

# Board of Regents Meeting

Wednesday, 12/13/2017

4:00 - 6:00 PM CT

## I. Call to Order

## II. Roll Call

Mr. Beck  
Mr. Boles  
Mr. Hoferer  
Mr. McGivern  
Mrs. Parks  
Mr. Sneed  
Mrs. Sourk  
Mrs. Van Etten  
Mr. Wolgast

## III. Approval of Minutes of Past Meeting(s)

### A. Approval of the Minutes of the November 9, 2017 Meeting

*bor121317minutes110917 - Page 3*

*bor121317minutes110917attachment-Jim Martin written comments - Page 8*

## IV. Officer Reports

### A. Chair's Report

### B. President's Report

### C. Committee Report(s)

#### 1. Audit Committee

## V. New Business

### A. Consent Agenda

#### 1. Liquidated Claims Approval - September 2017 - Jim Martin

*Liquidated Claims - September - Page 12*

#### 2. Liquidated Claims Approval - October 2017 - Jim Martin

*Liquidated Claims - October - Page 13*

#### 3. Liquidated Claims Approval - November 2017 - Jim Martin

*Liquidated Claims - November - Page 14*

#### 4. Designate Dr. Mark Kaufman and Dr. Brian Ogawa as Professor Emeritus; and Mr. Stephen Spyrès as Lecturer Emeritus - JuliAnn Mazachek

*bor121317emeriti - Page 15*

#### 5. Faculty/Staff Personnel Actions - Richard Liedtke and JuliAnn Mazachek

*bor121317facultystaffpersonnel - Page 17*

### B. Action Items

#### 1. KanTRAIN Mobile Connections Center - Contract Agreement with KS Department of Commerce - Jim Martin

*bor121317kantrain - Page 18*

**2. Student Conduct Policy - Eric Grospitch**

*bor121317studentconductpolicy - Page 19*

*bor121317studentconduct - Page 20*

**3. Indoor Driving Range Facility Lease Agreement - Marc Fried**

*Indoor Driving Range Facility - Page 21*

*Indoor Driving Range Facility Dec. 4 2014 Agenda Item - Page 23*

**4. Mobile Communication and Information Devices Policy - Jim Martin**

*bor121317mobilecommunication - Page 24*

*bor121317mobilecommunicationattachment - Page 25*

**5. New Indoor Practice Facility - Jim Martin**

*Indoor Practice Facility - REVISED - Page 26*

**C. Information Item(s)**

**1. Pine Ridge Health Facility - Monica Scheibmeir and Shirley Dinkel**

**D. Executive Session**

**WASHBURN UNIVERSITY OF TOPEKA**  
**BOARD OF REGENTS**  
**MINUTES**  
**November 9, 2017**

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**I. Call to Order**

Chairperson McGivern called the meeting to order at 3:01 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

**II. Roll Call**

Present were: Mr. Beck, Mr. Boles, Mr. Hoferer, Mr. McGivern, Mrs. Parks, Mr. Sneed (arrived 3:08), Mrs. Sourk, Mrs. Van Etten (arrived 3:03) and Mr. Wolgast.

**III. Approval of Minutes of the September 21, 2017 meeting**

Motion by Regent Wolgast and second by Regent Parks to approve the Minutes of the September 21, 2017 meeting. Motion passed.

**IV. Officer Reports**

**A. Chair's Report**

Chairman read the Purple Heart Proclamation that was read earlier at the ceremony for Washburn being declared a Purple Heart Institution.

**B. President's Report**

President Farley introduced Michelle Shipley, Department Chair for the Health Information Technology program in the School of Applied Studies, for her 15 years of service as advisor to the Washburn chapter of Phi Theta Kappa National Honors Society. The Society is for students who are enrolled in associate degree programs. Program has been active at Washburn since 1986.

Dr. Farley introduced Dean Stephenson who introduced the Sigma Alpha Iota music fraternity who recently was awarded the Katherine Becker Chapter Achievement Award. The award is given annually to the chapter who meet certain objectives. Chapter president Jessica Knieff discussed the various service projects the chapter had done which led to their award.

President Farley introduced Dean Sollars who introduced Dr. Pam Schmidt, Assistant Professor of Accounting and three students, Maureen Dombrow, Matthew Hicks and Liberty Beecham, who worked on project to help the Topeka Ride Share program. The students wrote a paper on their project and presented at a conference in Chicago. Out of 11 state Midwest region, these students won best undergraduate paper award at the conference.

Dr. Farley reported that the National Association of Student Personnel Administrators (NASPA) recently recognized Angela Valdivia and Lauren Edelman for their work as administrators at Washburn. Dr. Grospitch accepted on their behalf. Dr. Grospitch also recognized Walt Frederick for his work in supporting Washburn's receiving recognition as a purple heart university.

President Farley informed the Board that Bob Dole, Washburn alumnus, was awarded congressional gold medal this fall and will be presented in January. Highest civilian honor given by Congress.

Dr. Farley advised that Washburn recently held a Women in Science day. On Oct 31, more than 250 7<sup>th</sup> grade female students came to campus to work on science projects in the labs at Washburn.

President Farley reported that 70 Washburn Tech students received scholarships based on grades, instructor recommendations and achievements, a 15% increase from the previous year. Marshall Meek and Washburn Foundation were involved with that process.

## **V. New Business**

The Liquidated Claims approval was being removed at the request of Jim Martin. It was moved by Regent Hoferer and second by Regent Parks to approve the revised Consent Agenda. Motion passed.

As approved by action of the Board:

### **A. Consent Agenda**

- 1. Liquidated Claims Approval – September 2017**
- 2. Liquidated Claims Approval – October 2017**

Liquidated Claims Approvals withdrawn from the agenda with the consent of the Board.

### **3. Faculty/Staff Personnel Actions**

Grant leave of absence for Spring 2018 to: Sarah Springsteen-Trumble, Lecturer International Programs, Lee Snook, Professor Music, and Ann Marie Snook, Professor and Chair Music; and add two new positions: 1.0 FTE Certified Production Technician Technical Instructor at Washburn Tech at an annual salary of \$54,500, and IT Security Analyst at an annual salary of \$60,000;

- 4. Designate Dr. Brenda Patzel as Professor Emeritus; Dr. Annie Collins, Ms. Patricia Joyce and Dr. Mary Ellen McBride as Assistant Professor Emeritus; and Ms. Barb Stevenson as Lecturer Emeritus**

Designate Dr. Brenda Patzel as Professor Emeritus; Dr. Annie Collins, Ms. Patricia Joyce and Dr. Mary Ellen McBride as Assistant Professor Emeritus; and Ms. Barb Stevenson as Lecturer Emeritus; and,

- 5. Renewal and Extension of Topeka Neighborhood Revitalization Plan**

Renew and extend the Neighborhood Revitalization Plan for one year.

## **B. Action Items**

### **1. Corporate Resolution**

Vice-President for Administration and Treasurer Jim Martin presented the item, stating that currently Washburn is holding scholarship monies from several years back with Stifel Nicklaus but looking to move those funds over to the Foundation. This action is to allow payment of scholarship funds from this account until the funds are transferred to Foundation. It was moved by Regent Sourk and seconded by Regent Wolgast to authorize execution of the Corporate Resolution. Motion passed.

### **2. Washburn USW Local 307L-4 Memorandum of Agreement**

Vice-President for Administration and Treasurer Jim Martin presented the item. The proposed changes the Memorandum of Agreement (MOA) will increase the wage for the position of Maintenance Tech I. There has been difficulty in filling position due to the low wage now being offered. The increase should help fill the opening. At the same time, this will also reclassify the Plumber position to a Maintenance Tech II – Backflow, which will reduce the rate of pay for that position. These changes will be a net zero effect on wages. It was moved by Regent Van Etten and seconded by Regent Sourk to approve change to Memorandum of Agreement. Motion passed.

### **3. Softball Field Improvement C18014**

Vice-President for Administration and Treasurer Jim Martin presented the item. Changes are necessary to the softball field to remain compliant with NCAA regulations. This involves adding netting to the dugouts. There are also drainage issues in the infield. This work will address both of these concerns and will be done before the season begins in spring 2018. It was moved by Regent Parks and seconded by Regent Boles to approve the contract for the work on the softball fields. Motion passed.

### **4. Living Learning Center Chiller Replacement**

Vice-President for Administration and Treasurer Jim Martin presenting. The LLC has two large chillers, or air conditioning units, which were installed when building was constructed in 1998. At the beginning of this academic year it became apparent they were not working, so Washburn rented a chiller from Trane to cover LLC through the first months of the semester. This item is to replace both chillers in February. It was moved by Regent Hoferer and seconded by Regent Van Etten to approve the contract to purchase the new chillers. Motion passed.

### **5. Washburn Tech Purchase Electrical Technology Equipment**

Vice-President for Administration and Treasurer Jim Martin presenting. Greenlee Technical Equipment offered equipment to use in an electrical certification program. Additional equipment is needed and funding for the purchase is through Perkins

Grant by KBOR. Associate Director of Tech Clayton Tatro advised that the program provides certifications not only for our academic program but additional certifications that make the students more employable. This program is similar to establishing a national training center like Washburn Tech did previously for Trane and Case. It was moved by Regent Van Etten and seconded by Regent Wolgast to purchase the additional equipment. Motion passed.

## **6. Greater Topeka Partnership Contribution**

Vice-President for Academic Affairs JuliAnn Mazachek, presented the item. Many entities for the City and County were involved in a strategic and planning endeavor, which led to adoption of Momentum 2022 plan. Momentum 2022 leads to a new partnership of these various entities that will start later this year. Washburn has been asked to contribute to the partnership a total \$25,000 per year for 5 years. This contribution will replace the contributions currently made to several entities, such as Forge and Heartland Visioning, which will be part of the new partnership. The previous individual contributions totaled approximately \$20,000 per year. Regent Boles abstained from the discussion and vote. It was moved by Regent Parks and seconded by Regent Van Etten to approve the contribution plan. Motion passed.

## **C. Information Item(s)**

### **1. Depository Security Transactions**

Vice-President for Administration and Treasurer Jim Martin present the item. Financial institutions are required to obtain extra securities if the amount being held at the institution is greater than covered by FDIC. This requirement moves up and down as the amount of cash being held at the institution goes up or down. This transaction releases \$13M of bonds which is related to amount of our cash being held in their accounts.

### **2. Report of Purchases between \$25,001 and \$50,000**

### **3. The Frank Agency**

Director of Enrollment Management Richard Liedtke presented on enrollment and marketing. Dr. Liedtke introduced the Enrollment Management Team to acknowledge their work in the success achieved in the second year in a row of record direct from high school enrollment. Dr. Liedtke then introduced Susan Reeder from The Frank Agency who presented the work they have performed as it relates to recruitment of students.

### **4. Indoor Practice Facility**

Vice-President for Administration and Treasurer Jim Martin introduced Greg Schwerdt of Schwerdt Design. Mr. Schwerdt presented on the proposed design for the Indoor Practice Facility. Mr. Martin then presented alternatives for funding the project. Regent Beck requested that Mr. Martin's prepared remarks be placed into the minutes. NOTE: The written remarks are attached to the minutes.

The meeting adjourned at 5:09.

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Marc Fried  
Secretary, Board of Regents

Additions to physical plant such as the building of an indoor practice field require sizable sources of capital as the builders of the facility will require payment during construction.

The three sources of capital to fund such a project we look to first are:

- 1) University Reserves:** Reserves are liquid unencumbered University funds. Normally, reserves are created when University revenues exceed University expenditures over time, and/or when Shawnee county sales tax collections exceed what we budgeted for them. We will update our reserve balance when our current financial audit is complete this year, but we anticipate we will have around \$9 million of reserves at the end of the fiscal year.
- 2) Fundraising:** The Washburn Foundation has already raised some funds for the indoor practice field. As a general statement, the amount the Foundation can raise for a project is dependent on donor capacity to give and donor interest in the project.
- 3) Bond Issuances:** The University's primary source of borrowing is through the issuance of long term bonds. [Note: possible negative consequence to nonprofit bond issuers from current pending legislation] This type of capital is generally available to the University if the U.S. economy is functioning (which it is), the University has adequate bond capacity and credit rating (which we do) and the University has a dedicated cash source to pay off the bonds. Typically these bonds are paid off annually from a dedicated cash source such as the sales tax receipts.



Let me segue briefly on the subject of paying off bonds. A facility like the indoor practice field should generate some cash but not enough to pay off bonds issued to build it. For indoor practice field related bonds to be issued, we would need to dedicate a stable multiyear cash source to retire the bonds, such as a portion of the sales tax receipts.

**Sales tax receipts:** As a refresher, we receive the proceeds of a .65% sales tax on Shawnee county retail sales. Most of our sales tax receipts are used to fund University operations but last year, we collected approximately \$2.4 million over budget. Sales tax receipts in excess of budget has historically been a recurring item and has grown over time. It should continue under current Shawnee county economic conditions and current tax law. However, this level of collections is not guaranteed and has declined before during periods of slowdown in the economy. It would also be compromised if legislative actions such as enactment of a sales tax exemption for food was passed. However, as it stands today, it could be used to pay off a bond issue related to the indoor practice field.

Today, we estimate the \$2.4 million of sales tax receipts could be used to retire approximately \$20 million of debt.

I have fielded questions about the funding of this facility from regents since I took this job. These questions reinforce the need for careful consideration of risks involved prior to moving forward with the facility and moving forward with the issuance of bonds to

pay for it. Here are some paraphrased questions I have fielded and answers I have given.

**What is the University's bond rating and what does it mean?** Moody's currently rates our bonds as A1 (which is the same as Fort Hays and Pitt State). However, Moody's has not rated our bonds since the building of Lincoln Hall and the issuance of \$27 million of related bonds issued then. Taking into consideration Lincoln Hall bonds and potential indoor practice field bonds, it would not surprise me if our ratings slipped to A2, the same rating as Emporia State. The University's bond rating affects our ability to borrow and the interest rate and terms and conditions we would agree to, in order to satisfy the bondholders.

**Are there other downside risks if the \$2.4 million of sales tax money holds steady over time and we pay off the bonds with it?** The required use of sales tax receipts to pay off the bonds will decrease or eliminate our major source of funding to build reserves in future years. Put another way, using all the sales tax receipts outlined above to pay off the bonds and using all the University existing reserves identified above to finance the indoor practice field could leave the University with little in reserves and a difficult path to rebuild the reserve balance. With future economic growth in Shawnee County, we can "grow" out of the problem. With a flat or declining local economy, the problem will persist. This will impact the University's future ability to fund other capital projects and weather economic and operational downturns.

**Are there other current projects which should be considered in a discussion of the indoor practice field?** The proposed new law school will also likely require the use of University reserves, fundraising and bond financing which could be paid off with sales tax receipts.

**Final Comment:** The University has other sources of cash flow which are less suited to fund an indoor practice field. These include state appropriations, property tax receipts, and tuition and fees.

**Agenda Item No.  
Washburn University Board of Regents**

**SUBJECT:** Liquidated Claims Approval – September 2017

**DESCRIPTION:** Attached is the list of claims processed for the month of September, 2017 by fund, and a summary of all claims by fund is detailed below. The payroll claims will be presented to the Board of Regents for review at the December 13, 2017 meeting through the Chairperson.

To the best of my information and belief, I certify that the liquidated claims submitted in this transmittal are in compliance with all applicable laws and University policies.

\_\_\_\_\_  
Jim Martin, Vice President for Administration & Treasurer

<b>WASHBURN UNIVERSITY</b>		
<b>Fund #</b>	<b>Fund Name</b>	<b>Total Claims</b>
1.	General Fund	\$ 3,102,369
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	812,169
4.	Endowment Fund	-0-
5.	Student Loan Fund	16,553
7.	Tort Claim Fund	11,820
8.	Restricted and Agency Fund	533,194
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	64,552
	Sub-Total	4,540,657
	Payroll	3,094,122
	Payroll Withholding ACH Transactions	3,026,221
	<b>Total</b>	<b>\$10,661,000</b>

<b>WASHBURN INSTITUTE OF TECHNOLOGY</b>		
1.	General Fund	\$ 99,804
3.	Building and Construction Fund	127,244
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	128
13.	Government and Research Fund	57,595
	Sub-Total	284,771
	Payroll	364,226
	Payroll Withholding ACH Transactions	199,889
	<b>Total</b>	<b>\$848,886</b>

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Date

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Jerry B. Farley, President

**Agenda Item No.  
Washburn University Board of Regents**

**SUBJECT:** Liquidated Claims Approval – October 2017

**DESCRIPTION:** Attached is the list of claims processed for the month of October, 2017 by fund, and a summary of all claims by fund is detailed below. The payroll claims will be presented to the Board of Regents for review at the December 13, 2017 meeting through the Chairperson.

To the best of my information and belief, I certify that the liquidated claims submitted in this transmittal are in compliance with all applicable laws and University policies.

\_\_\_\_\_  
Jim Martin, Vice President for Administration & Treasurer

<b>WASHBURN UNIVERSITY</b>		
<b>Fund #</b>	<b>Fund Name</b>	<b>Total Claims</b>
1.	General Fund	\$2,876,831
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	704,300
4.	Endowment Fund	-0-
5.	Student Loan Fund	4,500
7.	Tort Claim Fund	276,591
8.	Restricted and Agency Fund	268,661
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	270,444
	Sub-Total	4,401,327
	Payroll	2,814,354
	Payroll Withholding ACH Transactions	574,734
	<b>Total</b>	<b>\$7,790,415</b>

<b>WASHBURN INSTITUTE OF TECHNOLOGY</b>		
1.	General Fund	\$ 234,995
3.	Building and Construction Fund	143,093
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	855
13.	Government and Research Fund	105,226
	Sub-Total	484,169
	Payroll	347,147
	Payroll Withholding ACH Transactions	193,082
	<b>Total</b>	<b>\$1,024,398</b>

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Date

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Jerry B. Farley, President

**Agenda Item No.  
Washburn University Board of Regents**

**SUBJECT:** Liquidated Claims Approval – November 2017

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To the best of my information and belief, I certify that the liquidated claims submitted in this transmittal are in compliance with all applicable laws and University policies.

\_\_\_\_\_  
Jim Martin, Vice President for Administration & Treasurer

<b>WASHBURN UNIVERSITY</b>		
<b>Fund #</b>	<b>Fund Name</b>	<b>Total Claims</b>
1.	General Fund	\$2,103,237
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	888,036
4.	Endowment Fund	-0-
5.	Student Loan Fund	3,050
7.	Tort Claim Fund	6,112
8.	Restricted and Agency Fund	260,300
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	39,301
	Sub-Total	3,300,036
	Payroll	2,820,348
	Payroll Withholding ACH Transactions	2,632,680
	<b>Total</b>	<b>\$8,753,064</b>

<b>WASHBURN INSTITUTE OF TECHNOLOGY</b>		
1.	General Fund	\$243,040
3.	Building and Construction Fund	-0-
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	4,212
13.	Government and Research Fund	34,297
	Sub-Total	281,549
	Payroll	337,192
	Payroll Withholding ACH Transactions	190,976
	<b>Total</b>	<b>\$809,717</b>

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Date

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Jerry B. Farley, President

**Agenda Item No. \_\_\_\_\_**  
**Washburn University Board of Regents**

**SUBJECT:** Designate Dr. Mark Kaufman and Dr. Brian Ogawa as Professor Emeritus; and Mr. Stephen Spyres as Lecturer Emeritus.

**DESCRIPTION:**

Dr. Kaufman has been a Professor of Social Work at Washburn University since 1998. Dr. Kaufman has served the Social Work Department in several capacities including serving for several years as the MSW Program Director. Dr. Kaufman has been the BSW Program Director since August 2012 and he served as the Social Work Department Chair from August 2013 to June 2017. He has been a member and participant in the Association of Baccalaureate Program Directors (BPD). Dr. Kaufman is an accomplished Professor and Clinician. His background includes expertise in teaching courses on Mental Health and the Law, Clinical Practice with Families and Individuals, Human Behavior in the Micro and Macro Environment and Cognitive Behavior Therapy. Dr. Kaufman has established the Dual Social Work and law Program at Washburn University. Dr. Kaufman is a member of the Phi Beta Delta, the Society for international Scholars. His Scholarly interest continues to be on Evolutionary Psychology and Social Work Practice, Acceptance and Commitment Therapy, Multicultural Social Work Practice, and legal and Ethical Issues in Social Work Practice.

Dr. Brian Ogawa, Professor of Human Services, has been a member of the WU faculty since 2001. He played a key role over many years in coordinating the Victim-Survivor Services Certificate and building/coordinating the Morita Therapy Certificate. Dr. Ogawa served as Chairperson of the Department from 2006 - 2015. He is an accomplished author, having written five books on topics relating to victim- survivor services and Morita Therapy. Dr. Ogawa serves on the international Committee of Morita Therapy as the United States representative. In 2014, he received the Ned Fleming Award for excellence in teaching from Washburn University. He established the Washburn Morita Study Group and has served as its faculty advisor. He has also played an important role on the International Programs committee at Washburn University and in Phi Beta Delta, the Society for International Scholars.

Mr. Spyres has been the Social Work Director of Practicum since July 2004. Within the Social Work department, Steve has played a vital role through his administration and management of the practicum office. As evidence of his leadership, he was asked and agreed to serve as acting department chair from 2010 to 2012. Mr. Spyres is respected by his colleagues as both a teacher and a Practicum Director. Mr. Spyres has developed and taught core clinical courses in the Masters of Social Work clinical program. He has also played a major role in both the 2008-09 as well as the current 2016-17 reaccreditation self-studies. Mr. Spyres coordinates a number of workshops for the department that have brought accolades from students, faculty, and social work practitioners from the greater Topeka area. Mr. Spyres' service to the profession has clearly enhanced the reputation of the department and Washburn University. As one of many examples, Mr. Spyres has served for several years as the Treasurer for the Kansas Council on Social Work Education and he has been a long time board member of the Family Service and Guidance Center.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION:

President Farley recommends the Board of Regents bestow the title “Professor Emeritus” to Dr. Mark Kaufman, “Professor Emeritus” to Dr. Brian Ogawa, and “Lecturer Emeritus” to Mr. Stephen Spyres.

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Date

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Jerry Farley, President



**Agenda Item No. \_\_\_\_\_**  
**Washburn University Board of Regents**

SUBJECT: Faculty/Staff Personnel Actions

DESCRIPTION: The following adjustments to specific salary lines must either be reported to the Board or approved by the Board.

Name	Position	Change	Financial Implications	Comments	Action
New Vacant Position	Admission Counselor	New hire	\$37,500 annual salary	New recruiter position being added to the Admissions Office due to the increase in applications	Request approval
New Temporary Position	NEW- AO-K Case Manager - Washburn Institute of Technology	Recruitment pending	Perkins Reserve Fund -No General Fund Impact	Will provide additional support to existing staff to develop new materials to improve student-learning outcomes. Funding lasts from January '18 to May '18.	Request approval
New Temporary Position	NEW-Adult Education Instructor - Washburn Institute of Technology	Recruitment pending	Perkins Reserve Fund -No General Fund Impact	Will teach courses within the AO-K program as assigned. Funding lasts from January '18 to May '18.	Request approval

RECOMMENDATION: President Farley recommends approval of these personnel actions.

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Date

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Jerry B. Farley, President

**Agenda Item No. \_\_\_\_\_**  
**Washburn University Board of Regents**

SUBJECT: KanTRAIN Mobile Connections Center  
– Contract Agreement with KS Department of Commerce

DESCRIPTION:

The Round 4 TAACCCT grant's KanTRAIN Mobile Connections Center represents a collaborative effort between Washburn University, the grant's lead institution, and the Kansas Department of Commerce (KDOC), the state's workforce systems administrator. The Mobile Connections Center will be operated by the KDOC at KANSASWORKS centers and other sites across Kansas. The KanTRAIN sites have MOUs with four of Kansas' respective area workforce boards: the Mobile Connections Center effort is to improve the respective systems' integration and use of common education and workforce system data. The Mobile Connections Center will help to identify and track KanTRAIN and potential KanTRAIN participants through the KANSASWORKS system, particularly unemployed and TAA-eligible workers and veterans, in addition to supporting KDOC TAA Rapid Response initiatives. The KanTRAIN Mobile Connections Center will provide services ancillary to the grant including data reports on event and participant follow-up and impact through September 30, 2018.

The Kansas Department of Commerce is a sole source entity in that Commerce is the sole entity that oversees the workforce system in Kansas, including all Trade Act Programs.

The Contract Allows for maintenance, staffing, travel, supplies, and other expenses associated with implementation of the contract and use of the mobile unit. The effective date of the contract covers grant quarters 10 -16 (through September 30, 2018). The Mobile Connections Center was not available for operation prior to quarter number 10.

This Board previously approved the bid to purchase the Mobile Connections Center utilizing KanTRAIN grant funds in December, 2015.

KanTRAIN (\$11,997,957) is 100% funded by the U.S. Department of Labor's Trade Adjustment Assistance Community College and Career Training Program, #TC-26477-14-60-A-20.

FINANCIAL IMPLICATIONS:

An expenditure of \$151,500 from the KanTRAIN budget.

RECOMMENDATION:

President Farley recommends the Board of Regents approve the contract in the amount of \$151,500 for the KanTRAIN Mobile Connections Center.

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Date

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Jerry B. Farley, President

**Agenda Item No. \_\_\_\_\_**  
**Washburn University Board of Regents**

SUBJECT: Student Conduct Policy (attached)

DESCRIPTION:

There is no current section in the Washburn University Policies, Regulations and Procedures Manual addressing student issues. This policy will be the initial policy placed in a new Section DD – Student Matters.

This policy statement sets out the basic policy of Washburn relating to student conduct and authorizes the administration to develop regulations to further address issues of student conduct. It further identifies the Vice-President for Student Life as the responsible party for implementation of the regulations and that the regulations must reviewed at least annually.

FINANCIAL IMPLICATIONS:

The addition of this new policy does not add any expenditures for the University.

RECOMMENDATION:

President Farley recommends adoption of the attached new Section DD1 – Student Conduct of the Board Policy.

\_\_\_\_\_  
Date

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Jerry B. Farley, President

## DD. STUDENT MATTERS

### 1. Student Conduct.

- 1.1 **Policy.** It is the policy of the Washburn University Board of Regents that the University strives to provide an environment in which Students may pursue their educational interests. In doing so, Students will be expected to conduct themselves in a manner which promotes learning and preserves academic freedom for all.
- 1.2 **Establishment of Regulations.** The administration shall establish regulations and procedures governing Student and Student Organizational behavior consistent with Board policies, applicable laws and regulations, and sound student development practices and to provide Washburn students general notice of prohibited behavior.
- 1.3 **Responsibility.** The Vice-President for Student Life, or his/her designee, shall be responsible for the implementation of the regulations and procedures governing conduct of Students and Student Organizations.
- 1.4 **Review.** The regulations and procedures governing student and student organizational behavior shall be reviewed at least annually.

**Agenda Item No. V. B. 3.**  
**Washburn University Board of Regents**

SUBJECT: Indoor Driving Range Facility Lease Agreement

BACKGROUND:

In December, 2014, this Board authorized the administration to move forward with the planning of the Indoor Driving Range Facility for our golf team to be located at the Topeka Country Club (“TCC”). A copy of the Agenda item is attached for further background and discussion of some of the details of the then proposed project. This facility would provide our golf team a guaranteed location for the team to practice year-round, particularly during cold weather. Based on that authorization a lease was entered into between the parties in order to begin the planning process.

Roles and responsibilities of the parties have now been worked out, along with the final details of the project, and the parties are ready to proceed to construction upon authorization of the Board to enter into a final agreement with the TCC.

DESCRIPTION:

Attached to the Agenda is a new lease agreement. The agreement is for an initial ten year period with two additional ten year renewal periods that automatically renew unless either side gives 60 days’ notice of non-renewal. If the agreement were to end before the 30 years pass, whether by non-renewal or other cause, then TCC will pay Washburn the depreciated cost of the building. If the lease were to terminate during the period between November 1 and March 31, then Washburn would be allowed to use the facility through March 31 so as not to disrupt the training process for the team during the winter months. Two of the five bays are for use primarily by Washburn, and during certain days and times, Washburn will have priority use for all five hitting bays. TCC will own the building and agrees to grant Washburn a license for getting to and from the building and also use of the driving range area next to the building. There is also a provision for the telemetry equipment that is used by the golf team and will be kept at the facility. TCC will share in the maintenance and replacement costs of the equipment. Washburn’s contribution, which is entirely from private funds donated to the Foundation, is capped at \$410,000.

As TCC will own the building and construction is already occurring on the TCC property with McPherson Construction, TCC will use McPherson Construction for this project and also manage the construction of the building. Because TCC is the owner of the building, Washburn bidding requirements are not applicable.

FINANCIAL IMPLICATIONS:

The project cost will not exceed \$410,000, which will be funded entirely from private funds.

RECOMMENDATION:

President Farley recommends the Board of Regents approval to begin construction of an Indoor Driving Range at Topeka Country Club.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jerry B. Farley, President

**Agenda Item No. IV. B. 4.**  
**Washburn University Board of Regents**  
**(Approved December 4, 2014)**

SUBJECT: Indoor Driving Range Facility

BACKGROUND: The process of finding a location for an indoor driving range facility began more than a year ago .After discussions concerning the advantages and disadvantages of several locations around Topeka, we began a dialogue with Topeka Country Club (TCC). TCC is receptive to the idea of building an indoor driving range on their property that would be mutually beneficial to both organizations.

TCC has offered to provide land owned by TCC on which Washburn can build an all-weather indoor driving range for use by both parties. Washburn will use the driving range as a practice facility for its intercollegiate golf team. TCC will also have access to the facility for its members.

DESCRIPTION: A lease and facilities use agreement is proposed as an initial term of ten years, it may be renewed for two additional ten year terms. Upon termination of the agreement, all rights, title and interest in the building transfers from Washburn to TCC.

Washburn will pay all costs associated with the design and construction of the 96 foot by 30 foot building to be built on leased TCC land. Washburn and TCC will split (50/50) the annual operating costs of the facility.

The heated building will have five driving bays, a putting green, and a chipping green. The final design will be subject to approval by both parties prior to construction. The estimated cost of the facility is \$250,000. The total cost will be raised from private resources.

As soon as sufficient funds are raised, we would move forward with the architect selection process to begin planning, budget confirmation, site location, and design for the Indoor Driving Range.

FINANCIAL IMPLICATIONS:

The project will be funded from private funds.

RECOMMENDATION:

President Farley recommends the Board of Regents approval to begin planning for an Indoor Driving Range at TCC.

\_\_\_\_\_   
Date

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Jerry B. Farley, President

**Agenda Item No. \_\_\_\_\_**  
**Washburn University Board of Regents**

SUBJECT: Mobile Communication and Information Devices Policy (attached)

DESCRIPTION:

There is no current section in the Washburn University Policies, Regulations and Procedures Manual addressing mobile communication and information devices. This policy will be located in Section E. – Benefits, 19. – Mobile Communication and Information Devices

This policy statement sets out Washburn’s policy relating to mobile communication and information devices. The purpose is to provide guidelines for the University in providing certain employees a mobile device or salary supplement for mobile device service as necessary for employees to carry out job responsibilities. The Administration shall set criteria for eligibility of employees, based upon their job responsibilities. The regulation shall address the proper procurement, use, ownership, and possession of mobile communications and information devices to ensure appropriate business purpose. The regulation shall also address appropriate funding or reimbursement of devices and mobile service, consistent with applicable laws and regulations.

The University had estimated mobile expenditures of \$50,438 in fiscal year 2017. Under the proposed Mobile Communication and Information Device Policy, the anticipated annual expenditure estimate will be \$28,200. This estimate is based upon a proposed monthly stipend for 40 employees and the purchase of phones and monthly service for 15 employees.

FINANCIAL IMPLICATIONS:

The anticipated annual expenditure estimate is \$28,200, of which funds are available in the existing budget.

RECOMMENDATION:

President Farley recommends adoption of the attached new Section E. – Benefits, 19. – Mobile Communication and Information Devices of the Board Policy.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jerry B. Farley, President



## E. Benefits

### 19. Mobile Communication and Information Devices.

19.1 **Purpose.** The University shall provide certain employees a mobile device or salary supplement for mobile device service as necessary for employees to carry out job responsibilities.

19.2 **Eligible Employees.** The Administration shall set criteria for employees, based upon their job responsibilities, to be eligible for inclusion in either Group One or Group Two.

19.2.1. **Group One.** Employees whose job responsibilities require them to be immediately accessible at all times and have immediate access to email, internet service, and text messaging capability. Eligible employees include the President, Vice Presidents, Associate Vice Presidents, Deans, Directors, and others as appropriate.

19.2.2. **Group Two.** Employees whose majority of job responsibilities are “in the field,” where business either cannot be conducted on a landline phone or where it would be inefficient to use a landline phone; and employees whose responsibilities periodically require travel or emergency contact availability. Examples of eligible employees include, but are not limited to, Admissions Counselors, certain Facilities staff, certain Information Technology staff, or faculty who supervise students doing coursework off-campus.

19.3 **Establishment of Regulations.** The Administration shall establish regulations and procedures for providing certain employees a mobile device or salary supplement for mobile device service as necessary for employees to carry out job responsibilities. Regulations should outline appropriate funding or reimbursement of devices and mobile service, consistent with applicable laws and regulations. The regulations shall address the proper procurement, use, ownership, and possession of mobile communications and information devices to ensure appropriate business purpose. As is required by Washburn policy and law, vendors for devices and service providers should be selected according to relevant policies, with emphasis on efficient and prudent use of University funds.

## **Agenda Item No. V. B. 5.**

### **Washburn University Board of Regents**

SUBJECT: New Indoor Practice Facility - **REVISED**

#### BACKGROUND:

At the April 24, 2015 Board of Regents Meeting, the Board gave approval to the administration to begin the process of selecting an architect for design of an Indoor Practice Facility. The Board approved Schwerdt Design Group to be the lead architect at the September 15, 2015 Board of Regents Meeting. At the November 9, 2017 Board of Regents Meeting, Schwerdt Design Group and the DLR Group presented drawings and cost estimates for two options for indoor practice facilities to the Board during the Information Item Section of the Board Meeting. Estimated costs for the facility varied from \$20,202,000 to \$20,267,000, depending on the directional orientation of the facility. University Vice President of Administration and Treasurer Jim Martin also spoke on the potential financial implications to the University of constructing such a facility.

#### FINANCIAL IMPLICATIONS:

Multiple sources of capital will be required to fund the construction of an indoor practice facility. Upon completion of the facility, additional ongoing operating funds will also be needed to pay for the incremental costs of operating and maintaining the facility. A discussion of funding for construction and operating costs and the associated risks follows.

**Construction Funding:** The University's three sources of funding for a project this size are: University Reserves, Donor Commitments, and Bond Issuances.

**University Reserves:** Reserves are created when University revenues exceed University expenditures over time, and/or when Shawnee county sales tax collections exceed what we budgeted for them. Use of a portion of these Reserves for a one-time cash payment for construction of an indoor practice facility should be evaluated in light of risks which include:

- 1) Use of the Reserve Balance eliminates a key buffer the University depends upon to cover expenditures should operational revenues not be able to meet operational needs. This need for Reserves arises in periods of economic downturn, times when we are addressing operational challenges or initiating new programs and when responding to unfunded mandates.
- ~~2) Use of the Reserve balance for an indoor practice facility precludes use of the balance for other future capital projects. This includes projects already approved by the Board such as the new Law School.~~
- 3) Reserves must be rebuilt following their use for partial funding for construction of an Indoor Practice Facility. The ability to rebuild Reserves is currently dependent on the

University's ability to generate revenue in excess of expenditures and/or collect sales tax revenue in excess of our budgeted amounts. Under a proposal to fund a new Indoor Practice Facility, in part with ongoing sales tax receipts, the availability of sales tax receipts to rebuild Reserves (now after repayment of Indoor Practice Facility bonds) will markedly decrease, making the rebuilding of Reserves slow.

**Donor Commitments:** The Washburn University Foundation has commitments for a portion of the funding required to build the Indoor Practice Facility. Reliance upon commitments from donors for a one-time cash payment such as proposed for construction of an indoor practice facility should be evaluated in light of risks which include:

- 1) The amount the Foundation can raise for a project is dependent on donor capacity to give and donor interest in the project. Donor contribution to the Indoor Practice Facility project may reduce donor capacity to fund other upcoming University needs.
- 2) Fulfillment of donor commitments usually stretch out over multiple years while construction expenditures occur upfront. As such, the University will need to identify additional funding for construction expenditures at the outset. This temporary financing will remain in place until the donor pledges are paid off.
- 3) Item 2) above addresses the time lag between construction expenditures and donors completing their gifts to Washburn. Associated with this are two costs: a) the increase in financing costs to the University related to "carrying" the balance of the unfulfilled gifts, b) in situations where multiyear pledges are made by donors, there is a cost related to any unmet pledges from donors.

**Bond Financing:** The University has historically accessed the capital market to raise funds by issuing long-term bonds. This remains a viable option today assuming a) the U.S. economy is functioning normally, b) the University has adequate statutory bond capacity and credit rating, and c) the University has a dedicated cash source to retire the bonds. Borrowing money to facilitate construction of an indoor practice facility should be evaluated in light of risks which include:

- 1) The University has an A1 bond rating today which is tenuous. Completion of an additional multimillion dollar financing has the potential of causing a downgrade of our bond rating and adversely affecting future borrowing opportunities and costs.
- 2) Federal tax law changes are currently under consideration which would eliminate the University's ability to issue tax-exempt debt. Should such changes become law, University bond issuances after the law change would command a higher interest rate and cause the University to pay more in annual debt service costs.
- 3) In order to issue the bonds, the University has identified sales tax receipts in excess of budget as a dedicated cash source which could be used to pay off the bonds over a 15-20 year payback horizon. There are risks associated with this dedicated cash source as well.

- a. Historically, economic slowdowns cause sales tax revenue to decline which would impair the University's ability to pay off the bonds.
- b. Legislative and judicial efforts to reduce what is subject to sales tax or reduce the sales tax rate itself will reduce revenues to the University which are needed to retire the bonds.
- c. Sales tax revenue today is the largest contributing component to building of Reserves. If sales tax revenues in excess of budget are diverted to pay off Indoor Practice Facility bonds, absent an increase in the sales tax base or the sales tax rate, University Reserves would be difficult to rebuild.

**Ongoing Costs:** Annual costs to maintain and operate the Indoor Practice Facility in current year dollars are estimated to be \$400,000. Funding for these costs is to come from other operating sources.

**Summary:** This is a recommendation before the Board of Regents to move forward and approve a departure from the traditional funding model when designing and building a \$20,202,000 or \$20,267,000 Indoor Practice Facility. If approved, the project will be funded through private sources at a minimum level of \$5 million. The remaining balance will be provided through a combination of University Reserves, and up to \$10 million in debt. The debt would be serviced by expanding our existing commitment of sales tax revenue. The timing and amount of the debt issue will be based on the market factors.

The design, construction, and funding of the Indoor Practice Facility will be completed in steps.

**Step 1:** Schwerdt Design Group will complete formal design of the new Indoor Practice Facility. Design work will commence upon identification of sufficient Reserves to fund the estimated \$1,370,000 of design costs. The University estimates it will be able to satisfy prior commitments for Reserves and accumulate the required \$1,370,000 in new Reserves through ongoing operations under current conditions.

**Step 2:** Bids will be let for construction of the new Indoor Practice Facility. The decision to open bidding for the construction is dependent on conditions in place at the time the Board decides to move forward with construction. Specifically:

- a) It is expected Reserves will continue to increase after funding of the prior commitments and architectural fees identified in Step 1 above. It is expected that Reserves could increase annually by \$2.5 million under current operating conditions. Reserves needed for construction are currently expected to be \$5 million.
- b) Donor commitments are expected to be fulfilled over a five year period. Construction of the Indoor Practice Facility is expected to commence prior to all commitments being fulfilled. Temporary shortfalls in collections due to timing will be covered from other available sources. Donor gifts needed for construction are currently expected to be \$5 million.

- c) Financial market conditions must be favorable to issue bonds at the time the decision to go forward with construction is made by the Board. Bond financing needed for construction is currently expected to be no greater than \$10 million.
- d) The University's financial and competitive profile plus the outlook for higher education, both nationally and locally, should be reassessed at the time a Board decision to move forward with construction is made.

RECOMMENDATION:

President Farley recommends the Board of Regents approve Step 1 of the Indoor Practice Facility project described above. Upon Board approval and notification of sufficient Reserves by the University, Schwerdt Design Group will commence formal design of the new Indoor Practice Facility.

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Date

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Jerry B. Farley, President