

**Board of Regents Meeting**  
**Kansas Room, Memorial Union Building**  
**Thursday, 2/6/2020**  
**4:00 - 6:00 PM CT**

**I. Call to Order**

**II. Roll Call**

Mr. Beck  
Ms. Buhler  
Mayor De La Isla  
Mr. Hoferer  
Mr. Klausman  
Mr. McGivern  
Mrs. Parks  
Mrs. Sourk  
Mrs. Van Etten

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

**A. Approval of the Minutes of the December 5, 2019 Meeting**

*December 5, 2019 Regents Minutes - Page 2*

**IV. Officer Reports**

**A. Chair's Report**

**B. President's Report**

**V. New Business**

**A. Consent Agenda**

**1. Liquidated Claims Approval - November 2019 - Chris Kuwitzky**

*Liquidated Claims - November 2019 - Page 7*

**2. Liquidated Claims Approval - December 2019 - Chris Kuwitzky**

*Liquidated Claims - December 2019 - Page 8*

**3. Faculty/Staff Personnel Actions - JuliAnn Mazachek**

*Faculty Staff Personnel Actions - Page 9*

**B. Action Items**

**1. Honorary Degree Candidates - JuliAnn Mazachek**

*Honorary Degree Candidates - Page 10*

**2. Audit, Tax and Compliance Services - Chris Kuwitzky**

*Audit Tax and Compliance Services - Page 11*

**C. Information Item(s)**

**1. Student Mental Health - Eric Grospitch**

**VI. Executive Session**

**WASHBURN UNIVERSITY OF TOPEKA**  
**BOARD OF REGENTS**  
**MINUTES**  
**December 5, 2019**

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**I. Call to Order**

Chairperson Hoferer called the meeting to order at 4:03 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

**II. Roll Call**

Present were: Mr. Beck, Ms. Buhler, Mr. Hoferer, Mr. Klausman (by phone), Mr. McGivern, Mrs. Parks, Mrs. Sourk and Mrs. Van Etten. Regent De La Isla was not present.

**III. Approval of Minutes of the October 24, 2019 meeting**

Motion by Regent Sourk and second by Regent Parks to approve the Minutes of the October 24, 2019 meeting. Motion passed.

**IV. Officer Reports**

**A. Chair's Report**

There was no Chair's report.

**B. President's Report**

President Farley said this is a great time of year with many things happening on campus, and we will be in commencement mode in a week.

Dr. Farley reported on the Indoor Athletic Facility. He said we believe they will have all of the girders up for the football field before holiday break and then will go back and do the girders over the track.

President Farley introduced Gary Bayens as the new Dean of Washburn Tech.

Dr. Farley introduced Eric Showalter, who has been managing the Recycled Rides program, who said they completed their 28<sup>th</sup> vehicle earlier this week. The National Auto Body Association Recycled Rides program was present to learn more about our success. He said they partner with United Way to locate potential donees and students review the applications. This vehicle was for a single mother with two children and was a very moving experience.

President Farley said that tomorrow from 3:00-5:00 p.m. the annual holiday party for faculty and staff will be held in Washburn A & B.

Dr. Farley mentioned Vespers is this Sunday at 4:00 p.m. in White Concert Hall. He said this is a great program and has been for decades.

President Farley reported events being held in Lee Arena -- next Thursday is Washburn Tech commencement and next Friday Washburn University commencement ceremonies. Everyone is invited to attend.

Dr. Farley said Toys for Tots is currently happening on campus.

President Farley said this morning he had the honor to appear before the Shawnee County Legislative Delegation. He told them about the good things happening on our campus and about some things we would like help with in the upcoming session.

Dr. Farley reported the Student Recreation and Wellness Center will have dogs available to pet by students to help them deal with stress during finals.

## **V. New Business**

It was moved by Regent Parks and seconded by Regent Buhler to approve the Consent Agenda. Motion passed.

As approved by action of the Board:

### **A. Consent Agenda**

#### **1. Liquidated Claims Approval – October 2019**

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

Recruit for new vacant Technical Instructor, Virtual Welding-Lawrence Gardner High School effective January 1, 2020 at an annual salary of \$52,000;

#### **3. Academic Sabbaticals 2020-2021**

Academic Sabbaticals granted as follows: Lori Edwards, School of Nursing for Fall 2020; Ian Smith, College of Arts & Sciences, Fall 2020; Jericho Hockett, College of Arts & Sciences, Fall 2020 or Spring 2021; Tonya Kowalski, School of Law, Fall 2020 & spring 2021; Norma Juma, School of Business, Spring 2021; Park Lockwood, College of Arts & Sciences, Spring 2021; Sharon Sullivan, College of Arts & Sciences, Spring 2021; Izzy Wasserstein, College of Arts & Sciences, Spring 2021; and,

#### **4. Graphics Technology Program Revision**

Changes to the Graphics Technology Program as outlined in the agenda item.

## **B. Action Items**

### **1. Virtual Reality Hardware and Software for Washburn Tech Virtual College**

Vice President for Academic Affairs Juli Mazachek presented the item. Washburn Tech received two grants – one from the Dane Hanson Foundation and one from AT&T – to purchase software and hardware to deliver online technical education. This item is for purchase of equipment for use in schools in Western Kansas so they are able to receive the online technical education programs. The schools that would receive the equipment are in the territory served by the Hanson Foundation.

In response to a question about if Washburn Tech has seen any impact on enrollment, Dr. Mazachek stated that there has been an increase, due in part to this program, which is in its second year. It was moved by Regent Beck and seconded by Regent McGivern to approve the purchase of the equipment. Motion passed.

### **2. Memorial Union 1<sup>st</sup> Floor A & B Rooms Audio Visual Upgrade Project #900200**

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. The Board previously approved projects for sound in Washburn A & B rooms. This project will improve the room lighting to LED lighting for events held in the rooms. Three entities picked up packets but only one bid on the item. The other two said they could handle the project within the timeline given.

In response to a question if the bid amount is a reasonable price given there was only one bidder, Mr. Kuwitzky said some research was done to determine if it was within a reasonable range, which it was. Further, Washburn is familiar with the contractor and prior work was been of good quality.

In response to a question as to what income we get from the room(s), Vice President Kuwitzky called on Janel Rutherford, who answered that Washburn charges up to \$1,000/day but most events are community service events which do not generate much rental income.

In response to a question about who in the community has a larger meeting space, Rutherford answered the only two of which she was aware were the Ramada Inn and Capital Plaza. It was moved by Regent McGivern and seconded by Regent Parks to approve the purchase of the equipment. Motion passed.

### **3. Ratification of KTWU Digital Audio Console Bundle**

Vice President for Academic Affairs JuliAnn Mazachek presented the item. The digital audio console is a key component to help KTWU with their broadcasting. Their equipment failed in October unexpectedly and KTWU moved quickly to find replacement equipment. Mr. Kuwitzky contacted the Board chair for initial approval before the purchase under the circumstances and we now seek ratification. It was moved by Regent Beck and seconded by Regent Sourk to ratify the purchase of the digital audio console. Motion passed.

#### 4. New Law School Building

President Farley presented the agenda item. Dr. Farley stated that Washburn began looking at a new law school back in 2010 and brought forward a plan for financing and construction of a new law school at the corner of Washburn Avenue and 21<sup>st</sup> Street. The project cost at that time was estimated at \$40 million. Sources for those costs were identified as \$20 million from private fundraising and \$20 million from the University. The Board approved the plan at that time. That began what was largest fundraising for a project in Washburn history. To date, Washburn has collected just over \$10 million in private fundraising, which is most ever raised for a single project.

Since 2012, changes occurred in the world of higher education and particularly in law education. The percentage of applications dropped in the aftermath of the recession. It is now clear that the planned student capacity in the original plans – 450 students – will not be achieved; however, the need for the new law school has not changed.

The administration then looked to adjust the budget and plan to meet or exceed the level of education moving forward. Washburn now believes the appropriate student capacity will be more in the range of 300-325 students. Additionally, technology has changed the way education is delivered, primarily in the need of space for the library because it is now mostly digital, so the need for book storage is less. There are options to expand the building from its revised plan, if necessary in the future.

The administration now proposes to keep in place the University's commitment to give \$20 million, in reserves. Folks from the law school, administration and facilities met with the architects about re-sizing and re-designing the building. The architects were advised that an all-in cost estimate was necessary. Dr. Farley stated the amount of the revised estimate is \$33 million, and for that amount of money Washburn can build a law school that will meet the needs of its students and faculty moving forward.

President Farley then introduced Dean Carla Pratt, who was present by phone. Dean Pratt is very excited about the potential of the project. She stated the project will give them a lot of the resources they do not have now, such as integrated technology in classrooms to capture lectures, and to deliver online lectures to our third year anywhere program. The technology upgrades will allow to the law school to have synchronous programming and be a leader in country in this regard.

Dr. Farley then invited Marshall Meek, president of the Washburn University Foundation, to discuss raising the additional \$3 million needed from private fundraising. Mr. Meek is confident the Foundation can raise the additional \$3 million. He stated many projects like this have persons who wait until the end to contribute, and until they see the end of the tunnel and approval, they hesitate to donate. Mr. Meek believes the revised budget and project, if approved by the Board, will be well received by donors, and private fundraising will get across the finish line, just as it happened for the indoor practice facility once the final plans were in place.

President Farley asked the Board to approve the agenda item which sets the new project budget, and to authorize the architect to proceed through schematic design for construction of a new law school at Washburn Avenue and 21<sup>st</sup> Street. Once the schematic design is completed, the administration would then come back for further authorizations.

In response to a question about the architect's fees, Dr. Farley said the fee is based on 7.5% of the project costs. Regent McGivern said that an architect fee at 7.5% of the project cost is a deal.

In response to a question about completion date, President Farley said that other decisions will need to be addressed before an accurate estimate of the completion date can be determined.

In response to a question about the current balance of University reserves and can the reserves provide the planned expenditures for the law school, Dr Farley said that Washburn will have more than \$10 million in reserves by the end of the current fiscal year and the remaining \$10 million provided by the University will be through bond funding.

It was moved by Regent Beck and seconded by Regent Parks to approve the new budget amount for the new law school project at Washburn Avenue and 21<sup>st</sup> Street and authority for the architect to begin schematic design. Motion passed 7-1 with Regent Sourk voting no. Regent Sourk noted that she has no problems with the project with the revised budget, but she would want to see more information about the University reserves before she could support the project moving forward.

## **VI. Executive Session**

Board Chair Hoferer announced that there was no need for the Executive Session.

It was moved by Regent Sourk and seconded by Regent Van Etten to adjourn the meeting. Motion passed.

Meeting adjourned at 4:42 p.m.

/s/

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Marc Fried  
Secretary, Board of Regents

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

**SUBJECT:** Liquidated Claims Approval – November 2019

**DESCRIPTION:** Listed below is a summary by fund of all claims processed during the month of November 2019.

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

\_\_\_\_\_  
Chris Kuwitzky, Vice President for Administration & Treasurer

<b>WASHBURN UNIVERSITY</b>		
<b>Fund #</b>	<b>Fund Name</b>	<b>Total Claims</b>
1.	General Fund	\$2,256,957
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	1,144,640
4.	Endowment Fund	-0-
5.	Student Loan Fund	1,350
7.	Tort Claim Fund	11,849
8.	Restricted and Agency Fund	497,757
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	29,387
	Sub-Total	3,941,940
	Payroll	2,995,978
	Payroll Withholding ACH Transactions	1,863,570
	<b>Total</b>	<b>\$8,801,488</b>

<b>WASHBURN INSTITUTE OF TECHNOLOGY</b>		
1.	General Fund	\$243,032
3.	Building and Construction Fund	21,200
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	10,692
13.	Government and Research Fund	20,506
	Sub-Total	295,430
	Payroll	378,860
	Payroll Withholding ACH Transactions	111,378
	<b>Total</b>	<b>\$785,668</b>

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Date

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Jerry B. Farley, President

**Agenda Item No.  
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Chris Kuwitzky, Vice President for Administration & Treasurer

<b>WASHBURN UNIVERSITY</b>		
<b>Fund #</b>	<b>Fund Name</b>	<b>Total Claims</b>
1.	General Fund	\$2,634,529
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	1,579,991
4.	Endowment Fund	-0-
5.	Student Loan Fund	3,000
7.	Tort Claim Fund	12,352
8.	Restricted and Agency Fund	244,662
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	81,629
	Sub-Total	4,556,163
	Payroll	2,971,925
	Payroll Withholding ACH Transactions	3,060,928
	<b>Total</b>	<b>\$10,589,016</b>

<b>WASHBURN INSTITUTE OF TECHNOLOGY</b>		
1.	General Fund	\$267,474
3.	Building and Construction Fund	20,561
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	6,334
13.	Government and Research Fund	22,462
	Sub-Total	316,831
	Payroll	377,230
	Payroll Withholding ACH Transactions	214,783
	<b>Total</b>	<b>\$908,844</b>

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Date

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Jerry B. Farley, President



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

**SUBJECT:** Faculty/Staff Personnel Actions

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

Name	Position	Change	Financial Implications	Comments	Action
Vacant position, K00115	Director for Curriculum and Assessment – Washburn Institute of Technology	Effective February 7, 2020	\$65,600 annual salary. Increase of \$7,289 is available from FY20 budgeted funds.	Position is increasing from .80 FTE to 1.0 FTE to support academic assessment needs.	Request approval.
Filled position, 000083	Senior Administrative Assistant, Modern Languages and Theatre	Effective February 7, 2020	\$24,399 annual salary. Increase of \$6,100 is available from FY20 budgeted funds, and results in overall cost savings.	Position is increasing from .75 FTE to 1.0 FTE to provide support for multiple departments.	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. V. B. 1.**  
**Washburn University Board of Regents**

SUBJECT: Honorary Degree Candidates

DESCRIPTION:

Faculty, students, Washburn University Foundation members, Washburn Board of Regents members, and Alumni Association members are invited to submit nominations for Honorary Degree recipients every September.

The Committee which consists of the President, Vice President for Academic Affairs, one faculty member from each School and the College, a representative from Washburn Institute of Technology, Alumni Association Director, Washburn University Foundation President, and one student member appointed by the President meet in October to review the nominations and send recommendations to the president for Honorary Degrees to be awarded the following May.

The Honorary Degree Committee recommends the following candidates receive Honorary Degrees at the 2020 Spring Commencement ceremonies:

Elizabeth Farnsworth	School of Applied Studies, Doctor of Humane Letters
Gilbert Galle	School of Business, Doctor of Commerce
Pedro Irigonegaray	School of Law, Doctor of Law
Robert Meinershagen	College of Arts and Sciences, Doctor of Science

**FINANCIAL IMPLICATIONS:**

The Honorary Degree Program is part of the University's commencement budget.

**RECOMMENDATION:**

President Farley recommends that the Board of Regents approve the awarding of the four Honorary Degrees.

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Date

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Jerry B. Farley, President

## Agenda Item No. V. B. 2. Washburn University Board of Regents

**SUBJECT:** Audit, Tax and Compliance Services

**DESCRIPTION:**

The University’s contract for audit, tax and compliance services expires with the completion of these services for the fiscal year ended June 30, 2019. In order for the University to fulfill its (a) financial statement audit requirements, (b) compliance audit requirements of the federal government, (c) unrelated business income tax requirements promulgated by the Internal Revenue Service, (d) grant requirements of the Corporation for Public Broadcasting, e) agreed-upon procedure requirements as contained in NCAA Bylaws, and (f) revenue bond arbitrage rebate calculations, a Request for Proposal (RFP) was prepared and released on December 12, 2019. The RFP was distributed to eighteen public accounting firms and four responses were received, one of which was for arbitrage rebate calculations only.

The RFP responses were reviewed for thoroughness, completeness, responsiveness to the RFP requirements, and pricing. The table below summarizes the pricing proposals as submitted by the respondents.

		TOTAL COSTS OVER 5-YEAR CONTRACT PERIOD			
		RubinBrown	BakerTilly	BKD	Clifton Larson Allen
a	General Purpose Financial Audit	\$ 318,500	<i>No Bid</i>	\$ 317,300	\$ 361,610
b	Compliance Audit OMB A-133	98,000	<i>No Bid</i>	70,000	110,070
c	Tax Reporting & Compliance 990-T	13,500	<i>No Bid</i>	9,000	<i>No Bid</i>
d	KIWU-IV Audit	46,150	<i>No Bid</i>	112,700	43,735
e	NCAA Agreed Upon Procedures	9,500	<i>No Bid</i>	12,000	15,640
		\$ 485,650	<i>No Bid</i>	\$ 521,000	\$ 531,055

		ANNUAL COST			
		RubinBrown	BakerTilly	BKD	Clifton Larson Allen
f	Arbitrage Rebate Calculations per bond issue	<i>No Bid</i>	First Year: \$1,500 per issue Additional Years: \$400 per issue per	\$9,800 to \$11,000 per year	<i>No Bid</i>

**FINANCIAL IMPLICATIONS:**

The University has recent and favorable experience with RubinBrown and BakerTilly, who submitted the low cost proposals. Both firms are well positioned to meet the terms and conditions identified in the contract documents.

RubinBrown’s fees will range from \$90,800 to \$104,700 per year over the five-year contract period. BakerTilly’s arbitrage rebate fee will be incurred as needed to ensure post-issuance revenue bond compliance.

**RECOMMENDATION:**

President Farley recommends the Board of Regents approve the award of a contract to RubinBrown of Kansas City, Missouri in the amount of \$90,800 for Fiscal Year 2020 audit, tax and compliance services, with four annual renewal options at the amounts included in their proposal.

President Farley also recommends the Board of Regents approve the award of a contract to BakerTilly of Chicago, Illinois to provide arbitrage rebate services at a cost of \$1,500 per bond issue for year one services plus an additional \$400 per issue for additional years, if any.

\_\_\_\_\_  
Date

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Jerry B. Farley, President