

WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
September 17, 2020

I. Call to Order

Chairperson Beck called the meeting to order at 4:00 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. Hulse, *Mr. Klausman, Mrs. Parks, Mrs. Sourk and Mrs. Van Etten.

* Present via Zoom teleconference call.

III. Approval of Minutes of the July 23, 2020 meeting

It was moved by Regent Parks and seconded by Regent Hoferer to approve the Minutes of the July 23, 2020 meeting. Motion passed.

IV. Officer Reports

A. Chair's Report

Chairman Beck noted that since the last Board meeting classes have begun. He thanked faculty and staff in opening the University for classes. Also, he wanted to thank the students for their cooperation. In comparison, our students are taking this seriously and it appears our live opening is working. Reported COVID cases are now shown on the website. He said "Let's stay the course and have a good rest of the year."

B. President's Report

President Farley first addressed positive COVID cases. Since mid-July, cumulative cases are 32. He said we ask students to report positive tests to the University but they are not required to do so.

Dr. Farley said transition to this situation has involved faculty working very hard. The most difficult thing to attain was to meet the county health official's social distancing requirements, which involves six feet between students in classrooms. This creates a situation where a number of classrooms can only seat nine or ten students. We have enough technology to make all classes available online. Everyone has been working together.

Regarding Sorority recruitment – the University wants to maintain the experience of Greek Life on campus. This Fall sororities conducted a virtual recruitment. It was an overall success with 39 students being placed.

The Mulvane Art Museum is open. The Lanker exhibit is running through the end of the year after being interrupted by the virus.

President Farley said tomorrow we will have the grand opening of the multicultural intersectional space in the Memorial Union building. This area will provide space very welcoming and open to students and help students feel more at home and comfortable on campus.

Dr. Farley reported that the MIAA CEO Council is currently meeting. A couple of months ago the council met and decided not hold fall sports. Since that time, a number of other conferences had made changes, and so they considered the recommendation from conference Athletic Directors to restart football this fall. The recommendation would involve four games, be it scrimmages, with teams from in conference or out of conference. They anticipate it will pass and are just waiting for permission to proceed. It is not a requirement to participate. The next issue coming from that is whether to allow fans to attend games. There will be a financial cost for the testing protocols and we have 140 players participating on the teams.

In response to a question about if testing costs are eligible for County SPARK funds, President Farley responded the plan is to use those funds for testing. Testing protocols also include testing of the entire athletic department during the time games are being played.

In response to a question about what Washburn’s vote will be, Dr. Farley responded that he would have voted “no” if he had been in attendance. Athletic Director Loren Ferre joined in to announce he was attending the meeting and the vote to approve playing was five to five so the tie vote means the motion failed.

Responding to a question regarding the impact on enrollment and recruiting, Mr. Ferre stated that he does not believe it will have much of an impact. Our numbers didn’t go down for this year, and so far recruits for next year are indicating they still plan on coming.

In response to a question about basketball, Mr. Ferre stated that basketball is moving forward as scheduled. The NCAA is rumored as looking to move March madness to April. President Farley added that the conference CEOs will meet on September 30 to discuss basketball. Additionally, one sport that will lose is cross country because it is also involved in track so we won’t be able to move cross country to the spring.

C. Committee Report(s)

1. Audit Committee

Audit Committee Chairperson Regent Sourk reported that the committee met prior to the Board meeting and the Board will be provided the final audit report in October. There will be two findings regarding loans, and the auditors indicated

there was no concern and had addressed the issues. No actions were taken by the Committee at the meeting.

V. New Business

A. Consent Agenda

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

As approved by action of the Board:

- 1. Liquidated Claims Approval – July 2020**
- 2. Faculty/Staff Personnel Actions**

Recruit for: Assistant Director, Small Business Development Center at an annual salary of \$65,000; and the reclassified position of Application Programmer in the ITS Department effective September 18, 2020 at an annual salary of \$83,000.

B. Actions Items

1. Renewal of Casualty Insurance Policies

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This is the annual renewal of casualty policies. Total increase in premiums is 8.3%. The largest increase is a 15% increase in auto insurance. The general liability premium increase is due mostly to the Indoor Athletic Facility. Cyber insurance is up because we expanded from \$1 million to \$2 million in coverage.

In response to a question about auto coverage, Tracey Nash from IMA, Washburn's insurance broker, responded that unusual vehicles such as trucks for the CDL program had increases.

Responding to a question about the many personal auto premium reductions that have occurred due to less use, Mark Wilkerson from IMA stated that on the personal insurance side, insurance companies offered reductions, but they are not seeing that on the corporate side. Claims have increased on the commercial side in the last eight years so they are not reducing premiums generally. Additionally, another consideration is student drivers in the CDL program. Washburn has done okay but other institutions have not done as well, so the industry as a whole is very concerned, as reflected in the premium amounts.

Answering a question if we shop around, Nash stated that some of the insurance was rebid but not auto. Insurance is running about \$1,000/vehicle with Hanover, Washburn's carrier, and that rate is running much lower than the market so we didn't bid out.

In response to a question about if we are going to see this happening every year, Wilkerson said the market is getting harder. Liability and auto insurance claims have been going up. Private entities are now financing insurance litigation, pushing things to trial and not settling so this is driving up costs. Given those factors, along with hurricanes, wildfires and continued litigation, they don't see markets coming down anytime soon. Some folks are getting out of the higher ed market but they will continue to monitor the marketplace to look for new providers.

Responding to a question about the total number of vehicles to be covered going down, Wilkerson acknowledged that the number of vehicles went down, and using fleet insurance, insurance per vehicle is less than personal. However, having student drivers driving CDL and having those larger vehicles is driving the rates.

Answering a question about if there is less mileage could we get some reduction, Wilkerson said he would go back to the provider with info to see if they will adjust the rates any lower. In response to another question if GPS monitoring of vehicles would help with the rates, Wilkerson said that Washburn's carrier will not discount for GPS.

Responding to a question if all carriers are the same, Nash stated that the pollution carrier went to bid and changed, and that the Umbrella insurance was bid but no one could match the existing provider.

It was moved by Regent Hoferer and seconded by Regent Parks to approve the Casualty Insurance policies as recommended. Motion passed.

2. Health Plan Renewal

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This insurance encompasses both medical and dental and is a self-funded plan. Craig Watkins from Watkins and Company is our consultant. The recommendation proposes no rate increase. This would be the fourth year in a row with no increase. The only change is in tiers, taking into account the two percent salary program that went into effect January 1, 2020.

In response to a question about an increase for the institution, Kuwitzky responded that there were no increases to Washburn, and that the health insurance reserve is in great shape.

It was moved by Regent Hulse and seconded by Regent Sourk to approve the renewal of the health plan. Motion passed.

3. Vision Insurance

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This is an insurance renewal with no change in rates for the fourth year in a row. This insurance is funded entirely by employees. It was moved by Regent Hulse and seconded by Regent Parks to approve the vision insurance. Motion passed.

4. Flexible Spending Account Plan, Section 125 Administration Renewal

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This is part of a five-year program that has been ongoing. There are minimal costs to administer the program and about 300 employees participate. It was moved to approve the renewal of the Flexible Spending Account plan by Regent Parks and seconded by Regent Hulse. Motion passed.

5. Life, Accidental Death and Dismemberment, and Disability Insurance and Benefits Administration System

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. He said Washburn currently utilizes Principal Financial. The University provides basic life for employees up to \$50,000 and \$150,000 accidental death or dismemberment. These rates are unchanged from the previous three years. This plan allows employees to buy additional insurance at their expense. It was moved by Regent Sourk and seconded by Regent Parks to approve. Motion passed.

6. Employee Assistance Program

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This program provides a variety of resources for employees and offers a 24-hour hotline. The program is made available to employees at no cost and part of a four-year agreement with no increase in cost to Washburn. It was moved by Regent Hulse and seconded by Regent Parks to approve renewal of employee assistance program. Motion passed.

7. Expenditures over \$50,000

Regent Beck inquired if the Board wanted to consider all of the items in this category as a bundle. It was moved by Regent Hoferer and seconded by Regent Sourk to vote to approve all of the category items in one vote. Motion passed.

a. Cosmetology Lease Extension

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This agreement extends current lease at 109 SW 29th for the Cosmetology program. The original lease ends next summer. The average increase per year is 0.9%.

b. Bennett Computer Center AC Condenser Replacement

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This item is for a new cooling system for Bennett Computer Center. We are seeking to replace it before it fails.

c. Indoor Athletic Facility - Track Equipment

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This item is for equipment for track and is part of the IAF budget. The recommendation is to purchase the items under a state consortium contract. The project remains on time and on budget.

d. Law School Elevator Upgrade

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. The elevator needs new controllers. This elevator now gets the most repair calls on campus.

e. Outdoor Track Throwing Events Practice Area

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This item is to improve the outdoor throwing areas for our track program. The project will orient the throwing towards the retention area and will save Washburn from having to rent space at Hummer.

Answering a question about if we have to accept the lowest bid, Kuwitzky responded we have flexibility to accept the bid with the best value.

Responding to a question about if repairing the School of Law elevator makes financial sense with the new building being built, Kuwitzky stated that the current building will continue in use for at least two years. Additionally, Washburn is now looking at a new master plan and with the Henderson project coming online, the current law school building will be used as a swing space during that project, so anticipate using for the next 5 – 7 years, justifying the expense.

In response to a question about savings from Hummer, Athletics Director Loren Ferre stated that Washburn pays about \$10,000 a semester for use of the Hummer facility, and will pay the same rate regardless of the number of persons using facility.

It was moved by Regent Hoferer and seconded by Regent Parks to approve the Cosmetology Lease extension, the Bennett Computer Center AC Condenser replacement, the purchase of the Indoor Athletic Facility track equipment, the law school elevator upgrade and the development of the outdoor track throwing events practice area. Motion passed.

C. Information Item(s)

1. Best Practices Review with University Police

Washburn University Police Chief Chris Enos presented. President Farley mentioned that Chief Enos' model for Washburn's police department is about preserving the educational environment and police differently than city police departments. Enos addressed how Washburn police are addressing issues being discussed nationally.

VI. Executive Session

Motion was made by Regent Sourk and seconded by Regent Parks to adjourn into executive session until 5:20 p.m. for matters relating to legal advice. Motion passed. The Public meeting recessed to go into executive session.

The Board returned from executive session at 5:20 p.m. No business was discussed or conducted until persons attending online were rejoined at 5:23 p.m.

At 5:23 p.m. it was moved by Regent Sourk and seconded by Regent Parks to adjourn the meeting. Motion passed.

The Board meeting adjourned at 5:24 p.m.

Marc Fried
Secretary, Board of Regents