systems, coursework and materials, staff recommends approval. This degree will be offered at the Kansas City, MO campus.

4/21/2010

Background

For more than fifty years Concorde Career College has prepared thousands of students to enter the field of Allied Health. Its principal office is located in Mission, Kansas, and it has 15 campuses located across the country. It generally enjoys long operating histories in local markets. Concorde Career College is accredited by the Accrediting Commission of Career Schools and Colleges (ACCSC). This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval. The Kansas Board of Nursing has also approved this program.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-

site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).
- Proper maintenance of student transcripts, attendance records, and proper use of students' achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

2. APPROVE REQUEST FOR ADDITIONAL DEGREE GRANTING AUTHORITY FOR BRYAN COLLEGE TO OFFER AN ASSOCIATE OF APPLIED SCIENCE DEGREE IN CRIMINAL JUSTICE AND AN ASSOCIATE OF APPLIED SCIENCE IN MEDICAL ADMINISTRATIVE SPECIALIST

Summary and Staff Recommendation

In accordance with KBOR policy, Bryan College, Topeka, KS, is requesting additional degree granting authority for two new programs.

- *Associate of Applied Science Degree – Criminal Justice*
- *Associate of Applied Science Degree – Medical Administrative Specialist*

After a thorough review of the institution's staff qualifications, facilities, record keeping systems, coursework and materials, staff recommends approval.

05/28/2010

Background

Bryan College has previously been approved for degree granting authority by the Kansas Board of Regents. There are two other degree granting campuses located in Springfield, Mo and Rogers, AR. Bryan College has been in existence since 1982 and offers programs in Computer Networking, Computer Programming, Allied Health and Wellness, Business Administration, Gaming and Robotics.

Bryan College is approved by the following:

- Missouri State Approving Agency – Veteran's Education Training Section – DESE
- U S. Department of Education
- Vocational Rehabilitation
- Workforce Investment Act (WIA)

Bryan College is accredited by the Accrediting Council for Independent Colleges and Schools (ACICS) to award diplomas and Associate of Applied Studies degrees. ACICS is a nationally recognized accrediting agency by the United States Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for degree and non-degree granting approval on its campuses.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter "the Postsecondary Educational Institution Act") gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).
- Proper maintenance of student transcripts, attendance records, and proper use of students' achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

3. APPROVE REQUEST FOR ADDITIONAL DEGREE GRANTING AUTHORITY FOR PINNACLE CAREER INSTITUTE, LAWRENCE, KANSAS FOR AN ASSOCIATE OF APPLIED SCIENCE-HEALTH INFORMATION TECHNICIAN

Summary and Staff Recommendation

After a thorough review of the school and its proposed degree programs, KBOR Staff recommends Pinnacle Career Institute (PCI) be given additional degree-granting authority for an Associate of Applied Science – Health Information Technician.

If approved, this degree will be awarded on Pinnacle Career Institute’s Lawrence, Kansas campus. KBOR staff has reviewed the coursework and outcomes and finds they meet KBOR’s standards. PCI also demonstrates they have proper facilities, equipment, materials, record keeping systems, degreed staff, and adequate space to meet the needs of students enrolled in the proposed degree programs. 11/20/07

Background:

Pinnacle Career Institute started its first resident class in October, 1953 under the name of Electronics Institute, Inc. A Missouri corporation, the school operated as a subsidiary of the National School of Aeronautics, Inc. until July, 1959 in Kansas City, MO. Currently, the school has two other locations in North Kansas City, MO and Lawrence, KS. PCI is approved by the Kansas Board of Regents and contracted for training by the Missouri and Kansas Rehabilitation Commissions. Pinnacle Career Institute provides training under the Veterans Administration, Vocational Rehabilitation and Workforce Investment Act.

Pinnacle Career Institute is accredited by the Accrediting Commission of Career Schools and Colleges, a national accrediting agency recognized by the U.S. Department of Education. This accreditation, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, may be accepted as evidence of compliance with the statutory standards for approval.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).

- Proper maintenance of student transcripts, attendance records, and proper use of students' achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

- 4. APPROVE REQUEST FOR DEGREE AND CERTIFICATE PROGRAM SUBMITTED FROM COMMUNITY AND TECHNICAL COLLEGES FOR THE FOLLOWING: DODGE CITY COMMUNITY COLLEGE – TECHNICAL CERTIFICATE, ELECTRICAL TRANSMISSIONS SYSTEM TECHNICIAN (46.0303) AND COLBY COMMUNITY COLLEGE – ASSOCIATE OF APPLIED SCIENCE AND TWO TECHNICAL CERTIFICATES, SUSTAINABLE/RENEWABLE ENERGY (14.9999)**

Summary and Staff Recommendation

Each month community colleges and technical colleges submit requests for the approval of new certificate and degree programs. The Board office received several program requests to be implemented in 2010. The programs submitted addressed all criteria requested and have been subject to the 14 day comment period required by policy. The programs have been reviewed by the Technical Program and Curriculum Committee and the Postsecondary Technical Education Authority recommends approval.

06/08/10

Background

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

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

Description of Proposed Programs

Dodge City Community College requests approval for the following:

Electrical Transmission System Technician (CIP 46.0303) at the Technical Certificate level (39 credits).

The proposed program is focused on system operations and dispatching. Graduates would be responsible for maintaining reliable transmission of electricity over the electrical grid. In addition, graduates would install and maintain wind energy transmission lines.

The college admissions office and data collected from other college personnel has established that 125 students are interested in the proposed program. Sunflower Electric Power Corporation and other electrical cooperatives have indicated that they have as many as 82 current employees that could benefit from participating in the proposed program.

High voltage transmission lines will be required to convey the energy generated by wind farm expansion in the western part of the state to the east and west coast. Electrical linemen and linewomen will be required to build and maintain substations and transmission capacity. Nationally the occupational area is projected to grow by over 10% between now and 2018. Entry-level wages for the occupational category equate to \$29.48 an hour, with journeymen technicians earning approximately \$80k per year.

The proposed program would prepare individuals with the skills needed to support construction of the Kansas V-Plan which will consist of a 765-kilovolt transmission line from Spearville to Comanche County and then back through Medicine Lodge to Wichita. Currently the members of the college advisory committee formed to support the program report that workers must be imported into the region due to the lack of a skilled workforce locally. ITC Great Plains, Victory Electric, Sunflower Electric and J&J Power Line Contractors indicated a willingness to hire graduates of the proposed program to fill their workforce development needs in support of the Kansas V-Plan project. All of these industry partners have offered internship opportunities for students.

The college has established a proposed budget of \$113,940 in support of the program and will re-allocate currently existing resources to fund the proposed program. Existing equipment from the college's electrical and power transmission installer program will be utilized by the proposed program. The college expects to support an enrollment of 20 full-time and 15 part-time students during the implementation year and will prepare itself to scale the program to meet industry demand.

While some similarity exists between the proposed program and the existing electrical and power transmission installer program at the college, sufficient differences in the curriculum emerged which generated the need for a distinct certificate offering. The college contacted Pratt Community College and Manhattan Area Technical College via e-mail and both institutions verified that the proposed program did not duplicate their program offerings. No letters of objection were received in response to the proposed program.

The proposed certificate program has been carefully reviewed by staff utilizing the above stated standards and criteria. Copies of the detailed program proposals are available for inspection.

Recommendation

This program was reviewed by the Technical Program and Curriculum Committee and approved during the May 26, 2010 meeting of the Postsecondary Technical Education Authority (TEA). The TEA recommends approval of this program.

Colby Community College requests approval for the following:

Sustainable/Renewable Energy (CIP 14.9999) at the Associate of Applied Science (66 credits) and two Technical Certificates of (37 credits) each. One certificate would be in Sustainable/Renewable Energy and the other certificate would be in Small Wind Technology.

The proposed program prepares students for entry into the field of sustainable/renewable energy. Students would be able to choose a one-year certificate program in sustainable/renewable energy or small wind technology and augment their certificate choice with a 12 credit hour track in: wind, solar photovoltaic, solar thermal, geothermal or bio-fuel to work toward the AAS credential. The curriculum is designed to support the certification efforts of the North American Board of Certified Energy Practitioners.

Information collected from 14 high schools in the Northwest Kansas identified 225 students that were interested in pursuing career options in sustainable/renewable energy. Northwest Kansas has a working geothermal application, a wind farm and 15-20 planned projects which will require the proposed skills and competencies in the proposed program.

The college received a Kansas Innovative Technology grant on the basis of a partnership with John Deere and Woofter Pump and Well, Inc. which will be used to fund the purchase of equipment to support the introductory courses in: wind, solar and biofuels. An additional grant was recently received by the college to support faculty development in solar photovoltaic technology. The college has collaborated with other institutions and organizations, in maximizing the usage potential of pre-existing resources in the area most notably: Kansas State University (Wind for Schools Program), Midwest Energy (Small Wind Turbine Test Site), and USD 315 in Colby (1st Colby Community College Wind Energy Conference).

The college has established a proposed budget of \$200,000 for the program with \$50,000 of the total being used for the salary expense associated with one new faculty member with an engineering background to teach the mechanical and electrical courses included in the program. Colby Community College has funding to support program start-up costs through grant funding, re-allocation of operational funds and via industry partners who have pledged support.

One aspect of the proposed program focuses on “small wind” technology. Cloud Community College’s wind program focuses on training technicians for large wind turbines. Cloud Community College has verbally agreed to allow those students seeking “climbing certification” to do so through their college. Colby Community College has also agreed to collaborate with Neosho County Community College’s Green Technology programming to allow students to receive training in energy efficiency.

This would be the first program of this type in the state. No letters of objection were received in response to the proposed program.

The proposed degree and certificate programs have been carefully reviewed by staff utilizing the above stated standards and criteria. Copies of the detailed program proposals are available for inspection.

Recommendation

This program was reviewed by the Technical Program and Curriculum Committee and approved during the May 26, 2010 meeting of the Postsecondary Technical Education Authority (TEA). The TEA recommends approval of this program.

V. CONSIDERATION OF DISCUSSION AGENDA

A. *Academic Affairs*
Regent Gary Sherrer

Dr. Gary Alexander
Vice President for Academic Affairs

**1. APPROVE REQUEST FOR NEW DEGREE GRANTING AUTHORITY FOR
EVEREST UNIVERSITY - ORLANDO, FLORIDA**

Summary and Staff Recommendation

In accordance with KBOR policy, Everest University, Orlando Florida is requesting new degree granting authority for the 15 degrees listed below. These degrees are attained through on-line distance education programming. After a thorough review of the institution’s staff qualifications, facilities, record keeping systems, coursework and materials, staff recommends approval.

Background

Everest University is a private proprietary university composed of numerous campuses in Florida, which are owned and operated by Florida Metropolitan University, Inc., which is a wholly-owned subsidiary of Rhodes Colleges, Inc., a wholly-owned subsidiary of Corinthian Colleges, Incorporated. Corinthian Colleges, Inc. is one of the largest post-secondary education companies in North America.

The campus in Orlando Florida is seeking approval for their on-line degree programs. It is accredited by the Accrediting Council for Independent college and Schools (ACIC). According to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, this is accepted as evidence of compliance with the statutory standards for approval.

The degrees presented for approval are:

DEGREES
<i>Associate</i>
1. Associate of Applied Science – Accounting
2. Associate of Applied Science – Applied Management
3. Associate of Applied Science – Business
4. Associate of Applied Science – Computer Information Science
5. Associate of Applied Science – Criminal Investigations
6. Associate of Applied Science – Criminal Justice
7. Associate of Applied Science – Medical Insurance Billing and Coding
8. Associate of Applied Science – Paralegal
<i>Bachelor</i>
1. Bachelor of Science – Accounting
2. Bachelor of Science – Applied Management
3. Bachelor of Science – Business
4. Bachelor of Science – Computer Information Science
5. Bachelor of Science – Criminal Justice
6. Bachelor of Science – Paralegal
<i>Master</i>
1. Master of Business Administration

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).
- Proper maintenance of student transcripts, attendance records, and proper use of students’ achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors, their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

2. APPROVE REQUEST FOR NEW DEGREE GRANTING AUTHORITY FOR EVEREST COLLEGE – PHOENIX

Summary and Staff Recommendation

In accordance with KBOR policy, Everest College – Phoenix is requesting new degree granting authority for the 8 degrees listed below. These degrees are attained through on-line distance education programming. After a thorough review of the institution’s staff qualifications, facilities, record keeping systems, coursework and materials, staff recommends approval.

Background

Everest College Phoenix was founded in 1982 and was formerly named Academy of Business College. The Academy of Business College was accredited by the Accrediting Council for Independent Colleges and Schools in 1984, and transferred accrediting bodies in 1997 after achieving accreditation with the North Central Association of Colleges and Schools (NCA). The name of the college was changed to Everest College Phoenix in 2009.

Rhodes Colleges, Inc. purchased the Academy of Business College June 1, 2000. Rhodes Colleges, Inc is a wholly-owned subsidiary of Corinthian Colleges, Inc. which owns and operates over 120 institutions throughout the United States and Canada.

Accreditation through the North Central Association, according to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, this is accepted as evidence of compliance with the statutory standards for approval. These degrees will be offered through on-line distance education programming.

The degrees presented for approval are:

DEGREES
<i>Associate</i>
1. Associate of Applied Science – Accounting
2. Associate of Applied Science – Business
3. Associate of Applied Science – Criminal Investigations
4. Associate of Applied Science – Criminal Justice
<i>Bachelor</i>
1. Bachelor of Science – Business Administration
2. Bachelor of Science – Business Administration Degree Completion Option
3. Bachelor of Science – Criminal Justice
4. Bachelor of Science – Criminal Justice Degree Completion Option

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions

located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).
- Proper maintenance of student transcripts, attendance records, and proper use of students' achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

3. APPROVE REQUEST FOR NEW DEGREE GRANTING AUTHORITY FOR EVEREST COLLEGE – KANSAS CITY, MO

Summary and Staff Recommendation

In accordance with KBOR policy, Everest College is requesting new degree granting authority for an Associate of Applied Science in Criminal Justice. After a thorough review of the institution's staff qualifications, facilities, record keeping systems, coursework and materials, staff recommends approval. This degree will be offered at the Kansas City, MO campus. *4/21/2010*

Background

Everest College is a subsidiary of Corinthian Colleges, Inc., one of the largest post-secondary education companies in North America. Everest College has more than 100 campuses across the U.S.A. and Canada. It is accredited by the Accrediting Council for Independent Colleges and Schools (ACICS). According to K.S.A. 74-32,168 of the Postsecondary Educational Institution Act, this is accepted as evidence of compliance with the statutory standards for approval. This degree will be offered at the Kansas City, MO campus.

KBOR Response

The Kansas Private and Out-of-State Postsecondary Educational Institution Act (hereinafter “the Postsecondary Educational Institution Act”) gives the Board of Regents responsibility for authorizing schools to deliver instruction in Kansas. The scope of this responsibility includes most private institutions located in the state of Kansas and extends to qualifying private and public colleges and universities located outside of Kansas.

Institutions that apply for degree and non-degree granting status are reviewed according to a process and set of standards required by the Postsecondary Educational Institution Act. The process may include on-site reviews to ensure proper facilities, equipment, materials, and adequate space are available to meet the needs of the student. Other standards include reviewing items such as:

- Courses, curriculum and instruction to ensure quality, content and length are reasonable and adequately achieve the stated objective(s).
- Proper maintenance of student transcripts, attendance records, and proper use of students' achievement records and/or entrance tests.

Each institution is required to submit a catalog including descriptions of the programs and courses offered. The catalog also contains a listing of instructors and their credentials, and a statement of the objectives of the program(s). Staff reviews these materials, along with resumes of administrators and instructors.

4. ACT ON PERFORMANCE REPORTS

Summary and Recommendation

In accordance with K.S.A. 74-3202d and the Board-approved Performance Agreement Guidelines and Procedures, reports on compliance with performance agreements covering the 2009 calendar year are presented for review. The Board Academic Affairs Standing Committee reviewed the performance reports and recommends approval. (6/03/10)

Background

The performance reports for consideration cover the period of January 1, 2009 through December 31, 2009. The reports were due to Board staff on March 1, 2010. Staff provided a preliminary review and shared any concerns with the institution, which subsequently revised the reports. Reports were then reviewed by the Vice President for Academic Affairs and the President/CEO before being sent to the Board Academic Affairs Standing Committee for action.

Any new funding is dependent on the institution's compliance with its performance agreement. The funding model calls for full funding to institutions that report directional improvement in a majority of goals. In cases where an institution reports directional improvement in exactly half of its goals or achieves directional improvement for only one goal, partial funding may be awarded.

- Were full funding available, it is recommended for the following institutions reporting directional improvement in a majority of goals:

Allen County Community College
 Barton Community College
 Butler Community College
 Cloud County Community College
 Coffeyville Community College
 Colby Community College
 Cowley County Community College
 Dodge City Community College
 Fort Scott Community College

Garden City Community College
 Hutchinson Community College
 Independence Community College
 Johnson County Community College
 Labette Community College
 Neosho Community College
 Pratt Community College
 Seward Community College

Flint Hills Technical College
 Manhattan Area Technical College
 North Central Technical College

Northwest Technical College
 Salina Area Technical College
 Wichita Area Technical College

Emporia State University
 Fort Hays State University
 Kansas State University
 Pittsburg State University

University of Kansas
 University of Kansas Medical Center
 Wichita State University

Washburn University and its affiliate Washburn Institute of Technology.

- Were funding available, eighty percent funding is recommended for Kansas City Kansas Community College. The institution achieved directional improvement in two of four goals.
- Were funding available, sixty percent funding is recommend for Highland Community College. The institution achieved directional improvement in one of four goals.

Institution	Year	Recommended Action
Allen County Community College	Year 3 of 3	Full funding
Barton Community College	Year 1 of 3	Full funding
Butler Community College	Year 3 of 3	Full funding
Cloud County Community College	Year 3 of 3	Full funding
Coffeyville Community College	Year 2 of 3	Full funding
Colby Community College	Year 2 of 3	Full funding
Cowley County Community College	Year 1 of 3	Full funding
Dodge City Community College	Year 1 of 3	Full funding
Fort Scott Community College	Year 1 of 3	Full funding
Garden City Community College	Year 3 of 3	Full funding
Highland Community College	Year 1 of 3	60% funding
Hutchinson Community College	Year 2 of 3	Full funding
Independence Community College	Year 3 of 3	Full funding
Johnson County Community College	Year 1 of 3	Full funding
Kansas City Kansas Community College	Year 2 of 3	80% funding
Labette Community College	Year 1 of 3	Full funding
Neosho County Community College	Year 1 of 3	Full funding
Pratt Community College	Year 2 of 3	Full funding
Seward Community College	Year 3 of 3	Full funding
Flint Hills Technical College	Year 2 of 3	Full funding
Manhattan Area Technical College	Year 3 of 3	Full funding
North Central Kansas Technical College	Year 2 of 3	Full funding
Northwest Kansas Technical College	Year 3 of 3	Full funding
Salina Area Technical College	Year 1 of 3	Full funding
Wichita Area Technical College	Year 1 of 3	Full funding
Washburn University	Year 2 of 3	Full funding
Washburn Institute of Technology	Year 1 of 3	Full funding
Emporia State University	Year 1 of 3	Full funding
Fort Hays State University	Year 1 of 3	Full funding
Kansas State University	Year 3 of 3	Full funding
Pittsburg State University	Year 2 of 3	Full funding
University of Kansas	Year 3 of 3	Full funding
University of Kansas Medical Center	Year 3 of 3	Full funding
Wichita State University	Year 3 of 3	Full funding

B. *Fiscal Affairs and Audit*
Regent Jerry Boettcher

Diane Duffy
Vice President for Finance and Administration

1. DETERMINE DISTRIBUTION OF FY 2011 FEDERAL ARRA/SFSF APPROPRIATIONS TO INDIVIDUAL STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, AND WASHBURN UNIVERSITY

Summary and Recommendation

The Federal American Recovery and Reinvestment Act of 2009 includes funding for public higher education institutions. During the 2009 session, ARRA, State Fiscal Stabilization Funds (SFSF) were appropriated to the Kansas Board of Regents -- \$9.6 million in FY 2009 and \$40 million in FY 2010. The FY 2011 budget includes \$40 million. This is the final year of the original federal authorization. Board staff recommends the ARRA/SFSF allocations to the sectors/institutions be the same amount as the amount allocated to each in FY 2010. Board staff reviewed this recommendation with the System Council of Business Officers and there were no objections. In addition, Board staff recommends that the memorandum of understanding summarizing the federal requirements that institutions signed as a condition of receiving the federal funds be utilized again this year.

Background

The State Fiscal Stabilization Fund/Education Stabilization Fund (SFSF/ESF), which was enacted as a component of the American Recovery and Reinvestment Act of 2009 (ARRA), makes available to the State of Kansas approximately \$367 million between now and the end of FY 2011, to be distributed to support both the State's K-12 education and public higher education systems. Regarding the higher education portion of the funding, Kansas is eligible to receive SFSF dollars if State General Fund support is at least equal to what was provided in FY 2006 (\$747 million). This is the required maintenance-of-effort (MOE). The Secretary of Education is authorized to waive the MOE requirement if a State demonstrates that it has provided for K-12 and public higher education, for the fiscal year under consideration, a percentage of total of the total revenues available to the State that is equal to or greater than the percentage provided for that purpose in the preceding fiscal year. Although states have applied for a waiver of the MOE requirement, as of April, 2010, no state had been granted a waiver.

Assuming state funding of at least the \$747 amount is provided, SFSF funding would then be available to fill the gap between such state support and the level of state support provided in FY 2008 (\$829 million). The FY 2008 figure is applicable for SFSF analysis because, in light of the budget rescission, it is the higher level of funding between FY 2008 and FY 2009. Finally, the language of the SFSF explicitly declares that SFSF/ESF dollars should be used for such activities as facility and infrastructure maintenance and repair, and to mitigate the impact of tuition restraint.

During the 2009 session SFSF funds were appropriated to the Kansas Board of Regents -- \$9.6 million for FY 2009 and \$40 million for FY 2010. For each of the state universities a Federal Higher Education Fiscal Stabilization Fund was established and comparable funds were created in the board office for community colleges, technical colleges and Washburn University. The state legislation restricted spending from the FY 2009 appropriation only to expenditures for deferred maintenance. For FY 2010, the Legislature included the same restrictive language; however, the Governor vetoed the provisos and the Legislature did not attempt to overturn the Governor's veto.

The Board’s March 16 Plan and Its Application to the Coordinated Institutions and State Universities

At the Board’s March 15-16 meeting, the Board adopted a plan for the dollars made available to support higher education in Kansas through the American Recovery and Reinvestment Act of 2009 (ARRA), in particular, the State Fiscal Stabilization Fund (SFSF) component of the ARRA. The Board submitted its plan to the Governor and Legislature.

The Board sought to adhere to and be cognizant of the following principles/observations:

- The Board should be responsible for allocation/distribution of the SFSF dollars.
- SFSF dollars are one-time. Minimize distribution that creates budget “cliff” in FY 2012.
- Be mindful that SFSF dollars will be subject to additional and significantly more rigorous reporting and accounting requirements than typical federal grant funding.
- In light of traumatic economic climate, do not pass the budget burden on to students and families if possible.

For FY 2009, the Board determined that 100% of the funding (\$9.6 million) would be used to address deferred building maintenance projects and that the allocation of the SFSF funds to the state’s public higher education sectors based on each sectors current share of SGF (staff determined the current share as calculated from the original FY 2009 SGF appropriation). The allocations to the sectors are:

State Universities	\$7,716,477
Community Colleges	1,447,198
Technical Colleges	254,821
Washburn University	181,507

For FY 2010, the Board determined receipt of SFSF funding by coordinated institutions be conditioned on commitment to federal guidelines which require that SFSF dollars are used either for maintenance or to mitigate the impact of tuition restraint (this decision would be made by local governing boards). The Board determined that the allocation of the SFSF funds (\$40 million) would be based on each sectors current share of SGF. The allocations to the sectors are:

State Universities	\$32,151,982
Community Colleges	6,029,986
Technical Colleges	1,061,752
Washburn University	756,280

The board determined the distribution to individual colleges be based on an institution’s pro rata share of the FY 2009 original appropriation of SGF (community college operating grant, postsecondary aid, capital outlay(SGF portion), and technology grant). The primary rational in support of this methodology for the distribution is the purpose of the federal law which is to “stabilize” budgets and partially restore the level of State support for these institutions. The FY 2009 state reductions of 4.25% were made across the board to each institution and at the time it was contemplated that “anticipated” reductions in FY 2010 would also be made across the board.

With regard to the state universities, the board determined that 2/3 be utilized for deferred maintenance and 1/3 to mitigate the impact of resident tuition increases.

Staff Recommendation

For FY 2011, Board staff recommends the same dollar allocation of the SFSF (\$40 million) to the sector/institutions as the dollar amount allocated in FY 2010. See the table below. Furthermore, Board staff recommends the institutions utilize the attached agreement as a condition of receiving the funds again this year.

Kansas Board of Regents ARRA Federal Stimulus Funding Distribution KBOR Staff Recommendation

Institution	FY 2011 ARRA Funding Distribution
University of Kansas (including Medical Center)	\$12,853,922
Kansas State University	\$9,441,070
Wichita State University	\$3,598,974
Emporia State University	\$1,870,960
Pittsburg State University	\$2,185,266
Fort Hays State University	\$2,201,791
Subtotal State Universities	\$32,151,983
Washburn University	\$756,280
Subtotal Washburn University	\$756,280
Allen County Community College	\$251,672
Barton County Community College	\$410,376
Butler County Community College	\$711,332
Cloud County Community College	\$233,835
Coffeyville Community College	\$141,888
Colby Community College	\$151,794
Cowley County Community College	\$424,400
Dodge City Community College	\$135,650
Fort Scott Community College	\$170,377
Garden City Community College	\$141,780
Highland Community College	\$327,590
Hutchinson Community College	\$462,524
Independence Community College	\$109,776
Johnson County Community College	\$1,187,394
Kansas City Kansas Community College	\$535,724
Labette Community College	\$157,482
Neosho Community College	\$139,944

Pratt Community College	\$143,940
Seward County Community College	\$192,508
Subtotal Community Colleges	\$6,029,986
Flint Hills Technical College	\$128,711
Manhattan Technical College	\$132,935
North Central KS Technical College	\$200,546
Northwest KS Technical College	\$155,035
Salina Area Technical College	\$114,344
Wichita Area Technical College	\$330,181
Subtotal Technical Colleges	\$1,061,752
TOTAL	\$40,000,001

**EDUCATION STABILIZATION FUND AWARD
CONDITIONS ON RECEIPT AND USE OF AWARDED MONEYS**

In exchange for receipt of an Education Stabilization Fund award in the amount of \$ _____, granted pursuant to Title XIV of Division A of the American Recovery and Reinvestment Act of 2009, I understand, agree and attest to the following as the authorized representative of :

I understand that the four principles that guide States in the use of ARRA funds are

- Spend funds quickly to save and create jobs
- Improve student achievement through school improvement and reform, advancing reforms in four specific areas (these are K-12 specific except for the third bullet:
 - Increase teacher effectiveness and address inequities in the distribution of highly qualified teachers;
 - Establish and use a pre-K-through-college-and-career data system to track progress and foster continuous improvement;
 - Make progress towards rigorous college- and career-ready standards, and high-quality assessments that are valid and reliable for all students, including limited English proficient students and students with disabilities; and
 - Provide targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.
- Ensure transparency and accountability and report publicly on the use of funds
- Invest one-time ARRA funds thoughtfully to minimize the “funding cliff.”

I agree that the funds will be used **only** for one of the following purposes:

- Education and general expenditures, and in such a way as to mitigate the need to raise tuition and fees for in-State residents; **or**
- Modernization, renovation, or repair of IHE facilities that are primarily used for instruction, research, or student housing, including modernization, renovation, and repairs that are consistent with a recognized green-building rating system.

I agree to use the funds in accordance with any restrictions the Governor places on them to mitigate the need for increases in tuition and fees paid by in-state students.

I agree that the funds **will not** be used for the following prohibited purposes or activities:

- To increase endowment
- To restore or supplement a “rainy day” fund
- For maintenance of systems, equipment, or facilities
- For modernization, renovation, or repair of stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public;
- For modernization, renovation, or repair of facilities
 - Used for sectarian instruction or religious worship; or
 - In which a substantial portion of the functions of the facilities are subsumed in a religious mission
- For modernization, renovation, repair or construction of such things as
 - Aquariums;
 - Zoos;
 - Golf courses;
 - Swimming pools;
 - Casino or other gaming establishments
- New construction

I agree that the funds will not be used to pay down existing debt unless such use will help to restore cuts in essential educational services, help to alleviate the need to raise tuition and fees for in-State residents, or otherwise stimulate the economy.

I agree that if the funds are used for modernization, renovation, or repair of facilities, we will comply with

- ARRA requirements relating to the use of American iron, steel, and manufactured goods used in the project;
- the Americans with Disabilities Act, and amendments thereto;
- federal civil rights laws;
- prevailing wage requirements;
- all statutory review and vetting requirements;
- all other federal statutes and assurances the Governor provides in the State’s Stabilization application.

I understand the law states that in using the funds for infrastructure investment, the State will give preference to activities that can be started and completed expeditiously, and have a goal of using at least 50% of the funds for activities that can be initiated no later than 120 days after February 17, 2009.

I agree to use the funds in a manner that maximizes job creation and economic benefit.

I agree to provide such information and reporting as is required by ARRA and/or the Governor regarding use of the funds and the impact of such expenditures on mitigation of tuition, preservation or creation of jobs, aversion of tax increases, the State’s progress in the areas covered by the application assurances, and otherwise stimulating the economy. Required reporting may include, among other things:

- Use of the funds generally
- Estimated number of jobs created or saved with program funds
- Estimated tax increases averted as a result of availability and use of program funds

- Tuition and fee increases for in-State students imposed by public institutions of higher education in the State during the period of availability of funds under the Act and a description of any actions taken to limit those increases;
- The extent to which public institutions of higher education maintained, increased, or decreased enrollment of in-State students, including students eligible for Pell Grants or other need-based financial assistance;
- A description of each modernization, renovation and repair project funded, which shall include the amounts awarded and project costs;
- Progress in other areas covered by the State’s application assurances.

I understand that noncompliance with any of the conditions in the ARRA or herein for use of this Education Stabilization Fund award may result in an obligation to repay the amount of the award and/or such penalties as are provided for in any underlying law that is violated.

This Agreement has been duly authorized, executed and delivered on behalf of the Institution, and, constitutes the legal, valid and binding obligation of the Institution enforceable in accordance with its terms.

President of the Institution

2. DETERMINE DISTRIBUTION OF FY 2011 STATE APPROPRIATIONS TO INDIVIDUAL STATE UNIVERSITIES, COMMUNITY COLLEGES, TECHNICAL COLLEGES, AND WASHBURN UNIVERSITY

Summary and Recommendation

For FY 2011, the overall state appropriations to postsecondary education sectors were held relatively flat from the FY 2010 appropriation levels except for the restoration of the Governor’s November allotment reductions.

Tables 1 – 6 display distributions to individual institutions for the State University Funding, Community College Operating Grant, Technical College Aid for Technical Education, Other Institutions Aid for Technical Education, Vocational Education Capital Outlay Aid and Technology Grants. Board staff recommends approval of these preliminary distributions as constituting the amount available for each institution. Furthermore, staff recommends that the Board authorize staff to make any technical adjustments to the distributions that will be necessary once final adjustments and enrollments are known.

State University Distributions

For FY 2011, funding for the state universities will remain fairly flat from FY 2010. The Legislature did make a slight adjustment (0.3%) to restore the Governor’s November 2009 allotment reductions. Additional funding was also added to the Kansas Academy for Math and Science at Fort Hays State University by shifting balances from the Southwest Kansas ACCESS US program. Again for FY 2011, funding will lapse from universities with classified staff for budgeted classified longevity bonus payments; however, the university will be required to self-fund the salary payments. The Legislature also appropriated the third year of state funds to the State Finance Council to address classified staff market salary adjustments for certain classifications as determined by the State Employee Compensation Oversight Commission. State universities with classified staff in these classifications will be required to increase employee salaries (2.5% - 20%) to comply with the State’s classified pay matrix, but these classifications have not yet been determined. Board staff recommends that the funding for classified staff longevity bonuses lapse from each university as recommended by the State’s Division of Budget and any increase in funding for classified market salary adjustments be distributed to each university as calculated by the State Finance Council.

Table 1 State University Distributions (Preliminary)			
University	FY 2010 Revised State Funding	Legislative Changes	Estimated Classified Longevity Bonus Lapse
KU	\$135,601,903	\$364,262	\$0
KUMC	\$107,248,931	\$288,099	(\$143,786)
KSU	\$104,021,282	\$279,428	(\$432,425)
KSU-ESARP	\$48,998,459	\$130,820	(\$136,795)
KSU-VMC	\$9,947,893	\$27,766	(\$23,380)

WSU	\$65,831,285	\$176,840	(\$286,093)
ESU	\$31,352,716	\$84,222	(\$150,755)
PSU	\$34,024,818	\$91,399	(\$100,972)
FHSU	\$33,132,874	\$843,756	(\$113,750)
Total	\$570,160,161	\$2,286,592	(\$1,387,956)

Community College Operating Grant Distribution

For FY 2011, the overall Community College Operating Grant appropriation will remain fairly flat from the FY 2010 revised appropriation, except for the slight increase of 0.3% to restore the Governor's November 2009 allotment reduction. The table below displays the recommended distribution of the FY 2011 appropriation of \$97.2 million for operating grants to the community colleges. The distribution of the funding is calculated based upon the statutory SB 345 formula provisions.

Community College	FY 2010 Operating Grant	FY 2011 Operating Grant	Increase/ (Decrease)
Allen County Community College	\$4,821,833	\$4,620,281	(\$201,552)
Barton County Community College	\$7,832,039	\$7,328,336	(\$503,703)
Butler County Community College	\$12,677,360	\$14,104,893	\$1,427,533
Cloud County Community College	\$3,958,772	\$4,282,099	\$323,327
Coffeyville Community College	\$1,984,523	\$1,740,899	(\$243,624)
Colby Community College	\$2,541,064	\$2,072,201	(\$468,863)
Cowley County Community College	\$5,413,077	\$6,488,117	\$1,075,040
Dodge City Community College	\$2,225,350	\$2,479,592	\$254,242
Fort Scott Community College	\$3,112,410	\$3,170,224	\$57,814
Garden City Community College	\$2,621,285	\$2,559,826	(\$61,459)
Highland Community College	\$4,667,873	\$4,217,828	(\$450,045)
Hutchinson Community College	\$7,159,297	\$7,325,768	\$166,471
Independence Community College	\$1,828,965	\$2,011,202	\$182,237
Johnson County Community College	\$19,752,789	\$19,132,224	(\$620,565)
Kansas City Kansas Community College	\$6,782,064	\$6,717,909	(\$64,155)
Labette Community College	\$2,922,244	\$2,599,600	(\$322,644)
Neosho County Community College	\$2,440,695	\$2,546,285	\$105,590
Pratt Community College	\$2,716,183	\$2,182,951	(\$533,232)
Seward County Community College	\$1,447,384	\$1,586,367	\$138,983
Total	\$96,905,207	\$97,166,602	\$261,395

Technical College Aid for Technical Education Distribution

During the 2010 legislative session, the Postsecondary Aid for Vocational Education Fund (\$31 million) was split into the Technical College Aid for Technical Education (\$18.9) and the Other Institutions Aid for Technical Education (\$12.2 million). For FY 2011, the overall appropriation will remain fairly flat from the FY 2010 revised appropriation, except for the slight increase of 0.3% to restore the Governor's November 2009 allotment reduction. KBOR staff initially prepared two options for distribution of these funds for the Kansas Association of Technical Colleges to review. One of those options was to give all institutions essentially what they received in FY 2010. The other option was to base the distribution on a three-year rolling average of enrollments. The presidents recommended to the Technical Education Authority to split the difference between the two proposals. Therefore, as recommended by the Kansas Association of Technical Colleges and the Technical Education Authority, the table below displays the preliminary distribution of the FY 2011 appropriation of \$18.9 million. KBOR staff is reconciling enrollments submitted by the institutions with enrollments submitted through the Kansas Postsecondary Database.

Institution	FY 2010 Funding	Estimated FY 2011 Funding	Increase/ (Decrease)
Flint Hills Technical College	\$2,283,276	\$2,253,053	(\$30,223)
Manhattan Area Technical College	\$2,358,343	\$2,463,007	\$104,664
North Central KS Technical College	\$3,559,194	\$3,346,434	(\$212,760)
Northwest KS Technical College	\$2,751,073	\$2,433,132	(\$317,941)
Salina Area Technical College	\$2,028,072	\$2,022,258	(\$5,814)
Wichita Area Technical College	\$5,862,028	\$6,374,834	\$512,806
TOTAL	\$18,841,986	\$18,892,718	\$50,732

Other Institutions Aid for Technical Education Distribution

During the 2010 legislative session, the Postsecondary Aid for Vocational Education Fund (\$31 million) was split into the Technical College Aid for Technical Education (\$18.9) and the Other Institutions Aid for Technical Education (\$12.2 million). For FY 2011, the overall appropriation will remain fairly flat from the FY 2010 revised appropriation, except for the slight increase of 0.3% to restore the Governor's November 2009 allotment reduction. As recommended by the institutions receiving the funding and the Technical Education Authority, the table below displays the preliminary distribution of the FY 2011 appropriation of \$12.2 million. The distribution was a based on a three-year rolling average of enrollments, and KBOR staff is reconciling enrollments submitted by the institutions with enrollments submitted through the Kansas Postsecondary Database.

Institution	FY 2010 Funding	Estimated FY 2011 Funding	Increase/ (Decrease)
Coffeyville Community College	\$997,513	\$1,151,532	\$154,019
Highland Community College	\$1,473,856	\$1,348,939	(\$124,917)
Hutchinson Community College	\$1,227,123	\$1,177,742	(\$49,381)
Johnson County Community College	\$1,394,528	\$1,560,203	\$165,675
Kansas City Kansas Community College	\$3,072,372	\$2,952,568	(\$119,804)
Seward County Community College	\$1,664,971	\$1,484,813	(\$180,158)
Washburn University	\$2,342,553	\$2,529,895	\$187,342
TOTAL	\$12,172,916	\$12,205,692	\$32,776

Vocational Education Capital Outlay Aid Distribution

Currently, vocational education capital outlay aid is received by the six technical colleges, nine of the community colleges with technical school components, and Washburn University. The total funding for capital outlay aid for FY 2011 is approximately the same as the funding available for FY 2010.

Capital outlay aid is to be distributed to the institutions based on need and the condition of existing facilities and equipment. Board staff has worked closely with the institutions who receive the funding to develop a formula for distribution of state capital outlay aid for the past several fiscal years. For FY 2011, KBOR staff recommends use of the same distribution methodology. The distribution method recognizes need by: (1) providing each school a base distribution of \$100,000, recognizing that each school has significant need regardless of size and (2) distributing the remaining portion of funds based on enrollment production. Once again, the enrollments need to be verified and reconciled with the Kansas Postsecondary Database before making the final allocation. By proviso, the Legislature has historically and for FY 2011, required a 50 percent local match of state funds. The table below displays the proposed distribution of capital outlay aid.

Institution	FY 2010 Funding	Estimated FY 2011 Funding	Increase/ (Decrease)
Coffeyville Community College	\$128,934	\$135,220	\$6,286
Cowley County Community College	\$197,613	\$162,485	(\$35,128)
Dodge City Community College	\$133,924	\$138,570	\$4,646
Flint Hills Technical College	\$132,196	\$130,638	(\$1,558)
Highland Community College	\$138,686	\$131,688	(\$6,998)
Hutchinson Community College	\$222,118	\$230,374	\$8,256
Johnson County Community College	\$311,685	\$312,307	\$622
Kansas City Kansas Community College	\$224,041	\$219,572	(\$4,469)
Manhattan Area Technical College	\$142,665	\$136,012	(\$6,653)

North Central Kansas Technical College	\$141,367	\$144,451	\$3,084
Northwest Kansas Technical College	\$132,155	\$127,353	(\$4,802)
Pratt Community College	\$131,655	\$133,932	\$2,277
Salina Area Technical College	\$130,133	\$126,526	(\$3,607)
Seward County Community College	\$147,782	\$134,598	(\$13,184)
Washburn University	\$135,166	\$136,644	\$1,478
Wichita Area Technical College	\$187,329	\$237,078	\$49,749
Total	\$2,637,449	\$2,637,448	

Technology Grant Distribution

For FY 2011, the community colleges and Washburn University funding for technology grants will be the same as FY 2010. The appropriation authorizes the Board to make such grants for purchase of technology equipment, in accordance with guidelines the Board establishes. Such guidelines provide that grant funds shall be used only for the purchase of instructional technology equipment and that a 50 percent local match shall be provided. The table below displays the staff recommendation for distribution of funds, which is the same distribution to each institution as in FY 2010.

Institution	FY 2010 Technology Grant	FY 2011 Technology Grant	Decrease
Allen County Community College	\$14,337	\$14,337	\$0
Barton County Community College	\$19,717	\$19,717	\$0
Butler County Community College	\$25,093	\$25,093	\$0
Cloud County Community College	\$17,027	\$17,027	\$0
Coffeyville Community College	\$17,027	\$17,027	\$0
Colby Community College	\$17,027	\$17,027	\$0
Cowley County Community College	\$19,717	\$19,717	\$0
Dodge City Community College	\$17,027	\$17,027	\$0
Fort Scott Community College	\$17,027	\$17,027	\$0
Garden City Community College	\$17,027	\$17,027	\$0
Highland Community College	\$18,821	\$18,821	\$0
Hutchinson Community College	\$25,987	\$25,987	\$0
Independence Community College	\$17,027	\$17,027	\$0
Johnson County Community College	\$39,432	\$39,432	\$0
Kansas City Community College	\$25,987	\$25,987	\$0
Labette Community College	\$14,341	\$14,341	\$0
Neosho Community College	\$17,027	\$17,027	\$0
Pratt Community College	\$12,550	\$12,550	\$0
Seward County Community College	\$17,027	\$17,027	\$0
Washburn University	\$34,052	\$34,052	\$0
TOTAL	\$403,277	\$403,277	\$0

3. DETERMINE ALLOCATION OF FY 2011 TAX CREDIT PROGRAM AND UPDATE ON THE PROGRAM - STATE UNIVERSITIES AND WASHBURN UNIVERSITY

Summary and Staff Recommendation

As codified in K.S.A. 79-32,261 et seq., the Board, in consultation with the Secretary of Revenue and university foundation or endowment association personnel for each state university and Washburn, is required to make an allotment of the tax credits authorized by the legislation for those institutions in advance of any credit issuance each year. The universities, KBOR staff, and Kansas Department of Revenue Secretary Joan Wagnon agreed June 2008, upon a methodology for the tax credit allocation, which takes into consideration the square footage, age, and complexity of the buildings and infrastructure for which tax-credit-eligible donations might be made. This is the same formula included in the legislation and used to allocate the direct SGF appropriations among the state universities, known as the “adjusted square footage” formula. The percentage of adjusted square footage each institution represents of the total will be applied to the total available project funds from private sources resulting from the tax credits. See tables 1 and 2. This approach to the tax credit allocation was shared with the Joint Committee on State Building Construction and the Legislative Budget Committee, as well as with university and foundation/endowment officials, and no objections were brought to staff’s attention. The Board previously made an allotment of the tax credits authorized for calendar years 2008 and 2009.

In conformity with statute, staff recommends the Board make the following allocations of the tax credit allotment authorized for calendar year 2010:

<i>University of Kansas</i>	<i>\$ 4,108,177</i>
<i>University of Kansas – Medical Center</i>	<i>1,569,255</i>
<i>Kansas State University</i>	<i>4,331,681</i>
<i>Wichita State University</i>	<i>1,477,011</i>
<i>Emporia State University</i>	<i>865,281</i>
<i>Pittsburg State University</i>	<i>989,093</i>
<i>Fort Hays State University</i>	<i>989,922</i>
<i>Washburn University</i>	<i>669,580</i>
<i>TOTAL</i>	<i><u>\$15,000,000</u></i>

Background

The 2007 Legislature enacted legislation creating the Postsecondary Educational Institution Long-Term Infrastructure Maintenance Program as well as several important financing components that will be implemented over five years (FY 2008 – FY 2012). One component is state funded tax credits originally intended to generate up to \$158 million in private contributions to the state’s six universities, Washburn University, the 19 community colleges, and five eligible technical colleges.

Tax Credit Portion of the Legislation. The 2008 tax credit provisions established a new tax credit based on a percentage of a taxpayer’s contribution made on or after July 1, 2008, to a community college for capital improvements (60% of the contribution), a technical college for deferred maintenance or purchases of technology or equipment (60% of the contribution) or universities for deferred maintenance (50% of the contribution). The credit, effective for tax years 2008 through 2012, is applicable to corporate and individual income tax, insurance premiums tax, and financial institutions privilege tax. The credits are

expected to sunset after tax year 2012. The credit on a contribution to a community or technical college is refundable, if in excess of income tax liability. The university credits are non-refundable, but can be carried forward for up to three years. All credits can be transferable to other taxpayers if originally claimed by not-for-profit entities. The credit process has been developed and implemented for all institutions in a manner designed to assure that qualifying contributions also qualify for federal and state income tax deductions.

According to the original legislation's fiscal note, the tax credits were expected to generate the following amounts of contributions (in millions) for each sector of postsecondary education, assuming contributions are received to fully use the tax credits.

Fiscal Year	Total	State Universities Washburn University	Community/Technical Colleges
2009	\$14.375	\$11.250	\$3.125
2010	27.750	22.500	6.250
2011	38.333	30.000	8.333
2012	38.333	30.000	8.333
2013	38.333	30.000	8.333
Total	\$158.125	\$123.750	\$34.375

Assuming that contributions were received to fully use the maximum amount of tax credits, the fiscal impact of the credits to the State General Fund (in millions) was projected to be as follows:

Fiscal Year	Total	State Universities Washburn University	Community/Technical Colleges
2009	\$ (7.500)	\$ (5.625)	\$ (1.875)
2010	(15.000)	(11.250)	(3.750)
2011	(20.000)	(15.000)	(5.000)
2012	(20.000)	(15.000)	(5.000)
2013	(20.000)	(15.000)	(5.000)
Total	\$(82.500)	\$(61.875)	\$(20.625)

Allotment of the Tax Credits among Eligible Institutions. The allotment of the tax credits in the legislation is handled differently for state universities and Washburn than it is for community and technical colleges. The legislation specified that for tax year 2008, each community and technical college was allotted \$78,125 in tax credits. For tax year 2009, this amount is authorized to increase to \$156,250, and for tax years 2010 through 2012, to \$208,233. Assuming that all tax credits were used, each of the 24 institutions is projected to generate private contributions for projects of \$130,208 in tax year 2008, \$260,416 in tax year 2009, and \$347,055 for tax years 2010 through 2012.

For the state universities and Washburn University, a total of \$5,625,000 in tax credits was divided among the seven institutions for tax year 2008. This total amount is authorized to increase to \$11,250,000 for tax year 2009, and to \$15,000,000 for each of tax years 2010 through 2012. The legislation stipulates that the Board of Regents, in consultation with the Secretary of Revenue and university foundation or endowment associations for each institution, will make the allotment of tax credits in advance of any credit issuance

each year, with not more than 40 percent of the total credits being allotted to any one institution, unless all institutions are in agreement to waive that cap.

Update on 2009 Legislative Changes to the Tax Credit Program (affecting Calendar 2010)

As part of the fiscal year 2010 State budget approved by the Kansas Legislature on May 9, 2009, most tax credits were reduced, to help balance the budget. These reductions apply to both the 2009 and the 2010 tax years, and they are intended to be temporary. The specific legislation can be found in House Bill 2365. Please note that all credit-eligible donations since the beginning of calendar year 2009 are included, as well as all calendar year 2010 credit-eligible donations.

The cuts include the Tax Credit Program for infrastructure maintenance, and are effectively a ten percent (10%) reduction in the value of the tax credits. As interpreted by the Kansas Department of Revenue, these changes do not impact the allotments. KBOR staff is asking the Regents to consider adoption of the allocation of the 2010 tax credit allotment for the universities.

Our interpretation is that the primary impact of these tax credit reductions is to businesses and individuals making credit-eligible donations. For example, for a taxpayer donating \$1,000 to an eligible community college, prior to the cuts, that taxpayer would have received a 60% credit of \$600. Now, the taxpayer will receive 90% of the 60% credit, or \$540. The contribution of \$1,000 generates 10% less tax credit to the taxpayer.

For the eligible coordinated institutions, the tax credit allotment to each of the 24 colleges for tax year 2010 increases to \$208,233. Assuming use of all tax credits, each of the coordinated institutions is estimated to generate private contributions for projects of \$347,055 in calendar year 2010.

Update on the Use of the Calendar Year 2009 Tax Credits

As reported in January 2010 by the universities and the coordinated institutions, total actual donations for calendar year 2009 were \$2,007,876.09 resulting in tax credits of \$1,164,004.59, as shown in the tables below.

<u>UNIVERSITIES</u>	<u>DONATION AMOUNTS</u>	<u>TAX CREDIT AMOUNTS</u>
Emporia State University	-0-	-0-
Fort Hays State University	136,017.00	68,008.50
Kansas State University	3,000.00	1,500.00
Pittsburg State University	18,598.24	9,299.12
University of Kansas – Lawrence	153,700.00	76,850.00
University of Kansas Medical Center	25,895.40	12,947.70
Washburn University	-0-	-0-
Wichita State University	70,000.00	35,000.00
TOTALS	\$ 407,210.64	\$ 203,605.32

COMMUNITY COLLEGES

Allen County Community College	-0-	-0-
Barton County Community College	8,000.00	4,800.00
Butler County Community College	201,550.00	120,930.00
Cloud County Community College	15,000.00	9,000.00
Coffeyville Community College	1,000.00	600.00
Colby Community College	8,000.00	4,800.00
Cowley County Community College	12,000.00	7,200.00
Dodge City Community College	31,650.00	18,990.00
Fort Scott Community College	115,335.11	69,201.07
Garden City Community College	46,000.00	27,600.00
Highland Community College	56,800.00	34,080.00
Hutchinson Community College	260,416.67	156,250.00
Independence Community College	-0-	-0-
Johnson County Community College	150,655.00	90,393.00
Kansas City Kansas Community College	-0-	-0-
Labette Community College	260,416.67	156,250.00
Neosho County Community College	152,650.00	91,590.00
Pratt Community College	169,792.00	101,875.20
Seward County Community College	21,500.00	12,900.00
TOTALS	<u><u>\$1,510,765.45</u></u>	<u><u>\$ 906,459.27</u></u>

ELIGIBLE TECHNICAL COLLEGES

Flint Hills Technical College	-0-	-0-
Manhattan Area Technical College	52,500.00	31,500.00
North Central Kansas Technical College	5,400.00	3,240.00
Northwest Kansas Technical College	32,000.00	19,200.00
Wichita Area Technical College	-0-	-0-
TOTALS	<u><u>\$ 89,900.00</u></u>	<u><u>\$ 53,940.00</u></u>

Staff Recommendation

Staff recommends the Board make the allocations of the calendar year 2010 tax credit allotment to the universities as shown in the table below.

	2010
	<u>Allocations</u>
University of Kansas	\$ 4,108,177
University of Kansas – Medical Center	1,569,255
Kansas State University	4,331,681
Wichita State University	1,477,011
Emporia State University	865,281
Pittsburg State University	989,093
Fort Hays State University	989,922
Washburn University	669,580
TOTAL	<u><u>\$15,000,000</u></u>

VI. APPROVAL OF CONSENT AGENDA

A. *Academic Affairs*
Regent Gary Sherrer

Dr. Gary Alexander
Vice President for Academic Affairs

1. APPROVE REQUEST FOR A MASTER OF SCIENCE IN HEALTH INFORMATICS (51.2706) – KUMC

Summary and Recommendation

Universities may apply for approval of new academic programs following the guidelines of Appendix G in the Kansas Board of Regents Policies and Procedures Manual. The University of Kansas Medical Center has submitted an application for approval of a Master of Science in Health Informatics (51.2706). The proposing academic unit has responded to all of the requirements of the program approval process. No other institutions have programs utilizing this Classification of Instructional Program (CIP) code. The program will be funded through internal reallocation. Staff concurs with the Council of Presidents and the Council of Chief Academic Officers in recommending approval.

05/27/10

Background

CRITERIA	PROGRAM SUMMARY
1. Program Identification CIP	MS Health Informatics 51.2706
2. Academic Unit	Graduate Studies and Center for Health Informatics
3. Program Description	Inter-professional Master’s degree program in Health Informatics. Designed for students with a foundation in nursing, medicine, public health, bioinformatics, health information management and health service administration to acquire a masters’ degree in health informatics.
4. Demand/Need for the Program	A series of Institute of Medicine (IOM) and other reports served as a catalyst to call for the transformation of healthcare and the use of information technologies to provide safe care. Today, healthcare reform and the use of health information technology is strongly supported in the 2009 American Recovery and Reinvestment Act. As the technologies and infrastructure are developed, adopted and implemented the shortage in workforce to develop, implement, support, use and train for success remains a barrier that must be overcome. The challenge for academic institutions will be preparing an adequate workforce to meet the demands.

5. Comparative /Locational Advantage	The University of Missouri, Columbia offers a Health Informatics Executive Program and a Informatics Masters of Science Program. The University of Missouri-Kansas City School of Medicine offers a Master of Science program in Bioinformatics with concentrations in clinical research, genomics bioinformatics and computational bioinformatics. No other health informatics programs exist in Kansas. In the US, the growth of educational programs in informatics has been mostly discipline specific. The interdisciplinary nature of this proposed Masters in Health Informatics program will differentiate this program from others.
6. Curriculum	The curriculum for the proposed program is a revision to the existing MS in Informatics track within the School of Nursing to create an interdisciplinary program that includes disciplines such as Nursing, Health Policy and Management, Health Information Management, Preventive Medicine, Medicine, Bioinformatics, etc. It is a two year graduate program with a minimum of 40 SCH. (see attached)
7. Faculty Profile	See attached
8. Student Profile	Students interested in a career in health informatics. They will come from a variety of disciplines and hold a baccalaureate degree.
9. Academic Support	MS Health Informatics - will be housed in KUMC's Office of Graduate Studies with oversight by the Center for Health Informatics through an inter-professional Health Informatics Advisory Committee.
10. Facilities and Equipment	No new facilities or equipment is requested
11. Program Review, Assessment, Accreditation	The Health Informatics Advisory Committee and an appointee from the KUMC Office of Academic Affairs will serve as the Quality Improvement Team. Also, In accordance with the Kansas Board of Regents policy and the KU Graduate Studies Guidelines, the MS in Health Informatics will undergo a complete program review every eight years using core indicators of high quality graduate programs.
12. Costs, Financing	Funds will be re-allocated from the existing programs to initiate the interdisciplinary approach since no new courses are involved. New funds will be sought from the HITECH Act for program expansion.

**CURRICULUM OUTLINE
NEW DEGREE PROPOSALS
Kansas Board of Regents**

I. Identify the new degree:
Master’s of Science in Health Informatics

II. Provide courses required for each student in the major:

Course Name & Number	Credit Hours
Core Courses	
xxx Introduction to Health Informatics	2-3
xxx Abstractions & Modeling of Healthcare	3
xxx Knowledge Management in Healthcare	3
xxx Health Data: Theory and Practice	3
xxx: Transforming of Health Care through Use of Information Systems and Technology	3
Leadership Core Selectives – Courses will be selected form a leadership series based upon the student’s professional goals (see list)	9
Electives	
Discipline Specific (See List)	9
Research	
NRS 754 Healthcare Research or discipline specific research course	3
XXXX Capstone/Research Project	2
Practica	
xxx Health Informatics Practicum	3
Total	<u>40-41</u>

Fiscal Summary for Proposed Academic Programs

IMPLEMENTATION YEAR FY 2010

Institution: KUMC Proposed Program: MS Health Informatics

Part I. Anticipated Enrollment	Implementation Year		Year 2		Year 3	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
A. Full-time, Part-time Headcount:	6	6	12	15	12	24
B. Total SCH taken by all students in program	72 SCH		153 SCH		180 SCH	
Part II. Program Cost Projection						
A. In <u>implementation</u> year one, list all identifiable General Use costs to the academic unit(s) and how they will be funded. In subsequent years, please include only the additional amount budgeted.						
	Implementation Year	Year 2		Year 3		
<u>Base Budget</u> Salaries	\$100,000 (salary and fringe)	\$100,000 (salary and fringe)		\$50,000		
OOE	\$7,000	\$10,000		No additional funds		
Total	\$107,000	\$110,000		\$50,000		

Indicate source and amount of funds if other than internal reallocation:

Year 01 funding will be from re-allocated salaries and OOE

Year 02 funding is projected grant funds for one new faculty position

Year 03 maintain grant funds to support 1.5 faculty positions

Revised: September, 2003

Approved: _____

2. APPROVE REQUEST FOR A MASTER OF SCIENCE IN INSTRUCTIONAL LEADERSHIP (13.0404)

Summary and Recommendation

Universities may apply for approval of new academic programs following the guidelines of Appendix G in the Kansas Board of Regents Policies and Procedures Manual. Emporia State University has submitted an application for approval of a Master of Science in Instructional Leadership (13.040). The proposing academic unit has responded to all of the requirements of the program approval process. No other institution has programs utilizing this Classification of Instructional Program (CIP) code. The program will be funded through internal reallocation. Staff concurs with the Council of Presidents and the Council of Chief Academic Officers in recommending approval.

06/01/10

Background

<u>Criteria</u>	<u>Program Summary</u>
1. Program Identification	Master of Science in Instructional Leadership 13.0404
2. Academic Unit	The Teachers College
3. Program Description	The Master of Science in Instructional Leadership program will prepare graduates to be teacher leaders within their school and district. This particular master’s program has 23 core credit hours with 12 hours of electives from within the areas of Educational Administration (EA), Education (ED), Instructional Technology (IT), Physical Education (PE), Psychology (PY), School Counseling (SC) and Special Education (SD). This program is designed to meet the KSDE teacher leader standards and qualify the candidate for the Teacher Leader License.
4. Demand/Need for the Program	The graduates from this program will assist in meeting the current statewide need for instructional leaders within our classrooms, schools, and districts. Both the Kansas State Department of Education and school district administrators have identified the need for teacher leaders within Kansas school districts. In addition, the Olathe Unified School District administration requested to partner with Emporia State University to offer this program within their district. Finally, the Kansas Department of Education created the Teacher Leader License because of the need identified by Kansas school administrators.

5. Comparative /Locational Advantage	Although other universities may be in the process of creating programs relating to the teacher leader standards, this program will be associated with a premiere teachers college, established partnerships with the Olathe school district, other districts in the Kansas City area, and established masters programs in the Department of School Leadership/Middle & Secondary Education, such as areas of Curriculum & Instruction and Educational Administration. Currently, ESU and the Department of School Leadership/Middle & Secondary Teacher Education (SL/MSTE) provide both C & I and EA classes at the Overland Park Metro Center, in partnership within the Olathe School District, and online. The Instructional Leadership master’s degree will be provided at these same locations and online. Finally, established programs within the SL/MSTE have continued to grow in popularity and have approximately 200 plus students within each masters program. As such, ESU and the SL/MSTE department are well established as premiere programs throughout Kansas and the country.
6. Curriculum	Students will complete a 35 hour graduate masters program including a core of 23 hours and 12 hours of electives. The core courses include classes in adult learning, mentoring, cultural awareness, human relations, curriculum, and research. The electives must be taken from nineteen different course offerings but with only twelve true options as five of the areas are ‘either or’ options. These courses will be delivered online, at Olathe for the Olathe cohort, or at the Overland Park Metro Center. Within the 35 hour program, a three hour practicum is required within the last semester of the program which be supervised by a university supervisor. The 23 hour core portion of the program is designed to meet the KSDE teacher leader standards.
7. Faculty Profile	The 23 hour core of Instructional Leadership masters program is taught by approved graduate faculty within the SL/MSTE department. All but two have full-time responsibilities within the department while two are adjunct, that is, one is retired from the SL/MSTE department but continues to teach three classes as adjunct and one is an Olathe USD employee who has taught within the C & I program in past years. All have either Ed.D. or PhD degrees. All faculty members teaching from the elective list have doctorate degrees and have full-time responsibilities in their respective departments.
8. Student Profile	Students in the program will have bachelor degrees in a content area and hold a teacher license. To apply for the program, the student must hold a teacher license, have a minimum of 2.5 on their last 60 graduate hours, complete the Miller Analogy Test, complete successfully the department application which includes a writing sample, complete the disposition form, and supply two references completed by supervising administrators. Students completing this program seek to be instructional leaders within their districts and within education.

9. Academic Support	The academic support resources (e.g., helpdesk for computer/Blackboard assistance, electronic access to library resources) and physical facilities are already in place for a number of graduates online and various onsite programs both in the department and throughout the college; thus, no additional resources are necessary to establish the proposed Master of Instructional Leadership degree at ESU.
10. Facilities and Equipment	No additional facilities or equipment are needed.
11. Program Review, Assessment, Accreditation	Internal reviews will be held annually with tri-annual focus reviews involving graduates, students within the program, administrators, and faculty. External reviews will occur through Regents' Program Review, the National Council for Accreditation of Teacher Education (NCATE), and Kansas State Department of Education.
12. Costs, Financing	The program will not need new funding. Courses in the program are, or will be taught, with faculty within the department as previously described. No additional faculty members are needed and the program will begin with a 20-25 student cohort. Existing resources will be sufficient to support students and program faculty.

**CURRICULUM OUTLINE
NEW DEGREE PROPOSALS
Kansas Board of Regents**

I. Identify the new degree: Master of Science in Instructional Leadership

II. Provide courses required for each student in the major:

	Course Name & Number	Credit Hours
Core Courses	ED818 Professional Development and the Adult Learner	<u>3</u>
	ED819 Mentoring and Coaching	<u>3</u>
	ED535 Cultural Awareness for Educators	<u>3</u>
	ED820 Curriculum Leadership: Models & Strategies	<u>3</u>
	ED887 Developing Authentic Assessments	<u>3</u>
	EA885 Human Relations & Group Processes	<u>2</u>
Electives	Four three hour courses	<u>12</u>
Research	ER752 Analysis of Research	<u>3</u>
Practica	ED895 Practicum	<u>3</u>
	Total	35

Electives (must take 12 hours with advisor approval)

EA811	EA849	EA773	EL721 or EL821	IT727 or IT743
ED833	ED837	ED865	PE740 or PE745	SC815 or SD864
ED886			PY743 or PY860	

Course Titles and number of Credit Hours:

- EA811 Supervision and Evaluation (3hrs)
- EA849 Educational Law and Regulations (3hrs)
- EA773 Advanced Ed. Psych. for Teachers & Admin. (3hrs)
- ED833 Beliefs, Values & Issues in Education (3hrs)
- ED837 Brain Based Learning for Educators (3hrs)
- ED865 Advanced Theory & Practice in Teaching (3hrs)
- ED886 Designing Instructional Programs (3hrs)
- EL721 Reading Theory & Literacy Practices, Elementary (3hrs)
- EL821 Curriculum Development & Strategy Instruction in Reading (3hrs)
- IT727 Integrating Technology Uses in Education (2 or 3 hrs)
- IT743 Technology Management (3hrs)
- PE740 Legal Issues in HPER (3hrs)
- PE745 Leadership in HPER (3hrs)
- PY743 Leadership in Organizations (3hrs)
- PY860 Leading Processes to Meet Diverse Student Needs (3 hrs)
- SC815 Assessment in Schools (3hrs)
- SD864 Creative teaching & Learning (3hrs)

IMPLEMENTATION YEAR FY 2010

Fiscal Summary for Proposed Academic Programs

Institution: Emporia State University Proposed Program: Master of Science in Instructional Leadership

Part I. Anticipated Enrollment	Implementation Year		Year 2		Year 3	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
A. Full-time, Part-time Headcount:		20		35		40
B. Total SCH taken by all students in program	120		210		240	
Part II. Program Cost Projection						
A. In <u>implementation</u> year one, list all identifiable General Use costs to the academic unit(s) and how they will be funded. In subsequent years, please include only the additional amount budgeted.						
	Implementation Year	Year 2		Year 3		
<u>Base Budget</u> Salaries						
OOE						
Total						

Indicate source and amount of funds if other than internal reallocation: Faculty member and/or adjunct reallocation only.

Revised: September, 2003

Approved: _____

B. *Fiscal Affairs and Audit*
Regent Jerry Boettcher

Diane Duffy
Vice President for Finance and Administration

1. AUTHORIZE LEASE AGREEMENT WITH THE KU ENDOWMENT ASSOCIATION – KU

The University of Kansas requests approval to enter into a lease agreement with the KU Endowment Association for a parking lot adjacent to the Medical Center parking lot #95. With the construction of the Olathe II parking garage, 173 staff parking spaces that are in the footprint of the new garage will be displaced. Unified School District 500 owns a gravel lot at Rosedale Middle School that is adjacent to Medical Center parking lot #95 that will accommodate 100 cars. The USD is willing to lease, and potentially sell, this lot to the KU Endowment Association. Given both the immediate and long-term parking needs of the Medical Center campus, the USD property provides an ideal solution. In addition to the annual lease of \$3,000, certain improvements will be made to the lots that are estimated to cost \$77,000. KU Endowment will grade the lot, install lighting, and other improvements necessary for the lot to be used by KUMC personnel. For the first year of the lease, the Medical Center will pay KU Endowment a total of \$80,000 from Parking Revenue funds. In subsequent years, the lease will be approximately \$3,000. If the property is purchased in the future, the lease terms will be renegotiated and Regents approval will be sought.

2. AUTHORIZE LAND LEASE TO KANSAS WHEAT COMMISSION (KWC) FOR CONSTRUCTION OF KWC FACILITY– KSU

Kansas State University requests authority to enter into a fifty (50) year renewable lease with the Kansas Wheat Commission (KWC) to construct a facility to be used by KWC, its employees and members, and the university community and graduates. KWC will be responsible for all construction, operation and maintenance costs. At the end of the lease term, the university shall have the right to either accept the buildings or to have the leased property returned to its original condition. In addition to housing the KWC, the building will house Heartland Plant Innovations (HPI). HPI is a Kansas Bioscience Authority-funded innovation center dedicated to wheat, grain sorghum and native plant genetic advancement. To fulfill the research mission of HPI, the proposed building will be equipped with state-of-the-art laboratory and greenhouse facilities. The proximity of these facilities to campus will facilitate significant collaboration between HPI scientists and K-State scientists, graduate students and post-doctoral fellows. This collaboration will have an immediate and tangible benefit to K-State and the citizens of Kansas by enhancing and accelerating development of genetically superior crop varieties for growers in the state and region.

The Department of Administration has given its approval for the Kansas Wheat Commission lease. The legal description of the land, located along Kimball Avenue between K-State's Grain Science Complex and the Kansas Crop Improvement Association follows:

A tract of land in the Southeast Quarter of Section 1, Township 10 South, Range/East of the Sixth Principal Meridian on the Kansas State University Campus, Riley County, Kansas described as follows: Beginning at a point that is N90°00'00"E 1908.00 feet from the Southwest Corner of the Southeast Quarter of said Section 1, said point of beginning being on the South Line of the Southeast Quarter of said Section 1; thence N00°00'00"E 427.00 feet; thence S90°00'00"W 60.00 feet; thence N00°00'00"E 162.00 feet; thence N90°00'00"E 228.40 feet; thence S00°00'00"W 589.00 feet to the South Line of the Southeast Quarter of said Section 1; thence S90°00'00"W 168.40 feet to the point of beginning, containing 2.50 acres. Subject to easements and restrictions of record.

3. APPROVE ENERGY CONSERVATION CONTRACT – KSU

Summary and Staff Recommendation

Kansas State University requests authorization to proceed with an energy performance contract with Johnson Controls that will result in the implementation of the projects detailed herein that total \$23,388,400. The University also requests authorization to issue bonds to finance the energy savings and the costs of bond issuance. The bonds will be issued through the Kansas Development Finance Authority and will be a general credit of the University secured with the energy savings from the projects. Staff recommends approval.

Background

When funding was provided for deferred maintenance projects, campuses were encouraged to explore the feasibility of leveraging deferred maintenance funds with energy conservation projects. As a result, Kansas State University engaged Johnson Controls to conduct an investment-grade energy audit of the campus for the purpose of identifying energy conservation projects.

The audit is complete and the University is ready to proceed with the performance contract and the issuance of revenue bonds. The audit identified approximately seven broad categories of energy savings projects in over 100 buildings and throughout the campus infrastructure that will result in first-year utility savings of approximately \$2.1 million. These projects, which will cost approximately \$23.4 million to implement, include energy savings measures such as lighting improvements, fume hood upgrades, chilled water system upgrades, steam system optimization, domestic water system upgrades, and power consumption upgrades. Johnson Controls will guarantee that the actual amount of energy savings attributable to the energy conservation measure be not less than the cost of the energy conservation measure over the time specified including financing costs. Additionally, K-State engaged an independent engineering firm, Stanley Consultants, to validate the efficacy of the proposal.

<u>Energy Conservation Measures</u>	<u>Project Cost</u>
1. Lighting Improvements	\$6,521,000
2. Fume Hood Upgrades	4,430,000
3. Chilled Water System Upgrades	8,145,000
4. Steam System upgrades	3,858,000
5. Domestic Water System upgrades	197,400
6. Power Factor Correction	41,650
7. Computer Power Management	39,200
8. Other Fees	<u>157,150</u>
Total Project Costs	\$23,388,400
Total Estimated Utility Savings (year one)	\$2,065,000
Simple Payback	11.3

VII. CONSIDERATION OF DISCUSSION AGENDA

A. *Academic Affairs*
Regent Gary Sherrer

Dr. Gary Alexander
Vice President for Academic Affairs

1. RECEIVE CONCURRENT ENROLLMENT COMPLIANCE REVIEW**Summary**

This report is provided to fulfill the requirement of the Kansas Board of Regents' Policies and Procedures Manual [Chapter IV.8.c.(2)] that "by January 31 of odd-numbered years, each public postsecondary institution will provide a list of high schools involved in formal CEP [Concurrent Enrollment Partnership] agreements." From this list, KBOR staff selects "no more than two" high schools for further review. For these schools, each institution is asked to submit a copy of the CEP agreement, including the implementation of instructors' professional development and the student guide for CEP students; and a report of the most recent review by postsecondary faculty of all CEP courses.

In Spring 2009, institutions were asked to provide information on the Concurrent Enrollment Partnership agreements they have in place. Staff has reviewed the information and finds the schools to be in compliance. This report is presented to the Board for information. 04/2010

Background

The Kansas Board of Regents' concurrent enrollment policy encourages high school students to take advantage of postsecondary education opportunities by enrolling in postsecondary courses while still in high school or participating in home schooling. It recognizes different types of concurrent enrollment: (1) the high school student enrolls at a postsecondary institution at any time with no formal agreement between the high school and postsecondary institution; (2) a high school teacher teaches a college-level course to high school students at the high school during the regular school day. The latter arrangement involves formal agreements between the high school and postsecondary institution. This formal agreement is termed a Concurrent Enrollment Partnership (CEP) and is defined as "a written memorandum of understanding between an eligible postsecondary institution and a school district for the purpose of offering college-level learning to students who have been accepted for concurrent enrollment partnership in off-campus classes at a high school at which approved high school teachers teach college credit classes during the normal school day" [*Policies and Procedures Manual*, Ch. IV.8.b.(1).vii].

The policy currently governing Concurrent Enrollment Partnerships was developed by a Task Force representing all sectors of the System. It was reviewed and amended by the System Council of Chief Academic Officers and the System Council of Presidents. After approval by KBOR in May 2005, the policy was implemented in July 2006.

As stipulated in Board policy, this report is based on information provided by postsecondary institutions regarding their formal Concurrent Enrollment Partnerships with high schools. It thus does not include high school students who enroll at a postsecondary institution without a formal agreement between the high school and postsecondary institution.

CEP arrangements are required to include collaborative faculty development programming such as pedagogy, instructional design, course management, instructional delivery skill improvement,

curricular reform initiatives, qualified admissions considerations (if applicable), and student success assessment strategies. Students must be provided with a student guide created as part of the CEP that outlines their responsibilities in the learning experience as well as a description of how courses may be transferred in the Regents system. Advising of students who desire to enroll in CEP classes must be carried out by both the high school and postsecondary institution.

Biennial Report

As part of the biennial reporting requirement, postsecondary institutions provided the following information: (1) a copy of the CEP agreement, (2) an implementation plan for professional development of instructors of CEP students, and (3) a student guide for CEP students for two selected high schools. In addition to this information, staff reviewed randomly selected adjunct faculty transcripts from each institution to verify that faculty meet the requirement that they possess a master's degree with at least 18 credit hours in the assigned course content, or a bachelor's degree with at least 24 credit hours in the assigned course content. All of the instructors selected for review met this policy requirement.

Table 1 shows that schools participating in concurrent enrollment include 19 community colleges, three public universities (Fort Hays State, Kansas State, Wichita State) and Washburn University. Total CEP credit hours for 2009 were 83,537, with an unduplicated headcount of 11,717.

Table 1. Concurrent Enrollment Program Credit Hours & Headcount for 2009*

Institution	CEP Credit Hours	Total Student Credit	CEP % of Total Credit Hours	Unduplicated Student Headcount
Allen County CC	6,256	61,348	10%	781
Barton County CC	1,972	92,619	2%	388
Butler CC	2,624	167,679	2%	411
Cloud County CC	6,894	42,506	16%	980
Coffeyville CC	580	43,310	1%	97
Colby CC	3,806	33,915	11%	436
Cowley County CC	1,171	78,682	1%	164
Dodge City CC	1,268	32,202	4%	170
Ft. Scott CC	3,156	45,461	7%	412
Garden City CC	1,831	41,606	4%	271
Highland CC	6,614	61,196	11%	839
Hutchinson CC	2,231	102,372	2%	443
Independence CC	2,696	24,864	11%	315
Johnson County CC	21,544	356,909	6%	2,795
Ks City Kansas CC	3,394	131,616	3%	523
Labette CC	2,810	33,081	8%	380
Neosho County CC	3,155	36,342	9%	442
Pratt CC	3,632	31,592	12%	498
Seward County CC	2,408	31,962	8%	299
Subtotal	78,042	1,449,262		10,644

Institution	CEP Credit Hours	Total Student Credit	CEP % of Total Credit Hours	Unduplicated Student Headcount
Ft. Hays State U	822	195,698	.4%	126
Kansas State U	795	573,947	.1%	188
Washburn U	492	152,518	.3%	113
Wichita State U	3,386	314,407	1%	646
	5,495	1,236,570		1,073
Totals	83,537	2,685,832		11,717

*The University of Kansas, Emporia State University, and Pittsburg State University do not participate in CEP.

Table 2 shows a steady growth in concurrent enrollment from 2007-2009. Students enroll in a broad range of courses, including biology, psychology, sociology, history, math, English, foreign language, computer application, literature, speech, business, government, agriculture, journalism, chemistry, music appreciation, art, speech, and education

**Table 2. System Totals for CEP Student Activity
Academic Years 2007-2009**

Academic Year	CEP Credit Hours	Unduplicated Student Headcount
2007	76,290	10,669
2008	79,074	11,347
2009	83,537	11,717

Best Practices

Institutions were asked to submit examples of “best practices” as part of the review in an effort to exchange ideas about how best to generate and ensure the quality of CEP hours. The term “best practices” is here defined as a technique, strategy, method, or process, etc., that has been demonstrated to be effective and/or efficient when applied in the context of a particular institution. In order to share best practices, institutions measured the results of the CEP teaching/coordinating processes they identified as having produced the greatest results. Examples of best practices were received from Kansas State University at Salina, Wichita State University, and Hutchinson Community College.

K-State at Salina - K-State at Salina offers concurrent enrollment in Expository Writing I through Saline county high schools. A formal communication system is introduced and monitored throughout the academic term through meetings and electronic mail. Each student enrolled in the concurrent course is required to submit a semester portfolio at the end of each semester. This portfolio of the students’ written work (including pre-writing and invention work) is reviewed by the K-State Faculty liaison, and the K-State and concurrent faculty concur on final grades for each student. Concurrent courses are required to use the same textbook, essay constraints, student learning outcomes, and grading rubrics used in the K-State English Department’s Expository Writing program.

Hutchinson Community College (HCC) – HCC submitted two best practices, web supported practices and parent information sessions. Concurrent course students have the ability to use web supported features to enhance college curriculum. Web supported tools engage the student outside of the classroom, provide access to subject resources, allow for improved communication with the instructor, pre- and post-testing, and a wider variety of assessment tools. A student commented, "What I like best about having my class web supported is that I have access to the class materials and my grades any time I want. It is easy to email the teacher and other students all in one place."

Parent information sessions are held at many of HCC's area high schools and have been found to be very helpful. This is a collaborative event that includes representation from HCC Instruction and Admissions. Parents and students are invited to attend the session at their local high school. Step-by-step information from application to the first day of class is covered with parents, students, and high school personnel. The information sessions are also a great time to let students and parents know about other opportunities at HCC. This may include local and online course options, scholarship opportunities following graduation, and the Step Ahead program.

Wichita State University - The Rising Star Scholarship is available to high school students who qualify for the federally funded National School Lunch Program, which provides free or reduced cost lunches to qualifying students. These concurrent enrollment partnership scholarships are intended to assist financially disadvantaged students in committing to a four-year enrollment or completion of a bachelor's degree at Wichita State University, whichever occurs first. Students receiving these scholarships are likely to be eligible also for the Sedgwick County scholarship and the federal Pell Grant when they enroll as a degree bound student at Wichita State. Scholarships are available on a first-come, first-served basis for students enrolled in CEP courses held at their high schools. The scholarship may be used for the cost of one three-credit hour class. Scholarship amounts apply towards the cost of tuition and fees, but not books, class supplies, or the admission application fee. A recipient must be a Kansas resident (as defined by the WSU Registrar's Office). If the student is already receiving any guest scholarship from WSU, he or she is ineligible to receive the Rising Star Scholarship.

Wichita State has awarded Rising Star Scholarships to 187 concurrent enrollment partnership students since the Fall 2006 semester. Of the 127 students who received these scholarships and graduated from high school by June 2008, 60 have matriculated, yielding a program conversion rate of 47.2 percent. For the length of the program, 17 Hispanic students have received Rising Star Scholarships, and seven have matriculated, at a conversion rate of 41.2 percent.

Staff Conclusions

Based on the information provided, staff concludes that the institutions participating in the Concurrent Enrollment Program are in compliance with board policy. The information supports the conclusion that institutions are taking the steps necessary to ensure the quality of courses offered under formal Concurrent Enrollment Partnerships, especially with regard to the qualifications of faculty who teach those courses. This is not to say that there are no problems in this regard, and ensuring the adequacy of both courses and faculty qualifications remains an ongoing and central area of concern. Staff regularly address this issue with representatives of the System Council of Chief Academic Officers (SCOCAO) representatives. The high number of participants in Concurrent Enrollment Partnership agreements makes this both a difficult and high priority activity.

The Board's overall responsibility is to ensure that Concurrent Enrollment Partnerships provide Kansas students with college level work. For these Partnerships to be effective, participating schools must adhere to the requirements established in Board policy. In addition to the reporting process established in Board policy, staff are in regular contact with system institutions to ensure adherence to the guidelines required by that policy. To supplement the information derived from formal institutional reports, Board staff regularly confer with institutional representatives on concerns related to concurrent enrollment. These issues are also addressed as part of the regular agenda of the System Council of Chief Academic Officers (SCOCAO).

One suggested approach to assessing the quality of the education provided through Concurrent Enrollment Partnerships is to track students as they move from high school to college and see how they do in the postsecondary work taken following graduation from high school. Staff recommends developing a report that tracks the postsecondary success of students who have taken coursework through Concurrent Enrollment Partnerships.

Finally, staff encourages universities to examine their concurrent enrollment offerings and continue to improve their collaboration with area community colleges.

2. RECEIVE SPOKEN ENGLISH LANGUAGE COMPETENCY OF FACULTY AND GRADUATE TEACHING ASSISTANTS REPORT FOR ACADEMIC YEAR 2008-2009

Summary and Recommendations

This report is presented to meet the requirement of Board policy (II.F.3.a.b.) that a report be provided to the President and CEO every other year detailing the process by which institutions evaluate the spoken English language competency of prospective faculty and graduate teaching assistants (GTAs). This report provides information for the academic year 2008-09.

Background

Board policy stipulates that all prospective faculty members and graduate teaching assistants (GTAs) of state universities, except visiting professors on exchange for one year or less, must have their spoken English competency assessed prior to employment through interviews with not fewer than three institutional personnel, one of whom shall be a student. An oral interview must be conducted either face-to-face or by mediated means. To be eligible for an appointment without spoken English language conditions, prospective faculty and graduate students found to be potentially deficient in speaking ability are required to achieve minimum score of 50 on the Test of Spoken English (TSE) or Speaking Proficiency English Assessment Kit (SPEAK). A score of at least 22 on the Test of English as a Foreign Language internet Based Test (TOEFL iBT) is required.

Total Hires/Individuals Identified With Potential Deficiency: 2008-2009

The following chart shows that a total number of 603 faculty were hired in 2008-2009, of whom 23 were deemed potentially deficient in English. In addition, the chart shows that of 1,604 graduate teaching assistants who were hired, 33 were judged potentially deficient in English.

**2008-2009 Spoken English Language Competencies
For Faculty and Graduate Teaching Assistants**

	Total Faculty Hired	Faculty Hired Potentially deficient	Total Graduate Teaching Assistants Hired	Graduate Teaching Assistants Hired Potentially deficient
Emporia State	30	0	23	0
Fort Hays State	48	0	5	1
Kansas State	150	0	92	7
Pittsburg State	51	0	36	0
Univ. Kansas	59	0	1182	0
Univ. Kansas MC	107	0	71	25
Wichita State	158	0	195	0
Total	603	0	1604	33

University Assessment Processes

The following summaries describe the methodologies used by the universities to assess spoken English competencies for faculty and GTAs.

Emporia State University

Faculty

Applicants selected for personal interviews meet with faculty, staff, and students from the hiring department as part of the formal interview process. Oral presentations are given to department faculty, staff, and students. Questions are asked in an open forum setting. While the individual speaks and responds to questions, language competency is assessed and written verification is completed.

Graduate Teaching Assistants

International graduate students chosen for graduate teaching assistants are required to pass an oral interview and receive a minimum score of 250 on the SPEAK exam or 50 on the TSE exam. The oral interview committee consists of three faculty/staff members and one student. All committee members are required to sign a form attesting to the student's ability to speak English and serve in the classroom or laboratory.

Fort Hays State University

Faculty

Each department is required to complete an English Language Competency form as part of the search/interview process. The department chair or search committee chair is responsible for making sure the English Language Competency form is completed and submitted to the Office of the Provost. The Provost's Office follows up to ensure that a competency form is completed for everyone that is hired. If the faculty member is found to be deficient, they are required to attend a speech/language or an English as a Second Language (ESL) course.

Graduate Teaching Assistants

Each department is required to complete an English Language Competency form as part of the search/interview process. The department chair or search committee chair is responsible for making sure the English Language Competency form is completed and submitted to the Office of the Provost. The Provost's Office follows up to ensure that a competency form is completed for everyone that is hired. If the GTA is found to be deficient, they are required to attend a speech/language or an English as a Second Language (ESL) course.

The one GTA found potentially deficient earned a score of 45 on SPEAK. This individual was required to do remedial work, but chose not to do so. This individual is no longer a student at the university.

Kansas State University

Faculty

Departments conducting a search for a new faculty member must, at various stages in the search process, submit specific forms to the K-State Office of Affirmative Action. The first

such form identifies the position to be filled, and includes a question concerning whether the position will require teaching or advising responsibility. It also includes a reminder about the requirement to assess spoken English for such positions. On another form, there is a reminder that students must be included in the assessment of spoken English during the interviews. It also refers to additional forms for collecting the information related to the assessment of spoken English, which are to be completed and submitted to the appropriate department. The Appointment Record form includes questions related to the process for assessing spoken English and a reminder about the completion and submission of the appropriate forms to collect these data.

To facilitate the collection of the appropriate information, the PER 20 form was also developed, along with instructions for completion. The PER 20 includes questions that address each of the situations specified in the Kansas Board of Regents (KBOR) policy, spaces to record the relevant data on test scores or remediation conditions, and the final determination of the interview team as to adequacy of the individual's spoken English. It also includes spaces for the names and signatures of each interviewer, with one space specifically identified for a student name and signature. Note that this process is only followed in its entirety if the person is hired.

Graduate Teaching Assistants

The process is very similar to faculty recruitment and hire, except for the following: Affirmative Action Appendices do not need to be completed for graduate student appointments. However, the PER 20 needs to be completed for each GTA interviewed. The completed PER 20 forms for graduate students interviewed, but not hired, are kept in the relevant department personnel files. The completed PER 20 for the GTAs hired must be submitted with a PER 41 Graduate Student Appointment Form. The PER 41 form includes a section at the bottom that indicates the spoken English language competency, and whether or not the student's first language is English. It includes a reminder that a completed PER 20 must accompany the PER 41 for all students whose first language is not English. When these completed forms are submitted to HR, the information on the Spoken English Competency assessment is entered into a special database to assist us in keeping track of this information. The PER 41 form is available online at <http://www.k-state.edu/hr/forms/per41.pdf>.

The PER 20A form was developed to describe and seek approval for a remediation plan. The department in which the student is to be employed must request this option and submit the request to the English Language Program. The ELP staff then provides the respective test scores for the student, possible reasons why the student might not have passed, and their recommendation to the dean. The recommendation may suggest modifications to the proposal, endorse the approval of the proposal, or conclude no teaching for the student at this time. The dean of the respective college must then either grant or deny formal approval of the request. One of the conditions of the proposal is that the student must pass the SPEAK test by the end of the semester in order to continue on appointment in a subsequent semester as a teaching assistant. The department must provide the student with appropriate supervision, and if the GTA communication survey, which is administered centrally and given in the first few weeks of the class, shows that the student has any major problems with communication, the department must remove the graduate student from the classroom.

Of the seven GTAs who were hired and potentially deficient during 2008-09, one had a SPEAK score of 40, four others had SPEAK scores of 45 and two did not take SPEAK but had TOEFL iBT speaking sub-scores of 15 and 20. Five of these students undertook remedial work. Through a misunderstanding, the

two students taking the TOEFL iBT test were not referred for remediation. Neither of these individuals has been assigned to positions involving student contact.

Pittsburg State University

Faculty

The Spoken English Assessment is based on an interview and verbal interaction with the potential faculty member. A student, a faculty member of the screening committee for hiring, the department chair person, and the dean of the college evaluate the candidate based on his or her pronunciation, grammar, fluency, and comprehensibility. Pittsburg does not conduct assessments on all potential hires. The university assesses only the candidate chosen for the position. No candidates at Pittsburg during the 2007-2008 and 2008-2009 academic years were found to be potentially deficient in speaking ability.

Graduate Teaching Assistants

A GTA candidate who is not a native English speaker, must submit a minimum overall score of the iBT of 68 and a minimum score of 22 for the Speaking section. Students who have the minimum overall score of 68 and a minimum score of 18 for the speaking section of the iBT can be appointed as a GTA for positions that have been approved as non-direct teaching positions. A Non-Direct Teaching Position Form must be completed and approved by the position supervisor, department chair, and the college dean. All students hired for a GTA positions have their English evaluated by a student, faculty member, and the chair of the department. Each evaluator signs satisfactory or unsatisfactory on the Spoken English Assessment Form.

University of Kansas

Faculty

University of Kansas policy in place for the 2008-2009 academic year required that applicants whose communication skills are not considered adequate by the interview committee achieve a minimum score of 50 on the Test of Spoken English (TSE) or the Speaking Proficiency English Assessment Kit (SPEAK), or equivalent, such as a minimum score of 26 on the spoken English section of the Internet Based TOEFL (iBT), or a minimum score of 8 on the spoken English section of the International English Language Testing System (IELTS) before being offered an appointment, unless a specific waiver is agreed to by the Provost. Following the KBOR action last year, the University of Kansas in March 2009 adjusted its iBT minimum score requirement from 26 to 24; that requirement is in place for the 2009-1010 academic year.

Graduate Teaching Assistants

University of Kansas policy in place for the 2008-2009 academic year required that prospective GTAs whose first language is not English achieve a minimum score of 50 on the TSE or the SPEAK, or a minimum score of 26 on the spoken English section of the iBT, or a minimum score of 8 on the spoken English section of the IELTS before being offered an appointment. Following the Board of Regents' action last year, the University of Kansas in March 2009 adjusted its iBT minimum score requirement from 26 to 24. That requirement is in place for the 2009-2010 academic year.

Departments are required to certify on the appointment form for each prospective GTA that the individual meets Regents requirements on spoken English competency and are expected to maintain appropriate

documentation, e.g., copy of test score, information about the interview process including names and status of interviewers. Individuals who do not meet spoken English requirements may not be appointed as GTAs.

The University of Kansas continues to gather data about the comparability of iBT and IELTS scores to SPEAK scores and in the future may adjust its iBT and IELTS requirements.

University of Kansas Medical Center

Faculty

To be eligible for employment as a faculty member at KUMC, KBOR implemented the following guidelines as of 2005 (from which no waivers are allowed). All prospective faculty with teaching responsibilities, except for visiting professors, shall have their spoken English competency assessed prior to employment through interviews with their department chairs, deans of their respective schools and one other faculty member, and students. If there is some question about their English competency, they will be referred for testing to the ESL personnel in the Office of International Programs at KUMC. A minimum score of 50 on the TSE is required for eligibility for an appointment without conditions. Those scoring less than 50 on the TSE may be appointed to teach one year on the condition that they enroll in appropriate English language instruction. Attainment of a minimum score of 50 on the TSE shall be required as a condition of reappointment. The ESL level of the faculty member must be documented. Once spoken English competency is approved, a statement to that effect shall be placed in the individual faculty member's file which documents those participating in the interview process.

Of the 23 faculty hired last year for whom English was not their first language, none had to take a Spoken English Language Competency test; all had satisfactory English skills.

Graduate Teaching Assistants

The section on International Students in KUMC's Procedures Handbook for Graduate Representatives stipulates: except for applicants who are citizens of English-speaking countries such as Australia, England, New Zealand, or English-speaking provinces of Canada, all entering international students must pass the test of TSE to be employed as regular graduate teaching assistants. The minimum score necessary for an offer of an assistantship is 50 points on the SPEAK (which is institutionally administered) or on the TSE: a score of 24 on the iBT Speaking is also acceptable.

Seventy one GTAs were hired for Fall 2008 and 68 for Spring 2009, with some having appointments for both semesters. There were 25 international graduate teaching assistants for Fall 2008 and 29 for Spring 2009. Only one of these GTAs came from a qualifying English-speaking country. Generally, GTAs are recommended by departments, who advise the students that passing the SPEAK test is required for appointment as a GTA.

Nine GTAs total for Fall 2008 and Spring 2009 did not meet KUMC's spoken English language required score of 50 on the SPEAK test. Three of these GTAs re-took the SPEAK test two weeks later and received scores of 50, thus meeting KUMC's spoken English language requirement. Six of the GTAs received remediation throughout the Fall 2008 semester, as they had been found to be potentially deficient in spoken English. After taking the GSMC 800 Scientific Communication With Emphasis in Speaking

Class at KUMC, the six GTAs all scored 50's on the SPEAK test. Therefore, 100% of the GTAs for 2008-09 have met the TSE/SPEAK requirement.

Wichita State University

Faculty

All candidates for a position with instructional duties must have their spoken English assessed prior to employment through interviews with an Assessment Committee. Only a candidate who is part of a formal exchange agreement may be exempted from this requirement. Any exception must be approved by the Provost and Vice President for Academic Affairs and Research.

The Assessment Committee (which may be the Search Committee) is appointed by the department chair or director and is composed of at least three members: two faculty members and one student. The Assessment Committee judges the candidate's spoken English by means of an oral interview that is conducted face-to-face or by mediated means and submits the required form. Prospective faculty found to be potentially deficient in speaking ability are required to achieve a minimum score of 50 on the TSE or the SPEAK. The SPEAK is administered by the Intensive English Language Center while the TSE may be taken at any authorized site. A candidate is required to submit a TSE/SPEAK score consistent with KBOR requirements to be eligible for an appointment without spoken English remediation conditions.

Graduate Teaching Assistants

All graduate assistants, whether native or nonnative speakers of English, who have teaching responsibilities that fit the Regents definition must have their spoken English evaluated by a departmental assessment committee. The committee will be appointed by the department chair or director and will be composed of at least three members; two faculty members and one student. The committee will judge the graduate assistant's spoken English according to the Spoken English Screen Form (SESF) scale of 1-4. A rating of 1 or 2 indicates competency in spoken English and is required for appointing the candidate. If one member of the assessment committee rates the candidate's spoken English at 3 or 4, the candidate must take the TSE or the SPEAK or the speaking portion of the iBT. The TSE or iBT may be taken at any authorized site. The score for the SPEAK test will be accepted from Wichita State only. The candidate will be responsible for the cost of the TSE, iBT, or the SPEAK test. Applicants who do not meet these requirements are not allowed to be appointed as GTAs.

Staff Conclusion

Staff finds these reports to be in order and meeting requirements as specified by Board policy.

3. **ADOPT POLICY AMENDMENT TO AUTHORIZE AWARDING OF HONORARY DEGREES**

Summary and Recommendation

This item proposes a revision to Board policy on degrees to add a section authorizing the Awarding of Honorary Degrees. This proposed policy was developed by the Council of Chief Academic Officers (COCAO) and has been reviewed and approved by the Council of Presidents (COPS). Staff recommends approval.

Background

In response to a request from Kansas State University, the Council of Presidents (COPS) asked the Council of Chief Academic Officers (COCAO) to develop a policy allowing Kansas' public universities to award honorary degrees. The members of COCAO worked with Board staff to develop the proposed policy, including criteria and procedures for implementation.

Recommendation

Staff recommend approval of the proposed revision to Board policy on degrees.

Proposed Policy Revision

POLICY ON AWARDING OF HONORARY DEGREES KANSAS BOARD OF REGENTS

CHAPTER IV

COORDINATION AND SUPERVISION POLICIES AND PROCEDURES ADOPTED AFTER JULY 1, 1999

14. DEGREES

~~All degrees are expected to conform to the definitions and standards of this policy by August 1, 2003.~~

The following applies to all institutions governed, supervised, or coordinated by the Board of Regents:

c. Standards

In order to receive and hold authorization to offer a given degree, an institution must remain open to inspection at all times and continuously satisfy each of the following standard requirements as written, except where the Office approves modification in writing.

(2) Curriculum.

- (f) "Honorary degree" is a special degree that is awarded as an exceptional honor bestowed upon a person without the fulfillment of the usual requirements. ~~It is the policy of the Kansas Board of Regents that no honorary degrees shall be awarded~~

by the State universities. State universities may award honorary degrees upon approval by the Kansas Board of Regents and only in accordance with the following: (12-21-84; 4-17-87; 3-22-90; 9-16-93)

(i) Criteria

- Honorary degrees may be conferred only upon persons of notable intellectual, scholarly, professional, or creative achievement, or service to humanity. A candidate's qualifications must be deeply grounded in a career of scholarship, research, creative activity, service to humanity or other profession consistent with the academic endeavors of the University awarding the degree.
- Honorary degrees will be awarded only to exceptional candidates. Awarding this degree need not be considered an annual occurrence.
- An honorary degree shall not be awarded for philanthropic activity or service to the University or the State of Kansas.
- An honorary degree shall not be conferred upon any faculty member, administrator, or other official associated with the University until at least five years after such individual has been separated from the institution.
- An honorary degree shall not be conferred upon any holder of a Kansas elected or appointed public office until at least five years after such individual has vacated office.

(ii) Process

The chief executive officer of the state university shall nominate to the Board for consideration, in accordance with K.S.A. 76-716, the name of any candidate for an honorary degree at least two months before the commencement at which the degree is to be conferred. The nomination shall include such statements or materials demonstrating that the nominee's achievements and/or service are of such exceptional character as to merit the award of an honorary degree.

- (vii) At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed nomination, statement and materials individually to Regents and the President and CEO at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the nomination is to be considered. No public communication of a proposed nomination shall be made until the name is presented for consideration to the open meeting of the Board.

4. ACT ON REQUEST TO REVISE ACADEMIC CALENDAR – KSU

Summary and Recommendation

Board of Regents policy requires consideration of academic calendars proposed by the Regents universities for any deviation for reasons other than natural disaster or national emergencies. This month the Board is asked to consider Kansas State University’s request to change its start date for spring semesters 2011, 2012, and 2013. The proposed changes to the academic calendars conform to existing policies and guidelines. Staff recommends approval. *06/01/10*

Background

Kansas Board of Regents Policy states the following:

1. ACADEMIC CALENDAR (6-19-70; 1-18-90; 5-20-93; 6-25-2009)

- a. The Academic Calendar of each institution under the jurisdiction of the Board shall provide for an academic year minimally consisting of two sixteen week semesters totaling no fewer than 146 instructional days plus five final exam days each semester.
- b. Each Regents university shall file a three-year Academic Calendar adhering to holidays and breaks approved by the Board. Each institution shall follow the calendar as approved by the Board. Any deviation for reasons other than natural disasters or national emergencies must have prior approval of the Board.

Although current Board policy permits diversity among the universities in the construction of academic calendars, the adoption of common elements by the Board in 1984 and 1990 has forced considerable consistency in the number of instructional days, exam days and vacation days. The remaining variation appears partially rooted in administrative requirements and campus traditions. Some degree of institutional flexibility is important for effective institutional planning in the use of facilities and the management of enrollments and personnel.

Proposed Change to Academic Calendar

The Board of Regents recently amended its policy regarding the minimum number of instructional days required in an academic year. The revised calendar being proposed by Kansas State University involves moving the start date for the spring semesters from the Thursday before the Martin Luther King Jr. holiday to the Tuesday after.

Move From	To
Thursday, January 13, 2011	Tuesday, January 18, 2011
Thursday, January 12, 2012	Tuesday, January 17, 2012
Thursday, January 17, 2013	Tuesday, January 20, 2013

Academic Calendar Year, 2010 -2011
Kansas Board of Regents State Universities
Proposed Revisions

<u>Fall, 2010</u>	<u>KU</u>	<u>KSU</u>	<u>WSU</u>	<u>ESU</u>	<u>PSU</u>	<u>FHSU</u>
Classes Begin	Aug 19 Thurs	Aug 23 Mon	Aug 19 Thurs	Aug 18 Wed	Aug 23, Mon	Aug 23 Mon
Classes End	Dec 09 Thurs	Dec 10 Fri	Dec 09 Thurs	Dec 10 Fri	Dec 10, Fri	Dec 10 Fri
Total Instructional Days	75	74	75	76	74	74
Exams Begin	Dec 13 Mon	Dec 13 Mon	Dec 11 Sat	Dec 13 Mon	Dec 13, Mon	Dec 11 Sat
Exams End	Dec 17 Fri	Dec 17 Fri	Dec 17 Fri	Dec 17 Fri	Dec 17, Fri	Dec 17 Fri
Total Exam Days	5	5	6	5	5	6
Total Vacation Days	6	6	6	7	6	6
<u>Spring, 2011</u>	<u>KU</u>	<u>KSU</u>	<u>WSU</u>	<u>ESU</u>	<u>PSU</u>	<u>FHSU</u>
Classes Begin	Jan 21 Fri	Jan 13 Thurs <i>Jan 18 Tues</i>	Jan 18 Tue	Jan 12 Wed	Jan 18, Tue	Jan 12 Wed
Classes End	May 12 Thurs	May 06 Fri	May 09 Mon	May 06 Fri	May 06, Fri	May 06 Fri
Total Instructional Days	75	76 74	75	76	74	77
Exams Begin	May 16 Mon	May 09 Mon	May 11 Wed	May 09 Mon	May 09, Mon	May 07 Sat
Exams End	May 20 Fri	May 13 Fri	May 17 Tue	May 13 Fri	May 13, Fri	May 13 Fri
Total Exam Days	5	5	6	5	5	6
Total Vacation Days	6	6	5	7	6 5	6

- Notes: (a) Wichita State University and Fort Hays State University utilize Saturdays as final exam days and, thus, have a slightly longer exam period.
- (b) University of Kansas Fall break October 14 - 17, 2010; Kansas State University Fall break November 22-23, 2010; Wichita State University Fall break October 14 - 15, 2010; Emporia State University Fall break October 14 - 15, 2010; Fort Hays State University Fall break November 22-23, 2010; and Pittsburg State University Fall break October 21 - 22, 2010.
- (c) Thanksgiving break is November 24-28, 2010; Martin Luther King Day is January 17, 2011; and Spring break is March 21-27, 2011.
 [Approved by KBOR June 12, 2008] *Revision approved January 20, 2010*

Academic Calendar Year, 2011 -2012
Kansas Board of Regents State Universities
Proposed Revisions

<u>Fall, 2011</u>	<u>KU</u>	<u>KSU</u>	<u>WSU</u>	<u>ESU</u>	<u>PSU</u>	<u>FHSU</u>
Classes Begin	Aug 22 Mon	Aug 22 Mon	Aug 18 Thurs	Aug 17 Wed	Aug 22, Mon	Aug 22 Mon
Classes End	Dec 08 Thurs	Dec 9 Fri	Dec 08 Thurs	Dec 09 Fri	Dec 09, Fri	Dec 09 Fri
Total Instructional Days	73	74	75	76	74	76
Exams Begin	Dec 12 Mon	Dec 12 Mon	Dec 10 Sat	Dec 12 Mon	Dec 12, Mon	Dec 10 Sat
Exams End	Dec 16 Fri	Dec 16 Fri	Dec 16 Fri	Dec 16 Fri	Dec 16, Fri	Dec 16 Fri
Total Exam Days	5	5	6	5	5	6
Total Vacation Days	6	6	5	7	6	6
<u>Spring, 2012</u>	<u>KU</u>	<u>KSU</u>	<u>WSU</u>	<u>ESU</u>	<u>PSU</u>	<u>FHSU</u>
Classes Begin	Jan 17 Tues	Jan 12 Thurs Jan 17 Tues	Jan 16 Mon	Jan 11 Wed	Jan 12, Thurs	Jan 11 Wed
Classes End	May 3 Thurs	May 04 Fri	May 07 Mon	May 04 Fri	May 04, Fri	May 04 Fri
Total Instructional Days	73	76 74	75	76	76	77
Exams Begin	May 7 Mon	May 07 Mon	May 09 Wed	May 07 Mon	May 07, Mon	May 05 Sat
Exams End	May 11 Fri	May 11 Fri	May 15 Tues	May 12 Fri	May 11, Fri	May 11 Fri
Total Exam Days	5	5	6	5	5	6
Total Vacation Days	5	6	6	7	6	6

- Notes: (a) Wichita State University and Fort Hays State University utilize Saturdays as final exam days and, thus, have a slightly longer exam period.
- (b) University of Kansas Fall break October 8 – 11, 2011; Kansas State University Fall break November 21-22, 2011; Wichita State University Fall break October 13 - 14, 2011; Emporia State University Fall break October 20 - 21, 2011; Fort Hays State University Fall break November 21-22, 2011; and Pittsburg State University Fall break October 20 - 21, 2011.
- (c) Thanksgiving break is November 23-November 27, 2011; Martin Luther King Day is January 16, 2012; and Spring break is March 19-25, 2012. [Approved by KBOR June 12, 2008] *Revision Approved 04/15/10*

Academic Calendar Year, 2012 -2013
Kansas Board of Regents State Universities
Proposed Revisions

<u>Fall, 2012</u>	<u>KU</u>	<u>KSU</u>	<u>WSU</u>	<u>ESU</u>	<u>PSU</u>	<u>FHSU</u>
Classes Begin	Aug 20 Mon	Aug 20 Mon	Aug 23 Thurs	Aug 15 Wed	Aug 20, Thurs	Aug 20 Mon
Classes End	Dec 6 Thurs	Dec 07 Fri	Dec 13 Thurs	Dec 07 Fri	Dec 07, Fri	Dec 07 Fri
Total Instructional Days	73	74	75	76	74	74
Exams Begin	Dec 10 Mon	Dec 10 Mon	Dec 15 Sat	Dec 10 Mon	Dec 10, Mon	Dec 08 Sat
Exams End	Dec 14 Fri	Dec 14 Fri	Dec 21 Fri	Dec 14 Fri	Dec 14, Fri	Dec 14 Fri
Total Exam Days	5	5	6	5	5	6
Total Vacation Days	6	6	6	7	6	6
<u>Spring, 2013</u>	<u>KU</u>	<u>KSU</u>	<u>WSU</u>	<u>ESU</u>	<u>PSU</u>	<u>FHSU</u>
Classes Begin	Jan 22 Tue	Jan 17 Thurs <i>Jan 22 Tues</i>	Jan 22 Tue	Jan 16 Wed	Jan 10, Thurs	Jan 16 Wed
Classes End	May 09 Thurs	May 10 Fri	May 13 Mon	May 10 Fri	May 04, Fri	May 10 Fri
Total Instructional Days	73	76 74	75	76	76	77
Exams Begin	May 13 Mon	May 13 Mon	May 15 Wed	May 13 Mon	May 06, Mon	May 11 Sat
Exams End	May 17 Fri	May 17 Fri	May 21 Tue	May 17 Fri	May 10, Fri	May 17 Fri
Total Exam Days	5	5	6	5	5	6
Total Vacation Days	5	6	5	7	6	6

- Notes: (a) Wichita State University and Fort Hays State University utilize Saturdays as final exam days and, thus, have a slightly longer exam period.
(b) University of Kansas Fall break October 6 – 9, 2012; Kansas State University Fall break November 19-20, 2012; Wichita State University Fall break October 18 - 19, 2012; Emporia State University Fall break October 11 - 12, 2012; Fort Hays State University Fall break November 19-20, 2012; and Pittsburg State University Fall break October 25 - 26, 2012.
(c) Thanksgiving break is November 21-November 25, 2012; Martin Luther King Day is January 21, 2013; and Spring break is March 18-24, 2013. [Approved by KBOR June 12, 2008] *Revision Approved 04/15/10*

June 23-24, 2010

VIII. EXECUTIVE SESSION – Board of Regent – Personnel Matters Related to Non-Elected Personnel (CEO Assessment) – Chancellor Gray-Little

THURSDAY, JUNE 24, 2010

IX. REPORTS

- A. Introductions
- B. Report from Council of Presidents **President Ed Hammond**
- C. Report from Council of Faculty Senate Presidents **Betsy Cauble**
- D. Report from Students' Advisory Committee **Michael Smith**

X. CONSIDERATION OF DISCUSSION AGENDA

- A. *Fiscal Affairs and Audit* **Diane Duffy**
Regent Jerry Boettcher **Vice President for Finance and Administration**

1. APPROVE FY 2011 TUITION AND FEE PROPOSALS FOR STATE UNIVERSITIES

Summary

The FY 2011 tuition and required fee proposals of each state university were presented to the Board at its May meeting (first reading). The Board will take final action at the June meeting.

Background

One of the Board’s primary responsibilities, as defined in state law, is to set tuition and fees at the state universities.

The state universities developed tuition proposals for FY 2011 in the following context:

1. Flat SGF appropriation for FY 2011 – although the FY 2011 appropriation includes restoration of the Governor’s November allotment, \$1.5 million or a 0.3% increase over FY 2010 revised appropriations, the FY 2011 state appropriations for the state universities total \$572 million which is \$75 million or 13% less the SGF appropriated in FY 2009.
2. Budget increases attributed to projected “required expenditures” for group health insurance (rate increase of 12.5%), faculty promotion and tenure, classified/USS employee under-market salary adjustments, and classified/USS longevity salary bonus payments.
3. Assumed same amount of federal ARRA/SFSF funding that was allocated in FY 2010. The FY 2010 allocation was divided 2/3 to deferred maintenance projects and 1/3 to mitigate tuition increases for resident students.

Summary of Proposals

The Board received a staff memo, dated May 12, 2010, that included detailed written documents from each state university describing their proposed tuition and required fee adjustments for FY 2011. At its May 20, 2010, meeting, the Board received a presentation from each state university. Following the presentations, the Board asked staff to work with the university business officer to provide the following

additional information: (1) additional information related to the course fees for the College of Health Professions at WSU; (2) a five-year analysis of projected versus actual tuition collections; (3) and update and refine the tuition analysis document that staff prepared. This follow-up information along with a final state appropriation summary is included under separate cover in your board materials and will be available to others at the meeting or upon request.

The proposed FY 2011 tuition and required fee rates, expressed in terms of rates for full-time students, are displayed in Tables I and II. As summarized below, the Board action items for each state university fall into four categories: (1) FY 2011 standard tuition and required student campus privilege fees applicable to all students and the KU Compact tuition and required fees; (2) FY 2011 program-specific course fees; (3) changes in tuition structure; and (4) proposed adjustments to required student fees also known as campus privilege fees. Please see the individual university tuition proposals for additional details.

1. FY 2011 standard tuition and required fees applicable to all students and the KU Compact tuition and required fees

Each university's proposal details the proposed tuition and fee rates applicable to students in the four categories: resident undergraduate; resident graduate; non-resident undergraduate; and non-resident graduate. Tables I and II display proposed FY 2011 tuition and required fee rates expressed in terms of rates for fulltime students. Table I displays tuition only, and Table II includes tuition and required fees.

2. FY 2011 Course Fee Rates for Specified Colleges/Schools/Programs or Differential Tuition

Course fees are additional per-credit hour charges by certain academic programs to help recover costs associated with the delivery of academic programs and instruction. The amount of course fees a student pays each semester depends upon the specific courses in which the student is enrolled.

WSU proposes increases in course fee rates for the College of Engineering – Engineering Equipment and Maintenance Fee (a \$1.00 per credit hour increase from \$14.00 to \$15.00, College of Fine Arts (collapse multiple fees into an \$8.00 per credit hour fee for all courses), and College of Health Professions (collapse multiple fees into a \$15.00 per credit hour fee for all courses).

KSU proposes a university wide \$10.00 per credit hour course fee. Currently, three colleges have existing course fee rates that would be increased as follows: College of Architecture increase from \$19 to \$29; College of Business increase from \$20 to \$30; College of Engineering increase from \$39 to \$49. The proposed \$10 per credit hour course fee would be new for the College of Arts and Sciences, College of Agriculture, College of Human Ecology, College of Aviation and Technology and Veterinary Medicine.

KU proposes a 6 percent increase for all existing Schools/Programs course fees for FY 2014.

FHSU has no proposed course fee rates.

PSU has no proposed course fee rates.

ESU has no proposed course fee rates.

3. Other Proposed Changes to Tuition Structure

WSU no changes.

KSU no changes.

KU proposes a new \$10 per credit hour Technology Fee for the Lawrence and Edwards Campuses. Students in the first three Tuition Compact cohorts would be exempted from this new fee. KU proposes a Fixed-Rate Tuition for the Four-year Pharm.D. program for FY 2011-FY2014.

FHSU no changes.

PSU proposes a new Alumni Legacy Scholarship Proposal (tuition waiver program) and an expansion of the Gorilla Advantage to Northwest Arkansas (full waiver of non-resident tuition).

ESU no changes.

4. Proposed Adjustments to Required Student Fees also known as Campus Privilege Fees

Each university's proposal includes changes in fees required of all students as a condition of enrollment. These proposed changes were presented at the May Board meeting and were supported by financial impact statements included with the Universities proposals. See individual proposals for details.

TABLE I
STATE UNIVERSITIES' SELECTED TUITION RATES, AS PROPOSED, MAY 12, 2010
(TUITION ONLY, EXCLUDES REQUIRED STUDENT CAMPUS PRIVILEGE FEES AND COURSE/TECHNOLOGY FEES REQUIRED OF ALL STUDENTS)

FY 2011 TUITION FOR FULLTIME UNDERGRADUATE STUDENTS, PER SEMESTER								
	KU Lawrence (Standard)	KU Lawrence (Compact)	KSU	KSU-Salina	WSU	ESU	PSU	FHSU
Resident Undergraduate								
FY 2010 Approved Tuition	\$3,283.50	\$3,679.50	\$3,093.00	\$2,922.00	\$2,248.50	\$1,713.00	\$1,826.00	\$1,473.00
FY 2011 Proposed Tuition	3,433.50	3,787.50	3,186.00	\$3,009.00	\$2,361.00	\$1,807.00	\$1,934.00	\$1,517.25
Proposed \$ Increase	\$150.00	\$108.00	\$93.00	\$87.00	\$112.50	\$94.00	\$108.00	\$44.25
Proposed % Increase	4.6%	2.9%	3.0%	3.0%	5.0%	5.5%	5.9%	3.0%
Non-resident Undergraduate								
FY 2010 Approved Tuition	\$8,625.00	\$9,663.75	\$8,446.50	\$7,980.00	\$6,265.50	\$6,315.00	\$6,088.00	\$5,549.25
FY 2011 Proposed Tuition	\$8,925.00	\$10,190.25	\$8,700.00	\$8,220.00	\$6,378.00	\$6,662.00	\$6,304.00	\$5,715.75
Proposed \$ Increase	\$300.00	\$526.50	\$253.50	\$240.00	\$112.50	\$347.00	\$216.00	\$166.50
Proposed % Increase	3.5%	5.4%	3.0%	3.0%	1.8%	5.5%	3.5%	3.0%

FY 2011 TUITION FOR FULLTIME GRADUATE STUDENTS, PER SEMESTER								
	KU Lawrence	KU-Med. School	KSU	KSU-Vet. School	WSU	ESU	PSU	FHSU
Resident Graduate								
FY 2010 Approved Tuition	\$3,246.00	\$12,573.10	\$3,358.80	\$8,520.00	\$2,500.20	\$2,077.00	\$2,106.00	\$1,761.00
FY 2011 Proposed Tuition	\$3,426.00	\$13,201.75	\$3,459.60	\$8,776.00	\$2,590.20	\$2,191.00	\$2,230.00	\$1,813.80
Proposed \$ Increase	\$180.00	\$628.65	\$100.80	\$256.00	\$90.00	\$114.00	\$124.00	\$52.80
Proposed % Increase	5.5%	5.0%	3.0%	3.0%	3.6%	5.5%	5.9%	3.0%
Non-resident Graduate								
FY 2010 Approved Tuition	\$7,755.00	\$22,297.20	\$7,726.80	\$20,052.00	\$7,116.00	\$6,432.00	\$5,765.00	\$5,218.20
FY 2011 Proposed Tuition	\$8,175.00	\$23,412.05	\$7,958.40	\$20,654.00	\$7,206.00	\$6,786.00	\$6,013.00	\$5,374.80
Proposed \$ Increase	\$420.00	\$1,114.85	\$231.60	\$602.00	\$90.00	\$354.00	\$248.00	\$156.60
Proposed % Increase	5.4%	5.0%	3.0%	3.0%	1.3%	5.5%	4.3%	3.0%

Notes:

1. Tuition rates for full-time undergraduate students are based upon 15 credit hours (KU, KSU, WSU, and FHSU charge tuition on a per credit hour basis. ESU and PSU charge a semester rate).
2. Tuition rates for full-time graduate students are based upon 12 credit hours, except medical students (semester rate) and veterinary medical students (20 credit hours).
3. KU Compact tuition rates are for first-time, degree-seeking freshmen only. The proposed FY 11 Compact Tuition Rates are for freshmen entering KU in Fall 2010, and would be fixed for FY 11-14.
4. See individual university proposals for rates of KU Pharm. D, Edwards and KUMC (non-medical); FHSU virtual college and international; and FHSU, PSU, ESU contiguous states.
5. See individual university proposals for other fee-related credit hour proposals for specific academic schools/programs.

TABLE II

STATE UNIVERSITIES' SELECTED TUITION RATES, AS PROPOSED, MAY 12, 2010
(INCLUDES REQUIRED STUDENT CAMPUS PRIVILEGE FEES AND COURSE/TECHNOLOGY FEES REQUIRED OF ALL STUDENTS)

FY 2011 TUITION AND REQUIRED STUDENT FEES FOR FULLTIME UNDERGRADUATE STUDENTS, PER SEMESTER

	KU Lawrence (Standard)	KU Lawrence (Compact)	KSU	KSU-Salina	WSU	ESU	PSU	FHSU
Resident Undergraduate								
FY 2010 Approved Tuition and Fees	\$3,706.85	\$4,102.85	\$3,434.75	\$3,221.16	\$2,733.50	\$2,187.00	\$2,296.00	\$1,881.00
FY 2011 Proposed Tuition and Fees	\$4,012.45	\$4,366.45	\$3,688.00	\$3,458.16	\$2,945.00	\$2,318.00	\$2,424.00	\$1,958.25
Proposed \$ Increase	\$305.60	\$263.60	\$253.25	\$237.00	\$211.50	\$131.00	\$128.00	\$77.25
Proposed % Increase	8.2%	6.4%	7.4%	7.4%	7.7%	6.0%	5.6%	4.1%
Non-resident Undergraduate								
FY 2010 Approved Tuition and Fees	\$9,048.35	\$10,087.10	\$8,788.25	\$8,279.16	\$6,750.50	\$6,789.00	\$6,558.00	\$5,957.25
FY 2011 Proposed Tuition and Fees	\$9,503.95	\$10,769.20	\$9,202.00	\$8,669.16	\$6,962.00	\$7,173.00	\$6,794.00	\$6,156.75
Proposed \$ Increase	\$455.60	\$682.10	\$413.75	\$390.00	\$211.50	\$384.00	\$236.00	\$199.50
Proposed % Increase	5.0%	6.8%	4.7%	4.7%	3.1%	5.7%	3.6%	3.3%

FY 2011 TUITION AND REQUIRED FEES FOR FULLTIME GRADUATE STUDENTS, PER SEMESTER

	KU Lawrence	KU-Med. School	KSU	KSU-Vet. School	WSU	ESU	PSU	FHSU
Resident Graduate								
FY 2010 Approved Tuition and Fees	\$3,669.35	\$12,817.96	\$3,700.55	\$8,861.75	\$2,891.60	\$2,551.00	\$2,576.00	\$2,087.40
FY 2011 Proposed Tuition and Fees	\$3,974.95	\$13,458.28	\$3,931.60	\$9,328.00	\$3,060.80	\$2,702.00	\$2,720.00	\$2,166.60
Proposed \$ Increase	\$305.60	\$640.32	\$231.05	\$466.25	\$169.20	\$151.00	\$144.00	\$79.20
Proposed % Increase	8.3%	5.0%	6.2%	5.3%	5.9%	5.9%	5.5%	3.8%
Non-resident Graduate								
FY 2010 Approved Tuition and Fees	\$8,178.35	\$22,542.06	\$8,068.55	\$20,393.75	\$7,507.40	\$6,906.00	\$6,235.00	\$5,544.60
FY 2011 Proposed Tuition and Fees	\$8,723.95	\$23,668.58	\$8,430.40	\$21,206.00	\$7,676.60	\$7,297.00	\$6,503.00	\$5,727.60
Proposed \$ Increase	\$545.60	\$1,126.52	\$361.85	\$812.25	\$169.20	\$391.00	\$268.00	\$183.00
Proposed % Increase	6.7%	5.0%	4.5%	4.0%	2.3%	5.7%	4.3%	3.3%

Notes:

1. Tuition rates for full-time undergraduate students are based upon 15 credit hours (KU, KSU, WSU, and FHSU charge tuition on a per credit hour basis. ESU and PSU charge a semester rate).
2. Tuition rates for full-time graduate students are based upon 12 credit hours, except medical students (semester rate) and veterinary medical students (20 credit hours).
3. KU Compact tuition rates are for first-time, degree-seeking freshmen only. The proposed FY 11 Compact Tuition Rates are for freshmen entering KU in Fall 2010, and would be fixed for FY 11-14.
4. See individual university proposals for rates of KU Edwards and KUMC (non-medical); FHSU virtual college and international; and FHSU, PSU, ESU contiguous states.
5. See individual university proposals for other fee-related credit hour proposals for specific academic schools/programs.

Julene Miller
General Counsel

2. ADOPT BOARD MEMBER CONFLICTS OF INTEREST POLICY

Summary and Recommendation

As part of its charge for this fiscal year, the Fiscal Affairs and Audit Committee has been considering the development of policy regarding the service of Board members on advisory and other boards affiliated with the state universities. Having determined that the charge encompassed the broader question of the Board’s conflict of interest policies generally, the Committee reviewed current Board practices and investigated current “best practices” of university and other governing boards with an eye toward updating policies and practices related to Board member conflicts of interest. The result of the Committee’s work is the policy set out below, which is presented for Board consideration.

Background

Last August, the Chair of the Kansas Board of Regents charged the Fiscal Affairs and Audit Committee with considering the development of policy regarding the service of Board members on advisory and other boards affiliated with the state universities. As it began its discussions on this issue, the Committee determined that the charge encompassed the broader question of the Board’s conflict of interest policies and broadened the scope of their work to include a review of current Board practices, investigation of current “best practices” of university governing boards, and updating the policies and practices related to Board member conflicts of interest.

The Committee reviewed background documents prepared by KBOR staff including,

- Section in Board Policy Dealing with Conflicts of Interest -- Commitment of Time, Conflict of Interest, Consulting and Other Employment (these policies apply to university faculty and staff and Board staff, but do not apply to Regents)
- Staff Memo to New Regents Regarding Ethics Laws, July 17, 2007
- Staff Memo to New Regents Regarding Fiduciary Duties, July 17, 2007
- AGB Board of Directors’ Statement on Conflict of Interest, November 20, 2009
- Iowa Board of Regents Conflict of Interest Policy
- Kansas Bioscience Authority Conflict of Interest Disclosure and No Private Inurement Policies

Fiscal Affairs and Audit Committee Recommendation

The Board’s Committee on Fiscal Affairs and Audit recommends adoption of the following proposed policy amendments:

A. THE BOARD AND ITS STAFF

1. MEMBERSHIP BOARD MEMBERS

a. Selection and Composition

There are nine members of the Board of Regents (Board), each of whom is appointed by the Governor subject to confirmation by the Senate. By law, one member shall be appointed from each Congressional district with the remaining members appointed at

large. No more than five Regents may be of the same political party, no two members shall reside in the same county at the time of appointment.

b. Term of Office

Terms are staggered and are for a period of four years each, expiring on ~~December 31,~~ June 30 except that a member shall continue to serve until a successor is appointed.

c. Compensation and Expenses

Pursuant to Kansas law, each member of the Board shall receive \$35 per day for each day of actual attendance at meetings of the Board or of subcommittees authorized by the Board. ~~In addition, each member is allowed all actual travel and other necessary expenses while in the discharge of official duties~~ compensation, subsistence allowances, mileage and other expenses as authorized pursuant to K.S.A. 74-3202a, 75-3212 and appropriations provisos.

d. Conflicts of Interest

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

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

(1) Disclosures

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

the Board in the authorization of any such contract or transaction. (K.S.A. 46-233)

- (b) Memberships and Affiliations. At the time of taking office and subsequently as the need arises, any member of the Board who is appointed to or otherwise invited to serve on the governing board of any institution coordinated or regulated by the Board, or of any affiliated corporation of any institution governed, coordinated or regulated by the Board, shall disclose this interest to the Board in writing, with a copy sent to the Board President and CEO. This interest shall be set forth in the minutes of the Board. The Board member and the Board shall make a determination regarding the permissibility of accepting or retaining such an appointment in accordance with the following guidelines:
- (i) If an independent observer, having knowledge of all the relevant circumstances, would reasonably conclude that the Board member has an actual or apparent conflict of interest in holding such a position, the Board member should not accept or retain the position;
- (ii) If, however, involvement by the Board member would bring compelling benefit to the institution, the Board may approve such involvement subject to any conditions the Board deems appropriate to assure both propriety and the appearance of propriety.
- (c) Identified Board member conflicts shall be reviewed by the Board annually at the September meeting.
- (d) Statements of Substantial Interest. All members of the Board shall file a written statement of substantial interest pursuant to K.S.A. 46-247 et seq. regarding any substantial interests within the meaning of K.S.A. 46-229 that each member may hold.

(2) Meeting Conduct

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

Any such determination and participation shall be recorded in the Board minutes.

- (3) No Private Inurement. No part of the funds of the Board or any state university shall inure to the benefit of, or be distributed to, any member of the Board, except that the Board and the state universities may make reasonable payments for expenses incurred on their behalf relating to any of their lawful purposes. The Board shall be authorized and empowered to pay Board members reasonable compensation for services rendered to or for its benefit relating to any of its lawful purposes, in accordance with subsection 1.c. of this section A.
- (4) Board members shall comply with the governmental ethics laws relating to solicitation or acceptance of gifts, meals, transportation or tickets/access to sporting events and other entertainment or activities as set forth at K.S.A. 46-237 and 46-237a.

3. ADOPT BOND RESOLUTION – ENERGY CONSERVATION REVENUE BONDS – KSU

Summary and Staff Recommendation

Kansas State University requests authorization to proceed with an energy performance contract with Johnson Controls that will result in the implementation of the projects detailed herein that total \$23,388,400. The University also requests authorization to issue bonds to finance the energy savings and the costs of bond issuance. The bonds will be issued through the Kansas Development Finance Authority and will be a general credit of the University secured with the energy savings from the projects. Staff recommends approval.

Background

When funding was provided for deferred maintenance projects, campuses were encouraged to explore the feasibility of leveraging deferred maintenance funds with energy conservation projects. As a result, Kansas State University engaged Johnson Controls to conduct an investment-grade energy audit of the campus for the purpose of identifying energy conservation projects.

The audit is complete and the University is ready to proceed with the performance contract and the issuance of revenue bonds. The audit identified approximately seven broad categories of energy savings projects in over 100 buildings and throughout the campus infrastructure that will result in first-year utility savings of approximately \$2.1 million. These projects, which will cost approximately \$23.4 million to implement, include energy savings measures such as lighting improvements, fume hood upgrades, chilled water system upgrades, steam system optimization, domestic water system upgrades, and power consumption upgrades. Johnson Controls will guarantee that the actual amount of energy savings attributable to the energy conservation measure be not less than the cost of the energy conservation measure over the time specified including financing costs. Additionally, K-State engaged an independent engineering firm, Stanley Consultants, to validate the efficacy of the proposal.

Energy Conservation Measures	Project Cost
Lighting Improvements	\$6,521,000
Fume Hood Upgrades	\$4,430,000
Chilled Water System Upgrades	\$8,145,000
Steam System upgrades	\$3,858,000
Domestic Water System upgrades	\$197,400
Power Factor Correction	\$41,650
Computer Power Management	\$39,200
Other Fees	<u>\$157,150</u>
Total Project Costs	\$23,388,400
Total Estimated Utility Savings (year one)	2,065,000
Simple Payback	11.3

If the Board authorizes K-State to proceed with the energy performance contract outlined above, the University requests that the Board adopt a Resolution approving the issuance of bonds by the Kansas Development Finance Authority to finance the projects. The Resolution is set forth in full below:

RESOLUTION

A RESOLUTION OF THE KANSAS BOARD OF REGENTS APPROVING THE ISSUANCE BY THE KANSAS DEVELOPMENT FINANCE AUTHORITY OF ITS KANSAS DEVELOPMENT FINANCE AUTHORITY REVENUE BONDS, (KANSAS BOARD OF REGENTS - KANSAS STATE UNIVERSITY – ENERGY CONSERVATION PROJECT) TO PROVIDE ALL OR A PORTION OF THE FUNDS NECESSARY TO IMPLEMENT ENERGY CONSERVATION MEASURES ON THE MANHATTAN CAMPUS OF KANSAS STATE UNIVERSITY; AND AUTHORIZING THE EXECUTION OF A PLEDGE OF REVENUES AGREEMENT AMONG THE KANSAS BOARD OF REGENTS, KANSAS STATE UNIVERSITY AND THE KANSAS DEVELOPMENT FINANCE AUTHORITY THAT CONTAINS CERTAIN COVENANTS AND PROVISIONS WITH RESPECT TO THE PLEDGE OF CERTAIN FUNDS OF THE UNIVERSITY THAT WILL PROVIDE FOR THE PAYMENT OF SUCH BONDS.

WHEREAS, the Kansas Board of Regents (the "Board") is vested under the Constitution and laws of the State of Kansas with supervision and control over Kansas State University (the "University") and is authorized under such laws to adopt this Resolution and perform, execute and carry out, or cause to be performed, executed and carried out, the powers, duties and obligations of the Board under this Resolution in connection with the implementation of energy conservation measures to be located on the Manhattan campus of the University; and

WHEREAS, pursuant to K.S.A. 75-37,125, the Kansas Corporation Commission (the "KCC") has heretofore authorized or will authorize the University to enter into an Energy Performance Contract with Johnson Controls, Inc., (the "Contract") that provides for the installation of energy conservation measures on the Manhattan campus of the University at an estimated cost of \$23,388,400 (the "Project"); and

WHEREAS, K.S.A. 74-8960 authorizes the Kansas Development Finance Authority (the "Authority"), on behalf of the Board and the University, to issue its revenue bonds in one or more series in amounts not in excess of the amounts approved for the Project by the KCC, plus all amounts required for costs of issuance, costs of interest on such revenue bonds during the construction of the Project and any required reserves for the payment of principal and interest on such revenue bonds, which may be issued by the Authority as traditional "tax-exempt" bonds and/or as qualified energy conservation bonds as described in Section 54D of the Internal Revenue Code of 1986, as amended (collectively, the "Project Bonds"); and

WHEREAS, the Board hereby finds and determines that it is advisable that the Project Bonds be issued by the Authority on behalf of the Board and the University pursuant to K.S.A. 74-8901 *et seq.* for the purpose of financing the Project and related costs as hereinbefore set forth; and

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

WHEREAS, in conjunction with the issuance of the Project Bonds, it is necessary to authorize the execution of a Pledge of Revenues Agreement among the Board, the University and the Authority (the "Pledge Agreement"), which contains certain covenants and provisions with respect to the pledge of generally available unencumbered funds of the University, which will secure and provide for the payment of the Project Bonds and Additional Bonds (as defined therein); and

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

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

SECTION 1. The Board hereby approves the Project with respect to the University facilities referenced in the Contract and issuance of the Project Bonds by the Authority on behalf of the Board and the University, in one or more series to finance all or a portion of the costs of the Project in an aggregate principal amount not in excess of the limitations hereinbefore set forth. The Project Bonds shall be issued substantially in the form and with the repayment terms and provisions contained in the information presented to the Board this date by the Authority and the University, all as may be approved by the Chair or his/her designate and the General Counsel to the Board.

SECTION 2. The Board hereby authorizes and instructs the Chair and President and CEO of the Board to execute the Pledge Agreement and the Administrative Agreement on behalf of the Board in such form as is approved by the General Counsel to the Board, and the President of the University to execute such documents as are necessary and in such form as is approved by the General Counsel to the University, and to execute any and all other documents and certificates necessary to accomplish the purposes set forth in this Resolution and the issuance of the Project Bonds.

SECTION 3. This Resolution shall be in full force and effect from and after its adoption.

CERTIFICATE

We, the undersigned Chair and President and CEO of the Kansas Board of Regents (the "Board"), hereby certify that the foregoing Resolution was lawfully adopted by the Board at its meeting held on June 24, 2010.

KANSAS BOARD OF REGENTS

(SEAL)

By _____
Jill S. Docking, Chair

ATTEST:

By _____
Andy Tompkins, President and CEO

4. **ADOPT AMENDMENTS TO STATE UNIVERSITY PURCHASING POLICY**

Summary

As part of the Board's 2010 legislative package, House Bill No. 2433 was introduced to expand the pilot purchasing project to allow participation by all state universities and to convert it from a pilot project to a more permanent one. The Bill passed with overwhelming legislative support and has been signed by the Governor, with an effective date for the amendments of July 1, 2010.

Board staff worked with university purchasing officials and the university council of business officers to update Board policy to reflect the changes necessitated by the legislation. In addition to the policy amendments, COBO suggests that as universities begin utilizing the provisions of the bill, the university purchasing officers be charged with monitoring progress on the implementation, including tracking any savings or efficiencies resulting from the legislation, for at least the two years following implementation. These results would be reported to COBO annually for reporting to the Fiscal Affairs and Audit Committee.

The attached policy draft was reviewed and approved by the Fiscal Affairs and Audit Committee at its May meeting.

Background

During the 2006 legislative session, Senate Bill 52 (K.S.A. 76-769) was enacted authorizing a pilot project for the purchasing systems of two state universities. The purpose of the pilot was to exempt participating state universities from certain basic state purchasing requirements (statewide purchasing contracts, state travel services, and the Prison Made Goods Act). In June 2006, the Board designated Fort Hays State University (FHSU) and the University of Kansas (KU) as the two institutions that would participate in the pilot project.

The Board's policy requires each participating state university to develop a plan for the administration of their purchasing system, and each must develop and maintain written policies and procedures ensuring that efficient internal controls are utilized. Pursuant to Board policy, FHSU and KU presented reports to the Board at its December 2008 and December 2009 meetings, and they reported documented hard dollar savings totaling \$804,000 in Fiscal Year 2008 and \$1,021,000 in Fiscal Year 2009. The Board was impressed by the reports and endorsed the pursuit of legislation that would: 1) make the pilot program permanent; 2) extend the flexibility allowed under the terms of the pilot program to the other four state universities; 3) expand the authority to exempt the state universities from the statutes covering the procurement of professional services, negotiated procurement processes, and mandated use of the State Division of Printing; and 4) broaden the exemption to fully include the University Press and certain real estate leases. As with all purchases made under this expanded authority, the Board, the Governor via the Division of Purchases, and the Legislature could still review and audit all completed purchasing transactions at any time.

Enactment of 2010 HB 2433 and the Necessary Policy Amendments

HB 2433 passed with overwhelming legislative support and has been signed by the Governor. The effective date of the legislation is July 1, 2010. Board staff worked with university purchasing officials and the university council of business officers to make proposed revisions to Board policy (see below) to reflect the changes necessitated by the legislation. The proposed Board policy requires each university

choosing to utilize the purchasing option authorized in K.S.A. 76-769 to develop university policies and procedures addressing specific areas. Such university policies and procedures will be submitted to the Board's Vice President for Finance and Administration for review.

In addition to the policy amendments, COBO suggests the university purchasing officers be charged with monitoring progress on the implementation, including tracking any savings or efficiencies resulting from the legislation, for at least the two years following implementation. These results would be reported to COBO annually for reporting to the Fiscal Affairs and Audit Committee.

B. FISCAL MANAGEMENT

10. POLICY FOR PILOT PROJECT ON PURCHASING (2006 Sess. L. Ch. 190 PURSUANT TO K.S.A. 76-769) (1-18-07)
- a. Participating State Universities
~~The University of Kansas and Fort Hays State University are hereby designated as universities participating in the pilot project on purchases authorized by 2006 Sess. L. Ch. 190.~~
- e. Guiding Principles
 (1) Each state university ~~participating in the pilot project authorized by 2006 Sess. L. Ch. 190~~ choosing to utilize the provisions of K.S.A. 76-769 shall develop and be guided by procurement policies and procedures that:
 - o Focus on the stewardship of public funds;
 - o Advance and support the mission of the institution;
 - o Promote a competitive and fair procurement environment; and
 - o Are open and transparent, including adherence to the Kansas Open Records Act.
 (2) State universities ~~participating in the pilot project~~ utilizing the provisions of K.S.A. 76-769 are encouraged to engage in cooperative purchasing opportunities with other public universities or other state agencies entities to achieve the lowest competitive price, including purchasing from current State central purchasing contracts, state travel services, and products pursuant to the Prison Made Goods Act, if it is in the best interest of the state university.
- d.b. Requirements for Policies and Procedures
 The ~~policies~~ policies and procedures developed by ~~the~~ each state university in accordance with this section participation in the pilot project shall address, at a minimum:
 - (1) How the system of administration will advance and support the mission of the state university and provide increased levels of service to university students, faculty and staff as they work collectively to advance the university interest;:
 - (2) How the state university intends to promote a competitive procurement environment including a statement regarding what competitive bid limit thresholds will be utilized;:

- (3) How notice of procurement opportunities will be provided to vendors and to the public in general-;
 - (4) The criteria to be utilized as contracts and purchase orders are awarded-;
 - (5) ~~What~~ The process ~~will to~~ be utilized to resolve vendor protests or requests for information, if any, that are submitted by vendors or the public in general-;
 - (6) How the state university intends to cooperate with the State and other state universities as procurement decisions are made-; and
 - (7) ~~How the state university intends to track and report cost savings, process efficiencies or issues identified as a result of this pilot project.~~
 - (8) ~~How each state university intends to involve the university's internal audit function in the review of purchasing activities.~~
 - (9) What steps are taken to ensure that all university procurement officials are guided by a purchasing code of ethics, such as the National Association of Educational Procurement Code of Ethics.
- e. ~~Each state university participating in the pilot project shall submit a report on an annual basis to the Board of Regents Office in October for approval by the Board in December that identifies:~~
- (1) ~~The amounts and kinds of expenditures made by the state universities-;~~
 - (2) ~~What savings were achieved or costs incurred and any issues or problems that were encountered as acquisitions were made by the state universities.~~
 - (3) ~~An overall evaluation of the efficacy of the pilot project on purchasing.~~

C. FACILITIES

12. LAND TRANSACTIONS (6-28-07)

a. Leases (Including Oil and Gas Agreements)

- (1) All leases of real property shall be approved by university counsel as to form, shall be submitted to the Board for approval in accordance with paragraph (4) of this subsection, and shall be submitted to other state agencies for approval where required by law. (K.S.A. 75-3739(1), 75-3743, 75-3744, ~~and~~ 76-165, and/or 76-769(a)(6)(C))
- (2) No real property owned or controlled by the ~~state~~ State of Kansas shall be leased unless a notice of intention to lease said property has been published at least thirty days prior to execution of any documents; provided, however, that this requirement shall not be imposed on leases with another state agency or a political subdivision. (K.S.A. 75-430a(d))
- (3) No lease of land for the production of oil, gas or other minerals shall be for a period of more than ten years and so long as oil, gas or other minerals are produced in paying quantities thereon, shall be awarded only upon competitive bids pursuant to K.S.A. 76-165, and shall retain to the state a royalty interest of not less than one-eighth part of all oil, gas or other minerals produced. When a state university leases land for the production of oil, gas, sand, gravel or any other mineral, the university shall provide information to the state geological survey in accordance with K.S.A. 76-323b. (K.S.A. 76-164 through 76-168)

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

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

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

...

e. Real Property Transactions with State University Endowments, Foundations and Other Related Organizations

(1) State university endowments, foundations and other related organizations are organized under the laws of the State of Kansas and exist to support the state universities. While state law and organizational charters typically impose upon these related organizations special responsibilities for the administration of property received by the organizations, this policy shall establish the basis for all real property transactions described herein between all related organizations, the state universities and the Board. For purposes of this subsection e., the term "related organizations" includes all state university affiliated corporations as defined in Section II.G.6. of this Policy Manual.

- (a) The approval of the Board of Regents shall be required prior to the acceptance by a state university of any gift of property from any related organization.
- (b) In the event any related organization desires to sell to the Board or the university properties held by the related organization as a result of purchase, or a gift or devise which conveyed unrestricted and unqualified fee to the related organization, the purchase price shall not be more than the highest appraised value as determined by two independent real estate appraisers. (K.S.A. 76-147)
- (c) Where trades of real property between the state and any related organization may benefit the state university and disposal of the state property has been approved by the Legislature, the Board of Regents may authorize the state university to negotiate a trade of the realty. The valuation of the related organization's property shall be determined in the same-manner as that of state properties. (K.S.A. 75-3043a or 76-147)
- (d) Leases of real property by the state universities from any related organizations shall be subject to the approval of the Board and to the following limitations:
 - (i) If the related organization holds properties in unrestricted accounts for which no remuneration is required under its fiduciary responsibility, or if the property is held on the basis of a gift or devise which so permits, the related organization may make the property available to the state university on a no-fee basis.
 - (ii) Any occupancy by the state university shall be subject to a written agreement.
 - (iii) For properties held by any related organization as investments for eventual development by the state university, the rental cost shall not exceed an amount

calculated to amortize the investment, or the market value in a case where the state university seeks to occupy a property previously leased by the related organization on a private or commercial basis.

- (e) State university transfers of real property received by devise to the state university's endowment or foundation in accordance with K.S.A. 2009 Supp.74-3254 shall be subject to approval by the Board and any conditions imposed by the testator.

(2) Construction of Buildings: When any related organization constructs a building on the organization's property for the state university's use and at the request of the state university, the state university is authorized to enter into lease agreements on an amortizing basis, subject to the advance approval of the Board of Regents. (6-28-90)

(3) Issuing Bonds: In the event any related organization proposes or is requested to issue bonds and the proceeds will be used to fund construction or improvement upon Board owned property, the state university having possession of the property shall obtain Board approval of the project before the bond issuance process is initiated. (9-18-97)

B. *Other Matters*

**Chancellor Gray-Little
University of Kansas**

**1. RECEIVE UPDATE FROM THE UNIVERSITY OF KANSAS CONCERNING
ATHLETICS**

**Theresa Schwartz
Associate General Counsel**

**2. APPROVE MEMORANDUM OF AGREEMENT BETWEEN KU AND
KANSAS ASSOCIATION OF PUBLIC EMPLOYEES (KAPE), LOCAL #6403,
REPRESENTING GRADUATE TEACHING ASSISTANTS**

Summary and Staff Recommendation:

The University of Kansas proposes that the Kansas Board of Regents approve the Memorandum of Agreement (MOA) negotiated between the University of Kansas, Kansas Department of Administration, Kansas Board of Regents and the Kansas Association of Public Employees, (KAPE) Local #6403. The Board approved a prior version of this MOA in April 2007, but the Union reopened the MOA for negotiations in December, 2009. Staff recommends approval of the agreement and authorizing the Chair to execute on behalf of the Board.

Background:

This Memorandum of Agreement (MOA) involves approximately 1,000 Graduate Teaching Assistants (GTAs) at the University of Kansas who are represented by the Kansas Association of Public Employees (KAPE), Local #6403 (hereafter Union or KAPE). The existing MOA between the parties was approved by the Board in April 2007. In December 2009, the Union provided notice of its desire to open the existing MOA for negotiation. The University and Union representatives participated in meet and confer sessions from January 5, 2010 through May 6, 2010 at which time the University provided the Union with a package proposal to resolve all issues that remained unresolved to date in the negotiations. On May 6, 2010, the University and the Union reached tentative agreement on all articles opened for negotiation. The Union representative notified the University that the membership will be voting to accept the University's MOA, thus bringing to a close the parties' negotiations.

Before the negotiated and agreed upon modifications to the parties' Memorandum of Agreement can be implemented, the MOA requires the approval of the Secretary of Administration and of the Board. The Secretary of Administration will provide approval after the Board has approved the MOA.

The following discussion outlines the changes to the existing MOA negotiated between the parties in the course of their meet and confer sessions. The amendments include the following:

1. Article 4 – KAPE Rights: The University and the Union agreed to allow posting of KAPE-related materials on "general use" bulletin boards on campus. The web address for KAPE was updated. The University and KAPE agreed that web page access to the MOA was sufficient and printed copies no longer had to be distributed.

2. Article 5 – Appointments:

- a) The Union requested greater assurance of ongoing financial commitment to GTAs for the duration of their academic programs. It was agreed that as appointments were considered each academic year or each semester, the University would take into consideration the financial support communicated to the GTA at the time of admission. Factors of satisfactory performance, compliance with appointment requirements, and the best interests of the department would also be taken into consideration in renewing academic year or semester appointments.
- b) The time that GTAs must be available to report to work and some additional specifics on the nature of work to be performed were clarified, as were some additional conditions for holding a GTA appointment such as successful completion of criminal background check.
- c) The GTAs were primarily concerned with the University’s current limitation of 10 semesters for holding a GTA appointment. When establishing the appointment limitation, the University agreed to take into consideration the varying levels of degrees possessed by graduate students when they begin their doctoral programs. It was specified that the Graduate Studies Office and the Dean’s Office of the College of Liberal Arts and Sciences would establish the time limitations for GTA appointments based on that consideration.
- d) It was agreed that GTAs would receive a formal, written evaluation at least once during their employment.
- e) KAPE may request a report of GTAs terminated for fiscal reasons, and some provisions of medical leave without pay were clarified.

3. Article 6 - Wages:

- b) The University stated that during times of budgetary constraints, GTAs with active appointments would not be subject to furlough or salary reduction.
- c) The base minimum salary for a 50% appointment was established for the next three academic years as noted below.

First Academic Year:	\$12,500.00
Second Academic Year:	\$12,750.00
Third Academic Year:	\$13,000.00

4. Article 7 – Benefits: It was affirmed that the University would provide the optional health insurance program as authorized by the Kansas Board of Regents. Inclusion in the Employee Assistance Program (former Article 12) was deleted since all the benefits provided through that program are already available as student services.

5. Article 8 – KAPE Access to GTA Names and Addresses: The University agreed to provide length of service information to KAPE and clarified when a campus telephone directory would be provided to KAPE.

6. Article 9 – KAPE Use of Facilities: It was affirmed that KAPE would abide by the facilities use guidelines as prescribed in University policy for other external organizations.
7. Article 10 – No Interference: It was affirmed that KAPE would conduct its activities during non-work time, in non-work locations and not use State equipment and materials.¹
8. Article 12 – Disciplinary Action: Formal disciplinary action was defined to include a suspension without pay or termination of employment. It was agreed that GTAs could exercise the right to representation during investigatory meetings that may lead to formal disciplinary action, not to include meetings for the purpose of mentoring, instruction, performance feedback or evaluation or counseling. It was affirmed that formal disciplinary action was subject to the grievance process outlined in the MOA.
9. Article 15 – Duration and Termination: The University and the Union agreed that the MOA would be in effect for three years and could be reopened with no more than six months nor less than 90 days notice prior to the expiration date of the MOA. It was agreed that meet and confer sessions would begin no more than 30 days after the notification to reopen.

Proposed Action:

The University of Kansas recommends that the Board approve the new MOA containing the terms that have been negotiated and agreed on in the course of the meet and confer sessions conducted between the University and the Union. Staff concurs and recommends the Board approve the new MOA and authorize the Chair to execute the Agreement on behalf of the Board.

¹ Article 10 was a meet and confer matter, but the discussions did not lead to any amendments to that provision.

Chairman Jill Docking

3. ELECT FY 2011 BOARD CHAIR AND VICE CHAIR

XI. EXECUTIVE SESSION – Board of Regents – Personnel Matters Related to Non-Elected Personnel (CEO Assessment) – President Schulz

XII. ADJOURNMENT

June 23-24, 2010

Agenda
Board Fiscal Affairs and Audit Standing Committee
June 23, 2010
Board Room, 11:00am-Noon

- I. Review Fiscal Affairs and Audit Items on the Board's Agenda
- II. Update on LPA Activities
- III. Other topics

June 23-24, 2010

Council of Presidents
Kansas Board of Regents Office
1000 S.W. Jackson
Topeka, KS
June 23, 2010
11 a.m.
Suite 530

Agenda

1. Approve minutes of May 19, 2010 meeting
2. Report from Council of Business Officers
3. Report from Council of Chief Academic Officers
4. Request to create a council for unclassified employees
5. Rotation of Council Chair

Kansas Board of Regents Policy and Procedures Manual

f. Rotation of Council or Committee Chair

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

Council of Presidents
Kansas Board of Regents
May 19, 2010
Minutes of Meeting

Members present: President Ed Hammond, Fort Hays State University
President Don Beggs, Wichita State University
Chancellor Bernadette Gray-Little, University of Kansas
President Mike Lane, Emporia State University
President Reggie Robinson, Kansas Board of Regents
President Steve Scott, Pittsburg State University
President Kirk Schulz, Kansas State University

The meeting was convened at 11:03 a.m. by President Hammond.

1. Minutes of April 14, 2010 meeting

President Beggs moved to approve the minutes. The motion was seconded by President Lane and passed unanimously.

2. Report from Council of Business Officers – Mr. Mike Barnett, Vice President for Administration and Finance, FHSU

Mr. Barnett indicated that at the last COBO meeting, members discussed the new reporting requirements pertaining to affiliated and non-affiliated corporations. They recommended to COPS that January 4 be set as the date that annual reports are due. It was moved, seconded and unanimously approved by COPS to accept this recommendation.

A document containing proposed amendments to the purchasing policy was distributed. Mr. Barnett said COBO had discussed the document, and it also was being reviewed by the Fiscal Affairs and Audit Committee. Members of COBO talked about the idea of requiring institutions to report actual savings but felt it would be better if they submitted a progress report instead, which would be done annually for the first two years after implementing the new purchasing policy. It was moved and seconded by COPS to accept the recommendation on progress reports, and the motion passed unanimously.

Members of COBO discussed the rotation of the COBO chair role, as it relates to the COPS rotation.

3. Report from Council of Chief Academic Officers – Dr. April Mason, Provost, KSU

Dr. Mason reported in the absence of Dr. Larry Gould, Provost at FHSU. She mentioned that in the recent SCOCAO meeting, members had talked about the process for program alerts and whether or not the community colleges would participate in that process. Dr. Gary Alexander, Vice President for Academic Affairs for the Board of Regents, reported to SCOCAO on CREST, and more information on that will be forthcoming. There is a SCOCAO retreat scheduled for June.

At the COCAO meeting, KU withdrew a request for a B.S. degree program in Interdisciplinary Computing. In addition, members of COCAO reviewed and approved several requests for degree and department name changes. These items do not require action by COPS.

4. ESU request for approval of Master of Science in Instructional Leadership

President Scott moved to approve this new degree program. The motion was seconded by President Schulz and passed unanimously.

5. Request to create a council for unclassified employees

President Robinson said the request for an unclassified council arose because unclassified employees do not have direct access to the Board of Regents in the way that other groups such as Classified Senate and Faculty Senate periodically do. Two of the Regents institutions currently have unclassified employee groups on their campuses.

There was a brief discussion about the feasibility of including unclassified employees in the same council as classified employees. President Beggs indicated that he felt unclassified employees should be allowed to have their own voice with the Board. President Schulz said graduate students also have expressed interest in creating a council of their peers. It was suggested by President Lane that the topic be put on the June COPS agenda and in the meantime, it should be discussed on each of the campuses. President Robinson stated that he would send to members of COPS a document based on the Council of Classified Senate Presidents' guidelines, modified appropriately for unclassified employees, that can be used for the discussions.

6. Council of Presidents chair rotation

President Hammond said his understanding of the chair rotation for COPS was that after this year, the normal order would be resumed and FHSU would drop to the last spot. It was mentioned that the Board policy contains a statement on chair rotation. President Beggs suggested that Presidents Hammond and Robinson review the policy and put it on the next COPS agenda.

7. March 2011 Board of Regents meeting

Members of COPS discussed the date of the March 2011 Board meeting, which is scheduled during Spring Break week. This year's March meeting also took place during Spring Break. President Lane suggested that COPS make a request for the 2011 meeting be moved to one week earlier. President Hammond asked members to check their institutions' calendars to verify that all have the same Spring Break week before the request is presented to the Board.

The meeting was adjourned at 11:30 a.m.

System Council of Chief Academic Officers

**Wednesday, June 23, 2010
9:00 a.m. – 9:30 a.m.
Room 530
Curtis State Office Building
1000 SW Jackson Street
Topeka, Kansas**

AGENDA

- 1. Approve Minutes of May 13, 2010**

- 2. Discussion:**
 - a. Core Outcomes Project**
 - b. Concurrent Enrollment Report**
 - c. Academic Year 2010-2011 Issues**

- 3. Other Business**

SCOCAO Meeting Schedule – September 2010 – June 2011

Teleconference/Conference Call MEETING DATES	AGENDA MATERIALS DUE	FACE TO FACE MEETING DATES
September 9, 2010	August 25, 2010	September 15, 2010
October 14, 2010	September 29, 2010	
November 11, 2010	October 27, 2010	
December 9, 2010	November 23, 2010	
January 13, 2011	December 28, 2010	
February 10, 2011	January 26, 2011	
March 10, 2011	February 23, 2011	
April 14, 2011	March 30, 2011	
May 12, 2011	April 27, 2011	
June 9, 2011	May 25, 2011	June 15, 2010

**System Council of Chief Academic Officers
Minutes**

Thursday, May 13, 2010

2:00 p.m.

Conference Room B

**Kansas Board of Regents
Curtis State Office Building
Topeka, KS**

The System Council of Chief Academic Officers met in Conference Room B of the Kansas Board of Regents Office, Suite 520, 1000 S. W. Jackson, Topeka, Kansas, at 2:00 p.m. by teleconference/conference call on Thursday, May 13, 2010.

Members Present:

Brian Inbody, Neosho County Community College	Ruth Dyer, Kansas State University
Allen Rawitch, University of Kansas Medical Ctr	April Mason, Kansas State University
Larry Gould, Fort Hays State University	Steve Loewen, Flint Hills Technical College
Barbara Romzek, University of Kansas	Tim Peterson, Washburn University
Lynette Olson, Pittsburg State University	Kevin Brungardt, Garden City Community College
Tes Mehring, Emporia State University	Joe Burke, Labette Community College
Martha Shawver, Wichita State University	Peggy Forester, Independence Community College
Kim Krull, Cloud County Community College	

Board Staff:

Gary Alexander, KBOR; Joan Warren, KBOR; and Jean Redeker, KBOR

Approve Minutes of April 8, 2010 Meeting Minutes

Tes Mehring moved and Larry Gould seconded the motion to approve the April 8, 2010 minutes as submitted. Motion carried.

Discussion:

Program Alert Update

As an information item:

Board staff advised the System Council of Chief Academic Officers that (recently) as staff approve submitted programs, Washburn programs mistakenly went through the program alert creating some confusion. Just as a clarification, Washburn University provides its program information as a courtesy. Washburn's programs do not go through the Kansas Board of Regents approval process.

Learning Outcomes Update

Joan Warren presented an update on the April learning outcomes meeting. Bob Wilkinson, Pittsburg State University, hosted the meeting at Pittsburg State University. The State universities discussed the current status of learning outcomes and brainstormed on how to move forward. A Washburn University

representative also attended and reported. Commonalities were discussed, e.g., NSSE, VSAs, HLC, and creating cultures of evidence.

They discussed four learning outcome objectives:

- Oral and written communication
- General technical and numerical literacy
- Critical thinking/problem solving
- Collaboration and teams
- Oral/written communication and critical thinking will be examined first

The proposed Foresight 2020 document mentions a Learning Outcomes Task Force and this group could potentially be a resource for the Task Force should it be formed.

A web site hosted by Pittsburg State University is available to the group.

The next meeting is on June 28, 2010 at Emporia State University.

The Community Colleges will be brought into the discussion as some time in the future.

SCOCAO members asked for a copy of the notes and handouts from the April meeting. Joan Warren indicated that she would distribute those.

Learning Outcomes will be discussed at the June 3 and 4 KCIA (Community College) retreat.

“CREST” Report

Gary Alexander reported on his trip to the Midwest Higher Education Compact meeting in Minneapolis. The discussion centered on MHEC’s grant from the Gates’ Foundation to explore the feasibility of “Credential Repository for Education, Skills and Training (CREST)” and how the concept could be done.

The participants discussed:

- A web-based portfolio to store the earned credits of each student and to document life experience learning
- The portfolio would be assessed as to its value and the student would be matched to institutions that would have the most appropriate degree completion plans
- The students would be able to evaluate their options and choose the best one

They also analyzed the concept from different angles:

- Identified technical, economic and political issues
- Shared existing state articulation, transfer and degree completion initiatives
- Existing technologies, technological requirements and data needs
- Input regarding potential users – potential students and institutions – demand
- Regional transfer issues
- What to do at the state level

Other Business

SCOCAO Retreat

Place on the June agenda “discuss a SCOCAO Retreat for late summer.”

KCIA Retreat

Kim Krull shared the KCIA Retreat Agenda with SCOCAO as follows:

- Thursday, June 3
 - Old business – Leadership Scholarship Committee; Library Consortium; and Statewide articulation agreement
 - New business – Tilford Conference
 - Best Practices on Our Campuses – Part I
 - Dr. Ron Matson, WSU, - Recharge and Reenergize
- Friday, June 4
 - Best Practices on Our Campuses – Part II
 - Distance Ed plan, statewide articulation, Tech Ed update
 - Matt Lindsay, Executive Director, Kansas Campus Compact – Service Learning
 - Business Meeting

Kim Krull will need to know if you are coming for the lunch count. Please contact her if you plan to attend.

There being no other business the meeting adjourned at 2:27 p.m.

Council of Chief Academic Officers

**Wednesday, June 23, 2010
9:30 a.m.
Room 530
Curtis State Office Building
Reconvene Noon to 1:15 p.m.
Kathy Rupp Conference Room
1000 SW Jackson Street Suite 520
Kansas Board of Regents**

A G E N D A

- 1. Approve Minutes of May 13, 2010
Approve Minutes of May 19, 2010**
- 2. University Press of Kansas Report**
- 3. Program Requests**
 - a. KSU – Request Approval to Merge the Department of Elementary Education and the Department of Secondary Education into a single Department of Curriculum and Instruction**
 - b. KSU – Request Approval for Renewal of Academic Extension Specialty Program Adult Occupational and Continuing Education (CIP 13.1201)**
 - c. KU – Request Approval for Renewal of Academic Extension Specialty Program Master of Public Administration Program (CIP 44.0401)**
 - d. PSU – Request Approval for Renewal of Academic Extension Specialty Programs B.S. in Vocational Technical Education (CIP 13.1309) and M.S. in Career and Technical Education (CIP 13.1309)**
 - e. PSU – Request Approval to Change the Name of the Bachelor of Science Education degree to the Bachelor of Fine Arts with Art Education Emphasis (CIP 50.0701)**
 - f. PSU – Request Approval to Change the Name of Information Systems to Computer Information Systems**
 - g. FHSU – Request Approval to Move the Theatre program, currently in the Department of Communication Studies to the Department of Music and Change the Name of the Department of Music to the Department of Music and Theatre**
- 4. Informational Items**
 - a. PSU – Elimination of the Bachelor of Arts Sociology degree (CIP 45.1101)**

- b. PSU – Elimination of the Second Teaching Option (13.1302), K-12 Art Teaching Certification**
- c. PSU – Elimination of the Computational Physics and Pre-medical Emphasis in Physics (45.1101) and adding the Astrophysics and Engineering Technology Emphasis**
- d. PSU – Public Health – A New Concentration within the Bachelor of Science in Chemistry (CIP 40.0501)**
- e. PSU – International Teaching – A New Minor within the Early Childhood/Late Childhood K-6 and Early Childhood Unified Program (13.1202)**
- f. PSU – Urban and Suburban Experience – A New Minor within the Early Childhood/Late Childhood K-6 and Early Childhood Unified Program (13.1202)**

5. Other Business

Teleconference/Conference Call MEETING DATES	AGENDA MATERIALS DUE	FACE TO FACE MEETING DATES	LUNCH ROTATION
September 10, 2009	August 25, 2009		Teleconference
October 14, 2009	September 24, 2009	October 21, 2010	FHSU
November 12, 2009	October 27, 2009	November 18, 2010	KSU
December 10, 2009	November 23, 2009	December 16, 2010	PSU
January 14, 2010	December 28, 2009	January 20, 2010	ESU
February 11, 2010	January 21, 2010	February 17, 2010	WSU
March 11, 2010	March 2, 2010	March 17, 2010	KU
April 8, 2010	March 30, 2010	April 14, 2010	KUMC
May 13, 2010	April 30, 2010	May 19, 2010	Washburn U
June 17, 2010	June 2, 2010	June 23, 2010	FHSU

Council of Chief Academic Officers

Thursday, May 13, 2010

3:00 p.m.

Or upon adjournment of SCOCAO

Conference Room B

Kansas Board of Regents

Curtis State Office Building

Topeka, KS

MINUTES

The Council of Chief Academic Officers met in the Kathy Rupp Conference Room of the Kansas Board of Regents Office, Suite 520, 1000 SW Jackson, Topeka, Kansas, at 2:28 p.m. by teleconference/conference call on Thursday, May 13, 2010.

Members Present:

Gary Alexander, KBOR

Barbara Romzek, Interim Vice Provost, KU

Lynette Olson, Provost, PSU

Gary Miller, Provost, WSU

Allen Rawitch, VCAA, KUMC

Larry Gould, Provost, FHSU

Ruth Dyer, Sr. Vice Provost, KSU

April Mason, Provost, KSU

Tes Mehring, Provost, ESU

Tim Peterson, Washburn University

Others Present: Kim Krull, Cloud Community College

Board Staff Present:

Gary Alexander, KBOR; Jacqueline Johnson, KBOR, and Jean Redeker, KBOR

Approve Minutes of April 8, 2010

Tes Mehring moved and Barbara Romzek seconded the motion to approve the April 8, 2010 minutes.

The April 8 minutes need to be amended as follows:

Informational Items

PSU – Informational Item – ~~The Industrial Engineering Technology program is approved for phasing out and the approval back dated to 3/26/2003~~ New Automotive Technical Concentration within the Bachelor's of Science in Automotive Technology 15.0803

~~The above phasing out was in response to industry.~~ Pittsburg State University submitted the above mentioned informational item for the Council. This concentration is in response to industry needs and student demand. No action is required.

Tes Mehring moved and Barbara Romzek seconded the motion to approve the April 8, 2010 Minutes as amended. Motion carried.

Approve Minutes of April 14, 2010

Allen Rawitch moved and Tes Mehring seconded the motion to approve the April 14, 2010 minutes as submitted. Motion carried.

New Program Request

KU – Bachelor of Science Degree in Interdisciplinary Computing (BS IC; CIP 11.0101) [FIRST READING]

The University of Kansas removed this item from the agenda. They want to do further work on the program before placing it on the COCAO agenda.

Program Requests

- a. ESU – Requests approval to combine two departments change the name of the combined departments as follows: Combine the Department of Modern Languages and Literatures and the Department of English and change the name to the Department of English, Modern Languages, and Journalism to reflect the three distinct areas in the department**
- b. KU – Requests approval to change the name of the current degree, Bachelor of Science in Cognitive Psychology (CIP 42.0101) to Bachelor of Science in Behavioral Neuroscience (CIP 42.0101)**
- c. KU – Requests approval to revise the existing Global and International Studies co-major degree to a major degree**
- d. PSU – Requests approval to change the name of the Department of Accounting to the Department of Accounting and Computer Information Systems**

Tes Mehring moved and Barbara Romzek seconded the motion to approve the four program requests listed above items a-d.

There was no discussion.

Motion carried.

Informational Items

- a. ESU – Informational Item – Enterprise Resource Planning (ERP) Concentration within the Master of Business Administration**
- b. KU – Informational Item – Minor in Global and International Studies within the Bachelor of Arts degree in Global and International Studies (CIP 30.2001)**

The above listed items are informational items. There was no discussion. No action required.

Discuss Retreat June 3 and 4, 2010

Retreat information was provided by Kim Krull, Cloud Community College, at the SCOCAO meeting today. The Council had no questions. Members were encouraged to contact Kim Krull if they plan to attend the retreat.

Other Business

Tilford Conference

Kim Krull indicated that the KCIA is aware of the \$500 fee to send five participants to the Tilford Conference. Community college names have been submitted for the representatives on Tilford Conference Planning Committee.

The Tilford Conference will be on October 11 and 12, 2010.

KUMC – School of Medicine Extension Program

Dr. Rawitch advised that a request for approval of an extension program for the Medical Center was omitted from the May 13, 2010 Council of Chief Academic Officers Agenda. The Council will take action on this request at its May 19, 2010 noon meeting.

There being no other business the meeting adjourned at 2:44 p.m. by consensus.

Sincerely,

Larry Gould, Chair,
Vice President for Academic Affairs,
Fort Hays State University

Council of Chief Academic Officers

**Wednesday, May 19, 2010
12:00 – 1:15 p.m.
Kathy Rupp Conference Room
Curtis State Office Building
1000 SW Jackson Street Suite 520
Kansas Board of Regents**

MINUTES

The Council of Chief Academic Officers met in the Kathy Rupp Conference Room of the Kansas Board of Regents Office, Suite 520, 1000 SW Jackson, Topeka, Kansas, on Wednesday, May 19, 2010 at 12:00 p.m.

Members Present:

Larry Gould, Provost, FHSU	Tes Mehring, Provost, ESU
Danny Anderson, Interim Provost, KU	Gary Miller, Provost, WSU
April Mason, Provost, KSU	Nancy Tate, Interim VPAA, WU
Lynette Olson, Provost, PSU	Gary Alexander, KBOR
Allen Rawitch, VCAA, KU Med Center	Barbara Romzek, Interim Sr. Vice Provost, KU
Ruth Dyer, Sr. Vice Provost, KSU	

Staff Present

Jacqueline Johnson, KBOR; Jean Marie Redeker, KBOR; and Joan Warren, KBOR

Academic Extension Program

KUMC – Requests approval for School of Medicine Extension Program

Allen Rawitch presented the University of Kansas Medical Center’s request for an academic extension program for the School of Medicine. The purpose of this request is to create sites in Wichita and Salina where medical students can spend all four years. The more time in medical school spent in a rural area, the higher the odds ratio that the student will initiate practice in a rural area. The approval period requested is ten years.

Discussion followed.

Gary Miller moved and Tes Mehring seconded the motion to approve the University of Kansas Medical Center’s request for an academic extension program in the School Medicine.

Motion carried.

Other Business

Legislative Post-Audit Request

Each university is to respond to the survey independently. To request permission to delay submission contact Legislative Post Audit.

Retreat to Discuss Issues for Next Year

Issues need to be identified before a retreat would need to be scheduled.

There being no other business, the meeting adjourned.

Sincerely,

Larry Gould, Chair,
Vice President for Academic Affairs,
Fort Hays State University

**COUNCIL OF FACULTY SENATE PRESIDENTS
(COFSP)**

**AGENDA
June 20, 2010**

10:00 a.m. – 12:00 p.m.

1. Call to Order
2. Approval of minutes from the May 2010 meeting.
3. Welcome to the 2010 – 2011 COFSP Group
Introductions
4. Plan for 2010 – 2011
Secretary
Meeting Times
Report to BOR
5. Review of End of Year Concerns and Request of the COFSP 2009 - 2010
6. University Reports:
 - A. Emporia State University
 - B. Fort Hays State University
 - C. Kansas State University
 - D. Kansas University
 - E. Kansas University Medical Center
 - F. Pittsburg State University
 - G. Wichita State University
7. New Business
8. Open Discussion
9. Adjournment

KANSAS BOARD OF REGENTS MEETING DATES AND DEADLINES FOR SUBMISSION OF AGENDA ITEMS FY 2010 – 2011
--

FY 2010

Board of Regents Meeting Dates	Agenda Material Due to Board Office
August 25-27, 2009 Retreat	
September 16-17, 2009 (Topeka)	Wednesday, August 26, 2009 at noon
October 14-15, 2009 (Topeka)	Wednesday, September 23, 2009 at noon
November 18-19, 2009 (Topeka)	Wednesday, October 28, 2009 at noon
December 16-17, 2009 (Topeka)	Wednesday, November 25, 2009 at noon
January 20-21, 2010 (Topeka)	Wednesday, December 30, 2009 at noon
February 17-18, 2010 (Topeka)	Wednesday, January 27, 2010 at noon
March 17-18, 2010 (Topeka)	Wednesday, February 24, 2010 at noon
April 14-15, 2010 (Topeka)	Wednesday, March 24, 2010 at noon
May 19-20, 2010 (Topeka)	Wednesday, April 28, 2010 at noon
June 23-24, 2010 (Topeka)	Wednesday, June 2, 2010 at noon

FY 2011

Board of Regents Meeting Dates

August 17-19, 2010 Retreat
September 15-16, 2010 (Topeka)
October 20-21, 2010 (Topeka)
November 17-18, 2010 (Topeka)
December 15-16, 2010 (Topeka)
January 19-20, 2011 (Topeka)
February 16-17, 2011 (Topeka)
March 16-17, 2011 (Topeka)
April 20-21, 2011 (Topeka)
May 18-19, 2011 (Topeka)
June 15-16, 2011 (Topeka)

KANSAS BOARD OF REGENTS COMMITTEES 2009-2010

Jill Docking, Chair
Gary Sherrer, Vice Chair

STANDING COMMITTEES

Academic Affairs Plan

Gary Sherrer, Chair
Dick Hedges
Janie Perkins
Donna Shank

Fiscal Affairs and Audit Committee

Jerry Boettcher, Chair
Dan Lykins
Christine Downey-Schmidt
Ed McKechnie

Regents Retirement

Dan Lykins, Chair
Jerry Boettcher

BOARD REPRESENTATIVES AND LIAISONS

Education Commission of the States
KBOR Technical Education Authority
Kansas Bioscience Authority
Kansas Campus Compact
KSU Research Foundation Board
Midwest Higher Education Compact
P20 Education Council
Research and Development Enhancement Corp
Washburn University

Christine Downey-Schmidt
Jim Grier, Jack Wempe
Jerry Boettcher, Reggie Robinson
Janie Perkins
Dan Lykins
Donna Shank
Christine Downey-Schmidt, Dick Hedges
Jim Grier
Dan Lykins