



KANSAS BOARD OF REGENTS POLICY AND PROCEDURES MANUAL

(EFFECTIVE AS OF JULY 1995)

This Policy and Procedures Manual for the Kansas Board of Regents, in its present form, was formally adopted by the Board of Regents at its meeting in Topeka, Kansas, on Wednesday, June 28, 1995, to be effective as of July 1, 1995 (the prior major revision having been done on Friday, November 21, 1986, to be effective as of January 1, 1987). It is intended to be a helpful codification of certain actions and/or policies adopted by the Board of Regents with reference to operation of the Regents institutions.

NOTE: The policies and procedures codified herein are subject to change by formal action of the Board of Regents. Whenever there is a conflict between the provisions of this manual and the official minutes of the Board of Regents, the official minutes will control.

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PREFACE:

A BRIEF HISTORY OF THE KANSAS BOARD OF REGENTS SYSTEM

The 1854 Kansas-Nebraska Act established the U.S. territory of Kansas, opening the territory for settlement. Shortly thereafter, the Constitution of 1855 was adopted, bearing the intent of a university system, reading “The General Assembly may take measures for the establishment of a university.”

Kansas was admitted as the 34th state to the United States on January 29, 1861.

By 1863, the Legislature had created the first public university, Kansas State Normal School in Emporia, followed in the same year by The University in Lawrence and the Agricultural College in Manhattan. A 1900 Congressional Act provided abandoned military reservation land at Fort Hays to the State for the western branch of the Emporia Teachers College, known as the Western Branch State Normal School, and in 1903, the Legislature established the Normal Training Auxiliary of the Emporia Normal School in Pittsburg. With five state institutions of higher education, Governor Walter Stubbs appointed a three-member committee in 1911 to study the state schools, colleges and universities, each of which was governed by its own separate board, and to make a recommendation regarding the creation of a single controlling board for all five.

In 1913, after much discussion and debate, the Legislature and the Governor settled on the creation of a centralized three-member Board of Administration to govern the five state schools of higher education. The members of this Board of Administration were appointed by the Governor and confirmed in Executive Session by the Senate. All could be from the same political party and all could be from the same geographic location. They were each paid the sum of \$3,500 per year for their service and had expenses covered. They were charged with overseeing business operations at the universities, providing a biennial report to the Legislature, and hiring the chief executives of the institutions.

By 1917, a new Board of Administration was created, comprised of the Governor and three members appointed by the Governor. This new Board of Administration took control of seven educational institutions (the five state schools as well as the School for the Deaf and the School for the Blind) as well as the penal, correctional, and charitable institutions of the State. Board members continued to receive a salary of \$3,500 per year and were given the authority to hire one paid secretary. New provisions for the Board also set forth methods for contracting with vendors, drafting policy, setting guidelines for chief executives and business officers of the institutions, and providing purpose and direction for the Board.

Following an episode of unprecedented political meddling in higher education by the Governor and Board of Administration,¹ in 1925 the Legislature again separated control of the state higher education system from the other state institutions and created the first entity equivalent to the modern-day Board of Regents. This was a body of nine citizen members, appointed by the Governor, who served without pay, met on a statutory schedule, and governed the five state institutions of higher education. This act dissolved the Board of Administration.

Just eight years later, responding to sentiment that the Board was not aggressive enough in support of the schools, the 1933 Legislature adopted a resolution directing the Board of Regents to make a “thorough survey” of the five state institutions of higher education. The purpose of this study was to help develop a plan for coordination and unification. The survey covered topics from state funding (\$2.80 per capita in 1932) to the history and purposes of the institutions themselves. The results of this survey helped to spur the 1939 changes to the Board.

In 1939, the Legislature recreated the nine-member Board of Regents as a bi-partisan board, each member of which would serve a staggered four-year term. Also at this time, the Legislature added to the Board’s jurisdiction the State School for the Deaf and the State School for the Blind, as well as Western University and Kansas Vocational School, two Black schools.² The Governor was to appoint members to the Board and the Senate would confirm them. Five of the members were appointed from the same party as that receiving the highest votes for Secretary of State, while the remaining four were from the party receiving the second highest votes. This legislation also gave the Board the power to appoint and remove executive heads, deans, professors, teachers, or other employees at the institutions it governed.

¹ See The Hectic Birth of the Board of Regents, Fred Ellsworth, University of Kansas Alumni Magazines (January and February, 1964).

² Control of the School for the Deaf and School for the Blind was later transferred to the State Department of Education. The two Black schools were closed during the mid-twentieth century.

Preface

The Educational Building Fund, which receives receipts from a 1.0 statewide mill levy on property, was authorized by a constitutional amendment in 1918, but the first levy was not made until 1942. The Educational Building Fund levy has been at least 1.0 mill since 1955.

In 1964, Wichita State University was brought under the Board of Regents, bringing the number of state universities governed by the Board to six.

Kansas voters approved a Constitutional amendment in 1966 to provide for a nine-member Board of Regents and its supervision and control of public institutions of higher education.³ The Kansas Constitution now requires that members of the Board be appointed by the Governor, confirmed by the Senate, serve four-year, staggered terms of office, and be representative of each congressional district.

The 1974 Session of the Legislature made provision for a payment of \$35 per meeting day stipend for the members of all state boards, including the Board of Regents.

Just one year later, in 1975, the responsibility for administering student assistance and federal programs was transferred from the State Education Commission to the Board of Regents. Additionally, the Legislature enacted a statute calling for the creation of the Students' Advisory Committee, consisting of the president of each state university's student senate. This committee was established to provide student representation at Board meetings and for consultation with the Regents on policies and issues relating to students.

During 1976, oversight of the Kansas Technical Institute at Salina was transferred from the State Board of Education to the Board of Regents and in 1988 the name of the Technical Institute was changed to the Kansas College of Technology. By 1991, the Kansas College of Technology had merged with Kansas State University and renamed the Kansas State University-Salina, College of Technology.

In 1996, the Legislature introduced the concept of Qualified Admissions, requiring that students seeking admission to the six state universities meet one of three requirements or be admitted as an exception to these requirements.

The next notable change to the Board of Regents occurred in 1999 with the passage of Senate Bill No. 345. This bill recreated the Board of Regents into what it is today, a body that governs the state universities, supervises the community colleges, technical colleges, and Washburn University, and coordinates all postsecondary education in Kansas. Senate Bill 345 also transferred responsibility for adult basic education, GED testing and regulation of private and out-of-state higher education institutions from the Department of Education to the Board of Regents.

The KAN-ED Act, the purpose of which is to provide for a broadband technology-based network to which schools, libraries and hospitals may connect for broadband internet access and intranet access for distance learning, was enacted in 2001, charging the Board with creation of such a network.

By 2008, plans were finalized for the last of the area vocational and area vocational-technical schools to either merge or affiliate with existing public institutions of higher education or seek individual accreditation as a technical college. The resulting Board of Regents system included six state universities, nineteen community colleges, six technical colleges and one municipal university.

In 2009, House Bill 2197 transferred the authority to set Qualified Admissions requirements for the six state universities from the Legislature to the Board of Regents.

³ See The Education Amendment to the Kansas Constitution, Kansas Legislative Council, Publication No. 256 (December 1965).

CHAPTER I: MISSION AND BY-LAWS OF THE BOARD OF REGENTS

The Mission of the State of Kansas Public University and College System

The Kansas Board of Regents governs six state universities and coordinates one municipal university, nineteen community colleges and six technical colleges. The Board of Regents' purpose is to support this diverse group of public higher education institutions, each of which contributes to the social and economic well-being of Kansas and its citizens, and each of which seeks excellence. The Board fosters rigor, accountability and transparency, guards against unnecessary duplication in programming and operations, and brings unity and seamlessness to the system.

The mission of the Kansas public university and college system is to meet the educational needs of a diverse population and multifaceted society by providing teaching, research and service appropriate to the respective missions of its institutions. Those institutions provide education in liberal arts and the professions from the associate through the doctoral level, as well as a range of professional certifications. The system provides broad and affordable access to higher education, prepares students for the workforce and for life, and benefits the State as a whole through economic growth, research contributions, and advancing other aspirational goals of each institution. (12-19-86; 6-23-88; 5-16-91; 6-20-12)

BY-LAWS

(3-20-69; 5-15-70; 11-21-75; 1-20-84; 5-16-91; 9-20-01; 5-16-02; 6-20-12)

ARTICLE I - MEETINGS

Section 1. The Board shall meet regularly from September through June. The place of meeting shall be determined by the Board. Five members shall constitute a quorum to transact business, provided that a smaller number may meet and adjourn to a definite time and place. The regular meeting date of the Board shall be the third Thursday of each month and the Wednesday preceding it. With adequate notice and with good cause, the Chair shall have the authority to change the date of or cancel any particular meeting.

Section 2. Special meetings may be called by the Chair, or in the Chair's absence by the Vice-Chair or upon either a written or telephone request to the President and Chief Executive Officer by five members of the Board of Regents stating the subject for consideration. Place of special meetings shall be in the Office of the Board of Regents, Topeka, Kansas, or at such other place as agreed upon by a quorum of the Board.

Section 3. Board members, chief executive officers of the several institutions, members of the Students' Advisory Committee and the Faculty Senate Presidents shall be notified by the President and Chief Executive Officer of the time and place of each meeting at least seven days before each meeting, but less notice may be given in case of an emergency; provided, however, that no meeting will be held without provision of twenty-four (24) hours notice.

Section 4. The chief executive officer of each institution shall send to the President and Chief Executive Officer, at least sixteen days before the date of any regular meeting, a memorandum of matters proposed for Board consideration, or shall advise that the institution will have no matters for Board consideration. Supplementary material shall be provided for any agenda items which are of a complex and detailed nature or as requested by the President and Chief Executive Officer or a member of the Board.

Section 5. The President and Chief Executive Officer shall mail to each member of the Board of Regents, at least seven days prior to the meeting, an agenda of matters to be presented to the Board. As appropriate, pertinent background and support information shall be provided with the agenda.

Copies of the agenda shall be available for public inspection at the Board of Regents Office and the office of each campus chief executive officer four days prior to the meeting date of the Board.

ARTICLE II - BOARD SESSIONS

Section 1. Business to be considered at each session may include:

- a. Determination of a quorum by Chair
- b. Approval of minutes of previous meeting
- c. Reports by Chair and President and Chief Executive Officer
- d. Committee and Council Reports
- e. Miscellaneous business, new business, etc.
- f. Executive Session(s) (with no votes to be taken)
- g. Adjournment

Unless another procedure is specified in policy, at any time prior to a Board session, the Board Chair may designate a particular piece of business to be considered by the Board as requiring a first and second reading. The consequence of this designation will be to prevent Board action on the first instance that business is before the Board and to delay action until the next Board session. The Board Chair's decision may be overruled by a majority vote of the Board upon any member's motion.

In a case where the Board Chair has not designated a particular piece of business to require a first and second reading, Board members may require an item to go to a second reading upon any member's motion.

Section 2. Any member so requesting shall have his or her vote recorded in the minutes. No vote shall be taken by secret ballot.

Chapter I: Mission and By-Laws

Section 3. Under prevailing statutes, the Board may go into Executive Session by a motion to recess an open meeting for an executive session that includes (1) the justification for closing the meeting, (2) the subjects to be discussed during the closed or executive meeting, and (3) the time and place at which the open meeting shall resume. The motion to recess requires a second and a majority vote.

Section 4. Upon the request of a Board member, a motion, resolution, or other proposition being considered by the Board shall be reduced to writing before being voted on.

Section 5. The following parliamentary rules shall apply to all Board Sessions

Rule 1: Role of the Chair

The Chair of the Kansas Board of Regents is responsible for the timely and orderly conduct of Board meetings. Generally, the Chair will have the final decision on questions of procedure. However, if a Board member disagrees with the Chair's decision, the decision may be appealed and put to a vote. A majority vote will overturn the decision, and the Chair will amend its ruling.

Rule 2: Convening the Meeting

The Chair is responsible for verifying a quorum is present before a Board meeting may be convened. After announcing the quorum is present, the Chair may convene the meeting.

Rule 3: General Discussion

(The text of Rules 3, 4, 5, and 6 is substantially taken from The Modern Rules of Order: A Guide for Conducting Business Meetings, 2nd Edition by Donald Tortorice. Copyright 1999 Donald A Tortorice. Reproduced by permission. All rights reserved. This information or any portion thereof may not be copied or disseminated in any form or by any means or downloaded or stored in an electronic database or retrieval system without the express written consent of the American Bar Association.)

Issues that require consideration of the Board may be discussed with or without formal motion. An issue may be resolved by recording (a) the general consensus or "sense of the meeting," or (b) a formal motion made, seconded and carried.

Rule 4: General Principles for Discussion or Debate

Discussion of any issue is subject to regulation by the Chair to assure adequate consideration of relevant points of view in the best interest of the Board. The objectives of discussion are to:

- a. Determine the will of the body and to articulate decisions for conduct of business;
- b. Assure sufficient discussion and consideration of issues so that each Board member's point of view is considered;
- c. Maintain at all times the dignity of the meeting so that each recognized speaker's views are made known to voting Board members and to ensure that appropriate respect is accorded all Board members; and
- d. Present the consideration of business in a manner understood by all Board members.

Rule 5: General Consensus or Sense of the Meeting

When the Board members participating in the meeting embrace a course of action by a clear consensus, the Chair may, if there is no objection, state that action upon the issue is resolved by "general consensus" or the "sense of the meeting." A ruling as to general consensus or the sense of the meeting shall be recorded in the minutes as the decision of the Board.

Rule 6: Use of Motion Practice

Where a sense of the meeting cannot be determined with reasonable certainty (as discussed in Rule 5), or where by reason of importance of the matter formal approval or a count of the votes is desired or required by law, the Chair or any Board member may state the proposal as a motion. Any motion clearly stated and seconded shall be taken to a vote after an opportunity has been given for discussion of the motion or questions as to the motion. A roll-call vote need not be taken unless required by law for a specific Board action.

Rule 7: Consent Agenda

When the consent agenda is up for consideration, any Board member, without requiring a motion, a second, or vote, can request an item be removed from the consent agenda and placed on the discussion agenda. The Chair shall comply with the request. Action items to authorize debt transactions (bond resolutions) shall not be placed on the consent agenda.

Rule 8: Recess and Adjournment

The Chair is generally responsible for recessing and adjourning a meeting, although Board members may also make a motion for a recess or adjournment. Recess generally occurs when a break in the business is needed, such as a break for lunch or to continue the meeting on the following day. Adjournment generally occurs after completion of the agenda and when Board members indicate no further business is on hand. The Chair may recess or adjourn either by motion or by general announcement. If adjournment occurs before the agenda is completed, the Chair or the Board member who is responsible for the motion to adjourn will announce the reason for early adjournment.

Rule 9: Supplemental Parliamentary Procedure

If the parliamentary rules adopted by the Board do not answer a procedural question, the authority to resolve the issue will be The Modern Rules of Order: A Guide for Conducting Business Meetings, 2nd Edition. Any member can request that The Modern Rules of Order be consulted without a motion, a second, or vote.

ARTICLE III - OFFICERS

Section 1. The Board shall elect a Chair and Vice-Chair for one-year terms at the regular June meeting of each calendar year, such terms of office to begin on July 1 immediately following election. The Chair shall be authorized to approve minor emergency items during the period between Board meetings; memoranda of such approvals are to be filed in the Board records for inspection by the Board.

Section 2. The Chair shall preside at all meetings, appoint committees, serve as the primary spokesperson for the Board with the media, and perform such other duties as authorized by statute and as delegated by the Board. Any appointment made by the Chair shall be subject to approval by the Board; persons appointed by the Chair may be authorized by the Chair to exercise the powers, duties and functions of the office to which appointed until approval or non-approval by the Board at the first regular meeting following the appointment.

Section 3. The Vice-Chair shall assume the duties of the Chair when so ordered or when the Chair is absent or otherwise unable to serve.

ARTICLE IV - EMPLOYEES

Section 1. The Board shall employ an Executive Officer who shall have the title of President and Chief Executive Officer and shall serve at the pleasure of the Board. The salary for the President and Chief Executive Officer shall be set by the Board.

Section 2. The principal duties of the President and Chief Executive Officer shall include:

- a. Maintaining a thorough knowledge of current issues in higher education and particular trends in Kansas;
- b. Bringing issues before the Board of Regents in a professional, meaningful and manageable fashion;
- c. Serving as the chief administrative officer for the Board of Regents office staff;
- d. Providing liaison with the chief executive officers (or their designees) of Kansas public postsecondary institutions in carrying out policy objectives promulgated by the Board of Regents;
- e. Serving as the primary spokesperson for the Board and the System before the Executive and Legislative branches of government on matters affecting postsecondary education;
- f. Attending all meetings of the Board and keeping a full and correct record of its proceedings to be signed by the Chair; and

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- g. Employing such other professional and/or clerical employees as are required to carry out the administrative duties of the Board.

ARTICLE V - INFORMATION RELEASE

Section 1. The release of routine information shall be as determined or directed by the President and Chief Executive Officer.

ARTICLE VI - AMENDMENTS

Section 1. These by-laws may be amended or repealed at any regular meeting of the Board by a majority vote, provided that copies of such amendments shall be submitted in writing to each member at least ten days before the meeting at which they are to be proposed.

CHAPTER II: POLICIES AND PROCEDURES

A. THE BOARD AND ITS STAFF (6-20-12)

1. BOARD MEMBERS (6-24-10)

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. These and other qualifications may be found in Article 6, Section 3 of the Kansas Constitution and K.S.A. 74-3202a.

b. Term of Office

Terms are staggered and are for a period of four years each, expiring on June 30, except that a member shall continue to serve until a successor is appointed and confirmed as provided in K.S.A. 74-3202a.

c. Compensation and Expenses

Pursuant to Kansas law, each member of the Board shall receive 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 actions or decisions made by a Board member on matters before the Board appear to be 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 Chief Executive Officer. 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) **Membership and Affiliations.** At no time shall any member of the Board be an elected official or an officer or employee of any public postsecondary institution (K.S.A. 74-3202a) except for the one member who is appointed by the Board to serve on the Washburn University Board of Regents pursuant to K.S.A. 72-6507. At the time of taking

Chapter II: Policies and Procedures

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 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 Chief Executive Officer. 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 interest 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.

2. LEGAL AUTHORITY

The Board is created by Article 6 of the Kansas Constitution and is empowered by the Legislature. It is responsible for the control, supervision, and operation of the state universities in Kansas and as shown in Appendix A, as well as the coordination and supervision of the public community colleges and technical colleges in Kansas and the regulation of private and out-of-state higher education institutions operating in Kansas.

3. STAFF

a. President and Chief Executive Officer

The President and Chief Executive Officer performs those duties delineated in Article IV, Section 2 of the Board By-Laws and restated below, maintains the principal office of the Board in Topeka, employs such other persons as needed for

Chapter II: Policies and Procedures

positions authorized by the Board, and supervises the activities of all employees of the Board office. The President and Chief Executive Officer is appointed by the Board and serves at its pleasure. By statute it is the duty of the Board President and Chief Executive Officer to attend all meetings of the Board of Regents, keep a full and correct record of its proceedings (which, when approved, shall be signed by the Chair of the Board), and perform such other duties as the Board may require.

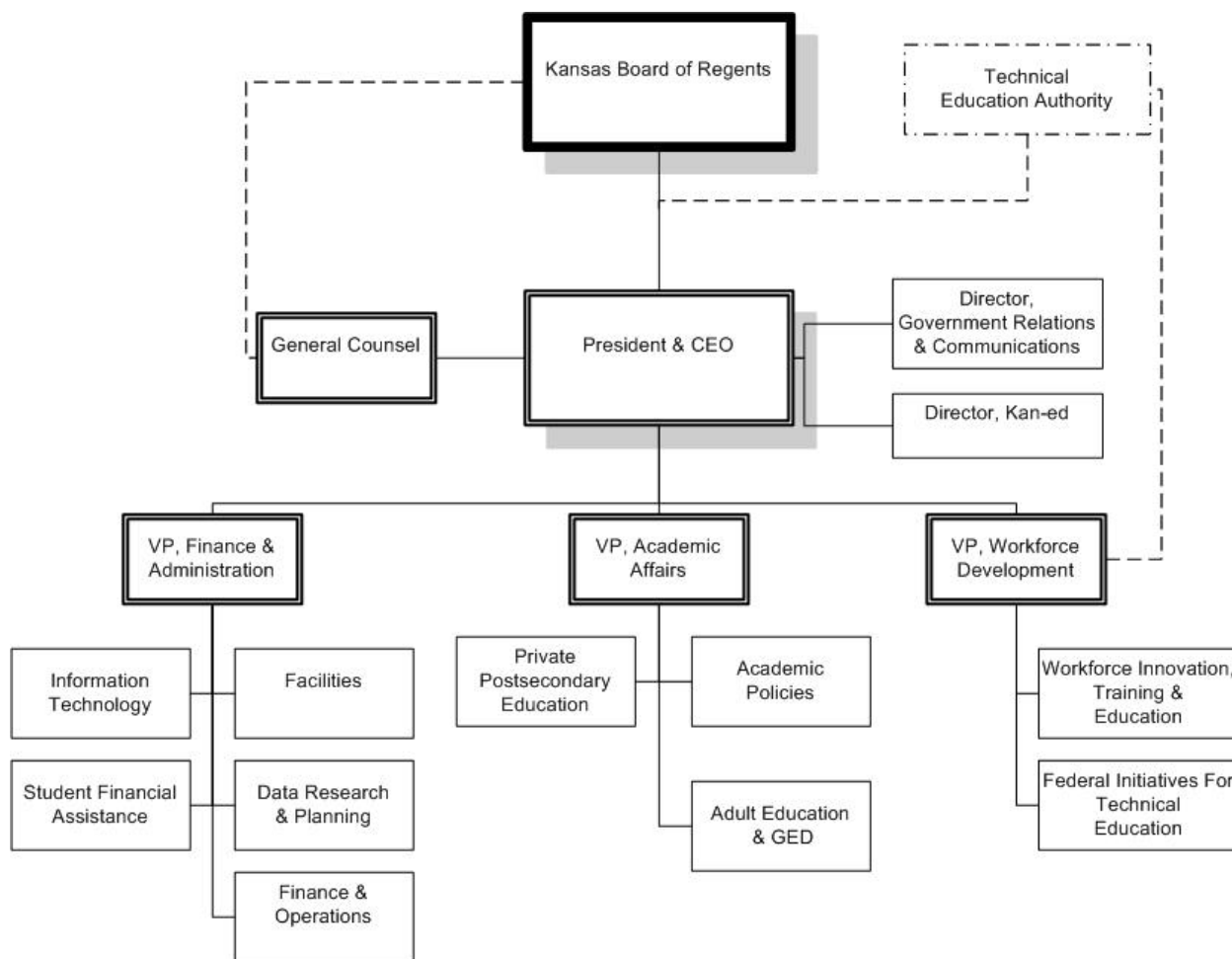
As set forth in Article IV, Section 2 of the By-Laws, the principal duties of the President and Chief Executive Officer include:

- (1) Maintaining a thorough knowledge of current issues in higher education and particular trends in Kansas;
- (2) Bringing issues before the Board of Regents in a professional, meaningful and manageable fashion;
- (3) Serving as the chief administrative officer for the Board of Regents office staff;
- (4) Providing liaison with the chief executive officers (or their designees) of Kansas public postsecondary institutions in carrying out policy objectives promulgated by the Board of Regents;
- (5) Serving as the primary spokesperson for the Board and the System before the Executive and Legislative branches of government on matters affecting postsecondary education;
- (6) Attending all meetings of the Board and keeping a full and correct record of its proceedings to be signed by the Chair; and
- (7) Employing such other professional and/or clerical employees as are required to carry out the administrative duties of the Board.

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b. Other Employees

See the following organization chart:



c. Supplemental Staff

At times when it is mutually beneficial, Board staff may be supplemented by staff from the state universities. Such persons will be designated “Staff Affiliates.” Salaries and travel expenses for Staff Affiliates will generally be paid by the institution, not from the Board budget. The Board will provide office space, furniture, computer system, communications, and incidental office expenses (e.g. photocopy, mailings, long distance phone). Staff Affiliates serve at the pleasure of the President and Chief Executive Officer with approval by the Board. (9-16-99)

d. Leave

(1) All Board office staff members, both classified and unclassified, are subject to the same provisions for sick leave as those applicable to state civil service personnel, including but not limited to K.A.R. 1-9-5. Sick leave shall be scheduled and approval from the President and Chief Executive Officer, or designee, obtained in advance to the extent possible.

Sick leave is forfeited upon termination of employment, if the employee is not retiring or is not retirement-eligible, but may be reinstated if the employee returns within one year to a regular position with a State of Kansas agency. Sick leave will be paid at retirement or when the employee separates from service and is retirement eligible if the employee has accrued a minimum of 800 sick leave hours.

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(2) Unclassified Board office staff in regular positions shall accrue annual leave in accordance with this provision. Full-time, exempt unclassified Board office staff members shall accrue one day of annual leave each pay-period, not to exceed twenty-two days (176 hours) per fiscal year. Part-time, exempt, unclassified Board office staff shall accrue pro-rated annual leave based upon their FTE. Full- and part-time non-exempt unclassified Board office staff shall accrue annual leave based on hours paid in the pay period. Unclassified Board office staff members may accumulate a maximum of thirty-eight working days (304 hours) of annual leave; provided, however, that no employee may receive, upon termination, payment for more than twenty-two days (176 hours) of annual leave; and upon retirement, or when retirement eligible, payment for more than thirty days (240 hours) of annual leave. (1-14-88; 9-15-04)

(3) Each classified Board office staff member in a regular position shall accrue annual leave in accordance with K.A.R. 1-9-4.

(4) Official state holidays and any special holidays declared by the Governor are not counted as days of annual leave.

(5) Annual leave shall be scheduled in advance and granted by the President and Chief Executive Officer, or designee, for periods of time requested by the staff member subject to the operational needs of the Board office. Annual leave requested as a result of personal or family emergency shall be treated on an individual basis by the President and Chief Executive Officer. (6-17-77)

(6) Board office staff members in regular positions may be granted leave with pay upon the death of a close relative. Such leave shall in no case exceed six working days. The employee's relationship to the deceased and necessary travel time shall be among the factors considered in determining whether to grant bereavement leave, and, if so, the amount of leave to be granted. (1-27-94)

(7) Unclassified Board office staff members who accumulate sick leave shall be eligible to participate in the shared leave program of the State of Kansas in the same manner as unclassified staff at the state universities. Classified Board office staff members in regular positions who accumulate sick leave are eligible to participate in the shared leave program of the State of Kansas as provided in K.A.R. 1-9-23. The Board office shall adopt, as part of its employee policies and procedures, appropriate limitations and qualifications for accumulation and use of shared leave. (1-27-94)

e. Retirement and Insurance Benefits (11-20-08)

(1) (a) Eligible classified Board staff members are covered by the Kansas Public Employees Retirement System as determined by law.

(b) Unclassified Board office staff members are covered by and/or eligible for those retirement benefits which are set forth in detail under the heading of FACULTY AND STAFF, Retirement. (3-20-06)

(c) Eligible classified and unclassified Board office staff members may participate in the 403(b) voluntary retirement plan. The provisions of the Kansas Board of Regents Voluntary Plan Document shall control the terms of the plan. (3-20-06)

(d) Eligible classified and unclassified Board office staff members may participate in the State of Kansas 457 deferred compensation plan.

(2) The State of Kansas provides group health, life and long-term disability insurance and other voluntary benefit programs to eligible classified and unclassified employees. (12-14-95)

f. Commitment of Time, Conflict of Interest, Consulting and Other Employment

The provisions set forth under the heading of FACULTY AND STAFF, Commitment of Time, Conflict of Interest, Consulting and Other Employment shall be applicable to the unclassified staff of the Board. The President and Chief Executive Officer may establish rules and procedures to effectuate this policy. (5-20-77)

g. Out-of-State Travel Requests – Board Staff (6-28-07)

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Approval of out-of-state travel requests for staff other than the President and Chief Executive Officer of the Board is vested in the President and Chief Executive Officer. Requests for such travel should be as directed by the President and Chief Executive Officer and expenses will be allowed pursuant to Department of Administration regulations on travel.

Approval of out-of-state travel request for the President and Chief Executive Officer is vested in the Board. Requests for such travel should be submitted as directed by the Board and expenses will be allowed pursuant to Department of Administration regulations on travel. (11-21-80; 6-26-87; 12-17-87)

h. Criminal Background Checks (11-19-08)

The provisions set forth under the heading of FACULTY AND STAFF, APPOINTMENTS, Criminal Background Checks shall apply to staff hired for the Board office. The President and Chief Executive Officer may establish rules and procedures to effectuate this policy.

4. COUNCILS AND COMMITTEES (3-13-08)

a. Board of Regents Committees

(1) During the Board's regular monthly meeting, Board Standing Committees meet to consider matters relating to academic affairs, fiscal affairs, facilities, and policy and procedure. Reports of the recommendations of the Standing Committees with respect to each of these areas are then presented to the Board for final action. (6-27-91)

(2) The Chairperson may also appoint, subject to Board approval, special committees to assist the Board in fulfilling its functions, and may, subject to Board approval, appoint individual Regents to statewide boards or commissions when called upon to do so. In addition, at its regular meeting in September, the Board annually elects one of its members to serve on the Washburn University Board of Regents for the ensuing calendar year. (10-17-91)

(3) Retirement Plan Committee

(a) The Retirement Plan Committee, established in 2005, is responsible for issues related to the Board's retirement plan, including oversight of plan investments and administration. The Committee reports directly to the Board. The issues the Committee will consider may be directed by the Board, may arise from the Board's fiduciary duties, or may be initiated by the Retirement Plan Committee itself.

(b) The Retirement Plan Committee members will be appointed by the Board and will include one member of the Board; one member of the Council of Presidents, or designee; two members of the Council of Business Officers; three state university human resource directors; and two individuals nominated from the state universities who are experts in the subject matter of investments and retirement planning. A staff person from the Board of Regents office who is appointed by the President and Chief Executive Officer will serve as a non-voting ex officio member. The chairperson of the Committee will be the appointed Board member. When appointing Retirement Plan Committee members, the Board shall strive for as broad of representation from the state universities as possible.

(c) Members will have staggered three years terms and may resign at any time, effective when tendered to the Board. A person who is appointed to replace a member who has resigned will serve out the remainder of the term of the resigning member.

(d) The Retirement Plan Committee will meet a minimum of two times a year to review investments made in the retirement plan and other administrative issues. The Committee may meet additional times as required by the issues they are addressing.

b. Council of Presidents

(1) The Council of Presidents, established in 1963, consists of the chief executive officers of the state universities. The Board's President and Chief Executive Officer serves as an ex officio member of the Council. The chair is rotated annually on July 1st.

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(2) The Council of Presidents' main function is to consider subjects of significance to the state university sector, either at the request of the Board or the Board's President and Chief Executive Officer, or on the Council of Presidents' own initiative, report to the Board when called upon to do so, and make recommendations to the Board on general policy affecting all state universities. The Council of Presidents may create permanent or ad hoc committees, composed of campus or non-campus personnel, to study selected subjects and report back to the Council.

(3) Meetings of the Council of Presidents are held in conjunction with the regular meetings of the Board, and at such other times as the chair of the Council deems necessary. (10-19-95)

(a) Council of Chief Academic Officers

(i) The Council of Chief Academic Officers, established in 1969, is composed of the academic vice presidents of the state universities. The Board's Vice President for Academic Affairs serves as an ex officio member, and the member from the same institution as the chairperson of the Council of Presidents serves as chairperson of the Council of Chief Academic Officers. The chief academic officers of the University of Kansas Medical Center and Washburn University are authorized to participate as non-voting members when agenda items affecting those institutions are to be considered. The Council of Chief Academic Officers meets monthly and reports to the Council of Presidents. (6-24-99)

(ii) The Council of Chief Academic Officers works with the Board Academic Affairs Committee through the Vice President for Academic Affairs. One of its primary functions is to outline the academic plan for the state university system. It has responsibility for continuous planning and for upgrading the Master Plan as circumstances dictate, and for carrying out the procedures outlined in the Board's policy for Approval of New Programs. (10-19-95)

(b) Council of Business Officers

(i) The Council of Business Officers, formed in 1969, consists of the chief business officer of each state university and reports to the Council of Presidents. The chairperson is from the same institution as the chair of the Council of Presidents, and the Vice President for Finance and Administration for the Board serves as an ex officio member. The chief business officer of the University of Kansas Medical Center is authorized to participate as a non-voting member when agenda items affecting that institution are to be considered.

(ii) The Council of Business Officers' official function is to consider matters on which it can advise the Council of Presidents, either at the request of the Council of Presidents or on the Council of Business Officers' own initiative. The Council meets monthly to discuss various issues arising from state regulatory bodies, statutes and regulations, work out mutual solutions to administrative problems, and develop uniform systems of accounting, budgeting and reporting. (10-19-95)

(c) Council of Government Relations Officers

(i) The Council of Government Relations Officers, established in 2011, consists of the government relations officer (*i.e.* legislative liaison) of each state university and reports to the Council of Presidents. The chairperson is from the same institution as the chair of the Council of Presidents, and the Director of Government Relations and Communications for the Board serves as an ex officio member.

(ii) The Council of Government Relations Officers' official function is to advise the Council of Presidents on matters relating to pending or proposed legislation and on matters related to government relations generally. The Council meets monthly during the months the Legislature is not in session, and on a weekly or as needed basis during the legislative session. (11-16-11)

c. Council of Faculty Senate Presidents

The Council of Faculty Senate Presidents consists of the duly elected Faculty or University Senate President or chairperson from each state university and the Kansas University Medical Center. The function of the Council of Faculty

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Senate Presidents is to address faculty concerns in a focused and efficient manner. The chairperson is from the same institution as the chair of the Council of Presidents. (2-87)

d. Students' Advisory Committee

(1) The Students' Advisory Committee, established by K.S.A. 74-3229 in 1975, consists of the student body president from each state university. The members of the Students' Advisory Committee serve for terms expiring concurrently with their terms as elective student officers and upon qualification of their successors. The chief executive officer of each state university shall annually certify to the Board the name of the highest student executive officer elected by the entire student body of that state university.

(2) The statutory duties and functions of the Students' Advisory Committee include attendance at meetings of the Board of Regents; making recommendations to the Board concerning course and curriculum planning and faculty evaluations; advising the Board on the formulation of policy decisions on student affairs; identifying student concerns; considering any problems presented to it by the Board and giving advice thereon; disseminating information to the members' peers concerning the philosophies and standards of education developed by the Board; and stimulating awareness of student rights and responsibilities.

(3) The chair of Students' Advisory Committee, appointed by the Committee pursuant to its own internal processes, may request the President and Chief Executive Officer to place items on the Board's agenda for discussion and/or consideration. The President and Chief Executive Officer shall review the Committee's request with the Chair of the Board prior to responding to the Committee.

(4) When the Board creates task forces or other subordinate organizations for the purpose of studying questions related to the duties and responsibilities of the Students' Advisory Committee, a representative of the Committee shall be appointed to such task force. Further, all councils comprised of state university personnel are encouraged to give consideration to the inclusion of student representation on task forces and other bodies created to deal with issues related to the interests and responsibilities of the Students' Advisory Committee. (12-19-80; 9-16-93)

e. Classified and Support Staff Council

The Classified and Support Staff Council consists of the duly elected representatives from the Classified Staff (or University Support Staff) Council at each of the state universities and the University of Kansas Medical Center. The role of the Classified and Support Staff Council is to advise the Board of Regents regarding matters relating to classified staff/university support staff issues and concerns. The general expectation is that Classified and Support Staff Council reports to the Board shall be made during the Board's September and January meetings. The Classified and Support Staff Council chair shall be from the same institution as the chair of the Council of Presidents. (3-13-08)

f. Unclassified Staff Council

The Unclassified Staff Council consists of the duly designated representatives from the unclassified professional staff ranks at each of the state universities and the University of Kansas Medical Center. Because a formally designated unclassified staff organization does not exist at all the universities, each institution shall determine how its representative to the Council will be selected. The role of the Unclassified Staff Council is to advise the Board of Regents regarding matters relating to unclassified staff issues and concerns. The general expectation is that Unclassified Staff Council reports to the Board shall be made during the Board's September and January meetings. The Unclassified Staff Council's chair shall be from the same institution as the chair of the Council of Presidents. (9-16-10)

g. 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, Kansas State University, Pittsburg State University, Emporia State University, Wichita State University, and Fort Hays 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; 9-16-10)

h. System Council of Presidents

(1) The System Council of Presidents, established in 2002, consists of the six presidents of the state universities, four presidents selected by the nineteen community colleges, one president selected by the six technical colleges, and the president of Washburn University. The Board's President and Chief Executive Officer serves as an ex officio member of the Council. Two members of the System Council of Presidents will serve as co-chairpersons: One shall be by annual rotation on July 1st from among the six state universities, the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The presidents of other institutions (when not current members) are invited to provide input to System Council of Presidents when agenda items affecting those institutions are to be considered. On matters that have system-wide impact, all positions will be reported to the Board, and a majority will be required for Council endorsement.

(2) The System Council of Presidents' main function is to consider coordination issues, either at the request of the Board or the Board's President and Chief Executive Officer, or on the System Council of Presidents' own initiative, report to the Board when called upon to do so, and make recommendations to the Board on general policy affecting the system as a whole. The Board President and Chief Executive Officer will determine which issues are coordination issues; the Board Chairperson may review this determination. The System Council of Presidents may create permanent or ad hoc committees, composed of campus or non-campus personnel, to study selected subjects and report back to the Council.

(3) Meetings of the System Council of Presidents are held in conjunction with the regular meetings of the Board, and at such other times as the co-chairpersons of the Council deem necessary.

(a) System Council of Chief Academic Officers (12-18-02)

(i) The System Council of Chief Academic Officers, established in 2002, is composed of the six chief academic officers of the state universities, four chief academic officers selected by the nineteen community colleges, one chief academic officer selected by the six technical colleges, and the chief academic officer of Washburn University. The Board's Vice-President for Academic Affairs serves as an ex officio member. Two members of the System Council of Chief Academic Officers will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The chief academic officers of the University of Kansas Medical Center and other institutions (when not current members) are invited to provide input to the System Council of Chief Academic Officers when agenda items affecting those institutions are to be considered. The System Council of Chief Academic Officers may solicit input from councils that are not established by the Board. The System Council of Chief Academic Officers meets monthly and reports to the System Council of Presidents on matters that have system-wide impact; on such matters all positions will be reported, and a majority will be required for Council endorsement.

(ii) The System Council of Chief Academic Officers formulates recommendations relating to the implementation of the Higher Education Coordination Act (L. 1999, ch. 147) as they apply to academic affairs; addresses instructional, academic, or related issues that affect higher education system-wide in Kansas; receives and reviews recommendations from individual campuses or instructional groups; promotes continuous quality improvement and coordination of higher education in Kansas; and promotes higher education improvement through joint academic or professional development activities. One of its primary functions is continuous academic planning for the Kansas public postsecondary system. It acts in accordance with the academic affairs policies and procedures for coordination as outlined in the Board's Policy and Procedure Manual.

(b) System Council of Business Officers (9-19-07)

(i) The System Council of Business Officers, established in 2007, consists of the six chief business officers of the state universities, four chief business officers selected by the nineteen community colleges, one chief business officer selected by the six technical colleges, and the chief business officer of Washburn University. The Board's Vice-President for Finance and Administration serves as an ex officio member. Two members of the System Council of Business Officers will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by the six Council members from institutions coordinated-but-not-governed by the Board. The chief business officers of other institutions (when not current members) shall be invited to provide input to the System Council of

Business Officers when agenda items affecting those institutions are to be considered. The System Council of Business Officers meets as needed on the call of a co-chairperson and reports to the System Council of Presidents on matters that have system-wide impact. All positions will be reported to the System Council of Presidents, and a majority will be required for System Council of Business Officers' endorsement.

(ii) The System Council of Business Officers formulates recommendations relating to the implementation of the Higher Education Coordination Act (L. 1999, ch. 147) as they apply to fiscal affairs and administration and considers system financial and business matters on which it can advise the System Council of Presidents, either at the request of the System Council of Presidents or on the System Council of Business Officers own initiative. One of its primary functions is to study and make recommendations regarding the unified budget for state funding of postsecondary educational institutions.

(c) System Council of Government Relations Officers (11-16-11)

(i) The System Council of Government Relations Officers, established in 2011, consists of the government relations officer (*i.e.* legislative liaison) of each of the state universities, up to four government relations officers (*i.e.* legislative liaisons) selected by the nineteen community colleges (one of whom may be the Executive Director of the Kansas Association of Community Colleges), one government relations officer (*i.e.* legislative liaison) selected by the six technical colleges (which may be the Executive Director of the Kansas Association of Technical Colleges), and the governmental relations officer (*i.e.* legislative liaison) for Washburn University. The Board's Director of Government Relations and Communications serves as an ex officio member. Two members of the System Council of Government Relations Officers will serve as co-chairpersons: One shall be from the same institution as the state university System Council of Presidents co-chairperson; the other shall be selected by and from the non-state university System Council of Government Relations Officers members. The System Council of Government Relations Officers meets quarterly, or as needed on the call of a co-chairperson, and reports to the System Council of Presidents on matters that have a system-wide impact. All positions will be reported to the System Council of Presidents, and a majority will be required for System Council of Government Relations Officers' endorsement.

(ii) The System Council of Government Relations Officers formulates recommendations relating to pending or proposed legislation and on matters related to government relations generally.

B. FISCAL MANAGEMENT (6-20-12)

1. STATE APPROPRIATIONS (6-24-99; 9-17-09)

a. Unified Operating Budget Request

The official request for any new state appropriations for the state universities shall be made by the Board of Regents, pursuant to K.S.A. 74-3202c(a)(6), and amendments thereto, as a part of its unified budget for state funding of postsecondary educational institutions.

b. State University Annual Operating Budgets

(1) The fiscal year of all institutions is July 1 through June 30, and shall be designated by reference to the calendar year in which the fiscal year ends. (6-24-99)

(2) The Board shall receive an annual operating budget that includes budgeted expenditures by program, source of funds and budgeted staffing and salaries by position for each program. The Board delegates to each chief executive officer the authority to appoint unclassified employees and to establish salaries for individual unclassified employees within the authorization provided by the Legislature and within general guidelines issued by the Board. (2-9-42; 3-20-70; 2-21-75; 2-19-98; 6-24-99)

2. FINANCIAL REPORTING

a. Annual Financial Report

Each state university, shall submit to the President and Chief Executive Officer a comprehensive financial report for the prior fiscal year, pursuant to Appendix C, Annual Reporting Schedule. The President and Chief Executive Officer shall be responsible for recommending to the Board any specific financial report findings that should be further reviewed by the Board. The financial report shall conform to a format determined by the Council of Business Officers. The financial report shall reflect conformity with financial reporting methods and formats promulgated by the American Institute of Certified Public Accountants and Governmental Accounting Standards Board and the Financial Accounting and Reporting Manual for Higher Education (formerly CUBA) unless otherwise provided by state law, practices or procedures. (6-24-99)

b. Internal Audit Function (4-15-10)

(1) Each state university shall have an internal audit function. The responsibility of the internal audit function is to serve the university in a manner that is consistent with the *International Professional Practices Framework (IPPF)* promulgated by the Institute of Internal Auditors. Additional resources, tools and guidance should be obtained through the Association of College and University Auditors and the Committee of Sponsoring Organizations. (10-17-96)

(2) The purpose, authority, and responsibility of each university's internal audit function shall be defined in a formal written document (internal audit charter) that is approved by each state university's chief executive officer. The charter shall make clear the purposes of the internal audit function, specify the unrestricted scope of its work, and declare that auditors are to have no responsibility for the activities they audit. The scope of work of the internal auditors shall include review of university controlled affiliated corporations, including a review of the IRS form 990 for each such corporation, with a focus on potential conflicts of interest and transactions between the university and university controlled affiliated corporations. The charter shall endow internal auditors with the authority to fully and freely access all the university's records, properties, and personnel relevant to an audit. The charter shall provide that the auditor report directly to the university chief executive officer on all audit matters. The charter shall clearly state that internal auditors shall report directly to the Board Fiscal Affairs and Audit Committee any situation wherein the auditor perceives a conflict of interest with or on the part of the university chief executive officer's involvement with the subject of an audit. In addition, each state university shall include the charter in university manuals, policies, and procedures as appropriate. Each state university internal audit department shall report annually to the Board's Committee on Fiscal Affairs and Audit, summarizing the prior year's activities and audit plans for the coming year. (10-17-96; 1-16-97)

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(3) Each state university shall develop and maintain an internal audit plan. At a minimum, internal controls for the university's highest risk units, based on public funds exposure, should be assessed on a regular basis. (10-17-96; 6-24-99)

(4) Each completed internal audit reporting material financial weaknesses or fraud shall be submitted to the Board President and Chief Executive Officer who shall be responsible for recommending to the Committee on Fiscal Affairs and Audit any specific audit findings that should be further reviewed by the Committee. (10-17-96; 1-18-01)

c. Non-Public Funds Management Review (4-15-10)

(1) Each state university chief executive officer shall maintain on file at the university a current list and description of the non-public, unrestricted funds under his or her direction or that of direct subordinates.

(2) Each state university chief executive officer shall maintain and provide to the Board annually a list of all affiliated corporations (controlled and non-controlled) and a description of their respective governing boards and management structure.

(3) Each state university shall annually review the roles of direct subordinates in or with such affiliated corporations for the purpose of identifying potential conflicts of interest. If appropriate and to the extent it is within the chief executive officer's control, the university chief executive officer shall initiate a plan to either eliminate or manage any identified actual or potential conflicts of interest and shall file the plan with the President and Chief Executive Officer of the Board of Regents.

(4) The President and Chief Executive Officer of the Board shall annually review the roles of the state university chief executive officers in or with all affiliated corporations for the purpose of identifying potential conflicts of interest. If appropriate, the President and Chief Executive Officer of the Board shall initiate a plan to either eliminate or manage any actual or potential conflicts of interest and shall submit such plans to the Board Chair and Vice-chair for approval.

(5) The Board may initiate external management reviews of the use and expenditure of non-public, unrestricted funds held by the university or an affiliated corporation of the university and under the direction of each state university chief executive officer and each state university chief executive officer's direct subordinates at any time, but such reviews shall be conducted no less than once every 5 years beginning fiscal year 2013. Additionally, such reviews shall be conducted when there is a change in the chief executive officer. All such reviews shall be contracted by the Board and financed by a transfer of funds to the Board from the state university under review. The university shall request its university non-controlled affiliated corporations having non-public, unrestricted funds that are under the direction of the university chief executive officer or the chief executive officer's direct subordinates to cooperate in the conduct of such reviews.

(6) Each state university chief executive officer shall request the board of directors of each university non-controlled affiliated corporation to include in the scope of its annual independent audit identification of actual or potential conflicts of interest involving unrestricted, non-public funds under the authority or direction of the university chief executive officer or the chief executive officer's direct subordinates. The state university chief executive officer shall request that such review include an examination of fund transfers and other transactions between and among the university, its affiliated corporations, and external entities reported on statements of substantial interest forms, and that the university non-controlled affiliated corporation share a report of each such review with the President and Chief Executive Officer of the Board.

(7) For purposes of section c.,

(a) "non-public funds" means any funds expended for the benefit of the state university but not processed through the state financial system, and

(b) "affiliated corporation" shall not include the Wichita State University Board of Trustees.

3. FEDERAL FUNDS

a. The Board or any state university may make and file applications for federal funds appropriated and made available by federal law for purposes related to the operation or function of the Board or such university. The Board, or any state

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university, may receive from the federal government, or any of its agencies, any funds made available under existing law, rules or regulations, or that may hereafter be made available. The Board, or any state university, may expend the same in accordance with the law, and the rules, regulations and requirements under which such funds are made available. Such moneys shall be expended only in accordance with and for the purposes specified in federal law. Federal funds shall be deposited in the State treasury.

- b. State university requests for federal funds for capital improvements shall be in accord with Board policy on building and construction projects. (*see* Subsection C.3.). (11-14-91)

4. TUITION AND FEES

The Board shall fix tuition, fees required of every student as a condition of enrollment, student housing fees, building construction fees, and changes in academic fees. The Board delegates to the chief executive officer of each institution the authority to establish user and administrative fees where the increase does not generate an amount in excess of \$250,000 annually. All such tuition and fees are to be incorporated in the Comprehensive Fee Schedule, which will be received annually by the Board. (6-24-99; 12-20-01)

a. Institutional Procedures

Each state university shall submit proposed changes for the following to the student body president and to the appropriate student organization prior to Board consideration: (1) fees required of every student as a condition of enrollment; (2) student housing fees; (3) building construction fees; (4) changes in academic fees; and (5) tuition rates. No student fees, other than user fees, shall be charged or collected by any state university for debt service on bonded indebtedness for any building or facility of such state university used primarily for academic purposes or providing health care services unless a student referendum is conducted in accordance with K.S.A. 76-742. (9-21-95; 6-24-99; 1-14-04)

b. Establishment or Alteration of Fees and Tuition Rates

(1) Board approval must be secured prior to the establishment or change of fees required of every student as a condition of enrollment, student housing fees, building construction fees; changes in academic fees; and tuition rates. All proposed tuition and fee changes shall first be submitted to the Fiscal Affairs and Audit Committee of the Board. The proposal shall be accompanied by a fiscal impact statement showing the increased revenue to be received and a detail of planned expenditures. The proposal shall also indicate the involvement and comments of student organizations and the student body president during the review process. The proposed tuition or fee change, financial impact statement and student organization comments shall be provided to all persons receiving the agenda of the Board meeting. Final action on such proposed tuition or fee change by the Committee shall not be taken until the next regularly scheduled meeting of the Committee. (1-21-77; 1-16-81; 4-16-92; 9-21-95; 1-14-04)

(2) Any "Kansas Teacher of the Year" recipient may enroll for up to nine credit hours annually at any state university without payment of tuition or fees if the individual is actively pursuing a teaching career in Kansas. (5-15-97)

c. Calendar for Fee and Tuition Rate Adjustments

(1) The calendar to be followed for all student fees adjustments, except for emergency situations, shall be as follows:

(a) Changes in student housing fees must go to the Board for first reading in November and to the Board for final action in December. (6-24-99; 12-20-01; 1-14-04)

(b) Fees required of every student as a condition of enrollment and administrative fees generating additional annual revenue in excess of \$250,000 go to the Board for first reading and action at the same time as tuition rates. (9-16-04)

(c) Building Construction fees may go to the Board at any regular meeting. Two readings are required.

(d) Tuition rates and academic fee changes will be considered by the Board no later than June prior to the beginning of the fall semester for which they are effective. (1-14-04)

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(2) The above tuition and fees shall be effective at the beginning of a fall semester, spring semester or summer session as specified by the Board. (11-19-82; 2-17-84; 1-14-04)

d. Payment of Fees (6-24-99)

(1) All students are required to pay fees as published in the institution's comprehensive fee schedule. No student shall be permitted to enroll for any semester if there are outstanding delinquencies from prior semesters.

(2) Short-term extensions of the fee payment due date may be granted for sponsored international students experiencing international monetary exchange difficulties, students certified to receive funds through the institution's Office of Student Financial Aid, and for other extenuating circumstances at the institution's discretion. These students may receive tuition and fees extension privileges until not later than November 10 of the first semester or April 10 of the second semester, pursuant to written agreement with the institution.

e. Collection of Overdue Accounts

The state universities are authorized to use commercial collection agencies selected pursuant to the process outlined in K.S.A. 76-745 to assist in collection of overdue student loan accounts, student housing accounts, and other appropriate accounts. (9-19-69; 10-17-91)

f. Write-Off of Uncollectible Accounts Receivable

The chief executive officer of each state university shall request that the Director of Accounts and Reports write-off uncollectible accounts receivable pursuant to K.S.A. 75-3728a, *et seq.*, as amended. (4-21-78; 6-27-96)

g. Tuition Assistance for Faculty/Staff

Each state university may implement a tuition assistance program for spouses and dependents of full-time employees. The specific parameters of the program as it applies to each institution and any subsequent changes must be approved by the Board in advance of implementation. The institution will annually calculate the total tuition provided through the tuition assistance plan and officially recognize this cost by reflecting it in their financial system. From this enabling policy, each institution proposing a tuition assistance program would present in the spring to the Board of Regents their specific plan.

h. Board Approval of Tuition and Fee Waivers Pursuant to K.S.A. 76-719c (11-19-09)

The Board shall approve all university programs to offer to student tuition and fee waivers, specifically the Board shall review and approve the standards, conditions and requirements "designed to foster the growth, distinction, and stability of the state educational institution and the quality of its educational programs and pursuits."

(1) State university proposals shall include a statement of purpose, eligibility requirements, award/waiver amounts, financial impact, and a description of the assessment that will be used to measure the efficacy of the award/waiver in achieving the stated goal.

(2) Typically, proposals shall be submitted to the Board for first reading in May and for final action in June of the year prior to the effective date of the program, i.e. program approved June, 2010 would be effective for fall, 2011.

(3) Reporting of approved waivers will be added to the existing reporting mechanism for tuition and fee waivers that is collected annually in November.

5. REFUNDS FROM FEE AGENCY ACCOUNTS

a. State universities may make direct refunds of tuition fees, charges or other institutional receipts from the appropriate fee agency account.

b. All refunds are to be deducted from receipts before submitting monthly receipt vouchers to the State Treasurer. (6-24-99)

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- c. Each state university shall maintain appropriate documentation for all refunds and retain the same for audit.
- d. Each state university shall file with the Division of Accounts and Reports the specific procedures to be used by the institution in implementing the above policy. (9-16-77)

6. SPONSORED RESEARCH OVERHEAD POLICY (6-24-99)

- a. Sponsored research overhead funds received by state universities shall be used to strengthen research programs and capabilities in those institutions. Appropriate uses for such funds include, but are not limited to: remodeling and equipping research laboratories, hiring personnel associated with grant administration, technicians or graduate research assistants; funding pilot projects that may lead to federal grants; financing computer acquisition or operations; and paying rent for supplemental research facilities.

7. REVENUE BONDS (9-17-09)

Pursuant to legislative authority, including K.S.A. 76-6a13 *et seq.*, 76-6a14 *et seq.*, 75-37,111 *et seq.*, and specific appropriation provisos in conjunction with K.S.A. 74-8905(b), the Board is authorized to issue or seek issuance of revenue bonds on behalf of the state universities. The Board may issue said revenue bonds directly or by using the services of the Kansas Development Finance Authority. Before endowment associations, foundations, other affiliated corporations, or the Wichita State University Board of Trustees issue bonds, when 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 before the bond issuance process is initiated. (9-18-97)

a. Bond Counsel/Underwriter

If the Board issues said revenue bonds directly, the Board President and Chief Executive Officer is authorized to employ bond counsel and underwriter to represent the Board in the matter of issuing such bonds. The fees, which shall be negotiated in advance, and other expenses associated with a bond issue shall be paid by the state university on behalf of which the bonds are issued. If the Kansas Development Finance Authority is used, it will provide for bond counsel and underwriter. (11-18-49; 11-18-63; 10-19-84)

b. Pledge of Available Revenue Agreements

If the state university for which the bonds for a project are issued, in consultation with the Kansas Development Finance Authority, determines that the bonds will be more marketable with a pledge of available university revenues, or a credit enhancement in the form of a supplemental pledge or assurance of revenues other than those generated by the facility for which the revenue bonds are to be issued, the desire to utilize such a pledge or assurance shall be reported to the Board at the time of the request for approval of the capital improvement, and language permitting the pledge of other available revenues for debt service purposes shall be included in the legislative proviso authorizing issuance of the bonds. Any bonds issued by the Board directly pursuant to K.S.A. 76-6a13 *et seq.* shall be subject to the pledge of revenue restrictions set forth in K.S.A. 76-6a15. This paragraph B.7.b. shall apply to the FY 2012 Capital Improvements request or projects submitted to the Board for approval after October 1, 2009.

8. CONTRACTS (6-28-07)

a. Board of Regents

(1) The Board may enter into contracts, including leases of personal property, with any party or parties including any agency of the United States or any state or any subdivision of any state or with any person, partnership or corporation if the purpose of such contract is related to the operation or function of the Board. (K.S.A. 76-721).

(2) Contracts entered into on behalf of the Board of Regents shall be executed by the Chair of the Board, or the Board's President and Chief Executive Officer, or anyone otherwise authorized by direct action of the Board.

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b. State Universities

(1) State universities may enter into contracts to acquire products or services normally requiring the expenditure of funds, including leases of real property as described in Chapter II, Section C “Facilities” of this Policy Manual, with any party or parties including any agency of the United States or any state or any subdivision of any state or with any person, partnership or corporation if the purpose of such contract is related to the operation, function or mission of the state university. (K.S.A. 76-721) The Board’s President and Chief Executive Officer must be notified in writing of any contract which requires expenditures or transfers by the state university of an amount greater than one million dollars (\$1,000,000), excluding contracts directly related to a capital improvement project. (12-19-96; 6-24-99)

(2) All contracts between the state universities and other state agencies shall be subject to the provisions of K.S.A. 75-3711b. (K.S.A. 76-721).

(3) Any contract with a corporation whose operations are substantially controlled by a state university shall provide that the books and records of such corporation shall be public records and shall require an annual audit by an independent certified public accountant to be furnished to the Board of Regents and filed with the state agency in charge of post auditing state expenditures.

(4) Only the chief executive officer of the state university, or a specifically authorized designee of the chief executive officer of the state university, shall execute contracts on behalf of a state university. All delegations of authority made pursuant to this provision shall be filed with the General Counsel of the Board of Regents at least annually.

(5) All contracts shall be in the name of the state university. Individual schools, divisions and departments shall not enter into contracts.

c. Contracts with Other State Agencies, Indirect Cost Reimbursement

(1) When contracts are negotiated with state agencies for projects to be performed by university personnel, generally in and with university facilities, and when the funds used by the state agency for the project derive directly from its state appropriation from general revenue, the university will forego reimbursement for the entire indirect costs computed at its current audited rates. It is required in such cases that (i) the state agency certify in writing that the funds for the project derive directly and completely from its state appropriation from general revenue, and (ii) the contract state explicitly the university contribution of the indirect costs, with specified current audited rates, estimated base and estimated amount of the contribution. (6-28-07)

(2) When contracts are negotiated with state agencies for projects to be performed by university personnel, generally in and with university facilities, and when the funds used by the state agency for the purpose derive from federal or other non-state allocations to the State, the university will normally expect to be reimbursed for its related indirect costs at its current audited rates. When the terms of the allocation to the State do not provide full reimbursement of all indirect costs of the work for which the allocation was made, reimbursement of university indirect costs related to the project will be negotiated downward. In general, the distribution of available but less than full indirect cost reimbursement funds between the state agency and the university shall be in proportion to the state agency’s audited administrative cost rate and the university’s audited indirect costs rate; if the state agency’s rate is not available, it may be approximated by the university’s research administration indirect cost rate component. In all such cases where the university agrees to receive reimbursement at less than its full audited rate, the proposal, and whenever possible the contract, shall contain statements indicating (i) the justification for the reduction, in terms of this policy, and (ii) the amount of the university’s unreimbursed indirect costs specified as a university contribution to the project.

(3) When the funds to be used by the state agency derive from agency fee income (not interpreted as to include federal funds by formula, program or project), and the state agency certifies in writing that in setting the fees in question it has ignored the reimbursement for indirect costs of the university necessary for the conduct of the project being negotiated, the indirect costs of the project will be contributed by the university under the same terms as when the state agency funds derive from its state appropriation from general revenue. (In these circumstances the state agency is to be encouraged in the future to take into account in setting its fees the real indirect costs of contracting entities such as the university in order that proper, business-like reimbursements may be made.)

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(4) In no case of a contract with a state agency will the university (i) require indirect cost reimbursement when the funds received by the state agency for financing the project provide no part allocable for indirect costs, or (ii) contribute the entire indirect costs of a project when the funds received by the state agency for financing the project do include a part allocable for indirect costs.

(5) When state agencies submit or forward proposals for federal or other non-state funded programs or projects that will require the services of the university, it is expected that prior consultations will take place with university representatives, and that the proposal as forwarded will contain an identifiable component describing the university's anticipated participation, complete with staffing plan, facilities commitments, and a proposed budget estimating both direct and indirect costs for the university's portion of the program or project. To the maximum legal extent possible under the laws and regulations of the prospective sponsor, full reimbursement shall be sought for the indirect costs of the state agency and of the university.

(6) This policy governs all contracts and similar agreements between state agencies and the university (individual schools, divisions and departments are not authorized to execute such instruments). (6-28-90; 11-15-90)

9. ACCEPTANCE OF GIFTS

- a. When a state university anticipates applying for, accepting and receiving a private donation, gift, grant or bequest that may impose a significant fiscal obligation upon the university, such private donation, gift, grant or bequest must be reviewed by the Board of Regents prior to the acceptance of such donation, gift, grant or bequest by the Board or authorization for the state university to accept such donation, gift, grant or bequest pursuant to K.S.A. 76-724. For purposes of this policy "significant fiscal obligation" shall be considered to be a need, at the time of receipt of the donation, gift, grant or bequest, and in reasonable relation to the acceptance thereof, to: (i) seek additional state funding of \$50,000 or more, or (ii) seek additional state funding for operating support of a gift building. (6-24-99)
- b. If appropriate, the President and Chief Executive Officer of the Board shall notify other officials of the State including but not limited to the Governor, the Secretary of Administration, the State Director of the Budget, the Attorney General and the Director of Architectural Services of such private donations, gifts, grants or bequests.
- c. The chief executive officer of each state university shall seek to verify, with reference to all private donations, gifts, grants or bequests of real property, that said real property was not the site of or used for the disposal of hazardous wastes or materials.
- d. When the proposed private donations, gifts, grants or bequests consist of a facility to be constructed for the state university, reasonable efforts should be taken to encourage the donor to make such gift conform to guidelines and procedural manuals of the Director of Architectural Services.
- e. This policy shall not apply to donations, gifts, grants or bequests made to institutional endowment associations or foundations. (6-17-77; 5-17-90)

10. PURCHASING PURSUANT TO K.S.A. 76-769 (1-18-07; 6-24-10)

a. Guiding Principles

(1) Each state university 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 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 to achieve the lowest competitive price, including

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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.

b. Requirements for Policies and Procedures

The policies and procedures developed by each state university in accordance with this section 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) The process 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) 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.

11. AUTHORIZED DISPOSITION OF SURPLUS PROPERTY (K.S.A. 75-6606) (9-16-10)

a. Guiding Principals

(1) Each state university choosing to utilize the provisions of K.S.A 75-6606(c) shall develop and be guided by policies and procedures for the disposition of surplus university property that:

- (a) Focus on the stewardship of public property;
- (b) Advance and support the mission of the institution;
- (c) Promote the reuse of surplus property at the institution;
- (d) Operate in a fair, equitable and transparent manner;
- (e) Prohibit the giving or sale of property to an individual without first complying with university policies and procedures; and
- (f) Are in full compliance with all local, state and federal laws, rules and regulations.

(2) Each state university is encouraged to engage in cooperative opportunities with the other state universities to promote the reuse of surplus property system-wide. Each state university is also encouraged to consider sustainability practices, as surplus property is disposed.

b. Policy Requirements

The policies and procedures developed by each state university in accordance with this section shall address, at a minimum:

- (1) How notice of the planned disposal of surplus property will be provided to the general public; and
- (2) How the disposition of property and receipt of revenues will be documented and utilized.

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c. Disposal Methods

The following methods are authorized for the disposition of surplus property:

- (1) Advertised fixed price;
- (2) Advertised negotiated price;
- (3) Advertised sealed bid;
- (4) Advertised public auction;
- (5) Donation to not-for-profit organizations, or individuals and entities eligible to participate in the Federal Surplus Property Program; and
- (6) Cannibalize, recycle, junkyard and or trash.

12. INSURANCE (2-15-07; 6-28-07)

- a. State universities may purchase insurance of any kind or nature except employee health insurance. (K.S.A. 75-4101(d).)
- b. Any purchase of insurance shall be made on a competitively bid or competitively negotiated bases and purchased from an insurance company authorized to transact business in the State of Kansas. State universities shall use a competitive procurement procedure for such purchases, which procedure shall be on file at the institutions and open for public inspection.
- c. Prior to such purchases, state universities are encouraged to consult with other state universities to determine whether coverage for more than one state university would be advantageous.
- d. If a state university does not obtain insurance coverage for state university-owned aircraft and vehicles through State contracts, coverage that at least matches the State's insurance coverage shall be purchased.
- e. The chief executive officer of each state university shall implement procedures to ensure the provision of insurance coverage that at least matches the State's insurance coverage for all travel of students or university employees in chartered or rental aircraft or vehicles while on university business or university sponsored activities.

C. FACILITIES (2-17-10; 6-20-12)

1. PROJECT PLANNING (K.S.A. 76-7,103 and 76-7,105)

- a. Each state university shall maintain a Campus Master Plan that documents concepts and guiding principles for future land use and development of campus facilities and infrastructure. Each state university shall submit to the Board President and Chief Executive Officer a new Campus Master Plan, or update to an existing Campus Master Plan, by January 1, 2015. Each Campus Master Plan shall be updated and resubmitted to the Board President and Chief Executive Officer every ten years.
- b. New Campus Master Plans, or significant modifications to existing Campus Master Plans, shall
 - (1) address deferred maintenance needs;
 - (2) include a plan to ensure compliance with space utilization standards established by the Board; and
 - (3) be submitted to the Board for approval.

2. SUMMARY OF APPROVAL REQUIREMENTS

	Board of Regents	Building Committee	Full Legislature	Program Statement required?	Execution process (architect/contractor)
Capital Improvements > \$750,000					
Endowment/Foundation/Research	approve	advise		yes	Campus
State General Fund	approve	advise	approve (418)	yes	State selection/bid
All Other Non-State Funds	approve	advise		yes	K.S.A. 76-7,125 et seq (SB 9)
Revenue Bonds	approve	advise	approve (418)	yes	State selection/bid
Federal Grants	approve	advise		yes	K.S.A. 76-7,125 et seq (SB 9)
Educational Building Fund	approve	advise	*** ⁴	yes	State selection/bid
Rehabilitation and Repair Projects⁵					
Endowment/Foundation/Research	approve	advise		no	Campus
State General Fund/EBF	approve	advise		no	State selection/bid
All Other Non-State Funds	approve	advise		no	K.S.A. 76-7,125 et seq (SB 9)
Federal Grants	approve	advise		no	K.S.A. 76-7,125 et seq (SB 9)
Deferred Maintenance Projects					
Infrastructure Maintenance Funds	approve	advise		no	State selection/bid
University Interest	approve	advise		no	K.S.A. 76-7,125 et seq (SB 9)

⁴ If new project or major renovation.

⁵ Projects < \$500,000 require only Director's approval.

Tax Credits	approve	advise		no	State selection/bid
Energy Performance Contracting	approve	advise			K.S.A. 75-37,111 through 37,114 and 75-37,125
Building Razing	approve	advise ⁶			

3. CAPITAL IMPROVEMENT PROJECTS

a. Definitions

(1) Capital improvement projects are those the costs for which exceed \$750,000, regardless of funding source, including new buildings, remodeling or alterations, annual maintenance, and utility projects. Deferred maintenance projects are governed by subsection 5., below.

(2) Educational Building Fund, or EBF, means the fund created pursuant to K.S.A. 76-6b01 *et seq.* and funded by the annual mill levy authorized by Article 6, Section 6 of the Kansas Constitution. Moneys in the EBF may only be expended as authorized by K.S.A. 76-6b02.

b. Process

(1) *Initial Request:* Each state university shall include initial concept requests for authorization of capital improvement projects with the university’s five year plan submitted to the Board for consideration on April 1 of each year. Each project that will require the services of an architect and/or engineer shall have a written program statement included with the request. The request shall identify each anticipated source of funding for the project. For improvements that include new space for which private moneys are to finance at least 51% of the cost, the request shall include a plan for paying the annual maintenance and operation costs for the project from either private funds or existing university resources. (K.S.A. 76-790) For improvements that include new space for which private moneys are to finance less than 51% of the cost, the request shall include a plan for paying annual maintenance and operation costs that identifies the resources to be used for such costs. Such annual maintenance and operation costs plans shall be included in the program statement and shall adhere to standards prescribed by the Board’s Director of Facilities. Each request approved by the Board shall be filed with the appropriate state offices on or before July 1 in the format determined by the State Budget Director. Each state university is prohibited from pursuing gubernatorial or legislative approval of any project not previously approved by the Board. (6-24-99; 10-19-06)

(2) *Amendments:* Amendments to the current year capital improvements project list may be submitted to the Board at times other than those specified above. Once approved, each university shall be responsible for ensuring that appropriate legislative approvals are obtained, including advising the Joint Committee on Building Construction.

(3) *Licensed Professional Consultants:* The design and construction administration for all new buildings and major renovations on state property shall be performed by licensed professional consultants retained in accordance with Kansas statutes. A written program for each building project shall be submitted and approved by the Board and by the Legislature or legislative building committee as set forth in Section 2. before such services are obtained. (9-19-69; 10-19-06)

(4) *Program Statements:* Minimum requirements for program statements include introductions, project budgets, and project schedules. For new construction or major renovations the program statement must also include space projections, space summaries, space descriptions, a discussion of the impact the additional space will have on overall campus space, and new buildings operating costs and the proposed source of funding for such operating costs (or a statement that such will not be requested). Additional information that the institutions deem necessary may be included. (6-24-99)

⁶ Not required by law.

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(5) *Design Development Plans*: Following Legislative and Board approval of a specific capital improvement project, design development plans for a building or project and the location of the new building shall be submitted to the President and Chief Executive Officer for review and approval before final plans are prepared. The President and Chief Executive Officer, upon the recommendation of the Director of Facilities, may approve said design development plans for the Board. (7-22-49; 10-21-83; 9-19-91)

c. Funding

(1) *Funding Sources*: Capital improvement projects may be paid for from state general funds, tuition, educational building funds, revenue bond proceeds (in accordance with Section II.B. of this Policy Manual), restricted fees, research overhead funds and other resources as approved by the Board.

Capital improvement projects that are also approved deferred maintenance projects may be paid for in whole or in part by tuition interest earnings, contributions received pursuant to the postsecondary educational institution tax credit program (K.S.A. 79-32,261), and other funds earmarked by the Board or Legislature for the purpose of addressing deferred maintenance.

(2) *Federal Grant Requests*: All institutional requests for federal grants for capital improvements shall be submitted to the Board President and Chief Executive Officer before the request is submitted to the appropriate federal agency. (6-23-88);

(3) *Private Funds*: No capital improvement project that is funded in part or totally from private funds may proceed to signature of contract unless and until all private funds have been deposited in an account for the use of the project or a letter of credit has been received by the Board President and Chief Executive Officer that guarantees the availability of the funds necessary to complete the project.

(4) *Fund Raising*: In addition to the project approval required in subsection 3.b.(1) of this section, notification of all capital improvement projects to be funded in part or in whole from private resources must be submitted to the Board's President and Chief Executive Officer before fund raising efforts are publicly announced. (9-16-04)

d. Annual Maintenance

Beginning with projects initiated after January, 2007, and except as otherwise specifically provided for by law or approved by the Board, state universities shall not seek new state general funds to finance annual maintenance and operation costs for any new capital improvement project.

4. REHABILITATION & REPAIR PROJECTS

a. Definition

Rehabilitation and repair projects are those projects that cost \$750,000 or less, including new buildings, remodeling or alterations, annual maintenance, or utility projects. Deferred maintenance projects are governed by subsection 5., below.

b. Funding

The Board receives an annual line item appropriation from the Educational Building Fund for rehabilitation and repair projects. This appropriation is allocated by the Board to the state universities pursuant to an "adjusted square footage" formula, which factors in gross square footage, building age and complexity of the physical plant.

Additionally, the universities may provide funds for rehabilitation and repair projects from state general fund revenues, tuition, restricted fees, research overhead funds and other resources as approved by the Board. (6-24-99; 10-19-06)

Rehabilitation and repair projects that are also approved deferred maintenance projects may be paid for in whole or in part by tuition interest earnings, contributions received pursuant to the postsecondary educational institution tax credit program

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(K.S.A. 79-32,261), and other funds earmarked by the Board or Legislature for the purpose of addressing deferred maintenance.

c. Process

The state universities are authorized by the Board and the Legislature to proceed with rehabilitation and repair projects on a fiscal year basis. Upon request of the university with concurrence of the Board's Director of Facilities, the Board President and Chief Executive Officer has the authority to revise such authorizations during the fiscal year; provided, however, that any project requiring expenditures of \$500,000 or more must be considered by the Board. (6-24-99)

5. 2007 STATE EDUCATIONAL INSTITUTION LONG-TERM INFRASTRUCTURE MAINTENANCE PROGRAM

a. Definitions (K.S.A. 76-7,102)

(1) Deferred maintenance projects are those projects involving the maintenance, construction or rehabilitation of any one or more of the following:

- (a) a building located at a state educational institution;
- (b) any utility system and other infrastructure relating to such building;
- (c) any life-safety upgrade to such building; or
- (d) any improvements necessary to be made to such building in order to comply with the requirements of the Americans with Disabilities Act or other federal or state law.

(2) Deferred maintenance projects shall not include:

- (a) the construction of new buildings;
- (b) the maintenance, repair, reconstruction or rehabilitation of any building used as an athletic facility, residential housing or other auxiliary that does not directly support the delivery of academic pursuits; or
- (c) the maintenance, repair, reconstruction or rehabilitation of the residence of the president or chancellor of a state university.

(3) 2007 state educational institution long-term infrastructure maintenance program refers to K.S.A. 76-7,101 through 76-7,107, and amendments thereto. This program was enacted by the Legislature in 2007 to address funding for state university deferred maintenance projects and provides for demand transfers by the Director of Accounts and Reports from the state general fund to the infrastructure maintenance fund in fiscal years 2009, 2010, 2011 and 2012. The 2007 Legislature also enacted a tax credit program (K.S.A. 79-32,261) and expanded availability of university interest earnings (K.S.A. 76-719(c), (d), (e)) to assist with funding deferred maintenance projects.

b. Process (K.S.A. 76-7,103 and 76-7,105)

(1) Each state university shall maintain a list of deferred maintenance projects that have been approved by the Board. The list shall prioritize the most critical deferred maintenance projects and reflect the deficiencies identified in the Board's 2007 or subsequent deferred maintenance studies. The listed projects shall not:

- (a) provide for additional space requirements;
- (b) reflect new program requirements or changes of use; or
- (c) include exceptional levels of finish, equipment or other similar enhancements.

(2) Requests for changes to the Board approved list of deferred maintenance projects shall be submitted to the Board for consideration and approval. Each request for a change shall include justification for adding the project as one of the university's priority deferred maintenance needs. The state universities are authorized by the Board and the Legislature to proceed with deferred maintenance projects on a fiscal year basis. Upon request of the university with concurrence of the Board's Director of Facilities, the President and Chief Executive Officer of the Board has the authority to revise such authorizations during the fiscal year; provided, however, that any project change requiring expenditures of \$500,000 or more requires Board approval.

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- (3) Each state university shall provide quarterly status and expenditures reports to the Board. Each report shall include information showing the progress made during the reporting period to reduce the university's deferred maintenance backlog as identified in the university's Board-approved deferred maintenance projects list, and information showing the effect that the expenditures have had on the campus of the university. The original estimate for each project shall remain constant, however actual expenditures shall also be shown.
- (4) Each state university, in coordination with the Board office, shall advise and consult with the Joint Committee on State Building Construction before expending any moneys from the Infrastructure Maintenance Fund, or from any account of accounts of the Infrastructure Maintenance Fund of the university.
- (5) Each state university, in coordination with the Board office, shall advise and consult with the Joint Committee on State Building Construction before expending any moneys received by the university as a contribution that qualifies as an income tax credit pursuant to the postsecondary educational institution tax credit program.
- (6) Any project in excess of \$750,000 must have a written program statement. Design development plans for the project must be submitted to the Board for approval.

c. Funding (K.S.A. 76-7,103, 76-7,104, 76-719(c), (d), (e) and 79-32,261)

Allocations of funds from the Infrastructure Maintenance Fund will be based on a maintenance allocation formula that factors gross square footage, building age, and complexity of each university's physical plant. Such funds, as well as funds in each state university's deferred maintenance support fund, may be used only to help finance Board approved deferred maintenance projects on the state university's list. Projects that exceed the strict scope of the deferred maintenance initiative due to program changes, additional space requirements, and expectations for exceptional levels of finish, equipment, etc. will require other funding sources above and beyond the state-provided deferred maintenance pool of funding.

6. ENERGY CONSERVATION MEASURES (K.S.A. 75-37,125)

a. Definition

Energy conservation measure means an energy study, audit, improvement or equipment which is designed to provide energy and operational cost savings at least equivalent to the amount expended by the participating state university for such energy study, audit, improvement or equipment over a period of not more than 30 years after the date such improvement or equipment is installed or becomes operational.

b. Process

- (1) When an energy conservation measure is to be financed with revenue bond proceeds pursuant to K.S.A. 74-8960, the applicable processes for approval of and issuance of revenue bonds shall be followed.
- (2) When an energy conservation measure is to be financed by means other than with revenue bond proceeds pursuant to K.S.A. 74-8960, the provisions of K.S.A. 75-37,125 and any other applicable statutory provisions shall be followed and the project shall be presented to the Board for approval prior to entering into any contract, lease-purchase agreement or other financing arrangement.

7. OBSOLETE BUILDINGS (K.S.A. 76-7,108)

Each state university shall evaluate all buildings in the university's inventory to determine if any building is obsolete. If a building is found to be obsolete, the state university shall request approval of the Board to retire the building from service and shall make a recommendation to the Board regarding the prudence of razing the building. Such recommendations shall include all pertinent information such as a justification statement, costs and funding source(s), environmental issues and anticipated use of the vacated property.

8. INSPECTIONS

a. State Fire Marshal

Except as provided in this subsection, an annual inspection of all buildings at each state university shall be made by the State Fire Marshal with copies of the inspection report to be sent to the university. Within 30 days of receipt, the state university shall provide a written summary of the State Fire Marshal's annual inspection report and the university's response thereto to the President and Chief Executive Officer of the Board; provided, however, that any notice of citation, potential sanction, violation, cease and desist order or hazard requiring follow up by the state university shall be immediately reported to the President and Chief Executive Officer. (9-27-57; 6-27-91)

In lieu of the State Fire Marshal conducted inspection provided above, a state university may enter into a memorandum of agreement with the State Fire Marshal pursuant to the State Fire Marshal Commissioned Inspector Act, K.S.A. 31-701 *et seq.* Annual inspections conducted by a university commissioned inspector shall be performed in accordance with the Act and the university's memorandum of agreement.

b. Department of Administration

Each state university shall obtain such Department of Administration inspections for new construction or renovation as are required by Chapter 7, Section 5 of the Department's 2009 Building Design and Construction Manual, as amended.

c. Boiler and Other Inspections Required by Law

Each state university shall provide for such boiler and other inspections as are required by law. (K.S.A. 44-913 *et seq.*)

9. NAMING OF BUILDINGS

a. Authority for Naming

The naming of any state university building is the province of the Board of Regents. The authority to re-name or remove the name of any state university building also resides in the Board. Any documentation used by any state university or affiliate corporation of any state university for fund raising purposes shall clearly state that proposed names are subject to Board action, and shall reserve to the Board the right to remove any name bestowed upon a facility. Possible reasons for removal of a name include, but are not limited to, circumstances causing damage to the reputation of the university, change of law regarding naming authority, or if the building is razed or given over to a new use.

b. Criteria

(1) Generally, buildings are named for distinguished individuals who have made extraordinary contributions of a scholarly, professional, or public service nature related to the university's mission.

(2) In some cases, buildings may be named for major donors to the construction of the building.

(3) Before forwarding a name to the Board for consideration, the state university shall undertake a thorough degree of due diligence to avoid commercial influence or conflict of interest.

(4) Buildings will not be named for sitting presidents, chancellors or Board members.

c. Process

The chief executive officer of the state university shall recommend an appropriate name to the Board for consideration. At the time the agenda item is submitted, the name shall not be included; however, the state university shall send the proposed name and a brief narrative individually to Regents and the President and Chief Executive Officer of the Board at the same time the state university sends its agenda material requests to the Board office for the Board meeting at which the name is to be considered. No public communication of a proposed name shall be made until the name is presented for consideration at the open meeting of the Board. (2-18-83) (6-24-99)

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10. PRIVATE HOUSING (6-28-07)

Unless directly authorized to do so by the Board, state universities shall not do any of the following:

- (1) enter into agreements, written or verbal or implied relating to private housing;
- (2) give preference to any owner or operator of private housing;
- (3) guarantee occupancy in or payments for private housing; or
- (4) provide public funds for the supervision, maintenance or operation of private housing. (6-24-99)

The President and Chief Executive Officer of the Board, upon the recommendation of the Director of Facilities, may approve on behalf of the Board any agreement relating to private housing that is for a term of less than one year.

For purposes of this section, “private housing” means privately-owned residential housing made available for university students’ or university employees’ use while attending or working for the university at the university’s main or branch campus.

11. REPORTS DUE

A listing of required submittals and their respective due dates is included in Appendix C and incorporated herein.

12. LAND TRANSACTIONS (6-28-07)

a. Leases (Including Oil and Gas Agreements) (6-24-10)

(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(l), 75-3743, 75-3744, 76-165, and/or 76-769(a)(6)(C))

(2) No real property owned or controlled by the 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 12.e. below.

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b. Easements

(1) The state universities' chief executive officers shall act on behalf of the Board in granting or conveying right-of-way easements across any land under the custody and control of the Board. Easements may be granted with or without receiving consideration therefore, and may permit use of the land for purposes of access, convenience or necessity and such other right-of-way purposes as are customarily related to such easements. (K.S.A. 74-3264 and 75-2131)

(2) Easement documents shall be submitted to the Attorney General for approval as to form (K.S.A. 74-3264 and 75-2131). (6-27-96)

c. Sale of Real Property

(1) Following receipt of the appraisals required by law, any sales of real property owned or controlled by the Board of Regents or a state university must be approved by the Board of Regents and authorized by the Legislature. K.S.A. 74-3254 may serve as pre-authorization by the Legislature to dispose of certain devises. (K.S.A. 75-3043a and 74-3254) (10-19-06)

(2) No real property owned or controlled by the Board of Regents or a state university shall be sold unless a notice of intention to sell said property has been published at least thirty days prior to execution of any documents. (K.S.A. 75-430a(d))

(3) No real property owned or controlled by the Board of Regents or a state university shall be sold, and no transaction for the sale of such property shall be closed, until the property has been surveyed as required by law. (K.S.A. 75-6611)

(4) Sales of real property to state university endowments, foundations, and other related entities are governed by subsection 12.e. below.

d. Acquisition of Real Property

(1) The Board of Regents may acquire real property necessary to properly maintain and carry on a state university or the business thereof. (K.S.A. 76-147)

(2) State universities shall submit a description of all properties that they desire to purchase, or otherwise acquire, to the Board for approval. If such property is valued at less than \$250,000, the Board President and Chief Executive Officer, upon the recommendation of the Director of Facilities, may approve the acquisition on behalf of the Board. Such description shall include a legal description of the property, anticipated use and the estimated cost of purchase and any cost relating to the razing or renovating and maintaining such property.

(3) No real property shall be purchased by the Board of Regents or a state university until the property has been appraised as required by law. (K.S.A. 75-3043a or 76-147) Prior to purchase, a warranty deed and environmental assessment will be required. Exceptions to the requirement for a warranty deed may be made by the Board President and Chief Executive Officer. (10-19-06)

(4) Each state university shall record all deeds to real estate acquired, and any other instruments relating to the acquisition required by law to be recorded, with the register of deeds of the county where the real estate is located. All original instruments relating to land acquisitions shall be maintained in the Board office. (K.S.A. 75-3516)

(5) Acquisition of real property from state university endowments, foundations, and other related organizations are governed by subsection 12.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

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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 that 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. 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)
- f. Designation on the State or National Historic Register: Each state university shall seek approval from the Board prior to initiating the process to place state property on the state or national historic register.

D. Academic Affairs (6-20-12)

1. ACADEMIC CALENDAR (6-19-70; 1-18-90; 5-20-93; 6-25-09)

- a. The Academic Calendar of each state university 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 state university shall file a three-year Academic Calendar adhering to holidays and breaks approved by the Board. Each state university 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.
- c. The President and Chief Executive Officer of the Board shall have the authority to approve or deny non-substantive revisions to Board-approved three-year calendars and shall periodically report these changes to the Board.

2. COURSE NUMBERING SYSTEM

- a. In order to maintain a common system of classification of academic information for all state universities, course levels are to be identified by the first digit catalog course number as follows:

000-099	No credit courses.
100-299	Lower division, undergraduate. Designed as freshman-sophomore courses.
300-499	Upper division, undergraduate. Designed as junior and senior courses.
500-699	Upper division, undergraduate. Primarily for juniors and seniors, with enrollment of less than 50% master's students.
700-799	Graduate and upper division. For master's students primarily; with enrollment of less than 50% undergraduate students.
800-899	Designed primarily for master's students.
900-999	Designed primarily for doctoral students.

Master's = Courses and thesis for master's students who will ordinarily have accumulated from 1 through 30 graduate hours and students enrolled in professional schools (Law, Veterinary Medicine, M.D., Architecture, etc.).

Doctoral = Courses for specialists and doctoral students who will ordinarily have completed more than 30 hours of graduate work.

The dual listing of courses may be permitted on a limited basis with the written approval of the graduate dean of each institution. A current list of such dually listed courses shall be maintained by each university. (4-18-91)

- b. Course level shall be identified and reported as outlined in the KSPSD Reference Manual.
- c. Program category and subcategory as defined in the most recent edition of the manual Classification of Instructional Programs (CIP) (National Center for Education Statistics) are to be identified by the last four or six digits of the course identification, and college and department are to be identified by the first three digits, resulting in a seven or nine digit course identification number. (6-23-88; 2-19-04)
- d. Only the three digit course level and number portion need be used by students for regular course and catalog identification purposes. (6-23-88)

3. CREDIT BY EXAMINATION

- a. College-Level Examination Program (CLEP)-credit awarded by any state university in conformity with this policy shall be transferable to all other state universities. (10-17-91)

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- b. One-half the credit hours earned through campus-developed and administered tests may be included in the instructional base. (1-18-74)

4. CREDIT FOR COURSES INVOLVING TRAVEL

- a. Academic credit for courses or programs involving travel shall be granted under the same conditions and by the same procedures as for other courses offered for credit by the institution.
- b. No program for instructional activities outside the State of Kansas shall be approved by any state university if any one or more of the following apply:
 - (1) The proposed courses do not fall within the authorized program of the institution;
 - (2) The instructors are not duly qualified members of the faculty of the institution concerned; or
 - (3) The activity is designed to produce a profit for any individual.
- c. The organization of non-credit hours by individual faculty or staff members to be conducted at times when they are not being paid by the State of Kansas shall be permissible provided all reasonable precautions are taken to avoid the appearance of institutional sponsorship.
- d. Nothing in this statement is intended to modify currently accepted practice relating to academic extension programs, as defined below. (2-18-72)

5. ACADEMIC EXTENSION (5-18-89; 9-18-97)

- a. “Academic Extension,” for the purposes of this section, refers to programs offered through off-campus face-to-face instruction, and distance education. All academic extension policies and procedures shall be considered and approved by the Board prior to implementation and shall be included herewith as Appendix F to the Board Policy and Procedures Manual.
- b. The Vice President for Academic Affairs of the Board shall be responsible for the development, implementation and coordination of policies and procedures that will serve to achieve an effective and efficient system of credit and noncredit academic extension instruction including distance education and off-campus face-to-face courses and programs and distance education.

6. INSTRUCTIONAL PROGRAM (9-17-09)

a. Program Review

- (1) In cooperation with the state universities, the Board will maintain a program review cycle and a review process that will allow the universities to demonstrate that they are delivering quality programs consistent with their mission. (12-19-86; 6-23-88; 9-18-97)
- (2) The review of degree programs shall encompass all levels of academic degrees from associate to doctoral. Program reviews are institutionally based and follow the departmental or unit structure of the institution. “Program” means an academic plan that is approved by the appropriate governing board and leads to an award, for example, a degree or a career/technical certificate. (12-17-82; 1-20-84; 6-23-88; 9-18-97; 6-23-05)
- (3) The Vice President for Academic Affairs shall provide guidelines for the Program Review process and, as part of the review of institutional reports, will include consideration of the Board-approved minima tables.

b. Program Participation--Outside Funding

No state university may accept a grant or gift to enter a contractual relationship for any program contrary to or outside the scope of mission and programs authorized by the Board for that institution. No program by its terms or implications can

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obligate the institution to continue such program after the expiration of outside funding for the program except by prior approval of the Board. (5-20-60)

c. New Academic Units and Academic Programs (9-18-97)

(1) Actions that Require Approval by the Council of Chief Academic Officers and President and Chief Executive Officer: The following types of action require approval by the Council of Chief Academic Officers and the President and Chief Executive Officer of the Board of Regents. Action is approved when the campus receives written notice from the President and Chief Executive Officer.

(a) Concentrations (also called "minors"): A concentration may not exceed 24 credit hours at the baccalaureate level; 12 credit hours at the master's level; 18 credit hours at the doctoral level. Graduate certificate programs are not considered concentrations, and are determined at the campus level. (6-24-99)

(b) Changing the name of an existing unit or degree title or consolidating two or more units or degrees in one unit or degree or splitting a unit or program into two or more units or programs. (10-16-03)

(c) Approval of academic concentrations (or "minors") is motivated by: (1) a desire to ensure sufficient resources to offer a quality program and (2) a need to monitor the proliferation of new programs within the Kansas public postsecondary system. In many cases, development of a new concentration is the first step in the creation of a full degree program, hence the need for review and approval. In cases where degree programs already exist, neither of these two motivations apply. Hence, institutions do not need approval to establish an academic concentration in an area of study with a previously Board-approved degree program. (6-24-99)

(2) Actions Requiring Approval by the Board: The following types of actions require approval by the Council of Chief Academic Officers, the Council of Presidents and the Board of Regents:

(a) New schools, departments, and those institutes and centers requiring new state funding. (11-16-00)

(b) New degree programs.

(c) Extension of an approved degree program to a higher degree level, e.g., Associate Degree to Bachelor's Degree.

(d) New major under an existing degree name.

(3) Requests for New Doctoral Programs: Because doctoral education requires a substantial commitment of resources in the areas of instruction and research, doctoral education will primarily occur at the University of Kansas, Kansas State University and Wichita State University.

(a) Acknowledging that special or distinct opportunities for doctoral programs may arise, the Board may consider proposals for doctoral programs at Emporia State University, Pittsburg State University and Fort Hays State University under exceptional circumstances. Prior to the preparation of the New Program Proposal and the degree approval process as outlined in Appendix G, Policies and Procedures for the Approval of New Academic Programs, the proposing regional university must provide the Board with a "Statement of Intent" to develop a doctoral program. The "Statement of Intent" should be no more than two pages long. The "Statement of Intent" must demonstrate all three of the following:

- The proposed program will be distinct within the state university sector;
- The institution has a distinct research infrastructure and capacity in the proposed program area; and
- The proposed program captures a special or distinct opportunity that will justify an exception to the Mission, Role and Scope of the regional university.

The "Statement of Intent" will be posted on the New Program Alert System and forwarded to the Council of Chief Academic Officers and Council of Presidents for their respective review and recommendation to the Board.

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Once the Board has approved the "Statement of Intent," the proposing regional university may proceed to the review process identified in (b) below and in Appendix G, Policies and Procedures for the Approval of New Academic Programs.

(b) When any institution proposes a new doctoral program the Board of Regents shall employ three external consultants selected by the President and Chief Executive Officer of the Board to review the requesting institution's ability to deliver the proposed program and to review all similar programs in the system, if there are any. The criteria referenced in Appendix G, Policies and Procedures for the Approval of New Academic Programs, shall be followed by the consultants in determining the quality of the proposed program. The Council of Chief Academic Officers, the Council of Presidents and the Board shall review the consultants' report before a final decision regarding the proposed doctoral program is rendered. All expenses of the special review shall be borne by the proposing institution. Cost of subsequent reviews related to deficiencies shall be borne by institutions found to have deficient areas. (12-19-86; 6-23-88; 5-18-89; 11-16-89; 3-21-91; 5-20-93; 9-16-93; 11-20-03)

(4) Requests for First Professional Degree Programs: Since first professional degree education requires a substantial commitment of resources in the areas of instruction and support, first professional degree education will primarily occur at the University of Kansas, Kansas State University, and Wichita State University.

(a) The Board may consider proposals for first professional degree programs at Emporia State University, Pittsburg State University and Fort Hays State University under exceptional circumstances. Prior to the degree approval process, the proposing regional university must provide the Board with a "Statement of Intent" to develop a first professional degree program. The "Statement of Intent" will be posted on the New Program Alert System and forwarded to the Council of Chief Academic Officers and Council of Presidents for their respective review and recommendation to the Board. The "Statement of Intent" should be no more than two pages long. The "Statement of Intent" must demonstrate all three of the following:

- The proposed program will be distinct within the state university sector and/or align with professional association standards;
- The proposed program will be consistent with the Mission, Role, and Scope of the institution or justify why the proposal merits an exception; and
- The proposed program will be cost-effective and will not financially impact the quality of other programs.

Once the Board has approved the "Statement of Intent," the proposing regional university may proceed to the review process identified in (b) below and in Appendix G, Policies and Procedures for the Approval of New Academic Programs.

(b) When any institution proposes a new first professional degree program, the Board of Regents shall employ three external consultants selected by the President and Chief Executive Officer of the Board to review the requesting institution's ability to deliver the proposed program and to ensure that the proposed program is not unnecessarily duplicative of existing first professional degree programs in the State. The criteria referenced in Appendix G, Policies and Procedures for the Approval of New Academic Programs, shall be followed by the consultants in determining the quality of the proposed program. Before a final decision regarding the proposed first professional degree program is rendered, the Council of Chief Academic Officers, the Council of Presidents and the Board shall review the consultants' report. All expenses of the special review shall be borne by the proposing institution. Cost of subsequent reviews related to deficiencies shall be borne by institutions found to have deficient areas. Institutions do not need to undergo consultant review to establish a first professional degree program in an area of study with a previously Board-approved doctor's degree program. (11-20-03)

(5) Associate Degree Programs: The roles of the state universities and the State's community colleges and technical colleges should be clearly differentiated. Therefore, the Board of Regents discourages the state universities from offering associate degrees in academic or technical programs where the baccalaureate is available; provided, however, that the Board acknowledges that student demand and community needs may engender requests for associate degree programs, particularly in areas of technology education. Requests for associate level programs shall be considered through the process identified in Appendix G, Policies and Procedures for the Approval of New Academic Programs. (11-28-72; 12-19-86; 3-21-91; 9-16-93)

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(6) Time Schedule (9-18-97)

New program requests and changes in administrative units may be submitted for consideration at any time, in accordance with the procedures set forth in Appendix G.

(7) Program Discontinuance and Merger

(a) In discontinuing any existing academic program, each state university shall follow its own Program Discontinuance Policy as approved by the Board of Regents. (7-10-70; 10-15-71; 9-17-76; 9-19-86)

(b) State universities that discontinue degree programs as a result of mission differentiation will be allowed to retain funding associated with those programs to improve the quality of remaining programs. (12-19-86)

d. Centers, Institutes and Bureaus

(1) The following general criteria apply to all centers, institutes and/or bureaus established in the state university system after June 28, 1995, with the sole exception of administrative and clinical units that are nonacademic in nature:

(a) Purpose: Establishment of such a unit should enhance the visibility of a given subject or activity. Each unit shall provide an exact and detailed description of its scope.

(b) Resources: Sufficient resources should be provided for any unit to meet the goal of increased visibility. (6-24-99)

(2) Centers of Excellence established pursuant to K.S.A. 74-8106 or seeking funding pursuant to K.S.A. 74-8106 should have state and nation-wide recognition and should be unique within the State. Such Centers of Excellence require consideration and approval by the Centers of Excellence Committee created by the Board of Regents. (6-24-99)

e. Accreditation

The Kansas Board of Regents believes that accreditation is an important indicator of institutional and program quality but that it must be balanced by considerations such as the relationship of accreditation to institutional mission, role, and aspiration, as well as the costs associated with accreditation visits and recommendations.

(1) Board approval is required when any state university seeks accreditation for any program that it does not hold. Board approval shall be preceded by a formal proposal to the Board to seek accreditation. Where a program at any state university is unaccredited, Board approval must be obtained and granted prior to beginning the accreditation process. The proposal should include information on the accrediting agency and a table of costs associated with accreditation.

(2) The Vice President for Academic Affairs shall provide the Board with a report on the accreditation status of the state universities and their accredited programs each year. The report shall include information on a) whether the institution or the program is accredited for the full term of accreditation and b) whether the institution or the program has received full accreditation status or is on probationary status. (6-25-03)

(3) Copies of all final accreditation reports shall be mailed to the Board office upon their receipt from the accrediting agency. (12-20-85; 3-20-86; 12-19-86; 6-23-88; 9-16-93)

f. Reciprocal Agreements

(1) The Board is authorized to enter into and implement reciprocal agreements with other states and colleges and universities of other states for the mutual utilization of educational facilities to permit access for residents of the State of Kansas to courses of collegiate, graduate, or professional study not offered by any of the institutions under control of the Board. All such agreements are to be approved by the Attorney General and filed with the Secretary of State. (K.S.A. 74-3219 and 3220) (2-20-87)

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(2) The Board is authorized to enter into and implement reciprocal agreements with governing boards of colleges and universities in other states or countries for pursuing courses of collegiate, graduate or professional study. All such agreements are to be approved by the Governor and filed with the Secretary of State. (K.S.A. 74-3221) (2-20-87)

(3) The Board realizes that it should not expect the State to provide educational programs in all academic areas. As a result, existing reciprocal agreements and contracts for guaranteed admission (K.S.A. 76-721a) that provide education opportunities in dentistry, optometry, osteopathy and veterinary medicine shall be continued to avoid the development of such costly programs within the Kansas higher education system. (12-19- 86; 6-23-88)

(4) The Chair of the Board shall be authorized to execute all such reciprocal agreements on behalf of the Board, subject to approval of the agreement by Board counsel as to legal form, without formal Board action. (6-23-88)

7. INTELLECTUAL PROPERTY POLICY

The purpose of the Board's Intellectual Property Policy is to foster the creation and dissemination of knowledge and to provide certainty in individual and institutional rights associated with ownership and with the distribution of benefits that may be derived from the creation of intellectual property. The policy is intended to be a broad statement to provide uniformity among the institutions while allowing for institutional flexibility. The policy applies to all full or part-time employees, including students, creating intellectual property related to the scope of their employment while under contract with a state university. When revenues are to be shared, the creator(s) shall obtain his/her share only after the institution has recouped any direct costs borne by the institution for equipment and materials and costs paid to third parties. The portion of the revenues to be shared among multiple creators shall be shared equally unless otherwise agreed in writing by the creators. Institutions shall develop written policies and procedures consistent with this Intellectual Property Policy.

a. General Copyright Policy

The ownership of the various rights associated with copyright are dependent upon the specific type of intellectual property. The institutions shall assert limited ownership of some of the various rights as set forth below. Since the Board has a fiduciary responsibility for the appropriate use of state funds, unless otherwise provided for under this policy, all rights associated with works produced as "work-for-hire" or other works that make "substantial use" of institutional resources belong to the institution. "Substantial use" means that the creator receives more than normal support for the project or receives time and/or resources specifically dedicated to the project.

(1) Mediated Courseware

(a) Institutions shall have limited ownership or control rights for mediated courseware as specified below:

(i) Self-initiated mediated courseware. When employees develop mediated courseware without specific direction by the institution, unless otherwise agreed, the ownership of the courseware shall remain with the employee. Normally, no royalty, rent or other consideration shall be paid to the employee when that mediated courseware is used for instruction at the institution and such mediated courseware shall not be used or modified without the consent of the creator(s). The mediated courseware shall not be sold, leased, rented or otherwise used in a manner that competes in a substantial way with the for-credit offering of his/her own institution unless that transaction has received the approval of the chief academic officer of the institution. Should approval be granted to offer the course outside of the institution, the creator shall reimburse the institution for substantial use of institutional resources from revenues derived from the transaction offering the course.

(ii) Institution-directed mediated courseware. When the institution specifically directs the creation of mediated courseware by assigning one or more employees to develop the mediated courseware and supplies them with materials and time to develop the mediated courseware, the resulting mediated courseware belongs to the institution and the institution shall have the right to revise it and decide who will utilize the mediated courseware in instruction. The institution may specifically agree to share revenues and control rights with the employee.

(b) Institutions shall develop procedures for reporting the development of mediated courseware to the appropriate administrator at the institution.

(2) Scholarly and Artistic Works

Notwithstanding any use of institutional resources or the “work-for-hire” principle, the ownership of textbooks, scholarly monographs, trade publications, maps, charts, articles in popular magazines and newspapers, novels, nonfiction works, artistic works, like works, and supporting materials shall reside with the creator(s) and any revenue derived from their work shall belong to the creator(s). Except for textbooks, institutions shall have royalty-free use of the work within the institution, unless otherwise agreed in writing.

(3) Manuscripts for Academic Journals

(a) Notwithstanding any use of institutional resources or the “work-for-hire” principle, the ownership of manuscripts for publication in academic journals shall reside with the creator(s) and any revenue derived from their works shall belong to the creator(s).

(b) If the manuscript is to be published, the creator(s) shall request the right to provide the institution with a royalty-free right to use the manuscript within the institution in its teaching, research, and service programs, but not for external distribution, and, if successful, the creator(s) shall grant such right to the institution.

(c) Upon the establishment of national governmental or nonprofit entities whose purpose is to maintain in an electronically accessible manner a publicly available copy of academic manuscripts, the Kansas Board of Regents will review each entity and upon determination that providing the manuscripts will not jeopardize the publication of articles or infringe on academic freedom, require the creator(s) to provide to the appropriate entity a limited license for the use of each manuscript.

(4) Copyrightable Software

The rights to copyrightable software with an actual or projected market value in excess of \$10,000 annually, except software included in mediated courseware, shall be determined pursuant to the Board’s Patent and Copyrightable Software Policy.

(5) Student Academic Creations

The ownership of student works submitted in fulfillment of academic requirements shall be with the creator(s). The student, by enrolling in the institution, gives the institution a nonexclusive royalty-free license to mark on, modify, retain the work as may be required by the process of instruction, or otherwise handle the work as set out in the institution’s Intellectual Property Policy or in the course syllabus. The institution shall not have the right to use the work in any other manner without the written consent of the creator(s).

b. Patent and Copyrightable Software Policy

Patents obtained on inventions or the ownership of copyrightable software with an actual or projected market value in excess of \$10,000 annually resulting from institutionally sponsored research shall be retained by the institution or may be assigned to an organization (hereinafter called the Organization) independent of the institution and created for the purpose of obtaining patents on inventions, receiving gifts, administering or disposing of such patents, and promoting research and the development of intellectual property at the institution by every proper means. The following regulations shall be followed with respect to inventions and software: (10-19-00)

(1) Anyone who conceives an invention or who develops copyrightable software that is not included in mediated courseware resulting from a research project sponsored by the institution shall report the matter to the appropriate research administrator at the institution, who will recommend whether or not to forward it to the Organization. (10-19-00)

(2) If the institution or the Organization decides that the invention does not warrant patenting, the inventor is free to patent it. In such case, however, the institution does not relinquish its right to publish any of the data obtained in the research project. If the institution or the Organization decides not to further the use of the copyrightable software, it shall assign the rights therein to the creator(s).

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(3) When any revenue is obtained by or on behalf of the institution from the development or assignment of any patent or from royalties, license fees or other charges based on any patent or copyrightable software, not less than twenty-five (25) percent of revenues shall be paid to the inventor(s) or creator(s). Revenue sharing shall begin only after the institution recoups costs as set forth in this policy.

(4) The remainder of any revenue mentioned in Paragraph 3 shall be used to sponsor further research and research-related activities in the institution. The institution may agree that the Organization may retain a portion of the funds.

(5) In case of cooperative research sponsored in part by an outside corporation or individual, a written contract shall be made between the institution and the cooperating agency. This contract should include a statement of policy substantially equivalent to that outlined below:

“It is agreed by the parties to this contract that all results of experimental work, including inventions, carried on under the direction of the scientific staff of the institution, belong to the institution and to the public and shall be used and controlled so as to produce the greatest benefit to the public. It is understood and agreed that if patentable inventions or copyrightable software grow out of the investigation and such inventions or software have commercial value, the cooperating agency shall receive preferential consideration as a prospective licensee, with a view to compensating said cooperating agency in part for the assistance rendered in the investigation.”

“It is further agreed that the name of the institution shall not be used by the cooperating agency in any advertisement, whether with regard to the cooperative agreement or any other related matter.”

(6) In case of a research project where it is proposed that all costs including overhead, salary of investigator, reasonable rent on the use of equipment, etc., are to be paid by an outside party, the institution shall negotiate with the outside party the appropriate disposition of any resulting patent or copyrightable software rights prior to the provision of any funding by the outside party. “Appropriate disposition” shall include an option to negotiate a license to any resulting intellectual property. The institution shall reserve a royalty-free right to publish all data of fundamental value to science and technology and to use the patent or copyrightable software rights for teaching, research or other educational and academic purposes. (02-17-10)

(7) Changes in the above policies may be made by the institution to conform to the requirements of the United States Government when contracting with the United States Government or a Federal Government Agency.

c. Trademark Policy

Each institution may develop a trademark policy that provides for the protection of the trademarks and service marks of the institution.

d. Institutional Procedures

The institution shall establish procedures that require employment contracts and course catalogs or syllabi to state that the employee or student is subject to this policy and to resolve questions concerning intellectual property rights and any disputes that develop under this policy. Final decisions on disputed matters will be made by the university chief executive officer or designee and shall constitute final agency action. (11-19-98)

8. NAMING OF ACADEMIC UNITS

Schools, Colleges, Institutes, Bureaus, Centers or other academic units shall be named for an individual, individuals or business entity by the Board upon the recommendation of the chief executive officer of the state university and the Board Academic Affairs Committee. No public communication of a proposed name shall be made until the name is presented for consideration to the open meeting of the Academic Affairs Committee. (2-16-89)

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9. ACADEMIC ADVISING

- a. Effective academic advising is central to the educational mission of the Board of Regents. To ensure that all students have access to high quality advising, each state university shall establish an Academic Advising System, which shall provide the following:
- (1) Goal Setting: Each Academic Advising System should help students to set both short-term and long-term educational goals.
 - (2) Information: Each Academic Advising System should be able to accurately inform students of graduation requirements of their department. It should be sensitive to the importance of strategic course selections so as to minimize the number of semesters required for graduation. Additionally, the System should be able to inform students of career opportunities in their field of study.
 - (3) Transitions: Each Academic Advising System should inform students how to change colleges and/or departments. Furthermore, the System should provide information to explain the process students follow to enroll in their curriculum and to drop or add courses during the semester.
 - (4) Accessibility: Each Academic Advising System should have reasonable hours and methods of availability for students. Additionally, students should be able to set up appointments within the System for an adequate amount of time to make curricular selections and career choices.
 - (5) Referral to Campus Resources: Each Academic Advising System should be able to refer students to various campus resources including, but not limited to: university counseling services, student activities, and career and employment services.
- b. Each Academic Advising System shall provide information to students to inform them of their responsibilities in the Academic Advising process.
- c. Each Academic Advising System shall be responsible for the necessary training of academic advisors to assist them in meeting the responsibilities of this policy.
- d. Each Academic Advising System shall have a mechanism to assess academic advising at the department level, relative to this policy, on a yearly basis and shall report the results of said assessment as part of Program Review to the Board of Regents. (5-20-99)

10. TRANSFER AND ARTICULATION POLICY (3-18-04; 6-21-12)

- a. Transfer is recognized as a crucial element within a seamless educational system. The purpose of this policy is to promote seamlessness. A seamless educational system offers the best resources to provide a high quality education for every citizen, and empowers and encourages each citizen to reach maximum potential by engaging in life-long learning. This includes:
- (1) Aligning high school and college expectations and standards to improve access and success;
 - (2) Providing access to higher education;
 - (3) Providing high quality advising and information at every point of the journey to ensure that students understand the preparation required to succeed at the next level;
 - (4) Building connections and strengthening communications within and between the parts of the system; and
 - (5) Providing a smooth transition from one level of learning to the next level, including graduate and professional education.

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- b. To facilitate transfer and articulation across the System, the Board shall provide for a Transfer and Articulation Council with oversight responsibility for implementing the Board's transfer and articulation policy. The Council's mission is to create structures and processes that facilitate student transfer and degree completion within Kansas higher education.
- (1) The Transfer and Articulation Council shall:
 - (a) Charge the Kansas Core Outcomes Groups with developing specific course articulations;
 - (b) Adjudicate disagreement from the Kansas Core Outcomes Groups, and provide final approval on system-wide transfer of specific courses;
 - (c) Assure quality and adherence to the agreed-upon learning outcomes of courses articulated across the institutions; and
 - (d) Review proposed revisions to Board policies and bring forward issues and trends that affect transfer and articulation.
 - (2) In addition, the Transfer and Articulation Council shall:
 - (a) Identify courses acceptable for meeting general education core requirements;
 - (b) Create an effective, faculty-led structure for discipline level course articulations based on learning outcomes;
 - (c) Ensure that appeals processes exist: (1) for individual students at the institutional level; and (2) at the system level to ensure equitable resolution of transfer concerns between institutions;
 - (d) Address barriers to inter-institutional cooperation as they arise;
 - (e) Use learning outcomes to determine course equivalency; and
 - (f) Implement a clear and ongoing transfer structure.
 - (3) The Transfer and Articulation Council shall have a general education/core outcomes subcommittee and a quality control subcommittee.
 - (4) Kansas Core Outcomes Groups – These groups are comprised of faculty within specific disciplines, who shall carry out the work of course transfer articulation in accordance with the *Kansas Transfer and Articulation Procedures*. Each Kansas core outcomes group shall:
 - (a) Receive its charge from the Transfer and Articulation Council;
 - (b) Review specific courses within the discipline to articulate learning outcomes associated with courses and agree upon system-wide transfer of course credit as direct equivalents for transfer; and
 - (c) Report to the Transfer and Articulation Council.
- One Transfer and Articulation Council member shall be appointed by the Council to serve as a non-voting ex officio member liaison to each discipline-specific core outcomes group. The Council liaison's role is to ensure that the mission of the Transfer and Articulation Council is communicated to, and carried out by, each core outcomes group and to ensure excellent communication between the Council and each core outcomes group.
- c. Board staff shall support the Board's transfer initiative by:
- (1) Maintaining an advising portal for dissemination of transfer information;

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- (2) Maintaining a Common Course Matrix for all courses that transfer across the system, and a Course Equivalency Guide for courses that transfer partially (across some, but not necessarily all, institutions); and
 - (3) Collecting and reporting common data on transfer student success and completion as one measure of system effectiveness.
- d. In accordance with K.S.A. 72-4453, the board of trustees of each Kansas community college and the governing board of each Kansas technical school and technical college shall establish transfer and articulation agreements providing for the transferability of substantially equivalent courses of study and programs in order to facilitate the articulation of students to and among those institutions. (1-18-06; 1-17-07)
- (1) The Board of Regents shall be notified of each agreement at the time the agreement is executed.
 - (2) Each agreement shall be effective only after submission to and approval by the Board of Regents. (K.S.A. 72-4453) Preliminary approval shall be given by the Board President and Chief Executive Officer, or designee, upon verification that the agreement is consistent with this policy. Final approval shall require ratification by the Board. (1-18-06)
 - (3) The Board President and Chief Executive Officer shall report to the Board on transfer and articulation agreements annually. Such report shall include a description of the agreements preliminarily approved during the last year and a request for ratification by the Board. (1-18-06)
- e. In accordance with K.S.A. 72-4454, Kansas technical schools, technical colleges, community colleges and public universities shall establish articulation agreements providing for the transferability of substantially equivalent courses of study and programs that are offered at those institutions in order to facilitate articulation of students in technical programs to and among the Kansas technical schools, technical colleges, community colleges and public universities. (1-17-07).
- f. To promote seamlessness, each public postsecondary educational institution shall develop and publicize its transfer policy.
- (1) Each public university shall appoint a point person for transfer and articulation issues and shall clearly identify that individual's contact information on the university web site.
 - (2) An institutional transfer policy shall not conflict with the Board's transfer policy. (1-17-07)
 - (3) An institutional transfer policy shall include an appeal process. (1-17-07)
 - (4) An institutional transfer policy shall treat transfer students the same way academically as non-transfer students. (1-17-07)
 - (5) An institutional transfer policy shall ensure transfer of substantially equivalent courses from any Kansas public postsecondary institution. (1-17-07)
 - (6) An institutional transfer policy shall ensure transfer of general education courses from any HLC accredited Kansas public postsecondary institution subject to condition in sections j. and k. below. (1-17-07)
 - (7) Courses not substantially equivalent to a course offered by the receiving institution may be transferred at the discretion of the receiving institution.
- g. Each Kansas public postsecondary educational institution shall establish its residency requirements, graduation requirements, and any admission requirements to professional or specific programs.
- (1) Admission to an institution shall not equate with admission to a professional school or a specific program.
 - (2) Except as provided in section j., students must complete all graduation requirements of the receiving institution.

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- (3) Students with a completed associate degree who transfer into a professional school or specialty program may need more than two academic years of course work to complete the baccalaureate degree, depending on requirements of the program.
- h. Institutions are strongly encouraged to develop program-to-program articulation agreements. Such agreements may provide additional transfer opportunities over and above the opportunities named in this policy, but may not conflict with this policy.
- i. General requirements for transfer of credits between and among Kansas public postsecondary educational institutions include the following:
- (1) Transfer coursework must be transcribed in credit hours.
 - (2) Students transferring to Kansas public universities with a completed AA or AS degree shall be given junior standing.
- j. Transfer of general education to and among Kansas public universities, including state universities and Washburn University, shall follow the requirements below. (1-17-07)

Although the following distribution of courses does not necessarily correspond to the general education requirements for the bachelor degree at any Kansas public university, it shall be accepted as having satisfied the general education requirements for the bachelor degree of all Kansas public universities.

A minimum of 45 credit hours of general education with distribution in the following fields shall be required. General education hours totaling less than 45 shall be accepted, but transfer students must complete the remainder of this requirement before graduation from the receiving institution, which may require an additional semester(s).

12 hours of Basic Skills courses, including:

6 hours of English Composition

3 hours of Public Speaking or Speech Communication

3 hours of college level Mathematics; college Algebra and/or Statistics will be required of transfer students where the curriculum of the receiving institution requires it

12 hours of Humanities courses from at least three of the following disciplines:

Art*

Theater*

Philosophy

Music*

History**

Literature

Modern Languages (1-17-07)

12 hours of Social and Behavioral Science courses from at least three of the following disciplines:

Sociology

Psychology

Political Science

Economics

Geography

Anthropology

History**

9 hours of Natural and Physical Science courses from at least two disciplines (lecture with lab)

*Performance courses are excluded.

**The receiving institution will determine whether history courses are accepted as humanities or as social sciences.

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- k. The Board of Regents approves specific courses to be accepted in transfer for general education credit at any public postsecondary educational institution in Kansas. These courses may be found on the Board's website.
- l. Each course approved and accepted in transfer for general education credit by the Board is identified by a shared course number that supports a student-first philosophy, and is designed to enhance educational planning and effortless course transfer. A Kansas Regents Shared Number (KRSN) uses a 3-letter prefix and a 4-digit course number to differentiate the KRSN number from individual institution course prefixes and numbers. Each institution retains its own unique course prefix and course number.
- m. Although a transfer general education curriculum has not been established for associate degrees, the transfer curriculum is assumed to be a subset of the curriculum in section j. above.
- n. Public universities may develop program-to-program articulation agreements for the AAS degree.
- o. Completed technical programs (non-degree) and completed AAS degrees shall transfer according to option (1) or (2) below:
 - (1) As a block to articulated programs at community colleges, technical colleges, and to those universities that have program to program articulation agreements.
 - (2) On a course-by-course basis
 - (a) General education courses may be transferred according to sections f.(6), j. and m. above.
 - (b) Substantially equivalent courses may be transferred on a course-by-course basis according to section f.(5) above.
 - (c) Other courses may be transferred as electives according to section f.(7) above.
- p. Students who intend to transfer are responsible for becoming acquainted with the program and degree requirements of the institution to which they expect to transfer.

E. STUDENTS

1. ADMISSION

a. Admission of Undergraduate Students to State Universities

Admission of all undergraduate degree-seeking students to state universities shall be in compliance with the Board's Qualified Admission Regulations, K.A.R. Article 88-29. State universities may set admission requirements for undergraduate non-degree seeking students, as long as those requirements do not conflict with K.A.R. Article 88-29 and section (c) below. (10-18-07)

b. Admission to Undergraduate Special Programs and Graduate Programs

State universities are permitted to restrict admission to undergraduate special programs and graduate programs where conditions warrant, so long as those restrictions do not conflict with K.A.R. Article 88-29. Universities shall notify the Board's President and CEO, or designee, of such restrictions prior to implementation. (10-18-07)

c. Auditing Courses

Any Kansas resident 60 years of age or older upon the presentation of sufficient proof of age shall be permitted to audit courses at state universities on a space available basis with no requirement for payment of tuition and fees required of every student as a condition of enrollment. A person meeting these requirements shall be considered a non-degree seeking student for purposes of K.A.R. 88-29. Special academic fees shall be paid by the student. All determinations as to residency, the age of the applicant and the space available for the auditing of courses by such persons shall be made by the state university involved. (11-22-74; 2-17-78; 10-17-91; 10-18-07)

2. STUDENT FEES AND PAYMENTS

a. Residence Classification for Fee Purposes

At the beginning of each term or semester, the Registrar of each Regents institution shall determine the residence status for fee purposes of each student who enrolls in that institution for that term or semester. If the Registrar determines that the original residency classification of any student was incorrect, the Registrar may, at any time, give written notice of reclassification to such student, together with a statement of any additional fees owed by or any refund due to such student for any terms or semesters, and the same shall be due and payable forthwith. Any residency determination by an agent duly designated by a Registrar to make such determination shall, for all purposes of these regulations, be deemed to be the residency determination of the Registrar.

b. Appeals

A student who is classified as a nonresident for fee purposes upon enrollment and who disagrees with that classification shall be entitled to an appeal, provided a written appeal is filed with the Registrar within thirty days of notification of classification. A student who is classified as a resident for fee purposes at the time of enrollment and who subsequently is reclassified a nonresident for such purposes, and who disagrees with that reclassification, may file a written appeal with the Registrar within thirty days of notification of reclassification. Each Registrar's office shall provide on request a standard appeal form. The payment in full of fees as originally assessed shall be a condition to the right to maintain an appeal from residency classification or reclassification. If a student fails to file an appeal in the time and manner provided in this rule, the classification or reclassification determined by the Registrar shall, upon expiration of the appeal period, become final.

c. Residence Committee

Each Regents institution shall establish a committee of at least three members to act as an appellate body to hear and determine appeals concerning the status of students as residents or nonresidents of Kansas for fee purposes. Members of the Residence Committee shall be appointed by the chief executive officer of the institution consistent with institutional procedures, state law, and the regulations of the Board. Committee members shall serve at the pleasure of the chief

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executive officers. The Residence Committee shall elect its own chairperson who shall be eligible to vote in all cases. The Registrar shall meet with the Residence Committee but shall not be a member of the Committee.

d. Decisions of Residence Committee

(1) Subject to the provisions of K.S.A. 77-601 et seq. decisions of the Residence Committee shall not be subject to further administrative review by any officer or committee of the Regents institution or by the Board. If the Residence Committee determines that the appealing student was entitled to be classified as a resident rather than nonresident for fee purposes, the institution shall refund to the student the difference between the resident and nonresident fees paid that semester.

(2) The Residence Committee may seek advice from the General Counsel of the Board regarding legal questions involving residency. The General Counsel shall distribute any opinions or legal determinations concerning residency to the Registrar of each of the Regents institutions.

e. Guidelines

Pursuant to law, the Board has adopted administrative rules and regulations setting forth guidelines for the determination of residence status. Those guidelines can be found at K.A.R. 88-3-1 through 12 and are contained in Appendix D of this manual.

3. STUDENT RECORDS

- a. All Regents institutions shall protect the privacy of all students by complying with provisions of the "Family Educational Rights and Privacy Act," 20 USCA Sec. 1232g, as amended, and all rules and regulations of the federal Department of Education relating thereto. Institutional policies shall be on file with the Board and any modification of such policy must be submitted to the General Counsel of the Board for review.
- b. Institutional policies shall specifically provide for the means by which any student may inspect and challenge educational records directly related to the student and shall restrict the accessibility and availability of such educational records in accordance with applicable federal law and regulations. In so doing they shall make that information which is subject to disclosure under the Act available only upon written request and in a manner which is most economical and least disruptive to the routine operations of the institution.
- c. Officials of any Regents institution may not withhold the written record of grades earned by any dependent student when such official receives a written request for such grades from a student, the student's parents or legal guardian, except as provided in paragraph (d) of this section.
- d. Institutions are authorized to withhold student records in connection with disciplinary actions or for nonpayment for any fines and/or fees which have been authorized by the Board and are printed in the Comprehensive Fee Schedule, or for other lawful debts arising from a written agreement between the student and the institution.

4. STUDENT HOUSING

- a. Each Regents institution has authority to establish and enforce student housing rules and regulations developed within the framework of Board policies contained in this manual and applicable law. (1-22-65)
- b. Effective at the start of the 2006-07 academic year, each Regents institution shall have in place policies and procedures requiring that all incoming students residing in student housing be vaccinated for meningitis. Such policies shall include appropriate waiver procedures for those who refuse to take the vaccine. (9-15-05)

5. STUDENT LOANS

- a. Institutions are authorized to borrow funds from federal government loan programs to provide funds for loans to students. Any matching fund requirements may be transferred from the General Fees Fund. (12-16-67)

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- b. Institutions offering student loans or facilitating the offering of student loans by third party financial institutions shall, at a minimum, adhere to the Student Loan code of Conduct found in Appendix L of this Policy Manual. (10-18-07)

6. STUDENT ORGANIZATIONS AND ACTIVITIES

- a. The established policy of the Board of Regents of the State of Kansas prohibits discrimination on the basis of age, race, color, religion, sex, marital status, national origin, physical handicap or disability, status as a Vietnam Era Veteran, sexual orientation or other factors which cannot be lawfully considered, within the institutions under its jurisdiction. All fraternal and campus-related organizations shall follow this policy in the selection of their members, except the prohibition against sex discrimination shall not apply to social fraternities or sororities which are excluded from the application of Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.). (6-27-02)
- b. The right of organizations to establish standards for membership is acknowledged, provided that all students are afforded equal opportunity to meet those standards. Just as all students have the right to choose those with whom they would associate on the campus, an organization shall have the right to select its members subject to these principles. Nothing in this policy shall be interpreted as imposing a requirement which would violate the principle of selection on the basis of individual merit.
- c. The responsibility for compliance with this policy lies with each organization. In discharge of this responsibility, each organization shall acknowledge its understanding of this policy. Such acknowledgement shall assure that there exist no restrictions on membership, either local or national, which violate this policy. (9-24-65; 1-21-77)
- d. Determination of Appropriate Student Activities and Fees: The chief executive officer shall be ultimately responsible for reviewing proposed expenditures from fees required of every student as a condition of enrollment and as determining whether such expenditures are in support of an appropriate student activity.

7. STUDENT HEALTH INSURANCE (9-20-07)

- a. Pursuant to K.S.A. 2006 Supp. 75-4101, and amendments thereto, the Board has entered a contract and adopted administrative rules and regulations, K.A.R. 88-30-1 *et seq.*, for the provision of a voluntary student health insurance program.
- b. Each state university shall require any international student holding a F-1 visa and any exchange visitor holding a J-1 visa to show proof of health insurance coverage for each semester or term for which the student is enrolled, whether or not the student is participating in the Board's voluntary student health insurance program. Such proof of insurance shall be required prior to the student beginning classes.
- c. Nothing in this Section shall affect any state university's authority to form its own student health centers and similar health programs.

8. STUDENT ACADEMIC DISHONESTY

The Board of Regents believes that student academic dishonesty is inimical to the fundamental ideals of public higher education. Furthermore, the Board believes that public higher education has a mission to develop the moral reasoning abilities of students and to promote the importance of integrity in all aspects of student life, but particularly in academics. Therefore, it is the policy of the Kansas Board of Regents that student academic dishonesty should not be tolerated on the campuses of the Regents institutions.

Each Regents university shall implement and promote specific policies, procedures, and programs which seek to: (i) identify prohibited academic conduct by students; (ii) educate all students, faculty and administrators with regard to the nature, impact and consequences of student academic dishonesty; (iii) effectively report and seek to reduce such behaviors; (iv) provide for due process for students accused of academic dishonesty; (v) set forth clear sanctions, ranging from reprimand to dismissal from the university, for students who are determined to have committed dishonest acts; and (vi) implement a comprehensive and integrated plan to promote academic integrity among students, faculty and administrators. (6-30-94)

F. Faculty and Staff

1. ADMINISTRATIVE ORGANIZATION

The Board must approve the organization of each institution. Major reorganization of an institution's administrative structure as well as the creation of academic divisions, departments, or colleges, must have the approval of the Board.

2. APPOINTMENTS

a. Chief Executive Officer (4-15-10)

(1) Subject to the policies, rules and regulations of the Board of Regents, the chief executive officer of each state university shall administer the affairs of the university. The Board of Regents will hold the chief executive officer responsible and accountable for all operations of the university and expects that each chief executive officer shall devote his or her undivided attention and energies to management of the university.

(2) The chief executive officer serves at the pleasure of the Board. The selection of the chief executive officer of the state universities shall be made by the Board. The chief executive officer of each state university shall be required to live in the official residence if provided.

(3) The Board shall determine and approve the compensation to be received from any source by each chief executive officer for duties and responsibilities performed as chief executive officer, or reasonably related thereto.

(4) No chief executive officer shall accept an appointment to the Board of Directors of any corporation or organization, which pays for such services, without the advance approval of the Chair of the Board of Regents. The chief executive officer will provide such information about the appointment as requested by or on behalf of the Board.

(5) No later than April 30 of each year, each chief executive officer shall submit a written report to the President and Chief Executive Officer of the Board providing information on all income received by the chief executive officer from any source other than the state university for the immediately preceding calendar year. Such report shall include date, location and description of services rendered and the amount of remuneration received. The report shall also include all funds provided by an affiliated corporation to the chief executive officer for use at his or her discretion. The report shall be maintained in the personnel file of the chief executive officer. (6-28-90)

(6) The Board may pay the actual and necessary travel expenses for a candidate interviewing for the position of chief executive officer of a state university or President and Chief Executive Officer of the Board, as provided by K.S.A. 76-727(a). (K.S.A. 76-727)

(7) The Board may agree to reimburse an applicant for the position of chief executive officer or President and Chief Executive Officer for all or part of the applicant's moving expenses from the applicant's out-of-state residence to the place of residence in Kansas, as provided by K.S.A. 76-727(b). (K.S.A. 76-727)

b. Assessment of Chief Executive Officers

(1) Each year the Board shall evaluate the performance of the chief executive officer of each Regents institution and the President and Chief Executive Officer of the Board. The evaluation is intended to assist the Board in fulfilling its responsibility for the well-being of each institution and the Board office by providing for a regular schedule of meetings between the chief executive officer and the Board for purposes of assessment; improving the depth of understanding of issues germane to the job performance of the chief executive officer; providing additional opportunities for the chief executive officer to express goals for the ensuing year, personal ideas and concerns; and improving management through improved assessment of the chief executive officer.

(2) Assessment of the chief executive officers of the Regents institutions and the Board office will involve at least one meeting per year between an individual chief executive officer and the full Board. The assessment process is intended to:

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- (a) provide the Board with a comprehensive orientation to current and/or ongoing issues including, but not limited to, strategic planning, personnel, relationships with vital constituencies, special initiatives and problematic circumstances, if any;
- (b) reinforce Board understanding of the challenges and opportunities facing the chief executive officers and the role of the Board in helping to cultivate a climate which enables the chief executive officer to achieve distinction for his/her campus or the Board office;
- (c) focus on the chief executive officer's management skills with a deliberate evaluation and critique emphasizing strengths and weaknesses of leadership using a series of criteria capturing the principal areas of responsibility and expectation; and
- (d) provide the chief executive officer with a precise statement of its expectation and define specific goals and objectives the Board wants the chief executive officer to pursue;

(3) Meetings of the Board with the individual chief executive officers for purposes of the evaluation shall be conducted in executive session.

(4) In the event the Chair determines, after consultation with the President and Chief Executive Officer, that there is a matter involving chief executive officer assessment which cannot wait until the next regularly scheduled Board meeting, the Chair shall notify each member of the Board. If at least two other members agree to attend, a special meeting may be called by the Chair for the purpose of inquiring into the chief executive officer assessment matter. Each member of the Board shall be informed of the scheduled special meeting and provided the opportunity to attend. No action may be taken at a special meeting called pursuant to the provisions of this paragraph unless five or more members are present and at least five members agree to take action. Members attending the special meeting shall report to the Board at the earliest opportunity. If the matter involves the assessment of the President and CEO, the Chair may utilize the provisions of this paragraph without consulting with the President and CEO. (12-17-82; 12-21-84; 11-19-92; 6-27-96)

c. Faculty and Staff

(1) Appointments to both unclassified and classified positions are approved by the chief executive officer or the chief executive officer's designee.

(2) Provosts, Vice Presidents, or Vice Chancellors, and Deans shall serve at the pleasure of the chief executive officer. Other university administrative staff positions may be designated as positions that serve at the pleasure of the chief executive officer: provided, however, that such designation is stated in the administrator's written annual notice of appointment. Appointments of Provosts, Vice Presidents and Vice Chancellors shall be reported to the Board prior to announcement. (5-16-96; 4-17-97)

(3) The following employees of a Regents institution shall be unclassified: the Chancellor or President, Deans, all administrative officers, student health service physicians, all teaching and research personnel, health care employees and student employees. These categories shall not encompass any custodial, clerical, or maintenance employees, or any employees performing duties in connection with the business operations of the institution, except administrative officers and directors.

(a) Health care employees means employees of the University of Kansas Medical Center who provide health care services at the Medical Center and who are medical technicians or technologists or respiratory therapists or who are licensed professional nurses or licensed practical nurses or who are in job classes which are designated for this purpose by the chancellor as authorized by law; health care employees also includes employees of any Regents institution who are medical technologists.

(b) The University of Kansas Medical Center shall develop and maintain personnel policies and procedures for said health care employees. Such policies and procedures shall become policies of the Board upon their acceptance and approval by the President and Chief Executive Officer. (6-28-90; 3-14-96)

d. Employment of Relatives/Conflict of Interest

Persons may be appointed to classified or unclassified positions without regard to family relationship to or living arrangements with other members of faculty or staff. If a person is in a position which requires an evaluation or a personnel decision such as those concerning appointment, retention, promotion, discipline, tenure or salary of a family member or a member of such person's household, such condition shall be deemed a conflict of interest and that person shall not participate in such a decision, and that person shall not participate in any group or body which is considering any such decision. (11-20-81; 10-17-91)

e. Recruiting

(1) Within Regents Institutions: Faculty and administrators are eligible to transfer between Regents institutions. As a matter of courtesy, the appropriate vice president of the current employing institution shall be contacted prior to any formal interview with the applicant by the recruiting institution. (6-17-76)

(2) From Out-of-State:

(a) The chief executive officer of any Regents institution may extend an invitation to any person to make a visit to the State of Kansas for the purpose of consultation preliminary to his or her possible selection as a member of the unclassified staff at such institution, and in such case, such institution may pay the actual and necessary travel and subsistence expenses of such invitee visiting the State of Kansas. Such travel and subsistence expenses shall be paid from funds available or appropriated for travel and subsistence. (11-16-89)

(b) The provisions of K.S.A. 75-3218, 75-3219 and 75-3220 shall not apply to Regents institutions or the Board except that the provisions of K.S.A. 75-3218 and the provisions of K.S.A. 75-3220 supplemental thereto shall apply to employees of the Board office other than the President and Chief Executive Officer.

(c) The chief executive officer of any Regents institution, or any person or persons designated by him for the purpose, may travel to any place or places in the United States for the purpose of interviewing persons as prospective members of the faculty of such institution, and in such case, such institution shall pay the transportation and subsistence expenses of persons making such trips. Such travel and subsistence shall be paid at the same rates and subject to the same limitations as now provided for state employees for out-of-state travel. Such travel and subsistence shall be paid from funds available or appropriated for travel and subsistence. (11-16-89)

f. Criminal Background Checks (5-14-08)

(1) In addition to verifications required by law and except as otherwise provided in this policy or under the approved implementation plan of a state university, each state university shall provide for the performance of a criminal background check on each person hired for a state university position, other than temporary or limited term employees to be employed for six months or less and student hourly employees. Criminal background checks shall be conducted either prior to the extension of an offer for employment, or as part of an offer of employment that is made contingent upon a successful criminal background check.

(2) For purposes of this policy, a criminal background check shall include:

(a) Criminal history record searches for felony and misdemeanor convictions at the county and federal levels in every jurisdiction where the candidate currently resides or has resided. Such searches should cover a minimum of the last seven years.

(b) Sex offender registry searches at the county and federal levels in every jurisdiction where the candidate currently resides or has resided.

(c) Other verifications as required by law for specified positions.

(3) Each state university shall develop a plan for implementing this policy and submit it to the Board for approval. Each university's plan shall address the following:

(a) Optional Positions Covered. Unless otherwise required by law to perform a background check for specified positions, state universities have the option to perform background checks on position categories in addition to those stated above, such as (i) temporary or limited term employees (six months or less); (ii) positions to be filled by a vendor or contractor; (iii) hourly student employees; (iv) interns; and (v) unpaid volunteers, and may perform more extensive checks than those required above. In making this determination, state universities shall consider the level of direct supervision and guidance provided to individuals in these categories and the nature of the duties of the job.

(b) Procedures for Implementation. Each state university shall establish procedures for (i) obtaining a release from the prospective employee allowing the university to access their criminal history record information, as authorized by K.S.A. 22-4710; (ii) determining the relevance of information obtained through a background check to the prospective employee's trustworthiness or the safety or well-being of the university's students and other employees, as required by K.S.A. 22-4710; (iii) how records gathered and documents prepared in furtherance of a criminal background check will be maintained confidentially and securely and identification of university officials who will serve as custodian of criminal background check record files; and (iv) compliance with the Fair Credit Reporting Act.

(4) Each state university shall submit its plan to the Board for approval no later than September 1, 2008, with implementation to occur as of that date.

3. SPOKEN ENGLISH LANGUAGE COMPETENCY OF FACULTY AND GRADUATE TEACHING ASSISTANTS (11-20-08)

a. Faculty

All prospective faculty members 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. Faculty shall include all full-time or part-time personnel having classroom or laboratory instructional responsibilities and/or direct tutorial or advisement contact, other than for courses or sessions conducted primarily in a foreign language. An oral interview shall be conducted either face-to-face or by mediated means. To be eligible for an appointment without spoken English language remediation conditions, prospective faculty found to be potentially deficient in speaking ability shall be required to achieve a minimum score of 50 on the Test of Spoken English (TSE) or the Speaking Proficiency English Assessment Kit (SPEAK), or equivalent, or a minimum score, set by Board staff in consultation with the Council of Chief Academic Officers and with the approval of the Board Academic Affairs Standing Committee, on the Speaking section of the Test of English as a Foreign Language internet Based Test (TOEFL iBT). A report detailing the process for interviewing prospective faculty, including the composition of the interview team and scores from the TSE or SPEAK for each candidate, will be submitted to the President/CEO of the Board every other year. (2-16-06)

b. Graduate Teaching Assistants

All prospective graduate teaching assistants of the state universities shall have their English competency assessed prior to being considered for any employment having classroom or laboratory instructional responsibility and/or direct tutorial responsibilities. The following shall be used to implement this policy:

(1) All prospective graduate teaching assistants, whose first language is not English, must be interviewed and have their competency in spoken English assessed by no fewer than three institutional personnel, one of whom shall be a student. An oral interview shall be conducted either face-to-face or by mediated means.

(2) To be eligible for an appointment without spoken English language remediation conditions, all prospective graduate teaching assistants, whose first language is not English, shall be required to achieve a minimum score of 50 on the Test of Spoken English (TSE) or the Speaking Proficiency English Assessment Kit (SPEAK), or equivalent, or a minimum score, set by Board staff in consultation with the Council of Chief Academic Officers and with the approval of the Board Academic Affairs Standing Committee, on the Speaking section of the Test of English as a Foreign Language internet Based Test (TOEFL iBT). (2-22-06)

(3) All prospective graduate teaching assistants who do not meet the above requirements shall not be assigned teaching

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responsibilities nor other tasks requiring direct instructional contact with students.

(4) An exception will be made for courses taught in sign language.

(5) A report detailing the process for interviewing graduate teaching assistants, whose first language is not English, including the composition of the interview team and scores from the TSE or SPEAK for each candidate, will be submitted to the President/CEO of the Board every other year.

c. General

State universities shall develop implementing policies and procedures for the administration of this policy and shall report to the Board as to the effectiveness of such policy; and may adopt standards that exceed or are additional to those contained herein. (6-28-85; 2-18-88; 6-27-91; 6-28-95; 9-21-95; 6-27-96; 1-20-05)

4. PROFESSORSHIPS

a. Regents Distinguished Professorships

Since Fiscal Year 1964 the Kansas Legislature has appropriated funds to the Kansas Board of Regents for the employment of outstanding professors as Regents Distinguished Professors. The purpose of the program is to attract to Kansas established scholars whose research projects augment the state's economic and industrial development. The following are the guidelines of the Board of Regents with reference to the selection and designation of Regents Distinguished Professors:

(1) The Chair of the Kansas Board of Regents shall appoint a Subcommittee composed of three Board members which shall be responsible for making recommendations to the Board in all matters pertaining to the funding, appointment, evaluation and continuance of Regents Distinguished Professors.

(2) Nominations for the appointment of a Regents Distinguished Professor shall be preceded by the submission of a proposal by the chief executive officer of the host institution detailing:

- (a) the area of academic specialization for the position
- (b) the mode of financing the position;
- (c) the institutional facilities and resources available to the incumbent of the position;
- (d) the institutional facilities and resources needed for the position;
- (e) the relationship of the position to the strengths and mission of the institution;
- (f) a description of how the position avoids the duplication of Regents Distinguished Professorships at other Regents institutions or, if the position duplicates such Professorships, how the position will be integrated with the position(s) and research activities at collaborating Regents institutions;
- (g) the contribution of the position to the economic development of Kansas;
- (h) the academic department or other unit to which the position will be assigned.

Final Board approval of the proposal shall be contingent upon convincing arguments and evidence on points a(2)(a-h) provided by the proposing institution.

(3) Nominations for the appointment of a Regents Distinguished Professor may be made by the Chancellor and the Presidents. An institution may submit a nominee for appointment to a Regents Distinguished Professorship once the position has been approved by the Board. The following precepts shall guide the Board in its appointment of Regents Distinguished Professors.

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- (a) The Regents Distinguished Professor shall be a recognized leader in his or her field.
 - (b) In the selection of Regents Distinguished Professors, emphasis should be placed on the capabilities that will enhance the economic and industrial development of the State. Regents Distinguished Professors should inform public policy and enhance the attractiveness of the State through their professional, social and cultural contributions.
 - (c) The nomination dossier shall be circulated to each Board member and to the President and Chief Executive Officer of the Board.
 - (d) No nominee shall be appointed or submitted to the Board for approval until he or she shall have been personally interviewed by at least two members of the Board Subcommittee on Regents Distinguished Professors.
 - (e) The recommendation for the appointment of a nominee to a Regents Distinguished Professorship shall be made to the entire Board by the Subcommittee on Regents Distinguished Professors.
- (4) The Regents Distinguished Professor designation is appended to a regular faculty line within the institution. The vacant position and the Regents Distinguished Professor allocation shall determine the salary of the Regents Distinguished Professor. Allocation of funds for Regents Distinguished Professors shall be limited to an amount appropriated by the Legislature for each professorship recommended by the Board Subcommittee on Regents Distinguished Professors and authorized by the Board of Regents.
- (5) Tenure for a Regents Distinguished Professor is determined in the same manner as tenure for regular faculty and confers the same privileges. Tenure, if granted, is in the university and the designation of Regents Distinguished Professor is a temporary supplement to the normal academic rank. Board designation as Regents Distinguished Professor and the stipend appended to it are subject to review and reaffirmation by the Board of Regents under the terms of this policy. (4-16-98)
- (6) The Board Subcommittee on Regents Distinguished Professors will undertake a comprehensive performance evaluation in October of the fourth year of the Regents Distinguished Professor's designation and every succeeding fourth year of the designation. The chief executive officer shall forward to the Board's Subcommittee an interim progress report on October 1 two years prior to every scheduled comprehensive review. The Subcommittee may request annual reports on Regents Distinguished Professors if, in its judgment, performance warrants more frequent review. The following are the guidelines for the evaluation and continuation of Regents Distinguished Professors: (4-16-98)
- (a) The chief executive officer shall submit, as specified above, a report to the Board Subcommittee on Regents Distinguished Professors including: (i) a summary evaluative statement by the chief executive officer addressing past performance and expectations for the future; (ii) a listing of the professor's activities for the review period as well as those planned for the next period; (iii) evidence of contributions to the state's economic development, including sponsorship of research activity; and (iv) a fiscal report including salary data, how the stipend was utilized, either as salary or OOE money, and, in the case of the latter, how the money was spent. Except for interim progress reports, commentary on the professor's academic work shall be provided by peer evaluators who are (i) chosen by the institution, (ii) educators in the professor's field and (iii) not connected with the Kansas Regents system. (4-16-98)
 - (b) The report during the year of the Subcommittee's comprehensive evaluation shall include commentary on the professor's academic work and contributions to the state's economic development. Commentary on the professor's contributions to the state's economic development shall be provided by persons who are credible observers of the economic outcomes of the professor's work.
 - (c) The professor will be allowed to submit any information to the Subcommittee for consideration not included in the reports submitted by the chief executive officer.
 - (d) In its comprehensive evaluation, the Board Subcommittee shall review the available reports, evaluations and any other materials submitted by the professor. The evaluation shall include a review of the professor's professional activities and evidence of contributions to Kansas economic development. Evidence of effective performance shall include, but not be limited to, public or private sponsorship of research activity.

(e) The Subcommittee shall recommend continuance or discontinuance of the Regents Distinguished Professor designation and stipend to the Board of Regents at the December Board meeting. If continuation is not approved by the Board, the designation and stipend will be withdrawn effective December 31 of the following calendar year.

(7) The Regents Distinguished Professor designation is limited to full-time positions. In the event an individual holding a Regents Distinguished Professor designation changes to a less than a full-time position, the designation and the associated stipend end. (4-16-98)

(8) When an appointment to a Regents Distinguished Professorship and its related stipend are terminated through action of the Board, the institution or the professor, the institution should initiate a proposal to the Board of Regents justifying the continuation or change in the area of academic specialization for the Regents Distinguished Professor's position. (5-22-58; 2-16-61; 9-27-63; 12-19-66; 6-26-87; 10-15-87; 10-20-88; 6-25-92; 1-21-93; 4-16-98)

b. Regents Distinguished Research Scholar (1-19-12)

Each state university, subject to Board approval, may appoint up to three (3) Regents Distinguished Research Scholars, to be supported out of university resources. The purpose of this designation is to: (a) help attract established scholars whose research will contribute to Kansas' intellectual, cultural, economic and/or industrial development; and (b) honor university faculty whose work likewise makes a significant contribution to the intellectual, cultural, economic and/or industrial development of the State of Kansas.

(1) The Chair of the Kansas Board of Regents shall appoint a Subcommittee composed of at least three Board members which shall be responsible for making recommendations to the Board in all matters pertaining to the appointment, evaluation and continuance of Regents Distinguished Research Scholars.

(2) Universities may nominate an individual at any time by providing a letter of nomination describing: (1) the candidate's area of expertise; (2) the mode of financing the position; (3) the academic unit to which the individual will be assigned; and (4) the contributions the individual's work makes to the intellectual, cultural, economic and/or industrial development of Kansas.

(3) Nominations for appointment of the Regents Distinguished Research Scholar may be made by the Chancellor and the Presidents.

(4) The designation shall be granted by the Board for a period of five years. Consideration of renewal of the title for a second five-year period shall be acted on by the Board upon recommendation of the President or Chancellor, and the Board Academic Affairs Standing Committee. After a period of ten years, the Regents Distinguished Research Scholar designation shall be renewed at the discretion of the President or Chancellor of the institution.

(5) Each state university shall report on any change in status of any Regent Distinguished Research Scholar to KBOR Staff as soon as possible.

(6) The Kansas Board of Regents staff shall monitor the status of all Regents Distinguished Research Scholars approved at state universities and report to the Board as requested.

c. The Kansas Partnership for Faculty of Distinction Program

The Kansas Partnership for Faculty of Distinction Program is established to encourage major gifts by private donors to enhance the ability of eligible educational institutions to attract and retain faculty of distinction. The Board of Regents will administer the program in accordance with statutes and in a manner that optimizes the benefits to the institutions from private monies committed to this program. The state will contribute income earnings equivalent awards, as defined in statutes, to supplement endowed professorships or faculty positions at eligible educational institutions for which qualifying endowment associations have received gifts. The President and Chief Executive Officer will establish procedures to manage the program in accordance with this policy and statutory provisions. (Appendix I) (9-21-00)

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5. EMERITUS/EMERITA STATUS (9-17-09)

Emeritus/Emerita status is an honorary title awarded to a retiring faculty member or administrator for extended meritorious service.

a. Chief Executive Officers

The Board of Regents may confer by resolution the title of Chancellor Emeritus/Emerita or President Emeritus/Emerita upon a former Chancellor or former President of one of the state universities. Factors to consider when awarding emeritus/emerita status include distinguished administrative service that advances the strength, growth and integrity of the university, and outstanding contributions to the higher education system, the community and the State, as well as the length of administrative service to the university. There is no salary or emolument attached to the status.

b. Faculty and Other Administrative Officers

Each Regents institution will establish its own criteria for awarding such status to university faculty and other administrators. Emeritus/Emerita status requires approval by the chief executive officer of the employing institution. There is no salary or emolument attached to the status other than such privileges as the institution may wish to extend. (10-18-74; 3-20-87; 2-18-88)

6. PROMOTIONS IN ACADEMIC RANK

Lists of academic promotions shall be approved by the chief executive officer of each institution in accordance with the following Board policy:

- a. Academic rank shall be based solely on merit, salary scales shall be commensurate with rank, and salary differences within various scales established shall also be on basis of merit.
- b. The rank of professor shall be awarded only to those persons who are proven masters of their field, are outstanding in that field, and whose general attributes of culture are recognized by their fellows, with such determination to be made by administrations and faculties in traditional manner.
- c. In some instances the head of a department or division may hold rank less than professor.
- d. Decisions of the chief executive officer shall be final and are not subject to further administrative review by any officer or committee of the institution or by the Board of Regents. (9-19-64; 11-20-69)

7. ANNUAL AND MULTIPLE YEAR APPOINTMENTS

- a. Except as provided in this section, all appointments of unclassified non-tenure track and non-tenured personnel shall be annual. Every appointment of more than one year shall be subject, on an annual basis, to appropriations being provided by the Kansas Legislature. (1-19-06)
- b. University of Kansas Medical Center Clinical Scholar Track:
The University of Kansas Medical Center may employ and appoint personnel with clinical responsibilities to full-time, non-tenure track positions as determined to be in the best interest of the Medical Center by the Chancellor. A component of the clinical appointment may include teaching. Contracts shall be renewable and the lengths shall be: Instructor, one year; Assistant Professor, one to three years; Associate Professor and Professor, three years. Contracts for Associate Professors and Professors may be rolling contracts that, unless otherwise specified, annually will roll over to create a new three-year term. The University may terminate a rolling contract by giving notice, prior to June 30th of any year, that the contract will terminate at the end of the then current contract term. Salary will be determined each year by the availability of funds and by merit, which includes, but is not limited to, productivity. Contracts may be terminated by mutual agreement of the faculty member and the University. Prior to the expiration of the appointment, and except as provided above with respect to rolling appointment, the University may only terminate the contract for cause or financial exigency. Faculty members may apply for a one-time, one-way transfer between appointment categories (tenure track, non-tenure track). Upon mutual agreement, transfers to the non-tenure track can be made prior to but no later than the end of the fifth

year of employment. Time and title in the non-tenure track does not count toward the probationary period to obtain tenure. Once a transfer has occurred, the guidelines for tenure apply. Any such appointments must be made in specific compliance with parameters approved by the Kansas Board of Regents. This subsection applies only to full-time faculty at the University of Kansas Medical Center. (12-14-95; 3-18-99; 10-15-03; 1-19-06)

- c. **Kansas State University Clinical Track Faculty:**
Kansas State University may appoint clinical faculty to full-time or part-time, non-tenure track positions as determined by the President to be in the best interest of the University. The primary responsibility for persons on these appointments will be teaching and clinical service. A component of the clinical appointment may include opportunity for scholarly achievement.

Contracts shall be renewable and the titles and lengths shall be: clinical assistant professor, one year; clinical associate professor, three years; and clinical professor, five years. Salary will be determined each year by availability of funds and by merit, which includes, but is not limited to, productivity. The University may terminate the contract prior to the expiration of the appointment, only for cause or financial exigency. Notice of non-renewal of the three-year contract and the five-year contract must be given at least 12 months before the expiration of the contract. Faculty members may apply for a one-time, one-way transfer between appointment categories (tenure track, non-tenure track). Once a transfer from non-tenure track to tenure track has occurred, the guidelines for earning tenure apply. Time and title in the non-tenure track does not count toward the probationary period to obtain tenure. Any such appointments must be made in specific compliance with parameters approved by the Kansas Board of Regents. (1-19-06; 1-19-12)

8. TENURE POLICY

- a. After the expiration of a probationary period, teachers or instructors should have permanent or continuous tenure, and their services should be terminated only for adequate cause, except in the case of program or unit discontinuance or under extraordinary circumstances because of financial exigency. (2-19-97)

- b. In the interpretation of the principles contained in Section a. of this policy, the following is applicable:

- (1) The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

- (2) Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years; except when the interests of both parties may best be served by mutual agreement at the time of initial employment, institutions may agree to allow for more than four years of probationary service at the employing institution provided the probationary period at that institution does not exceed seven years. Notices should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.

- (3) If an untenured faculty member becomes a parent through birth, adoptive placement, or adoption of a child under the age of 5 prior to May 1st of the fifth year of the probationary period, that faculty member, upon notification to the institution's chief academic officer, shall be granted a one-year delay of the tenure review. Notification must occur within 90 days of the birth, adoptive placement, or adoption. Faculty members retain the right to opt out of this interruption policy. (3-20-06)

- (4) Under unexpected special and extenuating circumstances, prior to the sixth year of service, and at the request of the faculty member and the appropriate dean, the Chief Academic Officer of the university may grant an extension of the tenure clock for a maximum of one year. (9-18-97)

- (5) No more than two extensions of the tenure clock may be granted to a faculty member for any reason. Nothing in this provision shall be construed to guarantee reappointment of an untenured faculty member. (3-20-06)

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- c. Within this general policy, each Regents institution may make such operating regulations as it deems necessary, subject to the approval of the Board.
- d. Any tenure approved by the institution shall be limited to tenure for the recommended individual at the institution consistent with the tenure policies of that institution. (Effective 11/14/2002)
- e. In exceptional cases, the chief executive officer at a Regents institution may hire a faculty member with tenure without their having completed a probationary period. (6-24-99)
- f. Decisions of the chief executive officer shall be final and are not subject to further administrative review by any officer or committee of the institution or by the Board of Regents. (4-18-47; 2-15-80; 5-15-81; 4-16-82; 1-20-84; 2-16-89; 6-29-95)

9. FINANCIAL EXIGENCY

a. Definition

Financial exigency is the formal recognition by a Regents institution that known reductions in budget or authorized number of positions have required the elimination of nontenured positions and operating expenditures to such a point that further reductions in these categories would seriously distort the academic programs of the institution; hence, further budget or position reductions would require the nonreappointment of tenured members of the faculty or the failure to meet the standards of notice for nonreappointment of faculty. It is not a requirement of financial exigency that all nontenured positions throughout the University be first eliminated.

b. Procedure

(1) It shall be the responsibility of the chief executive officer of each Regents institution, in consultation with appropriate campus groups, to develop a plan for reductions in personnel as necessitated by conditions of financial exigency.

(2) In the event that financial conditions at a Regents institution may warrant the declaration of financial exigency, the chief executive officer shall notify the Board of that fact and shall provide a complete statement of the circumstances that may warrant the declaration of financial exigency. The statement shall also include a review of all reasonable alternatives to financial exigency. If the Board and the chief executive officer concur as to the existence of a financial exigency, it shall be the responsibility of the chief executive officer to so declare.

(3) It shall be the responsibility of the chief executive officer to review the financially exigent condition with the Board at such times and with such frequency as the Board may specify. (9-21-79; 5-20-83)

10. SUSPENSIONS, TERMINATIONS AND DISMISSALS

a. Felony Conviction

The Board has the authority to discharge any employee immediately upon final conviction of any felony. (12-16-61)

b. Other

Faculty and staff may also be suspended, dismissed or terminated from employment for reasons of program discontinuance, financial exigency, or for just cause related to the performance of or failure to perform the individual's duties or for violation of the reasonable directives, rules and regulations, and laws of the institution, the Board and the State of Kansas or the United States.

c. Grievance Procedure

Each Regents institution shall establish and publish grievance procedures for use by faculty and staff in appealing employment decisions of the institution. The procedures shall provide the employee with notice of the action to be taken,

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the reasons for the action where appropriate, and an opportunity to be heard. A copy of all institutional grievance procedures shall be provided to the General Counsel of the Board for approval prior to becoming effective.

11. STANDARDS FOR NON-REAPPOINTMENT

- a. Notice of non-reappointment should be given in writing in accordance with the following standards; such standards shall not be applicable to any administrative assignments.
 - (1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
 - (2) Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
 - (3) At least twelve months before the expiration of an appointment after two or more years in the institution.
- b. These statements shall apply even during periods of declared financial exigency, unless impossible, in which case notice shall be provided as early as feasible. (3-21-68; 9-21-79; 4-16-82)

12. EVALUATION OF FACULTY (10-18-07)

It is the policy of the Kansas Board of Regents that merit increases for faculty shall be based on the annual evaluation of their performance as it relates to the mission of the institution, college/school and department. The Board of Regents holds the presidents and Chancellor accountable for the development and implementation of evaluation systems in accordance with the following guidelines:

- a. Faculty evaluation criteria, procedures and instruments shall be developed through faculty participation in each department, college or division and recorded to express the performance expectations of faculty therein. Criteria, procedures and instruments shall be:
 - (1) Sufficiently flexible to meet the objectives of the unit.
 - (2) Sensitive to multi-year faculty activities and outcomes.
 - (3) Approved by the chief academic officer of each university.
 - (4) Compatible with contemporary research and scholarly literature on faculty evaluation. For example, assessment of research, where research is part of the job assignment, should ordinarily include but not be limited to information on the quality of the research, the amount of research, the media in which findings were disseminated, and the reception and importance of the research. Similarly, the assessment of teaching, where teaching is part of the job assignment, should ordinarily include but not be limited to student ratings secured anonymously under standard conditions on norm-referenced instruments that adjust for initial student motivation, assessment of syllabi, and assessment of instructional materials.
- b. Each state university shall make available to faculty a ratings instrument for securing student ratings of instruction in all appropriate courses. The instrument must be norm-referenced and corrected for major sources of bias as demonstrated by research.
- c. The evaluation of faculty performance and expectations for the future shall be discussed with them. Documentation recording the sense of the discussion shall be provided to the faculty member.
 - (1) The faculty member shall be given the opportunity to add comments to the documentation as part of the official record before it is considered at the next higher administrative level.
 - (2) Each state university shall establish a procedure by which faculty who disagree with their evaluation may request a review.

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- d. Each state university shall implement a plan to supplement its annual faculty evaluation system. Each plan should include procedures and strategies for the following:
 - (1) Training of departmental chairpersons in the administration of faculty evaluation.
 - (2) Linkage of the outcomes of faculty evaluation with assistance for renewal and development and, when necessary, reassignment and other personnel actions.
 - (3) Training and supervision of graduate teaching assistants.

13. LEAVES

Persons appointed to student, unclassified positions do not accrue any of the leaves delineated below. (1-20-00)

a. Sabbatical Leave

- (1) Sabbatical leaves shall be approved by the chief executive officer of each institution in accordance with Board policy.
- (2) Sabbatical Leave may be granted subject to the following conditions:
 - (a) In strictly meritorious cases, a full-time faculty member on regular appointment at any of the Regents institutions of higher education who has served continuously for a period of six years or longer at one or more of these institutions, may, at the convenience of the institution and upon the approval of the president or chancellor of the institution with which connected, be granted not to exceed one such leave of absence for each period of regular employment for the purpose of pursuing advanced study, conducting research studies, or securing appropriate industrial or professional experience; such leave shall not be granted for a period of less than one semester nor for a period of more than one year, with reimbursement being made according to the following schedule:
 - (i) for nine-months faculty members, up to half pay for an academic year, or up to full pay for one semester.
 - (ii) for twelve-months faculty members, up to half pay for eleven months, or up to full pay for five months.
 - (b) Provided: Regular salary is defined as the salary being paid at the time the sabbatical leave begins. Outside grant funds received by the University in support of the individual's scholarly efforts during his/her sabbatical leave may be used for supplemental salary, but total sabbatical leave salary in these instances may not exceed his/her regular salary. Provided further, That the number of faculty members to whom leave of absence with sabbatical pay is granted in any fiscal year shall not exceed four percent of the number of equivalent full-time faculty with rank of instructor or higher, or equivalent rank for the institution concerned for the fiscal year for which the leave of absence is granted; And provided further, That no faculty member will be granted leave of absence with sabbatical pay who does not agree to return to the service of the state institution granting the sabbatical leave for a period of at least one year immediately following the expiration of the period of leave. Persons failing to return to the institution granting sabbatical leave shall refund all sabbatical pay. Those who fail to remain for the full year of school service (9 to 12 months depending on annual term of employment) shall refund that portion of their sabbatical pay as represented by the portion of time they fail to serve. (12-16-61; 4-17-69; 6-25-71; 11-17-78; 1-18-85; 10-15-87; 2-18-88; 6-23-88; 11-17-93; 6-24-00)

b. Leave Without Pay

- (1) A leave without pay for up to three years may be granted by the chief executive officer of the employing institution when such is judged by the chief executive officer to be in the best interest of the institution. No leave may be granted to any employee who has accepted a permanent position with another postsecondary education institution.

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(2) Any extension of a leave without pay beyond three years requires the approval of the Board. The chief executive officer of the employing institution shall provide documentation of extraordinary circumstances justifying the extension of such leave beyond three years.

(3) Leaves without pay will not be regarded as a break in service; however, such leave will not count toward the earning of sabbatical leave nor will other than a scholarly leave count toward the tenure probationary period. Scholarly leave will count toward the tenure probationary period unless the employee and the institution agree in writing to the contrary at the time the leave is granted.

(4) During a leave of absence without pay, an employee's eligibility for health insurance shall be determined by and be in accord with the policies, rules and regulations of the State Employees Health Insurance Commission. (5-28-71; 1-18-85; 9-20-85; 10-15-87; 6-28-90; 1-17-91; 11-17-94)

c. Leave With Pay

In order to fulfill jury duty, national guard duty, or other appropriate civic obligations, employees may be granted leave with pay pursuant to institutional policy.

d. Sick Leave for Unclassified Employees

(1) Unclassified employees shall accumulate sick leave at the rate of 3.7 hours per biweekly pay period with no limit on the number of hours which can be accumulated. Sick leave for unclassified employees on less than full-time appointments shall be reduced proportionately. Sick leave accumulations for persons on sabbatical leave shall be proportionate to the pay status during that leave. No sick leave shall be awarded for periods when unclassified employees are on leave without pay. (5-21-98)

(2) Sick leave with pay may be granted only for the necessary absence from duty because of the personal illness, disability or legal quarantine of the employee; or the personal illness or disability of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. "Personal illness or disability" shall be defined to include pregnancy, termination of pregnancy, adoption, childbirth and the recovery there from. "Employee's family" shall include persons related to the employee by blood, marriage or adoption and minors residing in the employee's residence as a result of court proceedings pursuant to the Kansas code for care of children or the Kansas juvenile offenders code. (6-23-88; 5-21-98)

(3) If upon retirement an unclassified employee has accrued 800 or more hours of sick leave, the employee shall be compensated for accumulated sick leave in accordance with the provisions of K.S.A. 75-5517 as amended. (5-21-98)

(4) If a separated unclassified employee returns within a year to an eligible position, the sick leave balance that the employee had upon termination is reinstated. Such reinstatement does not apply to an unclassified employee who retires and returns to the Board of Regents service after retirement. (1-20-00)

(5) Each Regents institution shall adopt appropriate procedures for administering this policy. (5-15-75; 10-17-75; 6-29-84; 4-19-85; 5-17-85)

e. Holiday Observations (9-18-81; 4-17-87; 3-13-08)

(1) State universities shall observe the holidays listed below for all unclassified and classified personnel. For purposes of this section F.13(e), the term classified personnel shall include University Support Staff (USS).

New Year's Day
Martin Luther King, Jr. Day
Memorial Day
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day

Christmas Day

(2) Unclassified and classified personnel shall be entitled to such other special holidays as may be declared by the Governor. Classified employees and unclassified non-exempt employees required to work on such holidays shall be afforded compensatory time or compensation at the rate of one and one-half time for each hour worked. Unclassified exempt staff who accrue annual leave and who are required to work on any listed or special holiday shall be afforded equivalent time off at a later date.

(3) Unclassified and classified personnel within the state university system who accrue annual leave shall be entitled to one additional holiday per year to be taken at their discretion, subject to the advance approval of the individual's administrative supervisor.

f. Annual Leave for Unclassified Employees

(1) Persons appointed to unclassified faculty positions of less than 12 months do not accumulate or earn annual leave. Their academic duties are closely related to the presence of students on campus. Student recesses offer persons appointed to positions that do not earn annual leave an opportunity to engage in research and perform other necessary professional duties. In consideration of the professional nature of a faculty position, faculty are expected to fulfill appropriate, professional and departmental responsibility throughout the academic year, including student recesses, exclusive of legal holidays. The academic year begins with student registration or similar duties in the Fall and continues for nine months. (5-21-98; 9-21-06)

(2) Persons appointed to full-time 12 month unclassified positions or to full-time, less than 12-month unclassified non-instructional positions shall earn paid annual leave not to exceed 176 hours per fiscal year. Persons appointed to less than full-time 12-month unclassified positions and persons appointed to less than full-time, less than 12-month unclassified non-instructional positions shall earn annual leave on a pro-rated basis. (1-14-88; 12-20-90; 6-27-96; 5-21-98; 9-21-06)

(3) Persons appointed to unclassified positions that are eligible to earn annual leave may accumulate a maximum of 304 hours of annual leave; provided, however, that an employee may receive, upon termination from employment or upon moving from a position earning annual leave to a faculty position for less than twelve months, payment for no more than 176 hours of annual leave, and, at retirement or at termination of employment when retirement eligible, an employee may receive payment for up to 240 hours of annual leave. (5-21-98; 11-15-01; 9-21-06)

g. Annual Leave for Classified Employees (6-12-08)

(1) In accordance with K.S.A. 2007 Supp. 76-715b, and amendments thereto, classified employees of the state universities, in regular positions, shall earn and accumulate annual leave in accordance with this policy. Except to the extent specifically set forth in this section F.13.g., all provisions in the Kansas statutes and Department of Administration's rules and regulations will continue to apply to university classified employees. Nonexempt classified employees and exempt classified employees who report any hours in pay status per pay period shall earn paid annual leave not to exceed 176 hours per fiscal year. Nonexempt classified employees who report less than 80 hours in pay status per pay period shall earn annual leave on a pro-rated basis.

(a) Each nonexempt classified employee in a regular position shall accrue annual leave in accordance with the following tables.

In FY 09				
Nonexempt Employees				
Hours Earned Per Pay Period Based on Length of Service				
Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less Than 15 Years	15 Years & Over
0-7	0	0	0	0
8-15	0.4	0.5	0.7	0.7
16-23	0.8	1	1.4	1.4
24-31	1.2	1.5	2.2	2.2
32-39	1.6	2	2.9	2.9
40-47	2	2.5	3.6	3.6
48-55	2.4	3	4.3	4.3
56-63	2.8	3.5	5.0	5.0
64-71	3.2	4	5.7	5.7
72-79	3.6	4.5	6.5	6.5
80-	3.7	4.7	6.7	6.7
Maximum Accumulation of Hours	304	304	304	304

In FY 10 and Beyond				
Nonexempt Employees				
Hours Earned Per Pay Period Based on Length of Service				
Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less Than 15 Years	15 Years & Over
0-7	0	0	0	0
8-15	0.4	0.6	0.7	0.7
16-23	0.8	1.2	1.4	1.4
24-31	1.2	1.8	2.2	2.2
32-39	1.6	2.3	2.9	2.9
40-47	2	2.9	3.6	3.6
48-55	2.4	3.5	4.3	4.3
56-63	2.8	4.1	5.0	5.0
64-71	3.2	4.7	5.7	5.7
72-79	3.6	5.3	6.5	6.5
80-	3.7	5.5	6.7	6.7
Maximum Accumulation of Hours	304	304	304	304

(b) Each exempt classified employee in a regular position shall accrue annual leave in accordance with the following table.

In FY 09				
Exempt Employees				
Hours Earned Per Pay Period Based on Length of Service				
Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less Than 15 Years	15 Years & Over
0	0.0	0.0	0.0	0.0
>0	3.7	4.7	6.7	6.7
Maximum Accumulation of Hours	304	304	304	304

In FY 10 and Beyond				
Exempt Employees				
Hours Earned Per Pay Period Based on Length of Service				
Hours in Pay Status Per Pay Period	Less Than 5 Years	5 Years & Less Than 10 Years	10 Years & Less Than 15 Years	15 Years & Over
0	0.0	0.0	0.0	0.0
>0	3.7	5.5	6.7	6.7
Maximum Accumulation of Hours	304	304	304	304

(2) Classified employees who are eligible to earn annual leave may accumulate a maximum of 304 hours of annual leave; provided, however, that an employee may receive, upon termination from employment or upon moving from a position earning annual leave to a faculty position for less than twelve months, payment for no more than 176 hours of annual leave, and, at retirement or at termination of employment when retirement eligible, an employee may receive payment for up to 240 hours of annual leave. Excess accrued annual leave may not be converted to sick leave.

h. Bereavement Leave for Unclassified Employees

Unclassified employees may be granted leave with pay upon the death of a close relative. Such leave shall in no case exceed six working days. The employee's relationship to the deceased and necessary travel time shall be among the factors considered in determining whether to grant bereavement leave, and, if so, the amount of leave to be granted. (1-27-94)

i. Shared Leave for Unclassified Employees

(1) All unclassified employees who accumulate sick leave shall be eligible for participation in the shared leave program of the State of Kansas.

(2) All unclassified employees who participate in the shared leave program may donate sick leave as long as the donation does not cause the accumulated sick leave balance of the donating employee to be less than 480 hours, unless the employee donates sick leave at the time of separation from service. (12-14-00)

(3) Each Regents institution shall adopt appropriate procedures for administering this policy. (1-27-94)

j. Family Medical Leave

(1) For purposes of administering the Family Medical Leave Act (FMLA), all Regents institutions shall:

(a) designate qualifying leave as Family Medical Leave whether or not the employee requests such a designation;

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(b) consider the twelve-month period, within which an eligible employee who experiences a FMLA qualifying condition or circumstance, to begin concurrently with the first day of Family Medical Leave and any subsequent twelve-month period would begin the first time an eligible employee again experienced a FMLA qualifying condition or circumstance after the expiration of the first twelve-month period; and

(c) require employees whose leave is designated Family Medical Leave to substitute accrued paid leave for unpaid Family Medical Leave for up to twelve weeks within the applicable twelve-month period (as defined in (ii) above).

(2) Any Regents institution may adopt a policy allowing a member of the faculty holding a tenure earning appointment who has taken Family Medical Leave to request an additional year in which to work toward tenure.

(3) Subject to the above, each Regents institution shall adopt policy and procedures to provide leave to its employees pursuant to the FMLA. (11-16-95)

14. COMMITMENT OF TIME, CONFLICT OF INTEREST, CONSULTING AND OTHER EMPLOYMENT (9-20-74; 12-16-77; 11-19-82; 5-17-85; 4-20-95; 11-16-11)

The Board of Regents encourages the state universities to collaborate and consult with business, industry, public and private foundations, and government agencies in order to further their missions of teaching, research and service; to provide for and facilitate the professional development of their faculty and unclassified staff; and to promote the rapid expansion and application of knowledge, gained through research, to the needs of Kansas, the region and the nation. With particular reference to such interaction, the Board of Regents considers it of utmost importance that university employees conduct their affairs so as to avoid or minimize conflicts of time commitments and conflicts of interest, and that the state universities be vigilant and prepared to respond appropriately when real or apparent conflicts arise.

To those ends, the purposes of this policy are to: (i) illustrate types of situations that generate conflicts; (ii) provide means for faculty and unclassified staff and the university to manage real or apparent conflicts; (iii) promote the best interests of students and others whose work depends on faculty direction; and (iv) describe the types of conflicts that are prohibited. Every faculty member and member of the unclassified staff has an obligation to become familiar with, and abide by, the provisions of this policy. If a situation raising questions of real or apparent conflict of commitment or conflict of interest arises, affected faculty and/or unclassified staff must meet with their department chair, school dean or supervisor, report the conflict as described below, and eliminate the conflict or manage it in an acceptable manner.

a. General Principles

(1) Conflict of Time Commitment

(a) Attempts to balance university responsibilities with external activities (such as, but not limited to, consulting, public service or pro bono work) can result in real or apparent conflicts regarding commitment of time and effort. Whenever a faculty or staff member's external activities exceed reasonable time limits, or whenever an unclassified staff or faculty member's primary professional responsibility is not to the university, a conflict of time commitment exists.

(b) Conflicts of commitment usually involve issues of time allocation. Faculty members and unclassified staff of state universities owe their primary professional responsibility to their employing institutions, and their primary commitment of time and intellectual effort must be to the education, service, research and scholarship missions of those institutions. Faculty and unclassified staff should maintain a presence on campus commensurate with their appointments. The specific responsibilities, position requirements, employment obligations and professional activities that constitute an appropriate and primary commitment of time will differ across schools and departments, but said responsibilities, requirements, obligations and activities should be initially premised on a general understanding of full-time commitment for full-time faculty or unclassified staff of the universities. Exceptions must be justified and shown to enhance the institutional mission.

(2) Conflict of Interest

(a) A conflict of interest occurs when there is a divergence between an individual's private, personal relationships or interests and his/her professional obligations to the university such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined or substantially influenced by considerations of personal benefit, gain or advantage.

(b) Whether a conflict of interest or the appearance of one exists depends on the situation, not on the character or actions of the individual, and must be determined on a case by case basis. The appearance of a conflict of interest can be as damaging or detrimental as an actual conflict and thus, for purposes of this policy, apparent conflicts are treated the same as actual conflicts.

(c) Situations involving potential conflicts of interest are not uncommon in a modern university and must be addressed. State universities have as part of their mission the promotion of the public good by fostering the transfer of knowledge gained through university research and scholarship to the private sector. Two important means of accomplishing this institutional mission include consulting and the commercialization of technologies derived from research. It is appropriate that university personnel be rewarded for participating in these activities through consulting fees and sharing in royalties resulting from the commercialization of their work. It is not appropriate, however, for an individual's actions or decisions made in the course of his or her university activities to be determined or substantially influenced by considerations of personal financial gain. Such behavior calls into question the professional objectivity and ethics of the individual, and it also reflects negatively on the employing university. State universities are institutions of public trust; faculty and unclassified staff must respect that status and conduct their affairs in ways that will not compromise the integrity of the university.

(d) Except in purely incidental ways, university resources, including but not limited to facilities, materials, personnel, or equipment may not be used in external activities unless prior written approval has been received in advance from the university's chief executive officer or his/her designee. Such permission shall be granted only when the use of university resources is determined to further the mission of the institution. When such permission is granted, the faculty member or unclassified staff member will make arrangements to reimburse the university for institutional materials, facilities or services used in the external activity. Such use may never be authorized if it violates the Board of Regents policy on Sales of Products and Services.

(e) Proprietary or other information confidential to a state university may never be used in external activities unless prior written approval has been received from the university's chief executive officer or designee.

(f) Faculty or unclassified staff may not involve university students, classified staff, unclassified staff or faculty in their external activities if such involvement is in any way coerced or in any way conflicts with the involved participants' required commitment of time to their university. For example, a student's grades or progress towards a degree may not be conditioned on participation in a university employee's external activities.

b. Consulting and Other Employment

(1) Consulting for Other State of Kansas Agencies

Consulting by faculty members and employees of institutions under the jurisdiction of the Board for another institution under the jurisdiction of the Board, as well as consultation for other state agencies, shall be approved in advance by both (a) the institution or agency seeking these services, and (b) the employee's home institution. The home institution shall effect payment through the regular process and shall receive reimbursement through the interfund transfer process.

(2) Consulting Outside the University

For members of the faculty, the state university permits, and indeed encourages, a limited amount of personal, professional activity outside the faculty member's reasonably construed total professional responsibilities of employment by and for the university, provided such activity: (a) further develops the faculty member in a professional sense or serves the community, state, or nation in a professional capacity; (b) does not interfere with the faculty member's teaching, research and service to the university; and (c) is consistent with the objectives of the university. Regular instructional service to other educational institutions is normally regarded as an inappropriate personal, professional activity and is thus generally prohibited. Without prior written approval, faculty members on full-time appointments must not have

significant outside managerial responsibilities nor act as principal investigators on sponsored projects that could be conducted at their employing university but instead are submitted and managed through another organization. Each state university is to determine how to apply or adapt the consulting policy and procedures for unclassified employees who are not faculty members. In no case shall the policy and procedures be more liberal than what is allowed for faculty. (10-18-01)

(3) Other Employment

The Board of Regents expects faculty and unclassified staff employed by the state universities to give full professional effort to their university duties and assignments. It is, therefore, considered inappropriate to engage in gainful employment outside the state university that is incompatible with institutional commitments. It is inappropriate to transact business for personal gain unrelated to the university from one's university office, or at times when it might interfere with commitments to the university. Uncompensated participation in academic conferences, workshops and seminars on matters relating to education or the other functions of the university does not usually constitute consulting or outside employment. However, organizing and operating such meetings for profit may be construed as consulting or outside employment as defined in this policy.

c. Reporting Requirements

(1) Annual Reporting

As part of the annual appointment process, all faculty and unclassified staff with 100% time appointments must disclose to the university whether they or members of their immediate family (spouse and dependent children), personal household, or associate entities (e.g., corporations, partnerships or trusts) have consulting arrangements, significant financial or managerial interests, or employment in an outside entity whose financial or other interests would reasonably appear to an independent observer to be directly and significantly affected by their research or other university activities. For purposes of this policy, significant financial or managerial interests (or significant financial or other interests) means all holdings greater than \$10,000 or more than 5% ownership in a company. Faculty and unclassified staff members who hold fractional appointments and who have potential or possible conflicts of time commitments or conflicts of interest, as defined above, are also required to make the disclosures. Failure to submit the required reporting form, as approved by the Council of Presidents, will result in denial of the opportunity to submit research proposals to external funding agencies and may result in discipline in accordance with University procedures. When the university determines that the information submitted indicates that an actual or apparent conflict of time commitment or conflict of interest does or may exist, the university may require that the faculty or unclassified staff member submit additional information and explanation regarding that conflict. (9-21-95)

(2) Ongoing Duty to Report Conflicts As They Occur

In addition to the annual report that must be filed by faculty and unclassified staff, such employees must also disclose to the department chair or dean or supervisor on an *ad hoc* basis any current or prospective situations that may raise questions of conflict of time commitment or conflict of interest, as soon as such situations become known.

(3) Federal Reporting Requirements

State universities are required to adhere to and implement any additional policies and procedures and disclosure requirements that are imposed by applicable federal conflict of interest laws. State universities may modify the reporting form established pursuant to paragraph (1) of the subsection c. without seeking approval of the Council of Presidents, as necessary to meet or exceed such federal requirements. Such modifications shall not result in less comprehensive reporting.

(4) Reporting of Consulting

Faculty members must inform the chief academic officer, through the department chair or head and the dean, of all external personal, professional activities. For all such activities, except those single-occasion activities specified below, the faculty member must report in writing the proposed arrangements, and secure approval prior to engaging in the activities. Those personal, professional activities which occur within a single 24-hour period must be reported annually in

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writing as prescribed. For all activities concerned, the report should indicate the extent and nature of the activities, the amount of time to be spent in the activities, and the total amount of time spent or expected to be spent on all such outside activities during the current academic year.

(5) Disposition of Reports

All required reports shall be submitted in accordance with institutional requirements and shall be included in individual personnel files to be used for the determination of whether an individual is in compliance with this policy. Such reports will also be available to institutional research officers to permit certification and/or verification of compliance with federal regulations. Institutions must maintain these reports for a minimum of three years.

d. Use of University Name

The Name of the Board of Regents, a Regents institution or the Regents System may never be used as an endorsement of a faculty member or unclassified staff member's external activities without expressed and advance written approval of the University chief executive officer and/or the Board's President and Chief Executive Officer, as appropriate. Faculty members or unclassified staff members may list their institutional affiliation in professional books, articles and monographs they author or edit and in connection with professional workshops they conduct or presentations they make without securing approval.

e. Campus Policy Development and Enforcement

Additional rules and procedures for personal external activity, consistent with Board policy, will be established by each Regents institution. In situations in which the objectivity of a faculty or unclassified staff member could reasonably be questioned, or where apparent conflicts of interest exist, each Regents institution will establish an effective review mechanism to determine if a conflict of time or interest exists and to facilitate resolution of the conflict where possible, and to decide upon the appropriate sanctions when an unclassified staff or faculty member's activities have been determined to constitute a conflict. Such review mechanisms will include opportunity for appeal.

f. Distribution and Dissemination

This policy statement will be distributed upon initial appointment to all faculty and unclassified staff by each Regents institution.

15. HONORARIUMS

Institutions under the jurisdiction of the Board are authorized to pay honoraria as required for visiting lecturers upon authorization by the chief executive officer of the institution. (4-7-60)

16. POLITICAL ACTIVITY

- a. Faculty, administrators and other unclassified personnel are eligible to accept any public or political party position which does not involve any conflict of interest and does not require substantial time away from assigned duties or in other respects infringe upon them. Such eligibility covers membership on city commissions, school boards, planning groups, and county, state and national party committees and like organizations, by either appointment or election.
- b. The filing of a declaration of intent to become a candidate shall not affect the status or appointment of an unclassified member of a college or university staff; provided, however, such person at all times while a candidate shall properly and fully perform all of his or her assigned duties; provided further, however, that should such person while he or she is a candidate for office fail to perform all of his or her assigned duties, such person shall not receive any salary or benefits from the date of filing for office.
- c. Leave without salary or other benefits will be granted to those elected or appointed to public office requiring full time or lengthy sustained periods away from assigned duties, such as Congress, the State Legislature, and state and county offices or appointments to office falling within this category; effective, as to a person elected or appointed to Congress or the State Legislature, from the date such person takes the Oath of Office or the first day of the Legislative session and

continuing until the adjournment of Congress or to a date no sooner than the last adjournment in April or sine die adjournment, whichever occurs first, of each regular and special session of the State Legislature; effective, as to other state and county offices, during the entire time a person serves as such officer. Leave without salary or other benefits shall not be required for any person serving in the State Legislature or for service on any committee during a period when the Legislature is not in regular or special session, provided that such person shall decline to accept all legislative compensation for such service, but such person shall be entitled to mileage and other expense allowances as provided by statute and paid by the Legislature.

- d. In the interest of the fullest participation in public affairs, personnel are free to express opinions speaking or writing as an individual in signed advertisements, pamphlets and related material in support of or opposition to parties and causes. There will be the commensurate responsibility of making plain that each person so doing is acting for himself and not in behalf of an institution supported by tax funds drawn from citizens of varying political and economic views. (12-19-66; 5-19-72; 2-15-85)

17. RETIREMENT (11-20-08)

a. Retirement Benefits

- (1) Eligible classified employees are covered by the Kansas Public Employees Retirement System as determined by law.
- (2) Unclassified employees are covered by and/or eligible for those retirement benefits under the Mandatory Retirement Plan that are set forth in detail as follows:
 - (a) The provisions of Kansas Board of Regents Mandatory Plan Document control the terms of the plan.
 - (b) The provisions of the Investment Policy Statement control the Board's oversight and the role of the Investment Providers. (3-20-06)
 - (c) The provisions of the Vendor Management Document shall control the Investment Provider reporting and fund change protocol.
- (3) Retirement Age. There shall be no mandatory retirement age for eligible employees. For purposes of eligibility for certain statutory retirement benefits, such retirement shall not occur before the fifty-fifth birthday; provided, however, that individuals who seek to retire from age 55 to 59 must have ten years of service in a benefits-eligible position at a Regents institution or with the Board of Regents staff. (3-20-06)

b. Phased Retirement Program

Subject to the provisions of K.S.A. 76-746 and K.A.R. 88-12-1 through 8, an unclassified employee aged 55 or older may enter into a written agreement with the employing institution whereby the unclassified employee will accept a position which is less than full-time but at least one-fourth time, and the institution will provide benefits on a full-time basis for up to five years.

c. Limited Retirement Health Care Bridge (1-15-09; 1-19-12)

The purpose of the Limited Retirement Health Care Bridge Program is to provide a mechanism whereby state universities may assist unclassified employees who desire to retire before they become eligible to qualify for Medicare by contributing to the cost of the employee's health care coverage.

- (1) Eligibility.
 - (a) Participation in the Limited Retirement Health Care Bridge Program is a privilege, not a right, and is strictly voluntary. The university CEO or the CEO's designee and the employee must all agree that it is in the best interest of both the university and the employee for the employee to participate in the Program; this decision will be made on a case-by-case basis taking the employee's appointment or job responsibilities, the timing of the request and other pertinent factors into consideration.

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(b) Only unclassified employees at the state universities who are eligible for retirement and who have completed at least 10 years of full-time service shall be eligible for participation in the program upon reaching 55 years of age.

(c) Employees participating in Phased Retirement pursuant to K.S.A. 2007 Supp. 76-746, as amended, and K.A.R. 88-12-1 through 8, as amended, are not eligible to participate in the Limited Retirement Health Care Bridge Program. Employees participating in any other State of Kansas or Kansas Board of Regents retirement incentive programs are not eligible to participate in the Limited Retirement Health Care Bridge Program.

(d) If an eligible employee's request to participate in the Limited Retirement Health Care Bridge Program is approved by the university CEO or the CEO's designee, the university attorney shall draft an agreement between the university and the employee.

d. Tax Sheltered 403(b) Voluntary Retirement Program

Eligible classified and unclassified employees may participate in a 403(b) voluntary retirement program. The provisions of the Kansas Board of Regents Voluntary Plan Document shall control the terms of the plan. (11-21-86; 9-16-93; 9-15-94; 12-14-9; 3-20-06)

18. HEALTH PROGRAM AND INSURANCE (9-20-07; 2-16-11)

a. The State of Kansas provides group health, life and long-term disability insurance to eligible classified and unclassified employees.

b. Pursuant to K.S.A. 2006 Supp. 75-4101, and amendments thereto, the Board has entered a contract and adopted administrative rules and regulations, K.A.R., 88-30-1 *et seq.*, for the provision of a voluntary student health insurance program. Eligible graduate teaching assistants, graduate research assistants, and graduate assistants may choose to participate in this health insurance program.

19. WITHHOLDING OF PAYCHECKS AND SETOFF OF AMOUNTS OWED

Each Regents institution shall be authorized to withhold payroll or other warrants issued by the State to, or setoff amounts owed by, any officer or employee of that institution against salary, other compensation or other amounts payable to such individual for any fine, fee or penalty owed by such officer or employee to the Regents institution. (11-21-80; 6-18-81; 5-21-82)

20. KANSAS TORT CLAIMS ACT/LEGAL DEFENSE OF EMPLOYEES

Lawsuits against state employees, including faculty and staff, are controlled by and handled pursuant to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 *et seq.*). The Act seeks to limit liability and provides that the State of Kansas will, subject to certain limitations and qualifications, defend and indemnify state employees, including faculty and staff, sued as a consequence of actions taken by state employees while acting within the scope of their employment.

Subject to institutional policies, employees of Regents institutions who are sued for any alleged nonfeasance, misfeasance or malfeasance of the duties of their position should immediately notify institutional legal counsel and/or the General Counsel to the Board to initiate an appropriate request to the Attorney General for legal defense. Specific questions about protections provided pursuant to the Kansas Tort Claims Act or the legal defense of employees may be referred to institutional legal counsel and/or the Board's General Counsel. (6-30-94)

21. FACULTY OF THE YEAR AWARD

In order to recognize and encourage excellence in teaching, research, and service, the Board will, on an annual basis, present an award to one tenured and one non-tenured but tenure track faculty member at each state educational institution and the University of Kansas Medical Center. To assist the Board in identifying appropriate recipients for the award, the Faculty Senate of each state educational institution and the University of Kansas Medical Center shall adopt criteria by which each Faculty Senate shall annually select two faculty members to recommend to the Board for recognition. The criteria shall seek to

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identify faculty members whose teaching, research, and service over the preceding academic year have exemplified excellence and commitment to the mission of the institution. The criteria may be adopted and amended at any time in accord with the governance procedures of the individual Faculty Senates but shall be submitted to and subject to final review and approval by the President and CEO of the Board. Nominations shall be submitted to the Board in adequate time for review and approval or rejection at the Board's annual August retreat. Recipients shall be called before the Board for recognition at the September Board meeting by invitation of the Board Chair. (4-10-03)

G. GENERAL POLICY

1. GENERAL POLICY

- a. The Board of Regents is a policy making and not an administrative body. It is bi-partisan by law and non-political by tradition. Just as the Kansas institutions of higher education should not be subjected to political pressures, so should the Board be protected against political pressures. (4-23-65)
- b. All policies and procedures adopted by any state university, whether or not such policy or procedure requires Board approval, shall be in conformity with the policies and procedures of the Board and the laws of Kansas and the United States. (6-16-11)

2. COMMUNICATIONS WITH THE BOARD

- a. Communications relating to policy and administrative matters are to be directed to the Board from each campus through the Chancellor or President. However, any group may petition the Board in writing through the President and Chief Executive Officer of the Board.
- b. All communications pertaining to institution or Board activities or responsibilities between campus officials and Board members shall be copied to the President and Chief Executive Officer of the Board. (9-18-70)

3. AGENDA ITEMS

- a. Chief executive officers shall send agenda items to the President and Chief Executive Officer of the Board as early as needed to meet the Board notification deadlines. If no items are to be presented, the President and CEO shall be so notified.
- b. No publicity or news release shall be given on any item that requires Board action until after such matter has been presented to the Board.
- c. The agenda is printed ten days prior to the Board meeting. All items to be considered on the agenda should be received before its printing. A member of the Board of Regents may submit items for consideration at any time.
- d. The President and Chief Executive Officer is authorized to accept supplementary agenda items of a critical nature which have developed as a result of unusual circumstances as late as 12 Noon of the day preceding the regularly scheduled Board meeting. Such items shall be in written form with sufficient copies for distribution to the Board members prior to the regular meeting. (9-25-42; 2-18-55; 10-15-71; 5-16-91)

4. MINUTES

- a. Copies of the Minutes of each Board meeting shall be prepared by the President and Chief Executive Officer after each meeting and sent to all those entitled to copies. Copies of the minutes are filed in the main library at each of the Regents institutions and are available there for public inspection. The Official Minutes of the Board are also on file in the Board Office in Topeka and are open for inspection.

b. Director's Approval

In addition to the Official Minutes, the Board may approve certain actions by "Director's Approval," e.g., this procedure may be used for actions such as amendments to the listing of Rehabilitation and Repair projects for institutions of higher education, approval of community college freshman or sophomore level subjects or courses for which credit hours are awarded and course locations, and "Certificates of Approval" for proprietary schools. (9-16-99)

5. INTERACTION WITH LEGISLATURE AND OTHER STATE AGENCIES (04-16-09)

- a. Legislative Appearances and Committee Hearings

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Legislative Committees often request state university employees to provide expert testimony on proposed legislation, which may or may not affect the Board and higher education. State university employees should make every effort to accommodate such requests, and the university shall notify the Board President and CEO of the invitation so that the Board Office will be aware of such appearances.

b. Legislative Requests and Proposed Legislation (Also see Chapter B, Fiscal Management)

(1) The Board must approve all requests made to the Legislature for funds, programs, changes in legislation and new legislation affecting the Board and system institutions. Requests for legislation shall be submitted to the Board for consideration and inclusion in the Board's annual legislative proposals no later than the November meeting of the Board. Emergency situations may warrant special exceptions, but to the extent possible, no request for legislation during the ongoing legislative session will be considered after the March meeting of the Board. (5-14-87)

(2) Once approval has been granted, all institutions are authorized to work for these requests and each institution is expected to support the entire request. Conversely, all institutions are prohibited from requesting or working for additional legislation or funds.

(3) Legislation proposed by others than the Board may still have an effect on the operation of the system. When proposal of such legislation is brought to the Board's attention, it shall be the responsibility of the Board to make a decision as to whether the position of the system is that of support, non-support, or opposition.

c. Legislative Post Audit Reports

(1) Each state university, upon receiving notification from the Legislative Division of Post Audit that a performance or financial audit of the university is to be conducted, shall forward such notification to the Board President and CEO. Each state university shall submit a written report to the Board, in accordance with the schedule in Appendix C, detailing progress during the preceding calendar year toward implementation of accepted Post Audit recommendations. This report shall be made on an annual basis until all accepted recommendations have been fully implemented.

(2) Discussion of pending or anticipated Legislative Post Audits shall be a standing item on the Board's Fiscal Affairs and Audit Committee agenda.

d. Information Requests from Other State Agencies

(1) System-wide Requests: Requests to state universities for system-wide information from other state agencies or other branches of state government are expected to be transmitted through the office of the Board. State universities receiving requests directly from other state agencies or branches of state government should advise the requesting party of this policy and advise the office of the Board of the request. When time limitations do not allow sufficient time for transmission of responses through the Board office, responses may be submitted directly to the requesting party with copies to the Board office. (11-20-81)

(2) University-Specific Requests: Responses to requests received by a state university for information related specifically to that university should be sent directly to the requesting party, with a copy to the Board office.

e. Attorney General Opinions

Any state university or employee of a state university seeking an opinion from the Attorney General must do so by making a request through the office of the General Counsel of the Board.

f. Kansas Governmental Ethics Commission Opinions

Any state university or employee of a state university seeking an opinion from the Kansas Governmental Ethics Commission should do so by making a request through the office of the General Counsel of the Board. (10-17-91)

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6. AFFILIATED CORPORATIONS (2-17-10; 4-15-10)

a. Affiliated corporations are incorporated entities, whether controlled or non-controlled by the university, that are funded solely or primarily by monies other than state funds and the purpose of which is to enhance or support the mission and activities of a state university. Affiliated corporations include, but are not limited to, alumni associations, incorporated student unions, Wichita State University Board of Trustees, endowment associations or foundations, and athletic corporations.

(1) University controlled affiliated corporations are affiliated corporations meeting one of the following criteria:

(a) A majority of a quorum of the board of directors, or other committee charged with making decisions on behalf of the corporation, are university personnel or appointed by the state university CEO, or

(b) The corporation is otherwise controlled by the university or the university CEO, as determined by the following considerations.

(i) Does the university CEO appoint voting members to the corporation's organizational committee (i.e. executive committee, finance committee, audit committee, etc.)?

(ii) Does the university CEO designate, appoint or hire the corporation's executive director/CEO?

(iii) To what extent does the university CEO have control over the management of the corporation's day to day operations as well as control of its major decision making processes?

(iv) To what extent are public funds used to fulfill the corporation's responsibilities and mission?

b. State universities shall not increase state funding for the operation of affiliated corporations beyond normal program maintenance increases without prior approval of the Board. (3-16-64; 2-15-85; 12-20-90)

7. AUXILIARY ENTERPRISES

a. Auxiliary enterprises are self-supporting University-operated enterprises which include, but are not limited to, student housing, student health services, unincorporated student unions, and parking.

b. The operation of auxiliary enterprises on campus is authorized when such business is related to the educational objectives of the institution. Before commencing operation of an auxiliary enterprise, the institution shall first submit the proposed plan for the financing, operation and management of the auxiliary enterprise to the Board for approval. State funds shall not be used to subsidize the operation of any organization operated as an auxiliary enterprise unless specified by the loan agreement, bond covenants or by Board action.

c. Buildings may not be transferred from auxiliary enterprise support to general use support without approval by the Board. Such requests for transfer will only be considered at the June meeting of the Board along with requests for operating support of such buildings to be included in the June legislative budget request submitted pursuant to Item 1.b. on page 1B of the Board Policy and Procedures Manual. If approved by the Board, buildings will continue to be supported by the auxiliary enterprises until monies have been appropriated for general use operation support. Building transfers which do not involve requests for additional general use money may be brought to the Board at any time. Exceptions to these provisions may be granted under special circumstances as determined by the Board. (2-18-88; 12-20-90)

8. UNIVERSITY PRESS OF KANSAS

a. The University Press of Kansas is a joint publishing operation among all of the Regents institutions. It shall be governed by a Board of Trustees comprised of the academic vice president of each participating institution, which shall have powers to appoint a director and an Editorial Committee and to establish staff positions within the budget of the Press.

b. The University Press of Kansas is located at the University of Kansas and its operating budget, with proportionate shares provided from each participating institution, is included in the annual budget of the University of Kansas. Payment of

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royalties to unclassified authors and reimbursement of unclassified personnel for manuscripts evaluation, writing translating, copy-editing, proofreading, indexing, graphic design, artwork, and photography is authorized with rates to be negotiated by the Director of the Press. Payment for such contractual services shall be accomplished by voucher in accordance with the procedure approved by the Division of Accounts and Reports. (9-20-85)

9. SERVICE CLEARING ACTIVITIES

All service clearing activities must be consistent with Board policy on the sale of products or services.

a. Institutional Related Activities

Each Regents institution shall develop policies and procedures for identifying appropriate institutionally related service activities including, but not limited to, telecommunications, printing services, central stores, duplicating and reproduction services, and provide for administrative approvals prior to providing such services.

b. Other Organizations or Classes of Individuals

(1) Regents institutions may provide services to specific organizations or classes of individuals outside the University as approved in advance by the chief executive officer. Such services will ordinarily be approved only if the organization or class of individuals has made a written request for such service.

(2) Individual projects to be undertaken for approved organizations or classes of individuals shall be reviewed by the institutions on written application prescribed by the institutions. (2-17-78; 12-19-80; 10-15- 87; 12-20-90).

10. COMPLAINT PROCESS (5-15-81; 6-16-11)

a. Each state university shall establish and enforce explicit procedures to address student grievances and complaints alleging university activity, or a university employee act or omission, that is proscribed by Board or institutional policies. Each state university shall create, maintain, and advertise an office of ombudsman or similar single point of contact to assist students in determining the appropriate university procedure for initiating a particular complaint or grievance.

b. To address complaints for which there is no other applicable institutional procedure, the chief executive officer of each state university shall designate an office at the Vice Chancellor or Vice President level at each campus for the purpose of receiving and evaluating complaints alleging conduct by employees of the university that is proscribed by Board or institutional policies.

(1) Upon receipt of a written, formal and signed complaint pursuant to this subsection 10.b., the designated official shall notify the chief executive officer of the university and the employee(s) complained about, and shall investigate the merits of the complaint. If the designated official determines that the complaint has merit, that official shall proceed to resolve it through administrative channels if possible.

(2) If it is impossible for the complaint to be resolved by the designated official through administrative channels, the issue shall be referred to the chief executive officer of the university who shall appoint an appropriate institutional committee to hear the complaint.

(3) The hearing 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 hearing committee.

(4) This procedure shall not negate any other policy 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 the university.

c. If after exhausting all available institutional grievance or complaint processes a student's complaint remains unresolved, the student may make a complaint to the Board office, in writing, by completing and submitting such forms as may be required by the Board.

(1) The Board will not accept the following types of complaints:

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- (a) Complaints that are submitted anonymously;
 - (b) complaints related to matters that are the subject of pending or threatened litigation, or that have already been adjudicated by the courts;
 - (c) complaints that allege wrongful acts by a person or entity other than a state university or employee of a state university acting in their capacity as a university employee;
 - (d) complaints regarding actions or matters occurring more than 2 years prior to the submission of the complaint; and
 - (e) complaints concerning a student's grades or examination results.
- (2) Upon receiving a written complaint containing all requisite information, the Board office will conduct the following review:
- (a) Determine if the state university has a process for addressing the complaint;
 - (b) determine if the university process was followed;
 - (c) determine if the university resolution was reasonable.
- d. Complaints alleging violation of laws that another state agency is charged with enforcing may be made directly to that other state or federal agency. Following the process outlined in paragraph c. shall not be considered a requirement for such complaints. Making such a complaint to the Board shall be considered as the complainant's consent to authorize the Board to forward the complaint to the appropriate enforcing entity.

11. VEHICLES AND EQUIPMENT (6-28-07)

a. Purchase of Vehicles

Purchase and replacement of vehicles are delegated to the chief executive officer of each state university. Replacement of vehicles should be made in accordance with Department of Administration guidelines and procedures. (4-15-83; 7-1-86 - COBO; 10-20-88)

b. Transfer of Equipment

Transfer of equipment purchased by externally-sponsored research projects to another college or university only if the following conditions are met: (6-28-07)

- (1) The project investigator is moving to another academic institution and his financial support is also transferred by the granting agency without interruption;
- (2) The granting agency approves transfer in the new institution of equipment purchased wholly by grant funds;
- (3) Such equipment was specialized in nature, acquired specifically for the investigator for his particular program, and is essential to continuance of the program without undue interruption in the work;
- (4) The state university does not need the equipment in its current related research program; and
- (5) The entire cost of physical transfer of the equipment will be borne by the granting agency or the recipient institution. (9-19-68)

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12. USE OF CAMPUS FACILITIES

- a. State facilities shall not be made available for fund raising events for candidates or parties.
- b. Facilities of institutions under the Board of Regents may be made available for the purpose of holding political meetings, provided there is no interference with regularly scheduled functions, there is not otherwise available a reasonable facility in the community, students are permitted to hear the speakers without charge, and sponsors pay in advance the regular fees for use of the facilities.
- c. Political office holders and candidates shall not be introduced or recognized on campus unless they are participating in the campus event which they are attending. The distribution of handbills shall be prohibited in those areas devoted primarily to instruction or study or at the immediate sites and times of enclosed public events.
- d. Regents institutions shall have the authority to develop additional policies and guidelines that are not in conflict with this policy. Such policies and guidelines shall be reviewed by the Policy and Procedures Committee and filed with the President and Chief Executive Officer of the Board. (3-16-64; 1-21-77; 10-17-80)

13. CEREAL MALT BEVERAGES

Use and sale of cereal malt beverages (3.2% beer) may be permitted under authorized and appropriately controlled conditions and regulations to be determined by the chief executive officer of each university. Each institution shall maintain a current copy of said conditions and guidelines with the President and Chief Executive Officer of the Board. (10-15-71; 10-17-75; 10-15-87)

14. SERVICE OF ALCOHOL IN NON-CLASSROOM AREAS

Consumption of alcoholic liquor may be permitted under authorized and appropriately controlled conditions and guidelines to be determined by the chief executive officer of each university and set forth in an institutional policy on service of alcoholic liquor. Alcoholic liquor may only be served at luncheons, dinners or receptions which honor individuals and which occur in connection with official University events and/or fundraising activities for University programs. The service of alcoholic liquor at such events must be approved, in advance, by the chief executive officer of the institution and may only be held in those non- classroom areas, and outside grounds immediately adjacent thereto, which are specifically designated for such activities in the institutional policy on service of alcoholic liquor. Each institution shall file and maintain a current copy of its policy on service of alcoholic liquor with the President and Chief Executive Officer on behalf of the Board. Each institutional chief executive officer shall also be prepared to provide information to the Board in relation to the service of alcoholic liquor on campus as requested by the Board or President and CEO. (6-26- 87; 2-18-88)

15. ADVERTISING

The use of general use and restricted use funds is permitted for the purchase of advertising subject to authorization by the chief executive officer of the state university. (10-18-74; 12-13-74; 4-20-84; 6-28-07)

16. TRAVEL (6-28-07)

a. Out-of-State Travel Requests - Faculty and Staff

Approval of out-of-state travel requests for staff and faculty of each state university is vested in the chief executive officer, or his/her designee, of the respective state universities. Requests for out-of-state travel shall be submitted to the chief executive officer or his/her designee pursuant to operating regulations adopted by the university and approved by the Board.

b. Out-of-State Travel Requests - Chief Executive Officers

Approval of out-of-state travel requests for the chief executive officer of a state university is vested in the Board and delegated to the President and CEO. Requests for out-of-state travel, regardless of source of funding, shall be submitted to the Board Office in such form as prescribed by the President and CEO at least two weeks prior to the date travel

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commences. Expenses will be allowed pursuant to Department of Administration or Internal Revenue Service regulations governing travel.

17. INTERFERENCE WITH CONDUCT OF INSTITUTION

Actions by faculty, staff, students or visitors which unnecessarily and unreasonably obstruct or interfere with the teaching, research or learning functions or other normal and necessary activities of a Regents institution, or which create an imminent threat of danger to persons or property, may constitute grounds for suspension, dismissal or termination, for permanent exclusion from the campus. (1970, 1986)

18. PARKING AND TRAFFIC RULES AND POLICIES

The chief executive officers shall act on behalf of the Board in exercising the authority of the Board to care for, control, maintain and supervise all roads, streets, driveways and parking facilities for vehicles on the grounds of the institutions. The chief executive officers will adopt rules and policies as authorized by K.S.A. 74-3209 through 74-3215, as amended. (6-27-96)

19. POLICY ON AIDS

- a. The Board is aware of and sensitive to the significant economic and personal costs to society created as a result of the Acquired Immune Deficiency Syndrome (AIDS) epidemic. The Board believes that the Regents institutions have an obligation to help educate their students, faculty and staff about AIDS and to help seek the prompt, confidential, and non-discriminatory treatment of those individuals diagnosed with AIDS or an AIDS-related disease.
- b. Each Regents institution shall adopt appropriate procedures to implement this policy and shall maintain copies of such procedures for use by the campus community. (6-26-87; 10-15-87)

20. POLICY ON AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY

The Board of Regents believes and supports the view that every individual has the right to expect that all decisions with reference to employment, i.e. selection, discipline, promotion or termination, and all decisions with reference to student status, i.e. admission, academic achievements and discipline, be made without regard to age, race, color, religion, sex, marital status, national origin, physical handicap or disability, status as a Vietnam Era Veteran, sexual orientation or other factors which cannot be lawfully considered, to the extent specified by applicable federal and state laws. To this end, each Regents institution shall develop and maintain an equal employment opportunity, equal educational opportunity and non-discrimination policy in the operation and administration of all University programs and services. (4-20-89; 6-22-00)

Further, each Regents institution shall establish a comprehensive affirmative action program designed to guarantee employment opportunity and educational opportunity in all actions of the University and its officials. (6-22-00)

21. POLICY ON RACIAL AND SEXUAL HARASSMENT

The Board of Regents is particularly concerned about the continuing societal problems of racial harassment and sexual harassment. It is the policy of the Board that such conduct cannot and will not be tolerated at the institutions under its governance and control. Each Regents institution shall develop and maintain specific policies which seek to: (i) identify prohibited conduct in these areas; (ii) educate campus constituencies with regard to these negative behaviors; (iii) eliminate such behaviors; and (iv) set forth the manner in which such behaviors or conduct are to be addressed. (4-20-89)

22. STATEMENT ON DIVERSITY AND MULTICULTURALISM

Opportunities to gain experience within a diverse environment and to develop appreciation of multiculturalism are considered to be important elements of the educational experience for all students. An emphasis on multiculturalism and diversity should foster an atmosphere within the university which recognizes and celebrates both the similarities and differences among all persons to create a collegiate community which reflects the world community and which provides a wide range of role models for students. The focus of responsibility for the design of educational experiences, including multicultural experiences, resides with each Regents institution. (5-18-95)

23. POLICY ON SALES OF PRODUCTS AND SERVICES (5-20-10)

It is the intent of this policy to establish guidelines for the conduct of sales of products and services for the 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 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 state university, its auxiliary enterprises, or an affiliated corporation of a 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. (Effective 7-1-10.)

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.

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- (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. (Effective 7-1-10.)

(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 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 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 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 state university.

d. Competition Grievance Procedure

(1) The chief executive officer of each 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

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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 state university. This procedure is applicable only to any individual without current access to an established institutional grievance procedure. (12-20-90)

24. WHISTLEBLOWER POLICY

Each institution shall prominently post a copy of the “Whistleblower” Act (K.S.A. 75-2973) in locations where it can reasonably be expected to come to the attention of all employees of the institution. The “Whistleblower” Act sets forth the right of state employees to discuss the operations of a state agency with any member of the legislature and the right to report any violation of state or federal law or rules and regulations to any person, agency, or organization without retaliation. (1-16-97)

25. CEO APPOINTMENT POLICY

- a. Given the Board of Regents’ responsibility for selection and retention of university chief executive officers, the Board will play a central and controlling role in the search process.
- b. The Board will prepare a position description consistent with the mission of the university and reflective of current campus initiatives
- c. The Board will appoint a search committee. The committee will reflect the variety of constituencies of the university. Its composition will be consistent with the priorities of the institution’s mission statement. This committee will include, but will not be limited to, classified and unclassified staff, students, faculty, administration, alumni, and members of the Kansas Board of Regents or their designated representative(s). The Board will invite nominations for the committee from elected leaders or representative organizations of the various constituencies, in cases where these exist.
- d. CEO searches will be national in scope, advertised in the appropriate national venue(s), and conducted according to equal employment opportunity guidelines.
- e. The search committee will review and evaluate all applications and will conduct initial interviews.
- f. The search committee will assist the Board in its due diligence responsibilities associated with the review of final candidates.
- g. Final interviews and selection of the chief executive officer will be the responsibility of the Board. (5-18-00)

26. PROCEDURES FOR PUBLIC COMMENT

The Kansas Board of Regents may include on its meeting agenda a time for members of the public to address the Board. The Board Chair will determine if the item is to be placed on the agenda of a meeting. The Chair has the discretion and authority to direct and limit the presentation of public comment. (5-18-00)

27. PROCEDURES RELATING TO REQUESTS FOR INSPECTION OF PUBLIC RECORDS AND OBTAINING COPIES/BOARD OF REGENTS OFFICE (6-27-02; 3-13-08)

- a. The Board’s President and CEO
 - (1) shall act as the Official Custodian of all public records maintained in the Kansas Board of Regents Office, Suite 520, 1000 S.W. Jackson, Topeka, Kansas 66612-1368;
 - (2) may make changes to the Board procedures relating to requests for access to or copies of public records and when changes are made shall report those changes to the Board; and

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(3) may appoint appropriate staff to act as designated record custodians and/or the designated “freedom of information officer, as set forth and defined by K.S.A. 45-215 et seq.”

- b. Public records may be inspected during normal business hours of the Board of Regents Office which are between 8:00 a.m. and 5:00 p.m. Monday through Friday (except holidays and other non-work days authorized by the state).
- c. The Board’s President and CEO may establish record fees that reflect and are designed to recoup the actual costs of providing copies of or access to public records.

28. ON-CAMPUS CREDIT CARD SOLICITATION

While the Board recognizes that students are adults and should be free to make informed decisions on the use of credit, it is also aware that some credit card companies engage in aggressive marketing practices on the campuses of the state universities. Therefore, each state university that allows on-campus solicitation by credit card companies shall adopt a policy, which, at minimum, shall provide that no solicitation of credit card applications from students will take place on campus during the week before and the two weeks following the beginning day of each semester. In addition, the policy shall require that information on the responsible use of credit and the risks of credit use shall be provided to students along with any material soliciting credit card applications. Each institution will include educational material on the use of credit in student orientation programs and materials. Institutional policies may recognize and exempt those companies whose current contractual relationships with the institution allow solicitation contrary to this policy until current contracts expire. Contracts which are renewed shall not contain provisions contrary to this policy. (10-02)

29. POLICY ON THE USE OF CONTROVERSIAL MATERIAL IN INSTRUCTION, INCLUDING THE USE OF SEXUALLY EXPLICIT MATERIALS IN INSTRUCTION

The Kansas Board of Regents recognizes that academic freedom must be balanced by academic responsibility. Therefore, it is the policy of the Kansas Board of Regents to require each institution within its jurisdiction to adopt the following set of precepts on the use of sexually explicit materials, the teaching about pedophilia and the conduct and management of courses relative to these topics:

“Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. Faculty members may not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course. Students should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own social behavior. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.

*It is the mastery teachers have of their subjects and their own scholarship that entitles them to their classrooms and to freedom in the presentation of their subjects. Thus, it is improper for an instructor persistently to intrude material that has no relation to the subject, or to fail to present the subject matter of the course as announced to the students and as approved by the faculty in their collective responsibility for the curriculum.”**

Each Regents university will ensure that existing policy governing sexual harassment is accessible for the purpose of addressing such issues as they might arise from course content or pedagogy. Campus policies on sexual harassment and on the use of sexually explicit materials in instruction will be placed on file with the Kansas Board of Regents. (2003 Session Laws of Kansas, Chapter 160, Section 45(b), ___-___-03.)

* Source: Excerpted from the AAUP’s 1970 Statement on Freedom and Responsibility

30. POLICY ON WEAPONS POSSESSION (5-14-08)

- a. To the extent allowed by law and except as otherwise provided herein, the campus of each state university shall be weapons-free. Each entrance to each building and facility on each campus shall be posted in accordance with K.S.A. 2007 Supp. 75-7c10, 75-7c11, K.A.R. 16-11-7, K.S.A. 21-4218 and K.A.R. 1-49-11, and amendments thereto.

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Additional signs may be posted as appropriate. Notice of this policy shall also be given in each state university's student code of conduct, housing contracts and employee policies.

- b. Nothing in this section shall be read to prohibit possession of weapons on campus (1) as necessary for the conduct of Board approved academic programs or university approved activities or practices, or (2) by university police or security officers while acting within the scope of their employment. Each university shall develop and follow procedures for the safe possession, use and storage of such weapons and shall notify the Board in writing of any activities or practices involving weapons that are approved by the university under paragraph (1) of this subsection b.
- c. For the purpose of this policy, "weapons" means:
 1. Any object or device which will, is designed to, or may be readily converted to expel bullet, shot or shell by the action of an explosive or other propellant;
 2. any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including concealed weapons licensed pursuant to the Personal and Family Protection Act, and amendments thereto;
 3. any BB gun, pellet gun, air/C'O2 gun, stun gun or blow gun;
 4. any explosive, incendiary or poison gas (A) bomb, (B) mine, (C) grenade, (D) rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge of more than ¼ ounce;
 5. any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;
 6. any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray shall not be deemed to be a weapon for the purposes of this policy;
 7. any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;
 8. any straight-blade knife of four inches or more such as a dagger, dirk, dangerous knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solely in the preparation or service of food shall not be construed to be a weapon for the purposes of this policy;
 9. any martial arts weapon such as nunchucks or throwing stars; or
 10. any longbow, crossbow and arrows or other projectile that could cause serious harm to any person.

31. SUSTAINABILITY POLICY AND IMPLEMENTATION PRINCIPLES (10-16-08)

The Board recognizes and appreciates the strides each university has already made toward sustainability. The purpose of this policy is to outline specific ways, reflective of each university's resource constraints and environmental impacts, in which state universities may enhance their service to Kansans as well as their leadership in addressing these challenges both on campus and, through their extensive contacts and relationships, throughout Kansas and the world.

a. Policy Statement

University policies, practices and programs should, when possible, embody approaches that reduce life cycle costs, restore or maintain the functioning of natural systems, and enhance human well-being.

For purposes of this policy provision, sustainability shall mean societal efforts to meet the needs of present users without compromising the ability of future generations to meet their own needs. Sustainability presumes that the planet's resources are finite, and should be used conservatively, wisely and equitably. Decisions and investments aimed to promote sustainability will simultaneously advance economic vitality, ecological integrity and social welfare.

b. Implementation Principles

(1) Learning Opportunities: State universities shall incorporate issues of sustainability into the learning experiences of students throughout their academic experiences.

(2) Campus Life: State universities shall strive to infuse sustainability principles into the organization of campus life. This includes encouraging students, faculty and staff to:

- Minimize their environmental impact,

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- Enhance campus ecology,
- Develop and foster awareness and campus culture that recognizes the importance of sustainability principles,
- Enhance/facilitate access to environmental and ecological goods, and
- Carry these lifestyles with them when they leave the campus community.

(3) Operations: State universities shall comply with all relevant environmental laws and regulations and executive orders from the Governor, and aspire to go beyond compliance by integrating values of sustainability, stewardship, and resource conservation into activities and services. As operational decisions are made, university personnel should consider ways to improve the long-term quality and regenerative capacity of the environmental, social and economic system that support the institutional activities and needs and promote practices that minimize harmful effects of operations on the surrounding environment. State universities shall strive to maximize the efficiencies of operations and services while pursuing the goals detailed above within the resources available to institutions as they pursue excellence in fulfilling institutional missions.

(4) Campus Planning: State universities recognize that sustainable design is a means to reduce energy consumption; enhance the health, well-being and productivity of the building occupants; and improve the quality of the natural environment. All of these can contribute to high-performing university buildings with lower life cycle costs. Accordingly, the state universities shall evaluate the impact of their construction projects; incorporate green building and design methods to the extent economically feasible; and consider the impact of planning decisions on future generations of the campus community, with the goal of minimizing the environmental footprint.

(5) Administration: State universities shall develop sustainability goals that will inform institutional policies and procedures. These policies and procedures will rely on scientific and technical analysis, informed by economic realities of funding, to support efforts to develop objectives and targets for operations with indicators, or measures to assure accountability to the Board. Whenever economically feasible, sustainability will be included in areas of planning, decision-making, assessment, and reporting.

(6) Outreach: State universities have various missions and roles with regard to their relationships with entities and individuals outside their respective boundaries. Engagement with sustainability in the various areas of university life will necessarily affect these relationships. State universities shall conscientiously share the knowledge, awareness, and expertise generated by their engagement with sustainability in accordance with their respective missions and roles in serving society as a whole.

32. REPORTING OF CHILD SEXUAL ABUSE (12-14-11)

Each university shall specifically address and adopt procedures for the mandatory reporting, to appropriate law enforcement agencies, of any child sexual abuse witnessed by staff or faculty. For purposes of this provision, child sexual abuse means those crimes defined in K.S.A. 2011 Supp. 21-5501 *et seq.* that relate to minors as victims.

H. MISSION ROLE AND SCOPE

UNIVERSITY OF KANSAS (12-19-86; 3-17-88; 12-17-92)

The University of Kansas is a major comprehensive research and teaching university that serves as a center for learning, scholarship and creative endeavor. The University of Kansas is the only Kansas Regents university to hold membership in the prestigious Association of American Universities (AAU), a select group of fifty-eight public and private research universities that represent excellence in graduate and professional education and the highest achievements in research internationally.

Instruction. The University is committed to offering the highest quality undergraduate, professional and graduate programs comparable to the best obtainable anywhere in the nation. As the AAU research university of the state, the University of Kansas offers a broad array of advanced graduate study programs and fulfills its mission through faculty, academic and research programs of international distinction, and outstanding libraries, teaching museums and information technology. These resources enrich the undergraduate experience and are essential for graduate level education and for research.

Research. The University attains high levels of research productivity and recognizes that faculty are part of a network of scholars and academicians that shape a discipline as well as teach it. Research and teaching, as practiced at the University of Kansas, are mutually reinforcing with scholarly inquiry underlying and informing the educational experience at undergraduate, professional and graduate levels.

Service. The University first serves Kansas, then the nation, and the world through research, teaching, and the preservation and dissemination of knowledge. The University provides service to the State of Kansas through its state and federally-funded research centers. KU's academic programs, arts facilities, and public programs provide cultural enrichment opportunities for the larger community. Educational, research and service programs are offered throughout the state including the main campus in Lawrence, the KU health-related degree programs and services in Kansas City and Wichita, as well as the Regents Center and other sites in the Kansas City metropolitan area, Topeka and Parsons.

International Dimension. The University is dedicated to preparing its students for lives of learning and for the challenges educated citizens will encounter in an increasingly complex and diverse global community. Over 100 programs of international study and cooperative research are available for KU students and faculty at sites throughout the world. The University offers teaching and research that draw upon and contribute to the most advanced developments throughout the United States and the rest of the world. At the same time, KU's extensive international ties support economic development in Kansas.

Values. The University is committed to excellence. It fosters a multicultural environment in which the dignity and rights of the individual are respected. Intellectual diversity, integrity and disciplined inquiry in the search for knowledge are of paramount importance.

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UNIVERSITY OF KANSAS MEDICAL CENTER (5-28-89; 12-17-92; 3-17-11)

The University of Kansas Medical Center is an integral and unique component of the University of Kansas and the Kansas Board of Regents system. It is composed of:

- School of Medicine – Kansas City, Wichita and Salina campuses
- School of Nursing
- School of Allied Health

The KU Medical Center trains professionals to meet a wide range of health needs in Kansas – from the critical need for primary care and prevention to the urgent need for highly innovative and specialized clinical care. Further, the Medical Center produces medical scientists who are essential for basic and translational research, supplying the state’s bioscience and biotech workforce and creating economic development. The KU Medical Center serves people throughout the State of Kansas and the region, in rural as well as urban areas. The programs of the KU Medical Center are comprehensive and maintain the high scholarship and academic excellence upon which the University’s reputation is based. The KU Medical Center’s mission is to create an environment for:

Education. The KU Medical Center educates health care professionals to primarily serve the needs of Kansas as well as the region and the nation. The Medical Center offers high-quality educational experiences to a diverse student population through a full range of undergraduate, graduate, professional, postdoctoral and continuing education programs.

Research. The KU Medical Center strives to advance the health sciences through internationally recognized research programs in strong basic, clinical, and translational sciences, as well as drug discovery, health services research and public health.

Patient Care. The KU Medical Center provides exceptional patient care with a focus on quality care and outcomes through hands-on student training, residency programs, affiliations with hospitals and clinics throughout the state, Telemedicine and Telehealth consultations, and student- and faculty-operated clinics to care for the underserved and uninsured.

Service. The KU Medical Center serves the citizens of Kansas, the region and the nation by developing, implementing and promoting model health care programs, and through numerous charitable, philanthropic and mission-oriented endeavors.

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KANSAS STATE UNIVERSITY (12-19-86; 3-17-88; 12-17-92; 12-18-08)

The mission of Kansas State University is to foster excellent teaching, research, and service that develop a highly skilled and educated citizenry necessary to advancing the well-being of Kansas, the nation, and the international community. The university embraces diversity, encourages engagement and is committed to the discovery of knowledge, the education of undergraduate and graduate students, and improvement in the quality of life and standard of living of those we serve.

Kansas State University is a comprehensive, research, land-grant institution serving students and the people of Kansas, the nation, and the world. Since its founding in 1863, the University has evolved into a modern institution of higher education, committed to quality programs, and responsive to a rapidly changing world and the aspirations of an increasingly diverse society. Together with other major comprehensive universities, K-State shares responsibilities for developing human potential, expanding knowledge, enriching cultural expression, and extending its expertise to individuals, business, education and government. These responsibilities are addressed through an array of undergraduate and graduate degree programs, research and creative activities, and outreach and public service programs. In addition, its land-grant mandate, based on federal and state legislation, establishes a focus to its instructional, research, and extension activities which is unique among the Regents' institutions.

Through quality teaching, the University is committed to provide all students with opportunities to develop the knowledge, understanding, and skills characteristic of an educated person. It is also pledged to prepare students for successful employment or advanced studies through a variety of disciplinary and professional degree programs. To meet these intentions, the institution dedicates itself to providing academic and extracurricular learning experiences which promote and value both excellence and cultural diversity. K-State prepares its students to be informed, productive, and responsible citizens who actively participate in advancing cultural, educational, economic, scientific, and socio-political undertakings.

Research and other creative endeavors comprise an essential component of K-State's mission. All faculty members contribute to the discovery and dissemination of new knowledge, applications, and products. These efforts, supported by public and private resources, are conducted in an atmosphere of open inquiry and academic freedom. Basic to the pursuit of this mission is the University's commitment to broad-based programs in graduate education at both the master's and doctoral levels.

Faculty, staff, and administrators share their expertise through service to the university and disciplinary organizations, via outreach, engagement, and extension-related activities. Their work provides support to numerous projects related to the goals, missions, or aspirations of the departments, colleges of the university, and to the members of the professional community. Through outreach and engagement initiatives, partnerships are established with various stakeholders to translate knowledge and basic research into applications that address public needs. These service activities are integrally related to the land-grant mission.

Extension is governed by Kansas statutes that empower elected county councils and district governing boards with authority and responsibility to assess needs and conduct a local educational program in cooperation with Kansas State University and the United States Department of Agriculture (USDA). A network of local extension professionals and volunteers link Kansas State University faculty, the National Cooperative Extension System to the USDA which produces high-quality educational programs.

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WICHITA STATE UNIVERSITY (12-19-86; 3-17-88; 12-17-92)

Wichita State University is committed to providing comprehensive educational opportunities in an urban setting. Through teaching, scholarship and public service the university seeks to equip both students and the larger community with the educational and cultural tools they need to thrive in a complex world, and to achieve both individual responsibility in their own lives and effective citizenship in the local, national and global community.

High quality teaching and learning are fundamental goals in all undergraduate, graduate and continuing education programs. Building on a strong tradition in the arts and sciences, the university offers programs in business, education, engineering, fine arts, and health professions, as well as in the liberal arts and sciences. Degree programs range from the associate to the doctoral level and encompass seventy-five fields of study; non-degree programs are designed to meet the specialized educational and training needs of individuals and organizations in south central Kansas.

Scholarship, including research, creative activity, and artistic performance, is designed to advance the university's goals of providing high quality instruction, making original contributions to knowledge and human understanding, and serving as an agent of community service. This activity is a basic expectation of all faculty members at Wichita State University.

Public and community service activities seek to foster the cultural, economic and social development of a diverse metropolitan community and of the State of Kansas. The university's service constituency includes artistic and cultural agencies, business and industry, and community, educational, governmental, health, and labor organizations.

Wichita State University pursues its mission utilizing the human diversity of Wichita, the state's largest metropolitan community, and its many cultural, economic and social resources. The university faculty and professional staff are committed to the highest ideals of teaching, scholarship and public service, as the university strives to be a comprehensive, metropolitan university of national stature.

EMPORIA STATE UNIVERSITY (12-19-86; 3-17-88; 12-17-92; 3-18-93; 6-12-08)

Emporia State University is a dynamic and progressive student-centered learning community that fosters student success through engagement in academic excellence, community and global involvement, and the pursuit of personal and professional fulfillment.

Chapter II: Policies and Procedures

PITTSBURG STATE UNIVERSITY (12-19-86; 3-17-88; 12-17-92; 9-19-02)

Pittsburg State University, a comprehensive regional university, provides undergraduate and graduate programs and services to the people of southeast Kansas, but also to others who seek the benefits offered. This is accomplished by the unique combination of academic programs in the four colleges of the University Arts and Sciences, Business, Education and Technology. The University is equally committed to fulfilling its statewide mission in technology and economic development by facilitating partnerships with secondary and postsecondary educational institutions, businesses and industries.

The University supports an organizational and interpersonal structure that actively encourages individuals to achieve their potential. The University provides programs and services that create opportunities for students and other individuals to develop intellectually, ethically, aesthetically, emotionally, socially and physically. The University provides intellectual leadership and multicultural experiences that contribute to the preservation of the heritage of the region and the enhancement of its inhabitants. Finally, the University recognizes the world as interdependent and, thus, seeks to promote a broad and interactive international perspective.

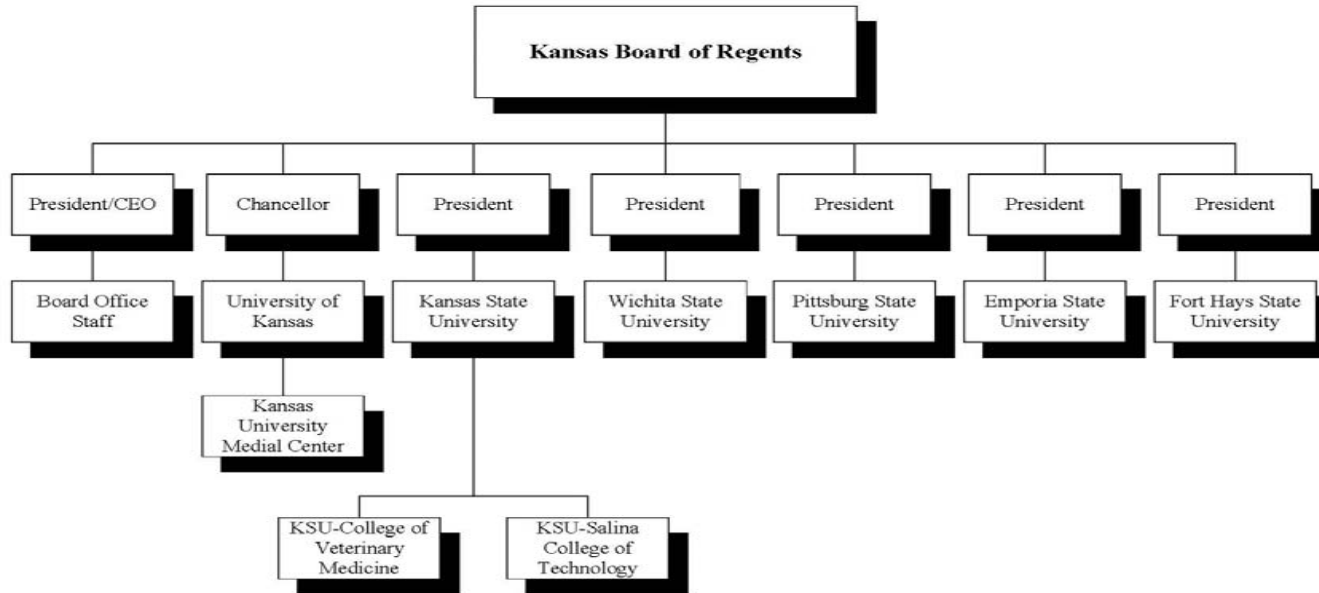
The University fulfills the traditional academic missions of teaching, scholarship and service. Excellence in teaching is the primary focus of the University. The University recognizes that active scholarship and creativity add vitality to teaching, expand and refine the knowledge base and are instrumental to the professional development of the faculty and staff. Programs of professional and community service promote and strengthen University endeavors. Pittsburg State University fosters a campus culture of assessment and accountability that supports strategic planning and the continuous improvement of its academic programs and administrative processes.

FORT HAYS STATE UNIVERSITY (12-19-86; 3-17-88; 12-17-92; 9-20-01; 6-23-05; 2-15-12)

Fort Hays State University provides accessible quality education to Kansas, the nation, and the world through an innovative community of teacher-scholars and professionals to develop engaged global citizen-leaders.

CHAPTER III: APPENDICES

APPENDIX A Structure of the Kansas Board of Regents



APPENDIX B
LEGAL AUTHORITY
(revoked 6-20-12)

APPENDIX C

ROUTINE REPORTING SCHEDULE

(9-17-09; 2-17-10)

The following subject matter listings indicate routine reports to be submitted to the Board office by each state university. All dates and required number of copies are subject to change for administrative efficiency. Additional reports not reflected in these listings may be required of any or all institutions.

Due

ACADEMIC AFFAIRS:

Program Review	May Agenda
Performance Reports	March 1
Report on Regents Distinguished Professors.....	May 1 & Dec. 1
.....	Oct. 1 as specified in Section II.F.4.a.(6)
Performance Agreements	July 1
Western Kansas Partnership Program (ACCESS US).....	Aug. 1
Kansas Partnership for Faculty of Distinction.....	Sept. 1
TSE/SPEAK/TOEFL report	as specified in Section II.F.3.a., b., & c.
Academic extension courses/programs.....	as specified in Appendix F.4.a.(5), b.(1)
Institutional affiliations with state universities.....	as specified in Appendix H.12.

FACILITIES:

Capital improvement requests (1 copy to Board office, 1 copy to each Regent).....	Apr. 1
Inventory of Physical Facilities & Space Utilization (report even numbered years biennial; Table 1 annually) copies of selected pages by campuses	Nov. 1
Campus safety and security summary status report (to Committee on Fiscal Affairs and Audit)	Nov. 1
Rehabilitation and Repair Projects for Institutions of Higher Education for allocation, at December Board meeting (for following July 1 availability)	Dec. 1

FISCAL MANAGEMENT:

Delegations of contracting authority (to KBOR General Counsel)	July 1
Annual Operating Budget and Legislative Budget Report	Sept. 15
Reports from state universities participating in the pilot project on purchasing.....	Oct. 1
Housing occupancy report	Nov. 1
Fee waiver report.....	Nov. 1
Annual financial report.....	Dec. 31

MISCELLANEOUS

Attrition and Graduate Report	Oct. 1
Kansas Higher Education Enrollment Report (KHEER).....	Mar. 1, Oct. 1
Legislative proposals (non-appropriations)	Nov. agenda
Sustainability report.....	Nov. agenda
Report on pending or completed Legislative Post Audits	Dec. 31
Consolidated Unclassified Reports.....	Dec. 1
Institutional Research Reports.....	as specified at: http://www.kpspsd.org/IR/common/documents/Report%20List%20for%20Academic%20Year%202010.pdf

APPENDIX D

RESIDENCY RULES AND REGULATIONS

Article 3--GUIDELINES FOR THE DETERMINATION OF RESIDENCY FOR FEE PURPOSES

88-3-1. Student Information. Whenever a question arises concerning a person's residence classification for fee purposes, that person shall be provided with a copy of information substantially as set forth in this regulation, together with K.A.R. 88-3-2 through 88-3-13.

"Carefully read the information, statute, and regulations that follow. Then, if you believe you should be eligible for resident classification for fee purposes, complete the attached application for residence classification and submit it to the registrar within 30 days of your notification of classification as a nonresident for fee purposes. When an appeal is made by a student from a determination that the student is a nonresident, the student must pay nonresident fees at the time designated for payment of fees. If the student is found to be a resident, the difference between resident and nonresident fees will be refunded. Subject to the provisions of K.S.A. 77-601, *et seq.* decisions of the residence committee shall not be subject to further administrative review by any officer or committee of the university, or by the state board of regents."

Responsibility

"The responsibility of enrolling under proper residence classification for fee purposes is placed on the student. If there is any possible question of residence classification under the regulations of the state board of regents, it is the duty of the student when registering and paying fees to raise the question with the registrar. If a student enrolls incorrectly as a resident of Kansas and it is determined at a later date the student was a nonresident for fee purposes, the student shall be required to pay the nonresident fee for all terms during which the student was incorrectly registered." (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991; amended July 24, 1998.)

88-3-2. Definition of "residence" for fee purposes.

(a) Except as otherwise provided in the rules and regulations of the state board of regents, "residence" means a person's place of habitation, to which, whenever the person is absent, the person has the intention of returning. A person shall not be considered a resident of Kansas unless that person is in continuous physical residence, except for brief temporary absences, and intends to make Kansas a permanent home, not only while in attendance at an educational institution, but indefinitely thereafter as well.

(b) The factors that, while not conclusive, shall be given probative value in support of a claim for resident status include the following:

- (1) Continuous presence in Kansas, except for brief temporary absences, during periods when not enrolled as a student;
- (2) employment in Kansas;
- (3) payment of Kansas state resident income taxes;
- (4) reliance on Kansas sources for financial support;
- (5) commitment to an education program that indicates an intent to remain permanently in Kansas;
- (6) acceptance of an offer of permanent employment in Kansas;
- (7) admission to a licensed practicing profession in Kansas; or
- (8) ownership of a home in Kansas.

No factor shall be considered in support of a claim for resident status unless the factor has existed for at least one year before enrollment or re-enrollment.

Chapter III: Appendices

(c) The following circumstances, standing alone, ordinarily shall not constitute sufficient evidence of a change to Kansas residence:

- (1) voting or registration for voting in Kansas;
- (2) employment in any position normally filled by a student;
- (3) lease of living quarters in Kansas;
- (4) a statement of intention to acquire residence in Kansas;
- (5) residence in Kansas of the student's spouse;
- (6) vehicle registration in Kansas;
- (7) acquisition of a Kansas driver's license;
- (8) payment of Kansas personal property taxes; or
- (9) continuous enrollment in a postsecondary educational institution in Kansas.

(d) If a person is continuously enrolled for a full academic program as defined by the institution where enrolled, it shall be presumed that the student is in Kansas for educational purposes and the burden shall be on the student to prove otherwise.

(e) Maintenance of ties with another state or country, including financial support, voting, payment of personal property taxes, registering a vehicle or securing a driver's license in that state or country, may be considered sufficient evidence that residence in the other state or country has been retained. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991; amended July 24, 1998.)

88-3-3. Definition of "12 months." The phrase "12 months prior to enrollment for any term or session," as used in K.S.A. 76-729, means a continuous 365-day period immediately prior to the first day of classes for a specified term or session. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended Nov. 18, 1991.)

88-3-4. Residence of persons under eighteen years of age. Generally, the residence of a person who is under 18 years of age is determined by the residence of the person's custodial parent or parents or of the parent providing the preponderance of the student's support. If both parents are deceased, residence shall be determined by the residence of the person's legal guardian or custodian, or if none exists, of the person providing the preponderance of support. Any person under 18 years of age who is legally emancipated shall be considered an adult for residence purposes. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729, 76-730; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986.)

88-3-5. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended Nov. 18, 1991; revoked July 24, 1998.)

88-3-6. Equal treatment of men and women. In the application of K.S.A. 1975 Supp. 76-729 and these regulations, men and women shall be treated the same. (Authorized by K.S.A. 1976 Supp. 76-729, 76-730; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977.)

88-3-7. Residence of married persons. The residence of married persons shall be determined separately for each spouse. (Authorized by K.S.A. 1976 Supp. 76-729, 76-730; effective, E-76-50, Oct. 10, 1975; effective, E-77-5, March 19, 1976; effective Feb. 15, 1977.)

88-3-8. (Authorized by K.S.A. 76-730; implementing K.S.A. 2005 Supp. 76-729, K.S.A. 76-730; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991; amended Aug. 18, 2006; revoked July 27, 2007.)

88-3-8a. Military personnel. (a) The resident fee privilege shall be accorded to any person who meets the following conditions:

- (1) Is enrolled at any state educational institution as defined by K.S.A. 76-711 and amendments thereto;
and
- (2) meets one of the following conditions:
 - (A) Is actively serving in any armed service of the United States and, regardless of the individual's duty station, resides in Kansas; or
 - (B) is a member of the Kansas army or air national guard.
- (b) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(A) unless one of the following occurs:
 - (1) The person meeting the requirements of paragraph (a)(2)(A) is reassigned from a Kansas duty station to a duty station outside the state, and the spouse or dependents do not continue to reside in Kansas.
 - (2) The person meeting the requirements of paragraph (a)(2)(A) never had a duty station assignment in Kansas and does not continue to reside in Kansas.
- (c) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(B) unless the spouse or dependents do not reside in Kansas.
- (d) This regulation shall not be construed to prevent a person in the military service from acquiring or retaining a bona fide residence in Kansas.
- (e) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined by K.S.A. 76-711 and amendments thereto.
(Authorized by K.S.A. 76-730; implementing K.S.A. 2006 Supp. 76-729, as amended by 2007 HB 2425, §1 and 2007 HB 2185, §10, and K.S.A. 76-730; effective July 27, 2007.)

88-3-9. Institutional personnel. (a) Any employee of an institution governed by the state board of regents, classified and unclassified, on a regular payroll appointment for .4 time or more, shall be accorded the resident fee privilege.

- (b)(1) The dependent spouse and children of any employee of an institution governed by the state board of regents, whether the employee's position is classified or unclassified, shall be accorded the resident fee privilege, provided that the employee holds a regular payroll appointment for 1.0 time.
- (2) The dependent spouse and children of any employee of an institution governed by the state board of regents, whether the employee's position is classified or unclassified, shall be accorded the resident fee privilege, provided that the employee holds a regular payroll appointment for at least .4 time but less than 1.0 time and is enrolled in a graduate program on the effective date of this regulation, until one of the following criteria is met:
 - (A) the expiration of the time allowed in the relevant university catalog for the employee to complete the aforesaid graduate program;
 - (B) a break in enrollment by the employee;
 - (C) the employees being awarded the graduate degree from the aforesaid graduate program; or
 - (D) the end of the employee's employment.

- (c) The provisions of this regulation shall not apply to seasonal, temporary or hourly employees. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended Nov. 18, 1991; amended March 6, 1998.)

88-3-10. Kansas high school graduates.

- (a) The resident fee privilege shall be granted to any person graduating from a Kansas high school accredited by the state board of education who:
 - (1) Qualifies for admission and begins classes at any institution governed by the state board of regents within six months of high school graduation;
 - (2) was a Kansas resident for fee purposes at the time of graduation from high school or within 12 months prior to graduation from high school; and
 - (3) provides an official copy of that person's high school transcript to the university of enrollment.
- (b) This resident fee privilege shall be granted even if the student is not otherwise qualified for this privilege due to the current residence of the student's parents or guardians.
- (c) This privilege shall be granted as long as the student remains continuously enrolled at any institution governed by the state board of regents.
- (d) Each person seeking the resident fee privilege pursuant to the provisions of these rules shall be responsible for providing such information necessary to verify graduation from a Kansas high school and resident status at or 12 months prior to graduation from high school. (Authorized by and implementing K.S.A. 76-729, as amended by 1991 S.B. 21, Sec. 2, and K.S.A. 76-730; effective, T-88-30, August 19, 1987; effective May 1, 1988; amended Nov. 18, 1991.)

88-3-11. Recruited or transferred employees.

- (a) The resident fee privilege shall be granted to any person who upon enrollment has been a domiciliary resident of the State of Kansas for fewer than 12 months and whose current domiciliary residence was established to accept or retain full-time employment in the State of Kansas. The resident fee privilege shall also be granted to the spouse and dependent children of that person.
- (b) Any person seeking the resident fee privilege pursuant to the provisions of this regulation shall provide a statement from the employer that supports the claim and meets these requirements:
 - (1) Be notarized;
 - (2) be signed by the personnel director of the employer and one of the following:
 - (A) The owner;
 - (B) partner; or
 - (C) the chief executive officer of the employer;
 - (3) indicate whether residence in Kansas was established as the result of a job transfer or recruitment
 - (4) indicate the date of initial employment in Kansas in case of a job transfer;
 - (5) indicate the date of hire in the case of an employment recruitment;
 - (6) set forth the nature of the position in Kansas as full-time; and

- (7) set forth the expected length of employment in Kansas.
- (c) An individual who is self-employed shall not be considered eligible for the resident fee privilege under this regulation.
- (d) Military personnel shall be considered pursuant to K.A.R. 88-3-8 and not pursuant to the provisions of this regulation.
- (e) Each person seeking the resident fee privilege pursuant to the provisions of this regulation shall be responsible for providing information necessary to indicate that the establishment of residence in the State of Kansas was solely as a result of accepting, upon recruitment by an employer, or retaining, upon a transfer request by an employer, full-time employment in the State of Kansas.
- (f) The resident fee privilege extended by this regulation shall continue for a maximum of 12 months, but this privilege shall be extended during the pendency of the labor certification process with the United States department of labor or of a petition for adjustment of status with the immigration and naturalization service, when the recruited or transferred employee is a foreign national who has presented proof of each relevant filing. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective T-88-30, August 19, 1987; effective May 1, 1988; amended Nov. 18, 1991; amended July 24, 1998.)

88-3-12. Discharged or retired from active military service in Kansas.

- (a) The resident fee privilege shall be granted to each person who meets the following requirements:
 - (1) Has been a domiciliary resident of Kansas for less than 12 months;
 - (2) had a permanent change of station order for active duty in Kansas;
 - (3) has retired or has been honorably discharged from military service; and
 - (4) established current domiciliary residence at enrollment. The resident fee privilege shall also be granted to the spouse and dependent children of that person.
- (b) Each person seeking the resident fee privilege according to this regulation shall be responsible for providing the registrar at the state educational institution, as defined by K.S.A. 76-711 and amendments thereto, at which the person is enrolling with the information necessary to indicate domiciliary residence in Kansas and shall provide a statement in support of the claim that meets the following requirements:
 - (1) Is notarized;
 - (2) is signed by an appropriate military officer;
 - (3) provides the date of discharge or retirement from active military service and specifies whether the discharge or retirement was under honorable conditions;
 - (4) provides the date of initial presence in Kansas; and
 - (5) provides the dates of all active duty service in Kansas, including the date of the permanent change of station order for active duty in Kansas.
- (c) The resident fee privilege extended by this regulation shall continue for a maximum of 12 months.
- (d) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined in K.S.A. 76-711 and amendments thereto. (Authorized by K.S.A. 76-730, implementing K.S.A. 2006 Supp. 76-729, as amended by 2007 HB 2425 §1 and 2007 HB 2185, §10; effective Nov. 14, 1988; amended Nov. 18, 1991; amended July 27, 2007.)

88-3-13. Persons with special domestic relations circumstances.

- (a) The resident fee privilege shall be granted to any dependent student whose parents are divorced, as long as at least one parent is a Kansas resident pursuant to articles 2 and 3 of these regulations.
- (b) A dependent student who is correctly classified as a resident and who maintains continuous fall and spring enrollment and domiciliary residence in Kansas shall maintain the resident fee privilege. Brief temporary absences shall not end the eligibility for the resident fee privilege, as long as domiciliary residence is maintained. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective July 24, 1998.)

APPENDIX E

Retirement Plan for Kansas Regents Institutions

January 1988 (Revised 3-88; 6-89; 2-90; 5-91; 1-92; 9-93; 9-94; 10-96; 5-16-02, 3-16-06; revoked 11-20-08)

APPENDIX F

ACADEMIC EXTENSION POLICIES AND PROCEDURES

(5-18-89; 12-14-89; 2-14-91; 5-16-91; 6-27-91; 11-14-91; 2-20-92; 4-18-96; 9-18-97; 6-24-99; 11-15-07)

1. PHILOSOPHY

Changing demographics and changing workplace demands are among the environmental shifts that are challenging traditional requirements for productive employment and enlightened citizenship. Academic extension at Regents universities accepts the on-going responsibility (1) to identify the configurations of knowledge and skills needed by adults to compete and thrive and (2) to provide continuing education and lifelong learning programs that assist individuals and groups in acquiring the postsecondary education they need.

Underlying these efforts is a philosophy which emphasizes students' needs. This philosophy recognizes that academic extension students are a diverse population with differences in educational requirements, motivation, constraints, goals, access and opportunities. To accommodate these differences, academic extension programs are designed to reach established as well as underserved constituencies.

Using available learning resources, including electronic delivery, academic extension programs at Regents universities collectively work toward increasing opportunities for the entry and reentry of individuals and groups into higher education by assisting them to overcome or minimize participatory barriers such as location, employment, finance, and family-social-civic responsibilities. These efforts, which may involve a variety of course and delivery formats, are sustained by a commitment to developing and maintaining convenient, quality and affordable services and instruction.

2. GENERAL CONCEPTS

- a. College or university academic extension is the administrative vehicle for extending the institution's instructional and research resources through service to the people of the State. Extension courses and programs may be offered for academic credit or they may be noncredit, and they can be delivered via distance education or through off-campus face-to-face instruction. Programs covered by the term academic extension are separate and distinct from those offered by the Cooperative Extension Service at Kansas State University.
- b. Academic extension is an integral part of higher education and when it is offered for credit should be publicly and institutionally supported commensurate with the needs of society and at a level that provides for high quality programs in Kansas.
- c. Credit awarded by a Regents institution or Washburn University for extension courses shall be accepted for transfer by other Regents institutions. Application of transfer credit toward fulfilling degree requirements shall remain the prerogative of the faculty of the receiving institution. (6-24-99)
- d. The Board of Regents supports the exploration and use of electronic and other media to deliver quality distance education courses and programs. The Board also endorses coordinated and cooperative efforts in the planning and delivery of off-campus face-to-face academic extension courses and programs.
- e. Except in early stages of development, mediated programs and/or courses should pay through program revenues for the additional costs associated with mediation. Campuses should assess fees to cover such additional costs.
- f. Decisions to offer academic extension courses shall be guided by the following:
 - (1) Mission of institution.
 - (2) Need for specialization of programs and diversity of formats, time frames or cost structures.

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- (3) Availability of adequate instructional and fiscal resources.
- (4) Cooperation between institutions.

3. **DEFINITIONS**

- a. "Campus" is defined as the buildings and grounds located within the specific boundaries of the respective Regents institutions or Washburn University; provided, however, that the Wichita State University campus, for purposes of academic program offerings and contractual arrangements with community colleges and technical colleges, is defined as the City of Wichita and industrial sites contiguous to the City. (4-18-96, 6-24-99)
- b. "Credit" refers to a unit of measure of educational experience within a planned curriculum leading to a degree.
- c. "Base credit academic extension" refers to courses that receive state funding, that are offered for credit, and where the majority of instruction occurs at sites physically located off the institution's campus.
- d. "Nonbase credit academic extension" refers to courses that do not receive state funding and that are offered for credit at sites physically located off the institution's campus.
- e. "Noncredit academic extension" refers to educational activities, such as workshops, seminars, conferences and short courses offered for Continuing Education Units or without academic credit for which a fee is charged. These activities receive no direct financial support from the state.
- f. Distance education courses are those in which faculty and students are physically separated in place or time and in which two-thirds or more of the instruction is provided via some form of mediated delivery system (i.e., 10 or more hours of instruction per credit hour are delivered via audio or videotape, live interactive video, CD-ROM, the Internet or World Wide Web, etc.).
- g. A distance education program is one in which the proportion of content delivered via distance learning is fifty percent or more. (9-16-10)
- h. "Regular faculty" is a member of the faculty who holds an appointment (full or part-time) with the rank of instructor or higher.
- i. An "academic extension specialty program" is a sequence of off-campus face-to-face courses that may be base or nonbase, credit or noncredit, and that has been approved for delivery at a specific location or locations outside of the institution's approved geographic service area.
- j. "Kansas City metropolitan area" is Johnson and Wyandotte Counties. (11-15-07)

4. **GEOGRAPHIC SERVICE AREAS**

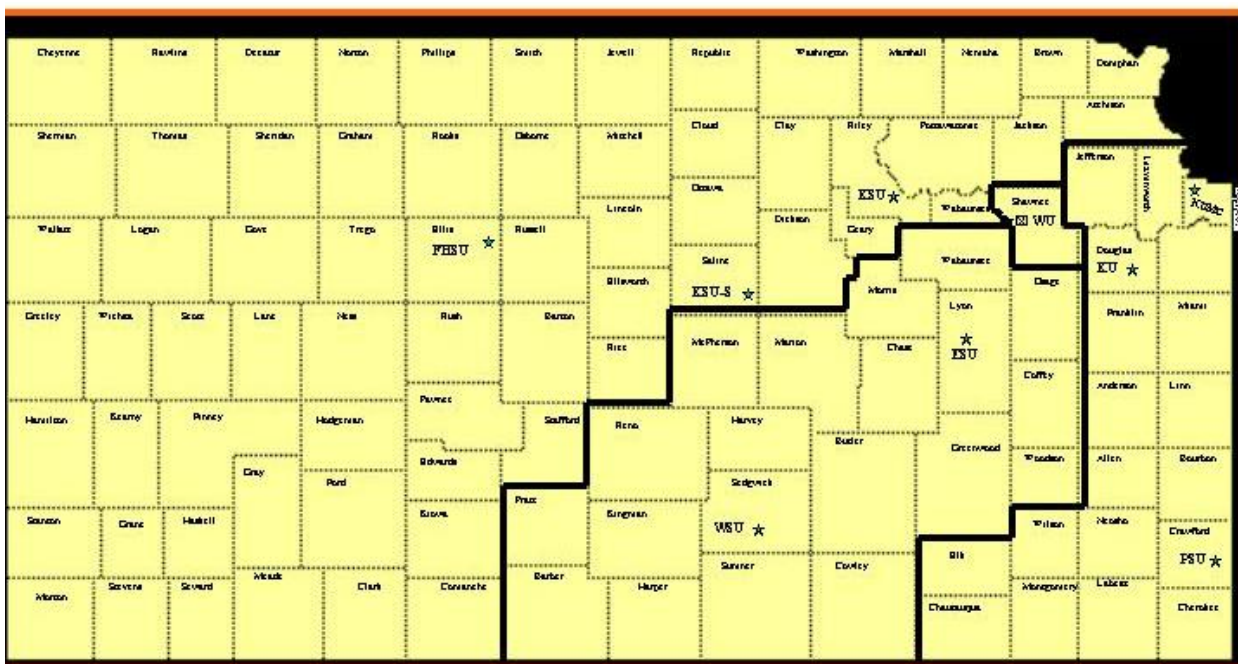
- a. In-Areas, Responsibilities and Requirements

(1) The state shall be divided into three geographic areas to ensure that needs for off-campus face-to-face courses and programs are met without unnecessary duplication. Except as otherwise provided pursuant to paragraph (8) of this section, these areas shall be served dually by the University of Kansas and Pittsburg State University, Wichita State University and Emporia State University, and Kansas State University and Fort Hays State University. Geographic service areas shall be established by the Board. (See "Map of Geographic Jurisdiction Areas" at the end of this section.) In addition, KU, KSU, ESU, and Washburn University will share responsibility for serving Shawnee County. Instances of apparent duplication in Shawnee County among Regents institutions and Washburn University shall be evaluated and resolved by the Board's Vice President of Academic Affairs on an individual basis as the occasion and need arise. (6-24-99; 11-15-07)

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- (2) Assignment of particular geographic service areas to specific Regents institutions and Washburn University applies only to off-campus academic extension courses and programs that are delivered on a face-to-face basis. Geographic service areas do not apply to distance education courses or programs. (6-24-00)
- (3) The institutions that share a geographic service area have primary responsibility for meeting the needs of the area and take precedence over other Regents institutions and Washburn University in offering off-campus face-to-face academic extension courses and programs within the area. (6-24-99)
- (4) The institutions that share a geographic service area have the responsibility to request other Regents institutions or Washburn University to serve identified or expressed needs when the primary institutions are unable to do so. (6-24-99)
- (5) Institutions shall submit reports on academic extension courses and programs to the Board on an annual and periodic basis as required.
- (6) Subsequent to institutional identification of specific courses comprising the curriculum, and approval by the Council of Chief Academic Officers and the Vice President of Academic Affairs, an off-campus face-to-face program will be designated as an “academic extension specialty program” and may be offered at approved locations or statewide for a period not to exceed ten years. Requests for approval of academic extension specialty programs should follow the format described at the end of this appendix. Renewal of an academic extension specialty program designation requires the approval of the Council of Chief Academic Officers and the Vice President of Academic Affairs. (6-24-99; 11-15-07)
- (7) With the exception of the Kansas City metropolitan area, off-campus face-to-face academic extension courses which are not part of an approved academic extension specialty program and offered outside an institution’s geographic service area must be reviewed and approved by the other Regents institutions in the service area and by the Vice President of Academic Affairs prior to any public announcement of the course or program. (11-15-07)
- (8) Off-Campus face-to-face academic extension courses and programs which are not part of an approved academic extension specialty program and offered outside an institution’s geographic service area in the Kansas City metropolitan area must be approved by the Board and require additional documentation concerning the need/demand and a justification for any duplication. (11-15-07)
- (9) The Board encourages institutions to respond to local educational needs within their approved geographic service areas, including certificate, workforce training, and noncredit courses and programs.

**MAP OF GEOGRAPHIC JURISDICTION AREAS
Regents Institutions**



b. Out-of-State Offerings

(1) Courses to be offered by a Regents institution or by Washburn University outside the State of Kansas must be approved by the Director of Academic Affairs; out-of-state degree programs must be approved by the Board prior to public announcement of the course or program. Courses and programs qualifying as distance education courses as defined in 3.f in Appendix F are exempt from this policy. (6-24-99)

Exceptions:

- (a) Field study courses are exempt from approval even when the "field" component includes offering of instruction at a location outside an institution's geographic service area.
- (b) Noncredit academic extension courses and programs offered by a Regents institution outside the State of Kansas are exempt from approval but must be reported annually.

(2) Regents universities or Washburn University offering courses and programs in other states shall comply with those states' statutes, rules and regulations. If compliance is not feasible, the course or program will not be available in that state and any students enrolled shall be withdrawn. (6-24-99)

(3) Direct costs, including cost of instruction, must be supported by restricted fees with the following exception: credit academic extension courses offered to an institution's regularly enrolled students at an out-of-state location or locations, including abroad, which take advantage of unique educational resources critical to the instruction, may be included in the instructional base.

(4) Except for royalties payable under an institution's intellectual property policy, out-of-state instruction designed to produce a profit for any individual who is an employee of the State of Kansas is prohibited.

5. **ADMINISTRATION**

a. The Director of Academic Affairs of the Board shall:

- (1) Approve or disapprove requests for face-to-face academic extension courses to be delivered outside assigned geographical service areas in accordance with Board policy.
- (2) Coordinate systematic assessment of state need for academic extension services.
- (3) Be responsible for maintaining appropriate academic extension records.
- (4) Be responsible for producing state-level reports as assigned.
- (5) Be responsible for monitoring the execution of Board policy systemwide.

6. **FACULTY**

The selection of qualified faculty for academic extension shall follow established campus appointment and operating procedures.

7. **MAINTENANCE OF QUALITY**

- a. It is the responsibility of the chief academic officer of each Regents institution and Washburn University to ensure that institutional procedures, including new program approvals and existing program reviews, result in high standards of quality in academic extension courses and programs. (6-24-99)
- b. Instructional and student support services for academic extension courses and programs, including library and laboratory resources, shall be appropriate to the needs of the course.

8. **GUIDELINES FOR SUBMITTING REQUESTS FOR APPROVAL OF A PROGRAM AS AN ACADEMIC EXTENSION SPECIALTY**

a. Background

An “academic extension specialty” is a program unique to a Regents institution or Washburn University that may be offered at approved locations or statewide for a period not to exceed ten years.

These guidelines were revised to conform with changes made to Appendix F of the Board Policy Manual on September 18, 1997. In matters related to these guidelines, the Board staff shall act as agents for the Board.

b. Guidelines

- (1) A written request for approval of an academic specialty must be made to the Council of Chief Academic Officers (COCAO) through the Board staff
- (2) The request must present information in the following format:
 - (a) Name and CIP code of the proposed program.
 - (b) Degrees that may be awarded through the program.
 - (c) Statement of need for the program substantiated with data.

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- (d) Purpose of the program
 - (e) Students likely to enroll in the program and estimated enrollment.
 - (f) Unique and distinguishing features of the proposed program, such as its faculty, facilities, resources, and history sufficient to support designation as an academic extension specialty.
 - (g) Curriculum, including the department, number, name, and a brief description of content for each course within the program.
 - (h) Other information which the institution may wish to provide in support of its request.
 - (i) Name, title, address, and telephone number of the designated representative of the program.
 - (j) Signature of the Chief Academic Officer of the institution authorizing the request.
 - (k) Date of the request.
 - (l) Specific locations where the program will be offered.
 - (m) Requested approval period.
- (3) By a majority vote, COCAO will recommend approval or denial of the proposed specialty program, including the curriculum, to the Board's Director of Academic Affairs.
- (4) Any changes in the approved curriculum must be approved by COCAO and the Director of Academic Affairs.
- (5) Board staff will maintain information about the curriculum and courses of approved academic extension specialties for use in reviewing requests to offer courses outside the institution's geographic jurisdiction area.
- (6) In the tenth year after its approval by COCAO, or at the end of the approved period, the university may indicate its desire to continue an academic extension specialty by providing updated information outlined in item 2 above to COCAO with a copy to Board staff.
- (7) If an institution does not provide this information by January 1 of the year the program approval ends, this designation will be terminated on May 30 of that year.
- (8) Board staff will schedule a review of the academic extension specialty by COCAO upon receipt of updated information from the institution.
- (9) The same process used to designate the academic extension specialty initially will be repeated in order to determine if the academic extension specialty designation will be continued. (6-24-99)

APPENDIX G

POLICIES AND PROCEDURES FOR THE APPROVAL OF NEW ACADEMIC PROGRAMS

(3-21-91; amended 6-30-94; 9-18-97; 2-15-01; 6-27-07)

1. BOARD APPROVAL OF NEW ACADEMIC PROGRAMS

The Board of Regents Policy Manual [Academic Affairs 7.d.(2)(b)] stipulates that Board approval is required for the establishment of new degree programs. When the Board considers the establishment of a new degree program or major, information regarding its need, quality, cost and means of assessment become paramount. The minimization of unnecessary program duplication is a high priority of the Kansas Board of Regents. This document outlines the policies, procedures and criteria the Board utilizes when reviewing requests for new academic degrees and majors.

2. NEW PROGRAM PROPOSALS

a. Procedures and Timelines for New Program Proposals.

(1) Institutions must submit the Program Summary Form to board staff no less than 45 days prior to the submission of the full proposal. All institutions shall be automatically notified of the proposed program by email through the Program Inventory Database. Institutions with concerns, comments or objections to the new program must state those preliminary concerns, comments or objections in writing to Board Staff within 45 day time period. This notification is intended to alert the initiating institution that concerns, comments or objections to approval may occur during the more formal deliberation process. At that time institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by Board staff and forwarded to the proposing institution for follow-up. An initiation institution is expected to communicate with other institutions filing concerns, comments or objections to minimize or eliminate the identified issues. Final proposals must contain all required information including evidence that concerns, comments or objections have been addressed and be submitted in the approved format. This process shall not prevent an institution from submitting a new program proposal, but it is designed to make the approval process more transparent, improve proposals and reduce potential conflict related to unnecessary duplication.

The Board President and CEO, or designee, shall determine if each proposed program is similar to others in the state and may serve the same potential student population. A similar program is one that has a like CIP code, title, content or competencies. If the President and CEO, or designee, determines that one or more similar programs exist, the following information shall be provided by the institution.

- Whether the institution has a valid inability to offer the program collaboratively. This will be determined by geographic proximity of similar programs eligible for collaboration, the transportability of existing programs to the proposed population, and if the proposed program varies to an extent that would not allow collaboration.
- What the level of interest of new students in the program is. This will be determined by the number of students interested as described in Appendix G, 4.a.2, and through survey analysis that shows student interest will support or sustain the program for an excess of three years.
- What the existing and future labor market demand for graduates of the program is and will be. This will be based on the Kansas Job Vacancy survey and Kansas Department of Labor statistics for a specific job title. This will also be based on the number of projected students that would be required to sustain the proposed program for a minimum of three years.
- What the student enrollment levels in existing similar programs are. This will be based on the number of vacancies in currently approved programs.
- Whether student waiting lists for similar programs exist. This will be based on the number of students that cannot be accommodated in the existing programs within one year or that cannot be accommodated by expanding existing programs.
- Whether sufficient clinical sites are available (if applicable to the program)

Board staff shall compile, analyze and make recommendations to the Board on the information provided. The recommendations and information provided shall be reviewed by the Board Academic Affairs Standing Committee to

determine whether the program represents unnecessary program duplication before forwarding the proposal to the full Board for approval.

(2) Institutions may submit proposals for new degrees and majors to the Council of Chief Academic Officers and the Director of Academic Affairs for consideration at any regular meeting of the Council. At the time of original notification to board staff and prior to Council consideration, the institutional representative shall enter the degree and majors into the Program Inventory Database.

(3) Proposals shall be reviewed and considered as a first reading by the Council at its next regularly scheduled meeting. During the review, Council members may question the representative of the proposing institution regarding the proposed program. Council members will also consider any comments, suggestions or concerns received by board staff. In addition, Council members will consider how the comments, suggestions and concerns have been addressed.

(4) The Council shall review and consider the proposal as a second reading at its subsequent regularly scheduled meeting.

(5) The Council of Chief Academic Officers shall convey its recommendation in writing at the next regularly scheduled meeting of the Council of Presidents.

(a) The Council of Chief Academic Officers shall make one recommendation based on a majority roll call vote according to the following voting categories:

(i) Recommended -- Proposed program merits implementation according to institutional and State priorities.

(ii) Not Recommended -- Proposed program does not merit Board approval at this time.

(6) The Council of Presidents shall review and consider the proposal at its next regular meeting following recommendation from the Council of Chief Academic Officers.

(7) The Board of Regents will approve or disapprove the proposal at its next regular meeting subsequent to the receipt of a recommendation from the Council of Presidents

b. Board of Regents Policy Manual [Academic Affairs 7.d.(3)(a) and (b)] governs the approval of new doctoral degrees. These policies stipulate the processes through which Regents universities may propose doctoral degrees and how they will be reviewed. Proposals for doctoral degrees should be prepared according to the format described in this document.

3. FORMAT FOR THE NEW PROGRAM PROPOSAL

New Program Proposals shall be submitted according to the following format.

a. The New Program Proposal shall begin with a section entitled, "Basic Program Information" and include the following information:

(1) Proposing institution;

(2) Title of proposed program;

(3) Degree(s) to be offered;

(4) Anticipated date of implementation;

(5) Responsible department(s) or unit(s); and

(6) Center for Education Statistics, Classification of Instructional Program (CIP) code associated with the program.

4. PROGRAM PROPOSAL NARRATIVE

The New Program Proposal shall include a section entitled "Program Proposal Narrative" and include responses to the following questions and requests for information:

a. Program Need and Student Characteristics. Program proposals shall establish clearly the need for the proposed program. Need for a proposed program shall be judged on the basis of the following criteria:

(1) Is the program central to the mission of the institution?

- The proposed program shall be centrally related to the Board approved Mission Statement of the institution.
- The proposed program shall be included in the list of programs identified for development in the institution's statement of aspiration as approved by the Board in February, 1993, or the proposal shall discuss the rationale for amending the Statement of Aspiration.

(2) What is the student demand for the program?

- The volume of student demand for the proposed program shall be demonstrated through some form of disciplined survey analysis.
- Student demand shall be demonstrated to be at a sufficient volume to justify the program. Normally three years after inception of the program, doctoral programs should have five students, master's programs should have 20 students, and baccalaureate programs should have 50 students.

(3) What is the demand for graduates of this program?

- The proposal shall demonstrate specific job opportunities including labor market demand data at both the local and state level. The proposal shall also demonstrate other post-collegiate experiences for graduates of this program. (6-27-07)

(4) What are the locational and comparative advantages of this program?

- The proposal shall discuss and compare similar programs in other institutions in the Regents system and related programs in the same institution.
- The proposal shall discuss and compare similar programs in the region and compare their quality with the program under consideration.
- The proposal shall demonstrate why the program should be located at the proposing institution.
- The proposal shall consider and demonstrate the advantages and disadvantages of program being a freestanding, cooperative or joint program including collaborative degree options. (6-27-07)
- The proposal shall state where the institution ranks the proposed program in its list of priorities. The proposal shall state how this determination has been made.
- The proposal shall state the importance of establishing this particular program vis-a-vis other program alternatives.

(5) What are the characteristics of the students who will participate in this proposed program?

- The characteristics of the pool from which students of this proposed program will be drawn shall be described.

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- The specific procedures and criteria for admission into this proposed program shall be described.
 - The specific opportunities for student interaction shall be described.
- b. Curriculum of the Proposed Program. Program proposals will be expected to describe the curriculum of the proposed program. The curriculum of the proposed program shall be judged on the basis of the following criteria:
- (1) What is the curriculum of the proposed program?
- Describe the more important academic objectives of the proposed program, including the range of skills and knowledge future graduates will possess.
 - The course work required of all students who major in this program shall be described. Attachment I, the curricular outline form, shall be completed.
 - Internships and practica required of students in this program shall be described.
- c. Program Faculty. Program proposals shall establish clearly the requirements, costs and quality of the faculty for the program.
- (1) What is the quality of the faculty?
- The instructional staff shall consist of a sufficient number of permanent faculty appropriately qualified for the level of instruction. Three years after their inception, programs should be staffed according to the following guidelines:
 - Bachelors Program - 3 with Ph.D. or appropriate terminal degree; Masters Program 3 additional faculty with Ph.D. or appropriate terminal degree; Specialists and Doctoral Programs two additional faculty with Ph.D. or appropriate terminal degree.
 - The proposal shall differentiate core faculty from others who teach in the program.
 - The instructional staff shall consist of faculty whose academic specializations are appropriate to the new degree program.
 - The instructional staff shall consist of faculty whose academic, instructional and scholarly accomplishments suggest that the proposed program will be of high quality and appropriate to the institution's mission, role and aspirations.
 - Identify other teaching requirements outside the proposed program assigned to core faculty. Also identify the proportion of their assignments devoted to the proposed program.
 - The number, qualifications and rank of proposed new faculty shall be identified.
 - The cost of proposed new faculty shall be identified, along with expected timelines for their employment by the institution.
 - The proposal shall include curriculum vitae of all faculty delivering courses for the proposed major.
- (2) How many graduate assistants will serve the program?
- The proposal shall identify any necessary graduate positions and budgeted salaries.
- d. Academic Support. Program proposals shall establish clearly the requirements, costs and quality of the academic support services for the program.

(1) What are the academic support services for this program?

- The advising services, library, audio-visual and academic computing resources shall be of sufficient volume and quality to support the program effectively.

(2) What new library materials and other forms of academic support are required beyond normal additions?

- The expected number of library acquisitions shall be identified with anticipated costs.
- New or enhanced forms of academic support shall be identified with the anticipated costs.

(3) What new supporting staff will be required beyond normal additions?

- The proposal shall list support staff requirements and budgeted salaries.

e. Facilities and Equipment. Program proposals shall establish clearly the requirements, costs and quality of the facilities and equipment for the program.

(1) What are the anticipated facilities requirements (existing, renovated or new)?

- Space requirements shall be sufficient to the instructional and laboratory needs of the program. The facilities needed for the delivery of a high quality program shall be itemized.
- Renovated or new facilities shall carry a fiscal note, identifying necessary work and additional costs.
- Sources of funding for renovation and new construction shall be identified.

(2) What new equipment will be required beyond normal additions?

- Equipment requirements shall be sufficient to the instructional and laboratory needs of the program. A statement shall be made about the equipment needed for the delivery of a high quality program.
- The proposal shall itemize available inventory, including equipment condition and life-span.
- The proposal shall itemize new equipment needs.

f. Program Review, Assessment and Accreditation. Program proposals shall establish clearly the institution's plan to monitor, maintain and enhance the quality and effectiveness of the program.

(1) What program review process or evaluation methods will be used to review the program?

(2) What student learning outcomes measures will be used to assess the program's effectiveness?

(3) What are the institution's plans regarding program accreditation?

- The program shall identify the specialized accrediting agency where applicable.
- The proposal shall identify institutional plans to have the program accredited, including timelines and projected costs of achieving and maintaining accreditation.

5. FORMS TO ACCOMPANY PROPOSAL

There are three forms that will be prepared and submitted with the proposal:

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- a. Summary of Proposed Academic Program (1-15-04)
- b. Curriculum Outline for Proposed Academic Program
- c. Fiscal Summary for Proposed Academic Program (2-15-01)

New Degree Request - *University Name*

<u>Criteria</u>	<u>Program Summary</u>
1. Program Identification CIP	
2. Academic Unit	
3. Program Description	
4. Demand/Need for the Program	
5. Comparative/Locational Advantage	
6. Curriculum	
7. Faculty Profile	
8. Student Profile	
9. Academic Support	
10. Facilities & Equipment	
11. Program Review, Assessment, Accreditation	
12. Costs, Financing	

Attachment I

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

I. Identify the new degree:

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

	Course Name & Number	Credit Hours
Core Courses:	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
Electives:	_____	_____
	_____	_____
	_____	_____
Research:	_____	_____
	_____	_____
Practica:	_____	_____
	_____	_____
	_____	_____
		Total: _____

IMPLEMENTATION YEAR FY _____

Fiscal Summary for Proposed Academic Programs

Institution: _____ Proposed Program: _____

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:						
B. Total SCH taken by all students in program						
Part II. Program Cost Projection						
A. In implementation 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.						
	Fall, Implementation Year		Year 2		Year 3	
<u>Costs:</u>						
Salaries						
OOE						
Total						

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

Revised: September 2003

Approved: _____

APPENDIX H

PRINCIPLES AND GUIDELINES FOR INSTITUTIONAL AFFILIATIONS WITH REGENTS UNIVERSITIES

(12-16-99)

Proposals for institutional affiliations prepared by the Kansas Regents universities and potential partners must demonstrate potential to increase student access to higher education, enhance the quality and variety of academic programs, and provide benefits to students and the State that justify any increased costs associated with affiliation. The proposal must include an appropriate feasibility study, with third party validation of the data, that will address each of the principles and guidelines above and assess the likelihood of success in meeting the stated goals with identified resources and timelines.

1. The primary benefits of, and key reasons for, the proposal must be clearly and succinctly stated in the introduction to the proposal.
2. The affiliation proposal must clearly articulate and integrate the mission of the affiliated institution.
 - Basic institutional purposes, service areas, scope of programming, and admissions policies must be explicit.
 - Teaching, scholarship and public/community service responsibilities for the affiliated institution must be delineated.
3. The affiliation proposal must define the authority and responsibilities of any local boards that are retained.
 - The responsibility of the local board regarding decision making must be identified. Specifically, the role of the board regarding authority versus advisory must be stated.
 - The chief administrative officer of the affiliated institution will be appointed by and report to the chief executive officer of the Regents university or his/her designee.
 - The responsibility of a local board relative to appropriation and allocation of revenues received from property taxes will be stated in the proposal.
 - The functions and authority of local foundations, if retained, must be clearly articulated.
4. The affiliation proposal must explain the responsibility for the maintenance, enhancement and future expansion of the physical plant and infrastructure of the affiliated institution. The proposal must identify how physical plant decisions will be made by the CEO, local board, chief administrative officer of the affiliated institution, and Board of Regents, respectively.
 - Alternatives to new building construction, such as new or expanded telecommunication networks, must be included in the affiliation proposal, if applicable.
5. The affiliation proposal must identify how the quality of and access to academic programs will be enhanced.
 - Plans for the improvement, integration and/or consolidation of programs must be evident where this is consistent with the goals for the affiliation.
 - Pre/post affiliation performance data must demonstrate program improvements, if applicable.
 - Opportunities for program delivery by other Regents universities at the instructional sites of the affiliated institution must be identified, if applicable.
 - Faculty employment, evaluation, and development policies and programs must be consistent with the goals of affiliation.
 - Plans for the integration of libraries and other academic units must be evident where this is consistent with the mission of the Regents university and affiliated institution.
6. A comprehensive budget analysis of the affiliation must be included in the proposal. Such analysis will show impact on revenues and expenditures, before and after the affiliation (projected for three years).
7. The affiliation proposal must identify administrative efficiencies and economies of scale that will be achieved. These efficiencies may consist of expenditure reductions, enhanced services, or both. The proposal must identify any efficiencies to be achieved.
8. The affiliation proposal must delineate the mix of revenue from state, local, student, and other sources.

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- Current or projected resources for the Regents universities, community colleges, or technical schools or colleges must not be diminished by the affiliation. This includes current or projected appropriations, or other unspecified resources, for all institutions combined or for an individual institution.
 - Revenue from local property taxes must contribute to support the physical facilities, students of the affiliated institution, or other purposes as identified in the proposal. (Applicable only if the affiliated institution is authorized to generate property taxes.)
 - If the affiliation projects an increase in expenditures by the state or increase in revenue to either of the institutions from state, local taxpayers, or students, a justification for such increases must be stated clearly.
 - The method for determining the tuition rate of the affiliated institution will be identified in the proposal.
 - If applicable, proposals must address the impact on out-district tuition and out-district state aid.
9. The affiliation proposal must address personnel matters relating to current and future employees, including topics, including but not limited to, classification, collective bargaining, retirement, and continuing contracts.
 10. The impact on accreditation of the institutions must be addressed in the context of an affiliation.
 11. The proposal must provide at least a three-year projection for student enrollment for the affiliated institutions, respectively. Population and demographic trends, or other analytical data supporting the enrollment projections, must be included.
 12. If the affiliation or merger is approved and implemented, an evaluation report from the chief executive officer to the Board will be expected no later than three years from the official date of implementation.
 13. These principles may be revised as necessary in the future, as the context for higher education evolves in the state.

APPENDIX I

PROCEDURES FOR THE KANSAS PARTNERSHIP FOR FACULTY OF DISTINCTION PROGRAM

(9-21-00; 12-18-08)

The Chief Executive Officer of the Kansas Board of Regents (hereinafter referred to as the Chief Executive Officer) is responsible for administering the following procedures. In addition to the procedures set out in the statute, the following procedures provide clarification and guidance for eligible institutions:

a. “Endowed professorship” means the position of a professor of the faculty of or a full-time faculty member employed by an eligible educational institution.

b. For purposes of this program, “Joint donors” will be considered to be related or associated if they have expressed a mutual commitment to furthering the purposes of this program through their joint gift. The institution will be responsible for demonstrating that such a relationship exists between or among joint donors.

c. In the case of a joint donation, support for an endowed professorship must come from persons or groups that share “common characteristics or similarities such that the joint monetary donation conforms with the purposes of the program.” For example, an appropriate funding raising activity would be for a college of engineering to solicit funds, especially major gifts, from engineering college alumni to support an endowed professorship in engineering. Alternatively, an example that would not conform to the intent of the “common characteristics and similarities” standards of the program would be for the institution to seek donations from all university alumni to support an endowed professorship in engineering. In regard to clarification about “common characteristics or similarities” of joint donors, institutions may seek advice from Board staff prior to initiating a fundraising campaign.

d. The chancellor, president, director or other chief executive officer of an eligible educational institution shall notify the Chief Executive Officer of the receipt of each qualifying gift. Such notification will be in a format determined by the Chief Executive Officer. Such notification will minimally include: the name of the account of the faculty position to be endowed by the gift, the amount of the gift received, and the date the gift was received. The Chief Executive Officer will determine if the gift qualifies for certification under the program. No gift will be certified until the threshold amount of cash, as per statute for each type of institution, is on deposit with the institution’s endowment association. If the gift qualifies for certification under the program and has been deposited in cash with the endowment association, the Chief Executive Officer will certify to the Director of Accounts and Reports the amount and date of receipt of the qualifying gift and the appropriate professorship account to which it applies.

Only qualified cash gifts from qualified donors may be used to meet the minimum threshold required for establishment of the endowed professorship. An institution may receive non-cash gifts for an endowed professorship, but such non-cash gifts must be converted to cash and on deposit with the institution’s endowment association before they are eligible for certification under the program.

e. Institutions may add new gifts to a certified endowed professorship, as long as the new donations are made by the same single donor or entity or by a member of the same class of joint donors. Only qualified new gifts may be used to increase the total amount of the certified endowed professorship account that is eligible for the state earnings equivalent award.

f. The Chief Executive Officer will certify receipt of each addition to an original qualifying gift (certified endowed professorship), provided that the addition meets or exceeds at least 20 percent of the institution’s minimum threshold for a qualifying gift and the addition satisfies all other requirements for certification. The chancellor, president, director or other chief executive officer of an eligible educational institution shall notify the Chief Executive Officer of the receipt of each addition to a previously certified gift. Such notification will be in a format determined by the Chief Executive Officer.

g. In accordance with statutory provisions, the Director of Accounts and Reports shall transfer from the state general fund the amount determined to be the earnings equivalent award for such qualifying gift. The Chief Executive Officer will certify no later than June 30 of each year the endowed professorships at all institutions. Prior to June 30 of each year, the Chief Executive Officer will produce a report listing all certified endowed professorships and request the chief executive officer of each eligible institution, as applicable, to verify the accuracy of such report for her/his institution.

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If on July 1 of any fiscal year the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts is equal to or greater than the applicable maximum stated in K.S.A. 76-775 and amendments thereto, no new qualifying gifts or additions to qualifying gifts will be certified by the Board during that fiscal year. If on July 1 of the subsequent year the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts is less than the applicable maximum, the Board will certify any new qualifying gifts or additions to gifts in the following manner. If for any reason the Board should need to accept qualifying gifts after the maximum total amount of new gifts per year for all or any individual institution has been reached, the date received by the Board shall determine the order in which gifts shall be certified.

h. The Chief Executive Officer shall prepare and distribute to each eligible institution a semi-annual report showing the accumulated amount of gifts that have been certified for all eligible institutions.

i. On or before September 1 of each year, each eligible institution that has established one or more certified endowed professorships will file a report on a form provided by the Chief Executive Officer. Such report will specify how funds (from the State General Fund earnings equivalent awards and from the endowment association's earnings) were expended to support the endowed professorship(s) for the previous state fiscal year. The Chief Executive Officer may request other information from the institutions to improve the program or report on its effectiveness to the Board of Regents or other interested parties. (9-21-00)

APPENDIX J

WESTERN KANSAS PARTNERSHIP PROGRAM

Policy

a. Description of the Western Kansas University-College Partnership

The Western Kansas University-Community College Partnership was approved by the Board in May 2003. **THE PROGRAM IS DESIGNED TO ENHANCE ACCESS TO ADVANCED HIGHER EDUCATION FOR WESTERN KANSAS STUDENTS WHO ARE PLACE-BOUND AND WHO HAVE LIMITED FINANCIAL RESOURCES.** Kansas State University, Fort Hays State University, and Emporia State University, in partnership with Dodge City Community College and other area Community Colleges, will deliver upper division undergraduate programs and graduate programs to Western Kansas using a combination of face-to-face and mediated delivery. Other public universities and colleges are not excluded from participation. A budget has been established to be used as indicated below. In order to access this budget, participating universities must follow the implementation procedures described below. **NOTE THAT THE BUDGET IS CONTINGENT UPON LEGISLATIVE APPROPRIATIONS.**

b. General Requirements for Funding

- (1) Funding is provided only for upper division or graduate programs. Duplicate programs will not be funded.
- (2) Only new (as of Fall 2003) programs in Western Kansas may be funded. Exceptions may be considered by the President/CEO of the Board of Regents if an existing program is proposed for implementation at an additional site.
- (3) The term "program" is used herein to include only the following:
 - Degrees and majors approved by KBOR. (That is, specializations within a major are not defined as self-standing programs. Certificates and minors are not defined as programs and may not be funded by this project.)
 - Teaching endorsements defined by KSDE.
- (4) The budget is to be used to reimburse universities for face-to-face courses when enrollment has dropped below the break-even point. In order to access the budget, the program must have been approved prior to the offering of the first course (see Implementation Procedures).
- (5) Funding from this project implies a twofold commitment. The participating institution makes a commitment to offer a complete program to students in Western Kansas. In addition, students are expected to commit to a program by completing the regular admissions and application process, including payment of an application fee 60 days prior to the first day of classes. In addition, students are expected to pre-register as early as possible.

c. Reporting requirements

The Chair of the Western Kansas Educational Compact will submit an annual report to the Board staff by August 1. Information from programs offered by all participating institutions will be presented in the same report. The report will be disaggregated by institution and will also contain a summary section. The report will include:

- (1) Budgetary matters
 - Description of expenditures (drawn from budget) during the previous fiscal year
 - Estimates for expenditures (drawn from budget) for the upcoming fiscal year
 - Explanation for any difference between estimates for the previous fiscal year and actual expenditures for the previous fiscal year
- (2) Enrollment and curricular matters (see Form 2 on following pages)
- (3) Unduplicated headcount by county (Western Kansas) of the number of students enrolled in Regents' guaranteed programs

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- (4) List of face-to-face and combination degree programs in Western Kansas that failed to break even during the previous academic year
- (5) Long-term plans for addition, deletion, or rotation of Regents' guaranteed programs in Western Kansas.

Implementation Procedures

a. Management of the program

- (1) Day-to-day issues will be handled by a working team consisting of the two university site managers located at Dodge City, an Emporia State University representative, and a member designated by the Western Kansas Education Compact. Unresolved issues will be referred to COCAO, and if necessary to COP for resolution.
- (2) The Western Kansas Educational Compact will serve in a formal advisory capacity by providing overall direction and coordination. The Compact will attempt to maximize the participation of additional community colleges. The Compact will clarify and provide guidance on managing such issues as student access to courses, shared responsibilities for advising and recruitment, access to the names and records of students currently enrolled, and student orientation to distance-learning technology.

b. Request to offer a funded program

- (1) In order to guarantee funding for a program that fails to break even, prior approval for offering the program must be obtained from the President/CEO of the Board. Form 1 (on following pages) must be submitted by the President/CEO of the institution offering the program **no later than 60 days prior to the first day of classes**. Evidence needs assessment and program promotion must be attached.
- (2) **IN ORDER FOR FUNDING TO BE APPROVED, THE SIZE OF THE INITIAL COHORT MUST BE LARGE ENOUGH THAT NORMAL ATTRITION WILL NOT CAUSE THE PROGRAM TO FALL BELOW BREAK-EVEN (DEFINED AS TOTAL COST DIVIDED BY TOTAL REVENUE EQUALS 1.00). THE PRESIDENT/CEO MAY APPROVE EXCEPTIONS IN SOME CASES (SUCH AS LIMITATIONS PLACED ON COHORT SIZE BY ACCREDITING AGENCIES).**
- (3) Approval will be granted for the first cohort. Approval must be requested to continue the program with additional cohorts.

c. Budgetary requirements

- (1) Budget requests (including a rationale for the request) should be submitted to the President/CEO of the Board by the President/CEO of the institution offering the program.
- (2) The President/CEO of the Board will have final budget authority.
- (3) During the first implementation year, no participating university will be eligible for more than \$100,000.

d. Form 1.

Request to Offer a Regents' Guaranteed Program in Western Kansas

Submit the information requested below to the President/CEO of the Board no later than 60 days prior to the first day of classes.

Provide the following information using the same format and numbering as shown below.

- (1) Institution offering the program
- (2) Name of program
- (3) Delivery site
- (4) Number of students required for current program to break even (**DEFINED AS TOTAL COST DIVIDED BY TOTAL REVENUE EQUALS 1.00**) and rationale

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- (5) Estimated retention rate for program and rationale
- (6) Limitations on cohort size (if any) and explanation (e.g. accreditation requirements)
- (7) Estimated beginning cohort size to achieve the break even point at the end of the program (taking into account estimates of retention)
- (8) Estimated cost (over and above revenue from tuition and fees) to **COMPLETE THE FACE-TO-FACE PORTION OF THE ENTIRE** program, should the program fail to break even. Explain how the cost was determined. (If approved, this amount will be set aside to guarantee completion of the program.)
- (9) Number of students who have committed to the program.
- (10) Number of students who have paid the application fee AND
- (11) Number of students who have preregistered for the semester in which the program begins
- (12) Attach evidence of needs assessment and program promotion.

e. Form 2

Annual Report on Enrollment and Curriculum in Western Kansas

Regents' Guaranteed Programs

Institution	Program	Site	Credit Hours		Unduplicated Headcount		Number of Students Required to Break Even
			Fall	Spring	Fall	Spring	
		Total					

The Implementation Plan was adopted by the Board June 26, 2003.

APPENDIX K

COLLABORATIVE PROGRAM/DEGREE PROCEDURES

Proposals for collaborative programs/degrees must include the following and should be limited to two pages:

- (a) A brief description of the nature of the collaboration and the benefits to Kansas
- (b) Lists of partners in the collaboration and degrees/certificates (if any) to be conferred by each partner
- (c) Description of faculty load and faculty compensation for each partner
- (d) Tuition/fees for each partner
- (e) Description of student support services provided by each partner
 - (1) Academic Advising
 - (2) Financial Aid
 - (3) Access to facilities
 - (4) Transcribing procedures
- (f) Plans for joint use of facilities
- (g) Plans for joint purchase and/or maintenance of facilities (1-19-05)

APPENDIX L

STUDENT LOAN CODE OF CONDUCT (10-18-07)

1. Preferred Lender Guidelines

Preferred or suggested lender lists used by state universities shall be based solely on the best interest of students and parents who may use the lists, and without regard to the financial interests of the university.

2. Lender Disclosures

All preferred or suggested lender lists maintained by a state university shall clearly and fully disclose the criteria and process used to select the lenders included on those lists. Students and parents shall also be told that they have the right and ability to select a lender of their choice, regardless whether such lender appears on the university's lender list.

3. Revenue Sharing

State universities shall not accept anything of value from any lender in exchange for any advantage sought by the lender. Lenders shall not be required or allowed to pay to be placed on a university's preferred lender list.

4. Gifts and Trips

State university employees shall not accept anything of value from any lender. This includes gifts or trips of any kind.

5. Advisory Board Membership

State university employees shall receive no compensation or anything of value for serving on the advisory board of any lender.

6. Lender Identification

No employee of any lender shall work in or provide staffing in a state university financial aid office. In addition, state universities shall direct employees of lenders to clearly identify themselves as employees of the lender and to never identify themselves as university employees when meeting or speaking with students or parents.

**CHAPTER IV:
COORDINATION AND SUPERVISION POLICIES AND PROCEDURES
ADOPTED AFTER JULY 1, 1999**

1. **APPROVAL OF CREDIT COURSES FOR COMMUNITY COLLEGES**

Policy

K.S.A. 1999 Supp. 71-601 requires that the Kansas Board of Regents approve courses for which credit hours are awarded in community colleges. Procedures for receiving and acting on credit courses submitted by community colleges shall be the responsibility of the President and Chief Executive Officer of the Kansas Board of Regents. Procedures will ensure that quality of instruction is properly addressed by the colleges' boards of trustees, and the approval of credit courses are acted on in a timely and effective manner. (9-16-99; 12-18-03)

Procedures

a. Statute Regarding Definition of Credit Hour

Article 6---STATE AID AND FISCAL PROVISIONS

K.S.A. 1999 Supp. 71-601. (a) "Credit hour" means the basic unit of collegiate level instruction, as determined by the state board, in a subject or course offered at a level not higher than those subjects or courses normally offered to freshmen and sophomores in four-year institutions of post secondary education which subject or course is approved by the state board. Credit hour does not include within its meaning instruction in a subject or course taken by a student enrolled for audit or in any subject or course not approved by the state board. The state board shall determine whether the subjects and courses offered in the community colleges are at the level of freshmen courses and sophomore courses offered in the state educational institutions and shall not approve any subject or course offered at a higher level.

b. Qualitative Process for Course Approval

Quality of instruction is the responsibility of the community college governing Board of Trustees and by the chief executive officer. Each institution will utilize a process whereby credit courses are subjected to a qualitative process review prior to application for course approval. The review by each institution will minimally comply with the following expectations:

- courses meet the intent of K.S.A. 1999 Supp. 71-601 in respect to level of instruction
- the amount of credit assigned to each course is appropriate for the skills, knowledge and competencies included therein
- faculty in the discipline or technical field have either initiated the course proposal or have been meaningfully involved in its review and recommendation for approval
- learning outcomes and appropriate assessment methods are clearly defined in the course outline, syllabus, and/or competencies identified
- facilities, equipment, and other learning resources are adequate to support the expected learning outcomes of the course
- a college "curriculum committee" or equivalent group composed of faculty and administration has reviewed the course proposals.

Annually, the President and Chief Executive Officer or designee will request the chief executive officer of each institution to provide a verification that the institution complies with the above criteria relating to a qualitative process review.

c. Role and Responsibility of the President and Chief Executive Officer or Designee of the Kansas Board of Regents

Regarding approval of credit courses, the responsibility of the President and Chief Executive Officer of the Kansas Board of Regents, or designee, is to:

- Ensure compliance with the intent of K.S.A. 1999 Supp. 71-601
- Maintain on file the verification by the colleges' chief executive officers of the qualitative review process utilized by each institution
- Ensure consistency and uniformity in respect to the course approval process
- Ensure that colleges have provided required course information
- Consult with college administration if problems arise regarding a course
- Provide assistance to college staff to facilitate course approval
- Approve or disapprove courses

The President and Chief Executive Officer is authorized to make judgments about matters or issues that are not specifically addressed herein these Procedures for Approval of Credit Courses. (8-20-99; 12-18-03)

2. **TRANSFER AGREEMENT AND ARTICULATION GUIDE/KANSAS' COMMUNITY COLLEGES, AREA VOCATIONAL TECHNICAL SCHOOLS AND TECHNICAL COLLEGES FOR THE ASSOCIATE IN APPLIED SCIENCE DEGREE AND ASSOCIATE IN GENERAL STUDIES DEGREE (REVOKED 1-18-06)**

3. **APPROVAL OF CONSTRUCTION OR RECONSTRUCTION OF BUILDINGS OR ACQUISITION OF LAND FOR NORTHWEST KANSAS TECHNICAL SCHOOL AND SOUTHEAST KANSAS TECHNICAL SCHOOL**

Policy

K.S.A. 1999 Supp. 72-4412 requires that Northwest Kansas Technical School and Southeast Kansas Technical School must receive approval from the Kansas Board of Regents prior to constructing or reconstructing any building or acquiring land. Procedures in support of this policy will be approved by the President and Chief Executive Officer. (11-17-99)

Procedures

a. General

K.S.A. 1999 Supp. 72-4412 states the following: "Unless approved by the Kansas Board of Regents, no area vocational-technical school shall construct or reconstruct or acquire any building or land until this provision is amended or repealed from the law." The statute further specifies that this provision applies only to Southeast Kansas area vocational-technical school and Northwest Kansas area vocational-technical school. Johnson County area vocational-technical school is identified in the most recent K.S.A. Supplement, but it was merged with Johnson County Community College and no longer exists as a separate legal entity

b. Procedures for Approval of Requests

- (1) The institution will submit to the Kansas Board of Regents a request for approval of the facilities' construction or land acquisition project. The request should be submitted at least 90 days prior to the intended date for initiation of the project. The designated staff member with which institutions should communicate is the Director of Facilities.
- (2) Contractual agreements may not be signed until the Board has acted to approve the project.
- (3) The proposal must include minutes of the meeting in which the local board of control approved the project.
- (4) If applicable, architectural plans must be submitted with the project proposal.

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(5) The designated staff member will review the project regarding the following criteria or other factors deemed relevant:

- completeness of the architectural plans
- accuracy and detail of the plans
- compliance with applicable codes, ordinances and ADA regulations

(6) Budget estimates must accompany the project proposal.

(7) Written assurances of budget availability and source of funds must be provided.

(8) If funded with private funds, Board approval is required prior to announcing fund raising for the project and funds must be raised and available prior to any contracts being signed.

(9) If funded with federal funds, approval for the project must be received prior to application for federal funds. Also, if federal funds are involved, Board approval of construction contracts is required.

(10) Evidence of appropriate insurance coverage must be submitted with the project proposal.

(11) After a review of final plans, the project will be submitted to the Board for approval. (11-17-99)

4. **BASIC PRINCIPLES AND OPERATING PROCEDURES/FLOW CHART FOR PROPOSAL REVIEW AND ACTION**

Procedures

a. Collegiality and Consensus Building

Committees, task forces, councils and leadership persons will employ a traditional, collegial and consensus-building process relative to proposals. Consensus may not mean unanimous support from all members; however, strong general agreement of members of a group should exist prior to recommending a proposal for further review or action. Normally, this collegial process results in revisions to a proposal such that most, if not all, in a group support the final product and recommend it for further review.

b. Involvement and Participation

Individuals and groups that are directly affected by a proposal, or have a vested interest in a proposal, should have the opportunity to review and provide advice about the proposal prior to its final adoption. This ensures that all perspectives on a concept have been considered in the review and approval process.

For proposals that clearly have system-wide impact, responsible leaders should ensure system participation in the development process. Review and action by higher-ranking groups is facilitated by meaningful involvement by affected parties at the initial stages of development.

c. Development of Proposals

While there may be justifiable exceptions, most proposals will be developed primarily by those persons who are likely to be responsible for implementation. Councils, committees, or task forces either currently exist, or will be created, to develop or review proposals that are intended for action by standing councils or committees and ultimately by the Board (or the President and Chief Executive Officer, as applicable).

In the context of this flow chart for review and action, “system-wide” means those proposals, which may impact many or all of the institutions that have a reporting relationship to the Kansas Board of Regents.

d. Role of the Committees or Taskforces (other than Board Commissions and Committees)

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The role of committees, task forces or other groups is to develop, review, recommend revisions to, or act on proposals. The proposals may be supported as presented, or revised, such that the group may provide general support for the proposal. Even after considerable study and discussion however, a group may not be able to achieve consensus support for a proposal. In this case, the group would indicate to the initiator that it does not support the proposal in its final form. Groups do not have authority to prevent further review of a proposal by higher-ranking councils, committees, or Board Commissions or Committees, if the initiator requests such review.

e. Role of the President and Chief Executive Officer

If it is uncertain whether a proposal is system-wide or non system-wide in impact, the President and Chief Executive Officer will decide the issue.

f. Timeliness of Review and Action

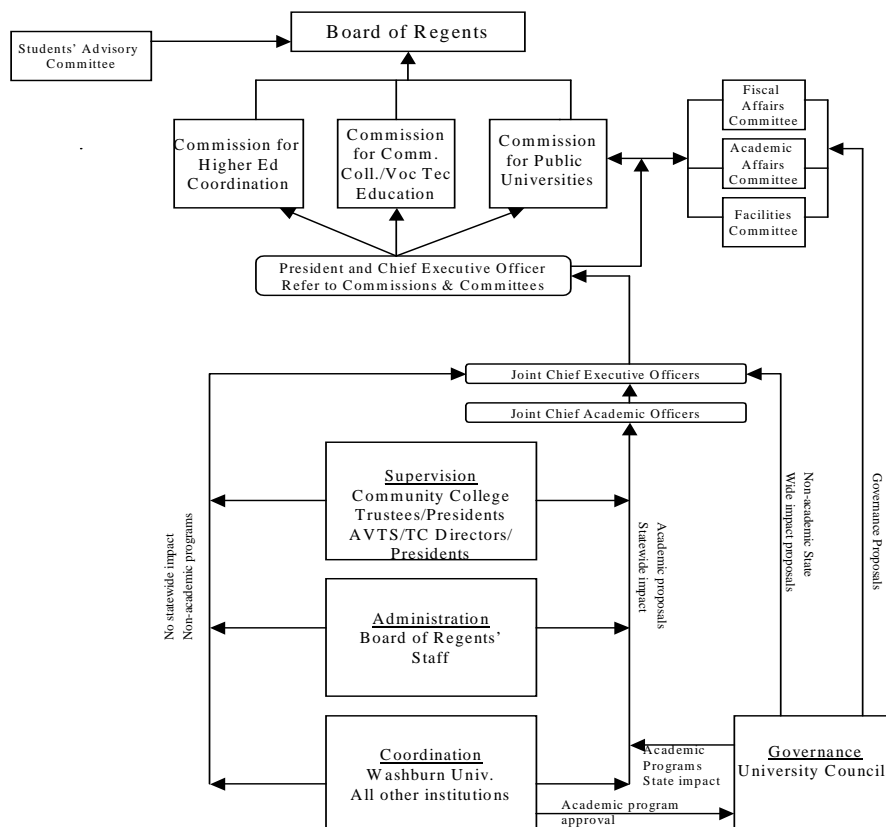
Participants in the review process will make every reasonable effort to facilitate review and action on proposals. Timeliness and responsiveness to serve students and employers is a system-wide value.

g. Approval of the Basic Principles and Operating Procedures

These principles and operating procedures will need fine-tuning in the initial years of operation. To ensure appropriate flexibility, changes in the procedures may be approved by the Chair of the Kansas Board of Regents based on recommendations from the President and Chief Executive Officer. (2-10-00)

2/10/00

FLOW CHART FOR PROPOSAL REVIEW AND ACTION



5. **TECHNOLOGY INTERNSHIP GRANTS**

Under the authorization of the Board of Regents, the President and Chief Executive Officer established the following procedures. (5-17-00)

Procedures

a. **Background**

K.S.A. 72-4466 et seq. established the Kansas Technology Innovation and Internship program for:

- (1) start-up support for innovative technical courses or programs in emerging technologies, manufacturing or areas of skill shortages; or
- (2) internships to enable faculty of area vocational-technical schools, area vocational schools, technical colleges, and community colleges to work in an industrial setting or to enable industrial employees to work in an educational setting at such vocational educational institutions.

b. **Participation**

“Vocational education institutions” may participate in the program and are defined as area vocational schools, area vocational technical schools, technical colleges and community colleges.

c. **Conditions for Participation in the Technology Internship Grant**

- (1) Grants may be awarded to full-time faculty to participate in an internship with a business, industry, or other agency, for the purpose of upgrading knowledge and skills in a particular profession, vocation, or trade. Similarly, full-time employees in private industry or other agencies may participate in an internship in a postsecondary vocational educational institution.
- (2) A vocational teacher or employee from business/industry may be awarded no more than two internships over a three-year period.

d. **Guidelines for Application**

- (1) The business-industry must provide financial or in-kind support, or any combination thereof, to the institutions equaling 100 percent of the amount of the grant. A letter from the business/industry validating this support must accompany the application.
- (2) The internship may range from a minimum of two weeks to a maximum of 16 weeks during a fiscal year, July 1 to June 30.
- (3) The state funds to support the grant for the internship salary will not exceed \$25 per hour with a maximum salary of \$1,000 per week. The maximum grant from state funds for an internship will not exceed a total of \$6,000, inclusive of all proposed expenditures. (1-18-06)

e. **Allowable Expenditures From Grant Funds**

Allowable expenses include instructor or business/industry staff salary, travel, and related training costs included in the application budget.

f. **Transfer and Expenditure of Funds**

Upon approval of the application, the institution may request 80 percent of the grant funds 30 days prior to implementation of grant activities. The remaining 20 percent of the awarded funds may be requested from KBOR Finance and Administration staff upon submission of all completed KBOR final reports. Funds must be expended within

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the fiscal year in which the grant was awarded. A postsecondary educational institution must act as the fiscal agent for the funding. (1-18-06)

g. Reporting Requirements

The intern must submit an evaluation report upon completion of the internship. Such report must be submitted to the president or director of the vocational education institution and the Kansas Board of Regents.

h. Application Forms

Electronic application forms for the grants are available from KBOR Career and Technical Education staff. (1-18-06)

i. Application Timeframe

Application for a grant may be made at any time during the fiscal year.

j. Allocation of Funds for Grants

Each year the President and Chief Executive Officer, or designee, will determine the amount of funds available for grants. Historically, 70 percent of the funding has been allocated for internship grants. (5-17-00)

6. INNOVATIVE TECHNOLOGY COURSE AND PROGRAM GRANTS

Policy

Under the authorization of the Board of Regents, the President and Chief Executive Officer established the following procedures. (5-17-00)

Procedures

a. Background

K.S.A. 72-4466 et seq. established the Kansas Technology Innovation and Internship program for:

(1) start-up support for innovative technical courses or programs in emerging technologies, manufacturing or areas of skill shortages; or

(2) internships to enable faculty of area vocational-technical schools, area vocational schools, technical colleges, and community colleges to work in an industrial setting or to enable industrial employees to work in an educational setting at such vocational educational institutions.

b. Participation

“Vocational education institutions” may participate in the program and are defined as area vocational schools, area vocational technical schools, technical colleges and community colleges.

c. Conditions for Participation in the Innovative Technology Course or Program Grant

(1) Private business must provide financial or in-kind support, or any combination thereof, to the vocational education institutions.

(2) The technical course or program must be new to Kansas, or, if an equivalent course or program is already in existence in Kansas, the new course or program is not offered at a site within 100 miles of a site at which the existing, equivalent course or program is offered.

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(3) The technical course or program must relate to a business or industry located in the service area of the vocational education institution.

(4) The technical course or program grant must relate to emerging technologies, manufacturing or areas of skill shortages. KBOR staff will determine if an area has a skill shortage by utilizing data from the Kansas Department of Human Resources or other sources.

d. Guidelines for Application

(1) The private business must provide financial or in-kind support or any combination thereof to the institution equaling 100 percent of the amount of the grant requested. The institution must submit with the application a letter explaining the financial or in-kind support from the private business.

(2) The application must include a plan for implementation of the grant. The application must explain how the grant will be innovative in addressing emerging technologies, manufacturing, or areas of skill shortages.

(3) The application must include a budget for the grant that has been signed by the institution's president or director.

e. Allowable Expenditures from Grant Funds

Instructional salaries, equipment, supplies and materials, curriculum development, vendor training, videotapes, consultants and other related costs pre-approved by KBOR staff.

f. Transfer and Expenditure of Funds

Upon approval of the application, the institution may request 80 percent of the grant funds 30 days prior to implementation of grant activities. The remaining 20 percent of the awarded funds may be requested from KBOR Finance and Administration staff upon submission of all completed KBOR final reports. Funds must be expended within the fiscal year in which the grant was awarded. A postsecondary educational institution must act as the fiscal agent for the funding. (1-18-06)

g. Reporting Requirements

A final report must be submitted to the Kansas Board of Regents regarding the outcomes of the grant project. The report, which should not exceed two pages, must be received before final payment will be made to the institution.

h. Application Forms

Electronic application forms for the grants are available from KBOR Career and Technical Education staff. (1-18-06)

i. Application Timeframe

Grants are awarded on a competitive basis. Applications must be received by KBOR no later than October 1. If funds are available, a second round of applications will be requested. Applications must be received by February 1.

j. Allocation of Funds for Grants

Each year the President and Chief Executive Officer, or designee, will determine the amount of funds available for grants. Historically, 30 percent of the funding has been allocated for innovative technology course or program grants

7. APPROVAL OF PUBLIC POSTSECONDARY VOCATIONAL EDUCATION INSTITUTIONS IN KANSAS FOR FEDERAL STUDENT ASSISTANCE PROGRAMS – REVOKED

8. CONCURRENT ENROLLMENT OF HIGH SCHOOL STUDENTS IN ELIGIBLE PUBLIC POSTSECONDARY INSTITUTIONS (6-11-08)

It is the policy of the Kansas Board of Regents (KBOR) to encourage 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. K.S.A. 2008 Supp. 72-11a01 through 72-11a05 provide for these opportunities through the Kansas Challenge to Secondary School Pupils Act. The act commonly is known as concurrent enrollment of high school students in eligible postsecondary institutions.

Different types of concurrent enrollment can be included under the statute. In one type, a high school student may enroll at a postsecondary institution at any time without any formal agreement between the high school and the postsecondary institution. (This type of concurrent enrollment would include 10th, 11th, and 12th grade students enrolling pursuant to K.A.R. 88-26-3, as amended, and any non-degree-seeking student.) In another type, a high school teacher teaches a college-level course to high school students at the high school during the regular high school day. The latter must conform to section b. of this policy.

a. Purposes of Concurrent Enrollment

As established by KBOR, the system-wide purposes of concurrent enrollment are fourfold:

(1) To Develop Seamlessness in the Regents' System

Seamlessness is defined as in Chapter IV section 22a of this policy manual.

(2) To Enhance Efficiency

Efficiency is enhanced by exposing as many qualified students as possible to a college-level experience, allowing students to get a “jump” on their college education by reducing the time required to complete a degree and lowering the costs borne by parents, students and taxpayers.

(3) To Challenge High School Students and Promote College-Level Success

This goal is aimed at providing a college-level learning experience for qualified students by enhancing the amount, level and diversity of learning in high school beyond the traditional secondary curriculum. First year experience courses, performing and visual arts courses and advanced science, mathematics and language offerings not available in high school are especially encouraged.

(4) To Foster Improved Relationships Between the Regents' System and Kansas Secondary Schools

The Concurrent Enrollment Partnerships (CEP) will foster improved relationships among stakeholders by clarifying expectations, roles, and responsibilities.

Statutory language provides conditions under which secondary school districts and eligible postsecondary institutions may establish cooperative agreements, or what has been defined as a CEP.

b. Procedures and Standards of Quality for Cooperative Agreements and Delivery of Concurrent Enrollment Partnership Course Work

(1) Definition of Concurrent Enrollment

For purposes of this policy:

- i. Concurrent enrollment partnership pupil means a person who is enrolled in classes at a high school at which approved high school teachers teach college credit classes during the normal school day, who is in grades 10, 11, or 12, or who is gifted and is in grade 9 (see section b.(5) iii), and is acceptable or has been accepted for enrollment at an eligible postsecondary education institution.

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- ii. “Eligible postsecondary education institution” means any state educational institution, community college, municipal university or technical college.
- iii. “State educational institution” has the meaning ascribed thereto in K.S.A. 76-711, and amendments thereto.
- iv. “Community college” means any community college organized and operating under the laws of this state.
- v. “Municipal university” means a municipal university established under the provisions of article 13a of chapter 13 of Kansas Statutes Annotated.
- vi. “Technical college” means any technical college established under the laws of this state as described in K.S.A. 74-3201b.
- vii. “Concurrent Enrollment Partnership (CEP)” agreement means 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.

The CEP agreement must contain, at a minimum, the names and contact information of the liaisons for both parties, term and termination of the agreement, an overview of the partnership’s purpose and benefits, the individual and joint responsibilities of both parties, information, guidelines and necessary directions for curriculum, faculty, students, assessment, professional development activities and a listing of principles for assuring quality in programming. CEPs must include attachments that address issues of compensation, awarding of credit and course listings for each party.

CEP arrangements will 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.

- o Note...Although courses in some CEPs may have some elements or characteristics of the programs stated below, CEPs do not include the following programs:
 - o Programs in which the high school student travels to the college campus to take courses prior to graduation during the academic year or during the summer.
 - o Programs in which college faculty travel to the high school to teach separate courses to the high school students.
 - o The College Board Advanced Placement Program and the International Baccalaureate Program where standardized tests are used to assess students’ knowledge of a curriculum developed by a committee consisting of both college and high school faculty.

(2) Agreement between Eligible Postsecondary Institutions and School Districts

A CEP agreement must be established between the eligible postsecondary institution and the school district. Such agreement must minimally satisfy the requirements of statute 72-11a04 and contain the essential elements provided in this policy.

General provisions of the statute relative to CEP agreements are as follows:

- i. The academic credit is to be granted for course work successfully completed by the pupil at the eligible postsecondary institution, which shall qualify as college credit and may qualify as both high school and college credit;
- ii. Such course work must qualify as credit applicable toward the award of a degree or certificate at the eligible postsecondary institution;

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- iii. The pupil shall pay to the institution the negotiated amount of tuition, fees and related costs charged by the institution for enrollment of the pupil.
- (3) Curriculum Standards and Content of Courses in which Concurrent Enrollment Partnership Students are Enrolled
 - i. Courses must have been approved through the curriculum approval process of the postsecondary institution.
 - ii. The high school and college-level prerequisites, the content of courses, course goals and objectives, must be the same as those for the same courses offered to students at any location or by any delivery method.
 - iii. Materials such as textbooks used must be comparable to those used in the same course throughout the institution. Procedures for selection of textbooks and related material by faculty who teach concurrently enrolled students must follow adopted postsecondary institutional policies.
 - iv. If a course has been approved by the KBOR staff as competency-based, the competencies for the courses must be the same as those for courses not taught to concurrently enrolled students.
 - v. Remedial/developmental course work or course work that does not apply to a Regents' approved degree program at the postsecondary partner institution in a CEP agreement is not considered appropriate for college-level credit or eligible for financial reimbursement.
 - (4) Faculty/Instructors
 - i. Faculty teaching college-level concurrent enrollment partnership (CEP) courses must attain instructional eligibility by meeting one of the following standards: (1) demonstrate possession of a masters degree with 18 credit hours in the assigned course content; or (2) demonstrate possession of a bachelors degree, with at least 24 credit hours in the assigned course content and utilize the same final examination as given in a representative section of the course taught at the institution awarding the course credit and apply the same scoring rubric for the assigned course as that used in the on-campus class. Institutions may set higher standards. Teaching evaluations must be conducted. The postsecondary institution will provide instructors with orientation and ongoing professional development.
 - ii. Before approving the instructors to teach college-level CEP courses, the postsecondary institution must provide high school instructors with orientation and training in course curriculum, assessment criteria, course philosophy, and CEP administrative requirements.
 - iii. Each CEP must include an implementation plan for ensuring that instructors teaching concurrently enrolled partnership students are part of a continuing collegial interaction through professional development, seminars, site visits, and ongoing communication with the postsecondary institution's faculty and administration of the partnership.
 - (5) Student Eligibility for Enrollment
 - i. Concurrently enrolled students must meet institutional enrollment requirements, follow institutional procedures regarding assessment/placement, and satisfy course prerequisites. High school students enrolled in courses administered through a CEP may be enrolled as non-degree or non-matriculated students of the sponsoring postsecondary institution. To meet the "academic challenge" purpose of this policy, CEP students must have an acceptable score or subscore on a standardized placement test in order to enroll in a CEP course. Institutions may establish higher standards.
 - ii. 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.

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iii. Students who are enrolled in grade 9 and are classified by a school district as “gifted” according to the State Department of Education’s definition, K.A.R.91-40-1(cc), as amended, may be admitted as concurrently enrolled students provided all other applicable requirements as outlined above are satisfied.

iv. The student must be authorized by the school principal to apply for enrollment.

(6) CEP Courses which Include Students Enrolled for Secondary and/or Postsecondary Credit

A course may include students enrolled for postsecondary and/or secondary credit. The postsecondary institution is responsible for ensuring that academic standards (course requirements and grading criteria) are not compromised.

(7) Accountability/Assessment Standards

i. Courses offered through a concurrent enrollment partnership must be reviewed annually by faculty in the discipline at the postsecondary partner to assure that grading standards (i.e., papers, portfolios, quizzes, labs), course management, instructional delivery and content meet or exceed those in regular on-campus sections.

ii. Each CEP must be reviewed at least every five years by the eligible postsecondary institution to assure compliance and quality considerations as outlined in this policy.

iii. The Regents System will track students who have participated in concurrent enrollment partnerships and other forms of concurrent enrollment.

(8) Collegiate Learning

CEP classes are not intended to replace a substantial portion of the academic experience on a college/university campus. Up to 24 semester credit hours may be earned in concurrent enrollment partnership classes.

c. Reporting of Concurrent Courses

(1) Institutions will report the following as a part of the Kansas Postsecondary Database:

- o Directory information for each high school student enrolled
- o Credit hours generated by each high school student
- o Credentials of faculty teaching CEP courses
- o CEP credit hours generated by each high school student

(2) By January 31 of odd-numbered years, each public postsecondary institution will provide a list of high schools involved in formal CEP agreements. For each institution, KBOR will select no more than two high schools for reporting. For each high school selected, each institution will submit the following to KBOR:

- o Copy of the CEP agreement including (but not limited to)
 - o Implementation plan for professional development of instructors of CEP students (as described in b(1)vii and b(4)iii)
 - o Student Guide for CEP students (as described in b(5)ii)
- o Report resulting from the review of CEP courses by postsecondary faculty and dates of most recent review of all CEP courses, aggregated by discipline (as described in section b(7)i).

(3) Each institution will forward to KBOR a copy of the report resulting from the institutional review of CEPs (as described in b(7)ii).

(4) All reports will be reviewed for compliance and the results will be reported by 2010.

d. Implementation

This policy shall become effective at the beginning of the fall semester one calendar year after approval. (5-18-05)

9. Performance Agreements

In accordance with Senate Bill 647 the Kansas Board of Regents has adopted policies and procedures for the development of Performance Agreements with each postsecondary educational institution. These policies and procedures are described in the Board approved document “Performance Agreement Guidelines and Procedures.” Commencing on July 1, 2005, each postsecondary educational institution’s receipt of new state funds will be contingent on compliance with its performance agreement, as described in the Performance Agreement Guidelines and Procedures. The failure of a postsecondary educational institution to enter a performance agreement shall prevent that postsecondary educational institution from receiving any new state funds. (1-15-04)

10. KAN-ED Act

Policy

The KAN-ED Act, created in the 2001 Kansas legislative session, is to provide for a broadband technology-based network to which schools, libraries and hospitals may connect for broadband Internet access and intranet access for distance learning. The legislature assigned to the Kansas Board of Regents responsibility for the program and contracting for the creation, operation, and maintenance of the KAN-ED network. The Board is responsible for creation of a plan to ensure that schools, libraries and hospitals have quality, affordable access to the Internet and distance learning. The Board shall administer the program such that it complies with provisions of the act. The Board assigns responsibility to the President and Chief Executive Officer for procedures to develop, implement and administer the KAN-ED network. (5-17-01)

Procedures

- a. For reference, the KAN-ED Act, known as Senate Substitute for House Bill 2035, created by the 2001 Kansas Legislature of the State of Kansas, shall be included in these procedures.
- b. The President and Chief Executive Officer:
 - (1) shall be responsible for ensuring compliance with statutory requirements.
 - (2) shall be responsible for the development of a plan for implementation of the KAN-ED network and shall recommend such plan to the Kansas Board of Regents prior to submission to the 2002 Kansas Legislature.
 - (3) shall establish a KAN-ED Advisory Council (KAC) to make recommendations regarding development, implementation, and administration of the KAN-ED network. KAC shall include representatives of the sectors for whom the bill was enacted: schools (defined to include higher education), libraries and hospitals. The initial activity of the KAC shall be to develop and recommend a plan for implementation of the KAN-ED network.
 - (4) may establish other advisory groups as needed.
 - (5) shall establish procedures for effective administration of the KAN-ED network, including employment of staff and expenditure of funds.

Digital Millennium Copyright Act Policy

The Kansas Board of Regents respects the intellectual property of others and requests Kan-ed network users to do the same. Material available on or through Kan-ed and/or the Internet may be protected by copyright and the intellectual property laws of the United States and/or other countries. As a service provider, defined under the federal Digital Millennium Copyright Act (DMCA), the Board is responsible for establishing a policy that will terminate users of the Kan-ed network who repeatedly infringe other’s copyrights.

Any person who believes a Kan-ed user is infringing his or her copyrights shall notify the Board’s official DMCA agent. The Board’s official DMCA agent is:

Director of Information Technology

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Kansas Board of Regents
1000 SW Jackson, Ste. 520
Topeka, KS 66612
(785) 296-1862
Fax: (785) 296-0983

Official notice must include:

- an electronic or physical signature of the person authorized to act on behalf of the owner of the copyright or other intellectual property interest;
- a description of the copyrighted work or other intellectual property that is alleged to be infringed;
- a description of where the allegedly infringing material is located on the Kan-ed or Board site, with enough detail that we may find it on the web site;
- an address, telephone number, and email address for the owner or the person authorized to act on behalf of the owner;
- a statement by the owner or person authorized to act on behalf of the owner that the owner has a good faith belief that the disputed use is not authorized by the copyright or intellectual property owner, its agents, or the law;
- a statement, made under penalty of perjury, that the information in the official notice is accurate and that the person signing the notice is the copyright or intellectual property owner or authorized to act on behalf of the copyright or intellectual property owner; and
- a copy of a petition filed in a court of law to protect the copyright, if any.

It is the Board's policy, in appropriate circumstances and at its discretion, to disable and/or terminate an entity's use of the Kan-ed network if a user accessing the network under the entity's authority may infringe or repeatedly infringe the copyrights or other intellectual property rights of the Board and/or others.

11. SYSTEM COUNCIL OF PRESIDENTS (Moved to Chapter II.)

12.a. SYSTEM COUNCIL OF CHIEF ACADEMIC OFFICERS (12-18-02) (Moved to Chapter II.)

12.b. SYSTEM COUNCIL OF BUSINESS OFFICERS (9-19-07) (Moved to Chapter II.)

12.c. SYSTEM COUNCIL OF GOVERNMENT RELATIONS OFFICERS (11-16-11) (Moved to Chapter II.)

13. TRANSFER AGREEMENT AND ARTICULATION GUIDE/ KANSAS PUBLIC COMMUNITY COLLEGES - KANSAS PUBLIC UNIVERSITIES - REVOKED

14. DEGREES (6-23-10)

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

a. Definitions of Terms

- (1) "Office" means the Office of the Kansas Board of Regents, as represented by the administrator or designated agent.
- (2) "Program" means an academic plan that is approved by the appropriate governing board and leads to an award, for example, a degree or a career/technical certificate. (6-23-05)
- (3) "Graduate degree program" or "post-baccalaureate degree program" means a program leading to a master's or doctor's degree conferred upon completion of a course of study for which admission can be gained only through possession of a bachelor's degree satisfactory to the university offering the graduate instruction.
- (4) "First-professional degree program" means a program leading to a master's or doctor's degree conferred on completion of a course of study for which admission into some schools may be gained with less than a baccalaureate, but for which pre-admission and professional study together invariably require more time than is required for a bachelor's degree alone, regardless of how many matriculants already have a bachelor's degree. While these degrees may contain doctorate in the title, they are not considered research doctoral degrees. (1-20-05)

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(5) “Residential degree program” means a program leading to a degree earned primarily through “resident instruction,” which is face-to-face teaching and learning at an institution’s main campus or other major facility with a regularity designed to accommodate full-time students and others who need continuous access to teachers and related resources on site.

(6) “External degree program” means a program leading to a degree that can be earned mostly or entirely through correspondence, electronic recordings, or subscription telecommunications, rather than by resident instruction, except that some assistance may be provided for students face-to-face by adjuncts in capacities such as advisor, mentor, tutor, clinic or practicum supervisor, topical speaker, occasional seminar leader, evaluator, or member of a thesis or study committee.

(7) “Semi-residential degree program” means a program leading to a degree that can be earned through a combination of residential and external methods but requires a substantial portion of learning from structured face-to-face teaching at an institution’s main campus or other major facility, or at a temporary instructional site where students meet in groups.

(8) “Special degree” means a degree conferred on a person without fulfillment of the usual requirements.

(9) “Lower-division instruction” means course content and teaching at a level appropriate for first and second-year postsecondary students generally, but available to more advanced students who have no prior experience in the subject, and “upper-division instruction” means course content and teaching appropriate for third and fourth-year students or others with a strong background in the subject.

(10) "Full-time student" means a student who is engaged in academic study as the primary occupation, thus ordinarily requiring 36 to 48 hours per week divided between interaction with teachers and independent preparation. A full-time student receives "full-time instruction," ordinarily 12 to 18 teacher hours weekly.

(11) “Part-time student” means a student who is not engaged in academic study as the primary occupation, thus ordinarily requiring less than 36 hours per week divided between interaction with teachers and independent preparation. A part-time student receives “part-time instruction,” ordinarily less than 12 teacher hours per week.

(12) “Academic Year” means a period of time approximately 9 months in length commencing with the fall term during which full-term instruction is provided. An academic year is generally divided into two equal length semesters.(5-16-02)

b. Exercise of Office Authority

(1) The Office, on the basis of judgment about the relationship between a curriculum and a degree or program title, may require review of title by the appropriate body.

(2) The Office shall screen all proposals for new external and semi-residential degree programs to determine if duplication exists within the Regents system. Exceptional circumstances must be demonstrated for approval of a duplicate external or semi-residential degree program. Proposals where duplication may exist will be brought to the appropriate councils for additional review.

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.

(1) Quality.

(a) All institutions shall justify a degree offer by assuring the quality of all attendant teaching, learning, and faculty-student interaction.

(b) The quality and content of each course or program of instruction, training, or study shall be such as may

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reasonably and adequately achieve the stated objective for which the course or program is offered.

(2) Curriculum.

The curriculum shall have a structure that reflects acceptance of responsibility by the faculty at the degree-granting institution for what is to be learned overall, as well as in each course, and thus for the logical sequence and increasing difficulty of subjects and instructional levels. The curriculum shall reflect the distinction between the liberal disciplines and the occupations and professions, the nature of specialization in study and work, the contribution of liberal arts and sciences, and the relationship between teaching and faculty creativity. A graduate curriculum shall reflect a concept of the graduate school as a group of scholars, the faculty members of which have had extensive collegiate teaching experience and are engaged in the advancement of knowledge. Periods of study and other fundamental requirements for the five levels of academic degree are as follow:

(a) “Associate degree” means a degree consisting of courses totaling a minimum of 60 semester credit hours. Additional requirements for specific types of associate degrees follow:

(i) “Associate in arts degree” means a transfer-oriented degree:

- Granted to those who successfully complete programs equivalent to the freshman and sophomore level requirements for a bachelor of arts degree; and
- In which not less than 30 semester credit hours in general education are required.

(ii) “Associate in science degree” means a transfer- or professional-oriented degree:

- Granted to those who successfully complete programs equivalent to the freshman and sophomore level requirements for a bachelor of science degree; and
- In which not less than 30 semester credit hours in general education are required.

(iii) “Associate in applied science degree” means a degree:

- Granted to those who successfully complete programs which emphasize preparation in the applied arts and sciences for careers, typically at the technical or semi-professional level; and
- In which not less than 15 semester credit hours in general education and not less than 30 semester credit hours in the area of specialized preparation are required. Selected courses may transfer to a college or university upon validation of applicable coursework.

(iv) “Associate in general studies” means a degree:

- Granted to those who successfully complete programs with an emphasis on a broad range of knowledge; and
- In which not less than 24 semester credit hours in general education and not less than 36 semester credit hours in a program of college-level work are required.

(v) Other specific types of associate degrees may be offered upon approval by the Office.

(b) “Baccalaureate degree” means a degree:

- (i) Requiring the equivalent of at least four academic years of full-time postsecondary study consisting of courses totaling a minimum of 120 semester credit hours in the liberal arts, sciences or professional fields. (10-21-10)

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- (ii) Incorporating in its program design the equivalent of two or more academic years of full-time study consisting of courses totaling a minimum of 60 semester credit hours from institutions that have a majority of degree conferrals at or above the baccalaureate level, and a minimum of 45 semester credit hours in upper division courses. Institutions are not permitted to make programmatic exceptions. Institutions may make a limited number of exceptions from the 60-hour requirement for individual students, up to a maximum of 6 hours.
 - (iii) The degree shall require distinct specialization, i.e., a “major,” which should entail approximately the equivalent of one academic year of work in the main subject plus one academic year in related subjects, or two academic years in closely related subjects within a liberal arts interdisciplinary program.
 - (iv) The equivalent of the first two academic years of full-time study (associate degree programs ordinarily require 64, but in some cases may extend up to 72, semester credit hours) may be from institutions that have a majority of degree conferrals below the baccalaureate level. (5-16-02)
- (c) “Master’s degree” means a degree:
- (i) Granted to those who successfully complete an educational program in the liberal arts and sciences or a professional field; and
 - (ii) Requiring not less than one year of academic work or the equivalent in part-time attendance beyond the baccalaureate degree.
 - (iii) The curriculum shall specialize in a single discipline or single occupational or professional area and culminate in a demonstration of mastery such as a research thesis, a work of art, or the solution of a practical professional problem.
 - (iv) A first-professional master’s degree may be authorized for study beyond fulfillment of undergraduate requirements approved by the Office if the total period of study is at least five academic years.
- (d) “Intermediate degree” (e.g., educational specialist degree) means a degree granted to those who successfully complete an educational program requiring not less than one year of academic work or the equivalent in part-time attendance beyond the master’s degree in a professional field.
- (e) “Doctor’s degree” means a degree:
- (i) Granted to those who successfully complete an educational program requiring three or more academic years of full-time study or the equivalent in part-time attendance beyond the baccalaureate degree; and
 - (ii) Requiring evidence, in the form of a doctoral dissertation, of competence in independent research.
 - (iii) Study for a closely related master’s degree may be counted toward doctoral requirements.
 - (iv) The doctor’s degree shall represent a student’s ability to perform independently basic or applied research at the level of the professional scholar or to perform independently the work of a profession that involves the highest levels of knowledge and expertise.
 - (v) Requirements for the degree shall include demonstration of mastery of a significant body of knowledge through comprehensive examination, unless a graduate must pass a similar examination in order to be admitted to professional practice in Kansas.
 - (vi) The curricular program of a research degree shall be appropriately broad and shall manifest full understanding of the level and range of doctoral scholarship, the function of a dissertation and its defense, the nature of comprehensive examination, and the distinction between matriculation and degree candidacy.

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(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. 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; 6-23-10)

(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.

(iii) 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.

(g) "Posthumous degree" is a special degree that is awarded after the death of a person when the usual requirements have not been completed. It is the policy of the Kansas Board of Regents to allow individual institutions to award posthumous degrees consistent with an institution's degree granting authority (e.g., a regional institution normally will not award doctoral degrees). It is the responsibility of each institution to establish procedures that will identify and evaluate persons nominated for a posthumous degree. The only systemwide requirement is that, normally, the local procedures shall ascertain that the deceased was a degree-seeking student (e.g., declared major, filed plan of study).

(3) Distance Learning Credit.

(a) Distance learning credit as an actual component of the approved degree curriculum, making extensive use of telecommunication and essentially identical to courses the institution has already offered face-to-face, may be offered if there will be sufficient interaction between students and faculty and, if possible, among students. Correspondence credit having no systematic telecommunication component other than mailed audio or video recordings, but essentially identical to courses the institution has already offered face-to-face, may be offered if the

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student will be permitted to meet reasonably often with the teacher and/or may telephone or e-mail for individual help.

- (b) Distance education courses are defined in Appendix F 3. Definitions f.
- (c) A distance education program is an external degree program comprised entirely of distance education courses (Appendix F 3. Definitions g.).
- (4) Degrees that Incorporate Distance Learning Credit.
 - (a) If the institution offers a given degree residually, the corresponding external degree should be essentially identical to the residential degree in requirements and quality.
 - (b) If the institution offers a given degree residually, the corresponding semi-residential degree should be essentially identical to the residential degree in requirements and quality. (11-15-01)
- (5) Degree and Program Inventory Procedures, Policies, Definitions (5-14-03)
 - (a) Only programs listed in the Degree Inventory may be listed as majors or publicized as degree programs offered by the institution.
 - (b) The program classification code as used in the NCES document: Classification of Instructional Programs shall be used as the basis of identifying degree and certificate programs at the Regents institutions.
 - (c) Institutions shall report their degrees conferred each year on the Higher Education General Information Survey under the same codes as in the Degree and Certificate Program Inventory.
 - (d) Institutions retain the choice of “major” nomenclature, but concurrence by the Board of Regents office must be obtained in the choice of the CIP code under which majors are listed.
 - (e) Programs listed in the Inventory are subject to minimum degree productivity standards adopted by the Board of Regents.
 - (f) Additions to the Inventory require approval through the regular Board procedures for approval of new programs.

15. DEVELOPMENTAL EDUCATION POLICY FOR KANSAS COMMUNITY COLLEGES

Developmental education includes courses in all fields of study that are designed to increase the likelihood of student success at the entry level of a certificate or degree program. Developmental education programs include activities that address subject matter remediation, development of competencies, and change of attitudes toward learning. The content of developmental education courses is at a level below that normally included in the first and second year college-level curricula.

Developmental education programs include interdependent activities and special types of educational experiences that are designed to meet academic and personal needs of students. Developmental education intervention strategies take into consideration the needs of the individual student and are least intrusive for the student.

Additional guidelines are:

1. To meet the developmental needs of students, community colleges may offer courses in developmental reading, mathematics, English, and other content areas.
2. The definition of developmental education in this policy will be used when reporting information, gathering data, or structuring learning activities for developmental education.
3. Developmental education course credits may not be used to fulfill graduation requirements for any community college degree.

Procedures for implementation of this policy are the responsibility of the President and CEO. (5-16-01)

16. ACCREDITATION OF DEGREE GRANTING INSTITUTIONS

It is the policy of the Kansas Board of Regents that all public post-secondary institutions conferring college degrees achieve and maintain accredited status with the Higher Learning Commission of the North Central Association, an accrediting commission for higher education in the United States.

Any public post-secondary institution desiring to confer a degree that is not accredited by HLC at the time of adoption of this policy must have achieved candidacy status with the Higher Learning Commission of the North Central Association by July 1, 2006. Any public post-secondary institution that has not achieved candidacy status by July 1, 2006 may be subject to loss of degree granting authority.

Any public post-secondary institution that has not achieved accredited status with the Higher Learning Commission of the North Central Association by July 1, 2009 may be subject to loss of degree granting authority.

Each public post-secondary institution, while pursuing HLC accreditation, shall continue to comply with all standards established by the institution's current accrediting agency; and shall submit an end of fiscal year report to the Board of Regents confirming adequate progress toward accredited status with the HLC, including as applicable any supporting documentation.

The Board of Regents may extend the dates on a case-by-case basis upon a showing of extraordinary circumstances.

17. NEW PROGRAM ALERT SYSTEM

All new degree program proposals will be posted to the New Program Alert System as a means of systemwide communication and notification. (10-16-03)

18. WESTERN KANSAS PARTNERSHIP (ACCESS US) POLICY

The Western Kansas University-Community College Partnership was approved by the Board in May 2003. The program is designed to enhance access to advanced higher education for Western Kansas students, many of whom are place-bound and have limited financial resources. Through this initiative, universities and community colleges will collaborate to deliver upper division undergraduate programs and graduate programs to Western Kansas using combination of face-to-face and mediated delivery. To access the resources that have been assigned for this purpose, participating institutions must follow the implementation procedures outlined in Appendix J. (10-16-03)

19. MISSION STATEMENT FOR COMMUNITY COLLEGES

The mission of Kansas community colleges is to provide equal access to quality education programs and services at low cost to those who may benefit from services of the institutions. The specific educational function of the community college system is to provide access to the following:

- Courses and associate degree programs to prepare students to earn baccalaureate degrees at four-year colleges and universities.
- Courses, associate degree programs, certificates, and other vocational-technical training to prepare students for jobs.
- Courses, associate degree programs, certificates, and other vocational-technical training to prepare students to update their job skills, to advance in their jobs, or to retrain in new job fields.
- Courses, associate degree programs, and other instruction for the personal development and enrichment of students, including academic, cultural, civic, practical skills, and recreational programs.
- Instruction in basic and remedial skills to prepare students for the college's academic and vocational-technical programs and to become productive citizens.
- Instruction in basic skills for special purposes such as general educational development (GED), adult education, and English as a second language to help those who need such instruction to become productive citizens.
- Customized educational and training programs and courses to assist business and industry to train their employees in job-related skills.

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- Technical and consulting services to business and industry and to local agencies to promote the economic development of their service areas.
- Facilities, services, and other resources to local community groups, educational institutions, business and industry, and other agencies as a community service.
- Assistance to local agencies in providing special programs and services for special clientele such as the physically and mentally handicapped, senior citizens, and gifted students according to the needs of the community.
- Student support services such as counseling, testing, career planning and placement, tutoring, child care, healthcare, and housing, to current and prospective students to assist them in benefiting from the college's educational programs.
- Student activities such as student publications, government, athletics, drama, and other student clubs to complement the educational program.

20. **DEFINITION OF CERTIFICATE FOR COMMUNITY COLLEGES**

Community colleges may offer two types of certificates based upon the number of credit hours required of the student. A Career and Technical Education Certificate may be granted for programs of instruction that are less than 60 semester hours in length but more than 15 semester hours. Certificates of Completion may be awarded for a course or sequence of courses not exceeding 15 semester hours.

21. **APPROVAL OF PROGRAMS FOR COMMUNITY COLLEGES AND TECHNICAL COLLEGES** (6-27-07; 12-17-08)

Board approval is required for the establishment of new degree programs. When the Board considers the establishment of a new degree program, information regarding its need, quality, cost and means of assessment become paramount. The minimization of unnecessary program duplication is a high priority of the Kansas Board of Regents. This document outlines the policies, procedures and criteria the Board utilizes when reviewing requests for new academic degree programs.

Institutions must submit a complete program proposal to board staff, and enter the proposed program into the Program Inventory Database. Once board staff has received a complete program proposal from an institution, the proposal will be made available in electronic form on the Kansas Board of Regents website for other institutions to view. All institutions shall be automatically notified of the proposed program by email through the Program Inventory Database. Institutions with concerns, comments or objections to the new program must state those concerns, comments or objections in writing to Board Staff within a 14 day time period. At that time, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by board staff and forwarded to the proposing institution for follow-up. An initiation institution is expected to communicate with other institutions filing concerns, comments or objections to minimize or eliminate the identified issues. Proposals must contain all required information including evidence that concerns, comments or objections have been addressed and be submitted in the approved format. This process shall not prevent an institution from submitting a new program proposal, but it is designed to make the approval process more transparent, improve proposals and reduce potential conflict related to unnecessary duplication.

The Board President and CEO, or designee, shall determine if each proposed program is similar to others in the state and may serve the same potential student population. A similar program is one that has a like CIP code, title, content or competencies. If the President and CEO, or designee, determines that one or more similar programs exist, the following information shall be provided by the institution.

- Whether the institution has a valid inability to offer the program collaboratively. This will be determined by geographic proximity of similar programs eligible for collaboration, the transportability of existing programs to the proposed population, and if the proposed program varies to an extent that would not allow collaboration.
- What level of interest of new students in the program is. This will be determined by the number of students interested through survey analysis, or similar process, that demonstrates student interest will support or sustain the program for an excess of three years.
- What the existing and future labor market demand for graduates of the program is and will be. This will be based on the Kansas Job Vacancy Survey and Kansas Department of Labor statistics for a specific job title. This will also be based on the number of projected students that would be required to sustain the proposed program for a minimum of three years.
- What the student enrollment levels in existing similar programs are. This will be based on the number of vacancies in currently approved programs.

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- Whether student waiting lists for similar programs exist. This will be based on the number of students that cannot be accommodated in the existing programs within one year or that cannot be accommodated by expanding existing programs.
- Whether sufficient clinical sites are available (if applicable to the program)

Board staff shall compile, analyze and make recommendations to the Board on the information provided. The recommendations and information provided shall be reviewed by the Board Academic Affairs Standing Committee to determine whether the program represents unnecessary program duplication before approval will be granted.

(1) Procedures for Approval of New Academic Programs

A. Time Limitations

1. Notification of new program submissions will include: Program name, proposed CIP code, number of credits, and a link located where the full program proposal may be viewed electronically.

At the time of program submission to board staff, the institutional representative shall enter the new programs into the Program Inventory Database.

Board staff will notify all institutions of the proposed program. Within 14 days from the date of notification, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by Board staff and forwarded to the proposing institution for follow-up. Final proposals shall contain all required information including evidence that concerns and questions have been addressed and be submitted in the approved format.

2. Programs recommended for approval normally will be presented to the Kansas Board of Regents for action within two months of receipt of a complete proposal. The institution will be informed of program approval status prior to Board action.

B. Criteria for Program Approval

1. The institution shall provide documentation of need at the local, regional, and State levels for the proposed new program.
2. The institution shall submit a plan for financing and providing adequate facilities for the proposed new program. An estimate of costs needed to implement and operate the program for the first two years must be included.
3. The institution shall include an outline of the proposed program of study that includes the following:
 - a. Description of proposed program of study
 - b. Method or type of instruction
 - c. Proposed Classification of Instructional Program (CIP) code
 - d. Syllabus for courses in the proposed program of study
 - e. Listing of all the courses in the proposed program of study
 - f. Outcome(s) of proposed program of study
 - g. Specific faculty requirements, if any
 - h. Evidence that concerns, comments and objections raised by other institutions have been addressed.
 - i. A review of similar programs in the state and the need for an additional program
 - j. Written approval or recommendation from the institution's curriculum committee and Board of Trustees.
4. New courses or programs shall be designed to provide instruction in a manner such that the course content is directly related to program content and objectives, and is consistent with the legal limitation and responsibilities applicable to the institution.

C. Application Procedure

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1. Institutions must complete and submit the following forms:

- CA-1 Application for New Program
- CA-1a Fiscal summary for New Programs

(2) Procedures for Approval of New Career and Technical Education Programs

A. Time Limitations

1. Notification of new program submissions will include: Program name, proposed CIP code, number of credits, and a link location where the full program proposal may be viewed electronically.

At the time of program submission to board staff, the institutional representative shall enter the new programs into the Program Inventory Database.

Board staff will notify all institutions of the proposed program. Within 14 days from the date of notification, institutions shall submit, in writing, a list of concerns, comments or objections to Board staff. The list of concerns, comments and objections will be compiled by Board staff and forwarded to the proposing institution for follow-up. Final proposals must contain all required information including evidence that concerns and questions have been addressed and be submitted in the approved format.

2. Programs recommended for approval normally will be presented to the Kansas Board of Regents for action within two months of receipt of a complete proposal. The institution will be informed of program approval status prior to Board action. Note: Program approval does not indicate eligibility for Perkins funds.

B. Criteria for Program Approval

1. The institution shall provide documentation of need at the local, regional, and State levels for the proposed new program. If the program is duplicative, the institution shall provide justification why the program should be approved.

2. The institution shall provide evidence that the current or future labor market demand equals or exceeds the number of students surveyed who indicate intent to enroll in the technical education program.

3. The institution shall provide evidence that the proposed new program does not unnecessarily duplicate existing programs within the region or those programs affecting the region. The following evidence shall be included:

- a. Results of studies of public and private training programs such as industrial firms, private schools, proprietary schools, and apprenticeship programs within or affecting the region;
- b. Classification of Instructional Programs (CIP) code;
- c. Method or type of proposed instruction;
- d. Syllabus of courses in the proposed program;
- e. Specify faculty requirements, if any;
- f. Listing of all courses in the proposed program; and
- g. Outcomes of proposed program.
- h. Evidence that concerns, comments and issues raised by other institutions have been addressed.

4. The institution shall submit a plan for financing and providing adequate facilities for the proposed new program. An estimate of costs needed to implement and operate the program for the first two years must be included.

5. The institution shall provide documentation of the involvement of a steering committee and/or advisory council, and curriculum committee in the planning and development of the new program (names of committee

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members and occupational category represented shall be included). In addition, evidence of approval by the institution's Board of Trustees shall be included.

6. The institution shall include an outline of the proposed program of study.
7. New courses or programs shall be designed to provide instruction in a manner such that the course content is directly related to program content and objectives, and is consistent with the legal limitation and responsibilities applicable to the institution.
8. If external accreditation is required for the proposed program (i.e. Board of Nursing), a statement of intent to seek accreditation is to be included.
9. If a satellite or partnership with another educational institution offering the same program has been established, a statement of intent or Memorandum of Agreement is to be included.
10. A review of other similar programs being offered in the state and the reason why an additional program is needed as well as other information regarding the needs of the area for this program and its feasibility shall be included.
11. Any concern, comment or objection from other institutions will be considered by board staff and the board as a whole when determining approval.

C. Application Procedure

Institutions must complete and submit the following forms:

- CA-1 Application for New Program
- CA-1a fiscal Summary for New Programs
- Perkins Verification Form

1. Data Gathering

a. Secure from the Department of Human Resources information on the projected job openings in the program area for the State and for your local service area. This should include projections for future openings for five and ten years.

b. Conduct local surveys:

- i. A survey of business and industry specifically for the new program involved including needs, employment projections, and turnover.
- ii. A survey of students, identifying where possible, adult interest in the particular program area and enrollment projections.

2. Steering Committee

A steering committee composed of persons in the local area and program area should be selected to plan course content, length of program, type of instructor and instruction needed, objectives of the program, and desirable type of graduate produced. The written recommendations of this committee, along with the names and occupations of the committee members, should be included in the application. Upon establishment of the program, the steering committee should become the regular advisory committee for the program.

(3) Procedures for Approval of Special Programs - Business and Industry Service Program

The purpose of this program is to allow community colleges, technical colleges, and area technical schools to design and implement training activities to meet expressed needs of Kansas business and industry. Instructional activities will be

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approved for a one-year period with an option for reapplication. Forms are to be submitted two (2) weeks prior to proposed date of initiation and are available on the KBOR website.

(4) Forms

All forms may be found on the Kansas Board of Regents website.

22. **TRANSFER AND ARTICULATION POLICY** (3-18-04) **(Moved to Chapter II.)**

23. **CENTERS OF EXCELLENCE FOR WORKFORCE DEVELOPMENT** (10-20-04)

Policy

- A. A Center of Excellence for Workforce Development (CEWD) consists of a geographical area, location, or educational facility, real or virtual, at which program(s) of excellence for workforce training and development are originated, concentrated, and delivered.
1. In general, a CEWD will include at least some of the following attributes:
 - a. Provides activity relevant to regional needs.
 - b. Maintains a reputation for excellence that extends beyond the institution and the region.
 - c. Provides career-related opportunities for constituents.
 - d. Maintains partnerships with the community and business/industry.
 - e. Conducts economic development research and disseminates information.
 - f. Develops and administers grants and contracts to supplement funding.

Procedures

- B. A CEWDs must be approved by the Board of Regents. A proposal for a CEWD shall include the following:
1. Name of sponsoring institution(s) and name of Center.
 2. One page statement of purpose and function.
 - a. Identify mission/purpose of proposed Center.
 - b. Identify need/demand for proposed Center.
 - c. Identify the specific role/function to be performed.
 3. The program(s) of excellence within the CEWD.
 4. Organizational structure.
 - a. Explain the proposed Center's placement within the institution's existing organizational structure and within Kansas public postsecondary education system.
 - b. Describe the proposed Center's internal organizational structure, including advisory boards.
 5. Evaluation.
 - a. Describe the assessment/evaluation process of the CEWD.
 6. Physical Plant.
 - a. Describe the physical location of the proposed CEWD.
 - b. Describe the cost of any construction or remodeling.
 7. Describe the source(s) of funding for the CEWD.
 8. Statement of how the proposed Center fulfills the bulleted criteria above.
- C. Centers that receive approval for special funding from KBOR, Department of Commerce, or from the legislature must also submit the following information:
1. Partnerships and their role in the organizational structure.
 - a. Describe any joint appointments for staff and the responsibilities of each partner.
 - b. List any jointly owned equipment and the responsibilities of each partner.
 - c. Describe any agreements for use of a partner's space and/or equipment, and the responsibilities of each partner.
 2. Identify any overlap between the proposed Center's function with other activities-
 - a. At the institution.

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- b. In the region.
- c. In the state.
3. Input received from a survey of all parties impacted by the formation of the Center-
 - a. Affected units within the institution.
 - b. Affected agencies/institutions within the region/state.
 - c. Evidence of support for the proposed Center.
4. Budget.
 - a. Identify all expenses and funding sources.
5. Staffing.
 - a. Identify key personnel.
 - b. Describe any joint appointments.
6. Equipment.
 - a. Identify all equipment available to the Center and indicate ownership.

24. **MISSION OF TECHNICAL EDUCATION** (10-20-04)

Policy

Kansas technical education is a comprehensive learner-centered system that develops academic, technical, and workplace skills, either for immediate employment or further career development through additional education.

Procedures

1. Technical schools, technical colleges, community colleges, and universities each have a distinct role in providing technical education to Kansans. However, the individual missions of the institutions shape their roles. Each public, postsecondary institution shall address technical education within their individual missions, as appropriate, in accordance with the following roles and scope, and file a copy with the Regents.
 - a. Technical Schools – noncredit courses, customized training, and technical certificate level.
 - b. Technical Colleges –noncredit courses, customized training, technical certificate and associate in applied science degree levels.
 - c. Community Colleges – noncredit courses, customized training, technical certificate, and technical associate degree levels.
 - d. Universities – noncredit courses, customized training, technical certificate, technical associate and bachelor degree levels and above.

25. **COLLABORATIVE PROGRAM/DEGREE POLICY** (1-19-05)

The Kansas Board of Regents encourages and supports system-wide cooperative and collaborative efforts among postsecondary institutions within the State of Kansas and between Kansas institutions and out-of-state institutions, including international institutions.

- a. Definition of collaborative programs/degrees

Collaborative programs/degrees are defined as programs/degrees developed and/or approved jointly by more than one institution; students from each participating institution may study parts of the program/degree at the collaborating institutions. In this policy, “program” refers to a formal academic course of study. Although most programs result in a degree or a major within a degree, in some cases, such as teaching endorsements, a program does not result in a major or a degree.

- b. Requirements for collaborative programs/degrees

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(1) Effective August 2005, all new collaborative programs must be reported to SCOCAO and SCOP according to the procedures described in Appendix K. The purpose of the report is to announce the program and to facilitate advisory input related to issues of program duplication, and the structure/operation of the collaboration.

(2) If the program falls into either of the two categories below, a new program proposal must be submitted for Board approval in accordance with Chapter II section D 7 d and Appendix G (for universities) and Chapter IV Section 21 (for coordinated institutions). Kansas public collaborating institutions should submit a single proposal. Appendix K should also be considered during the new program approval process. (Programs not leading to a major or a degree are exempt from the requirements of item (2)).

- o The proposed program is new to any of the Kansas public collaborating institutions.
- o The proposal involves an institution that is not accredited by a regional accrediting agency approved by the U.S. Department of Education, including international institutions.

(3) If the program involves a private or out-of-state postsecondary institution, the private and/or out-of-state institution must have degree-granting authority in Kansas as stipulated by the Kansas Private and Out-of-State Postsecondary Educational Institution Act, Section 3 (enacted 7/1/2004).

(4) Each of the collaborating institutions is responsible for assessing the quality of instruction and services in accordance with its institutional effectiveness plan.

(5) Regents universities participating in collaborative degree programs must include the collaborative program in the program review process. If the collaboration involves more than one Regents university, the universities must coordinate the program review.

(6) Collaborative programs must be so indicated on applicable degree inventories.

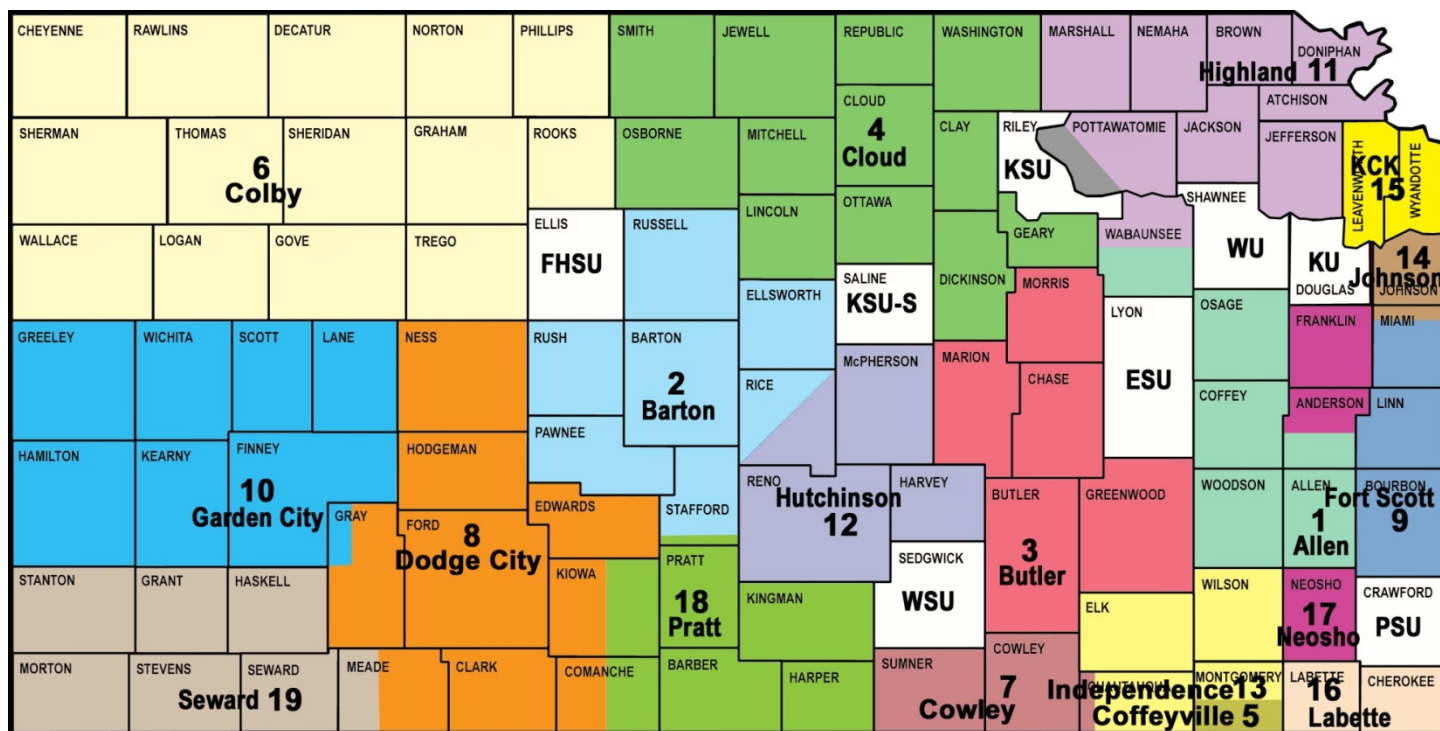
(7) Discontinuation of collaborative programs, or withdrawal and/or addition of one or more collaborative partners must be reported to SCOCAO and SCOP as an information item.

26. PARTICIPATION IN MIDWEST STUDENT EXCHANGE PROGRAM FOR GOVERNED AND COORDINATED INSTITUTIONS (12-15-04; 3-16-11)

- a. Programs will be approved by action of the institution and reported to the System Council of Chief Academic Officers as an information item.*
- a. Tuition for students enrolled under the MSEP program shall be 150% of the participating institution's in-state resident tuition rate.
- b. Students enrolled through MSEP shall not displace qualified Kansas residents, i.e., MSEP students shall be admitted only into degree programs that have enrolled all qualified Kansas residents wishing to pursue the program.
- c. Each participating institution shall establish guidelines for program participation in MSEP, which will be filed in the KBOR Office of Academic Affairs.
- d. An annual report shall be provided to the President and CEO regarding approved programs and student participation in the MSEP program.
- e. Board staff will maintain a list of programs approved by institutions for MSEP participation and monitor student participation via the MSEP annual report.

*Editors Note: Each institution will identify the programs that will be available for enrollment of students pursuant to the Midwest Student Exchange Program (MSEP), and will report such programs to the System Council of Chief Academic Officers as an information item.

27. **KANSAS COMMUNITY COLLEGES AND SERVICE AREAS FOR KANSAS COMMUNITY COLLEGES** (6-24-09)



- | | |
|---|--|
| 1. Allen County Community College, Iola | 12. Hutchinson Community College, Hutchinson |
| 2. Barton County Community College, Great Bend | 13. Independence Community College, Independence |
| 3. Butler County Community College, El Dorado | 14. Johnson County Community College, Overland Park |
| 4. Cloud County Community College, Concordia | 15. Kansas City Kansas Community College, Kansas City |
| 5. Coffeyville Community College, Coffeyville | 16. Labette Community College, Parsons |
| 6. Colby Community College, Colby | 17. Neosho County Community College, Chanute |
| 7. Cowley County Community College, Arkansas City | 18. Pratt Community College, Pratt |
| 8. Dodge City Community College, Dodge City | 19. Seward County Community College/Area Technical School, Liberal |
| 9. Fort Scott Community College, Fort Scott | State Universities/Washburn |
| 10. Garden City Community College, Garden City | Unassigned |
| 11. Highland Community College, Highland | |

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