

**WASHBURN UNIVERSITY OF TOPEKA  
BOARD OF REGENTS  
MINUTES  
February 4, 2021**

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**I. Call to Order**

Chairperson Beck called the meeting to order at 4:00 p.m. virtually via Zoom format.

**II. Roll Call**

Present virtually were: Mr. Beck, Ms. Buhler, Mr. Hoferer, Mr. Hulse, Mr. Klausman, Mr. Padilla, Mrs. Parks, Mrs. Sourk and Mrs. Van Etten. Regent Hulse was not present during roll call but did join the meeting shortly thereafter at 4:02 p.m.

**III. Approval of Minutes of the October 29, 2020 meeting**

Chairperson Beck noted a scrivener's error in the minutes that requires a change to reflect the proper job title for Luther Lee as Director of Finance and Controller. It was moved by Regent Hoferer and seconded by Regent Van Etten to approve the Minutes of the October 29, 2020 meeting as amended. Motion passed.

**IV. Officer Reports**

**A. Chair's Report**

Chairperson Beck congratulated two regents. First, congratulation to Regent Sourk for her appointment to the Board of the Topeka Community Foundation. Second, congratulations to Regent Padilla for being elected deputy mayor.

Beck said the Washburn sports teams are doing well. The track team has hosted a couple of events at the new indoor athletic facility. Hopefully, crowds will be allowed at events in the near future.

Chairperson Beck reported Washburn went live with in-person classes at the beginning of this week.

Beck said lastly, today is Washburn's day of giving and he encourages all to consider supporting one or more of the initiatives.

**B. President's Report**

President Farley thanked Chairperson Beck for notice on day of giving.

Dr. Farley invited Marshall Meek, President of the Washburn University Alumni Association and Foundation to comment. Meek stated that there are seven plus hours left, and they have already raised over \$140,000 on 680 gifts, so running ahead on the time line. Dr. Farley noted a number of different things to support and thanked the Foundation for its continued work and support of Washburn.

Dr. Farley reported in-person classes have started. Classes normally start on the Tuesday after the Martin Luther King, Jr., holiday. That was the plan for this year as well, but early January data for COVID was bad, so Washburn contacted students to advise that we would start all classes as remote with the intention to move to in-person as soon as possible. With the improved community health scorecard in Shawnee County last week, classes began to meet in person this past Monday. Everything seems to be going well. Spring break was cancelled, which was not popular, but most institutions are doing this to avoid people leaving and bringing the virus back. In place of spring break, Washburn has scheduled two wellness days for the students and faculty.

President Farley said WU-mester is something we have done for a few years now. It is a theme to be integrated in classes and programs during the spring semester. This semester's theme is sustainability and will be a nice addition this year.

Dr. Farley said the School of Business recently went through an accreditation review for renewal from the AACSB. The School received a five-year renewal for both business and accounting. This accreditation is an important thing for the school and Washburn as it shows prospective students that we have a first class business program. It takes much work from our faculty to prepare the information for the review.

President Farley reported on enrollment. The virus had an impact on all institutions and we were not immune. We do not yet have final numbers as the report date is not until next week, but there is a significant reduction in the number of international students due to travel restrictions. Recruiting for the fall 2021 class is coming to an end. The preliminary numbers appear to be ahead of last year before the COVID issues hit.

Dr. Farley said as noted by the Board Chair, we have hosted three track events at the new Indoor Athletic Facility. Things have gone well. The other side of the facility is being used by other sports for practice and training.

Dr. Farley said the legislators are back in town and in session. Misters Pinegar and Smith have set up a robust schedule for contacting various leadership in both houses and committees with oversight for higher education. President Farley stated he spent much time over past five days contacting legislators over Zoom calls. The meetings appear to be having good results and we may build this into future interactions. Washburn is currently following three pieces of legislation that have potential impact on the University. Dr. Farley indicated that he is being well educated by Pinegar and Smith about the issues and preparing him for the meetings.

President Farley then introduced Vice President for Administration and Treasurer Chris Kuwitzky to make a presentation about the law school. This item is being moved from the Information items at the end of the meeting to now. Kuwitzky then introduced Eric Just, Director of Facility Services, to address the Board.

Mr. Just noted that several persons from Stantec, who prepared the renderings, are on the call to help answer any questions. Revised renderings of the new Law School building were then presented to the Board. In response to a question about the number of classrooms and student occupancy, David Rose of Stantec stated that there are seven dedicated classrooms, with one of those divisible into two smaller classrooms. Rose noted that there are two other rooms that have multiple purpose functionality, including being used as classrooms as necessary. Planned capacity is in the lower to mid-300s. Rose further noted that the building is designed to allow for expansion in the future if that becomes necessary. Carla Pratt, Dean of the Law School further responded that 74 percent of the incoming class has expressed interest in the third year anywhere program. That allows for increased capacity without using classroom space.

Kuwitzky then asked Just to discuss scheduling. Just stated that the RFP would be posted the following day, February 5, and will allow about four weeks for responses. The current plan is to come back to the Board at the March meeting with proposed acceptance of a bid and to conduct the ground breaking in May.

President Farley noted that a few years ago there was difficulty getting the necessary funding for the building, so we looked to revise the plans to reduce building size and adjusted the budget accordingly. Dr. Farley indicated that the revised budget was \$13 million in private donations, \$10 million from University reserves and \$10 million to be borrowed. The Foundation has now raised over \$14 million in private donations. Washburn has looked to add more parking closer to the new building, but this would add a cost to the project. The financing market is still very good so \$1 million could be added to the debt service and the debt payment schedule will be in line with what we were looking at before. There is an action item on the agenda to increase the proposed debt amount to cover the parking.

Kuwitzky stated that the current interest rate projects to be 2.55%. When the Indoor Athletic Facility bonds went to market in September, 2018 the interest rate was 3.68%, so that rate has moved significantly. We are looking to leverage this change to our advantage.

## **V. New Business**

### **A. Consent Agenda.**

The Board Chair asked if there were any requests to move an item off the consent agenda for further discussion. No request was made. It was moved by Regent Hoferer and seconded by Regent Hulse to approve the consent agenda. Motion passed. As approved by action of the Board:

#### **1. Liquidated Claims Approval – October 2020**

2. **Liquidated Claims Approval – November 2020**
3. **Liquidated Claims Approval – December 2020**
  
4. **Changes to Washburn University Policy, regulation and Procedure Manual Section E. Benefits. Personal Leave – RATIFICATION**

Ratify Chairperson Beck's approval of amendments to Section E of the WUPRPM.

5. **Washburn Institute of Technology – Classroom Technology – RATIFICATION**

Ratify Chairperson Beck's approval of the purchase of classroom technology equipment and peripherals from CDWG in the amount of \$80,416.

## **B. Action Items**

1. **Academic Sabbaticals 2021-2022**

Vice President for Academic Affairs JuliAnn Mazachek presented the item. Every year faculty who meet certain qualifications may apply for sabbatical. The purpose of sabbatical is for further professional development to help Washburn and their work in the classroom. Sabbatical work also enhances their career satisfaction and also enhances the learning experiences for our students. Each faculty member must submit a proposal, which is reviewed by a committee. Washburn is seeking for approval for the equivalent of a one semester sabbatical for four faculty members.

In response to a question about do they return, Dr. Mazachek stated that she cannot speak for all years, but mostly everyone returns. There is a provision that if they do not return, they need to return the monies received while on sabbatical. It was moved by Regent Klausman and seconded by Regent Buhler to approve the sabbaticals. Motion passed.

2. **Resolution of Intent to Issue Bonds to Finance the School of Law Building And Refund the Series 2010, Series 2014, and a Portion of the Series 2015AB Bonds**

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. Three projects are addressed in this item. Approval of the resolution does not obligate the University to take any action. That will come at the March Board meeting. The first project is to finance the law school project. The second project is to refinance the 2015 series bonds. This will help address losses and delay payment to improve cash situation in the short term with minimal overall impact during the life of the bonds. The third project is a new issue to refinance Series 2010 and Series 2014 bonds. Washburn anticipates \$2.67 million in savings for the first three years for refinancing the Series 2015 bonds, this also levels payments over the rest of life of bonds. 2010 and 2014 series refundings save us about \$30,000 a year over nine years.

Another goal of this is to move all of these bonds under Chapter 76 of the Kansas Statutes. Some of the bonds are currently issued under Chapter 13 which has a maximum amount of bonds to be issued. By moving the existing bonds to Chapter 76, this frees up money to be available under Chapter 13 bonds for academic building projects moving forward.

In response to a question about the amount of bonds moving from Chapter 13 to Chapter 76, Kuwitzky said the amount is approximately \$7.6 million.

It was moved by Regent Sourk and seconded by Regent Parks to approve authority to issue the bonds and approve the Resolution Declaring an Intent to Issue Revenue Bonds. Motion passed unanimously.

### **3. Expenditures over \$50,000**

Chairperson Beck proposed that all expenditures be voted on in one motion after presentations on all items if no objection. No objections stated. The first three items were then presented by Vice President for Administration and Treasurer Chris Kuwitzky.

#### **a. TouchNet Marketplace Software**

This software is to enhance the University's credit card capabilities on campus as well as increase security for users. The software will also allow for expansion to point of sale locations in the future. The Board previously approved this purchase in the capital budget.

#### **b. Benton Hall 3<sup>rd</sup> & 4<sup>th</sup> Floor HVAC Improvements**

This item is to address air quality on the third and fourth floors of Benton Hall. The units are similar to what you might find in a hotel room. The current systems in place do not allow for best airflow. A temporary fix was to buy individual dehumidifiers for the offices. This purchase is following three recommendations of Bartlett & West to add new HVAC units with dehumidification in the rooms, along with addressing airflow in hallways and then better sealing of the building. This purchase will be funded with CARES Act funds.

#### **c. Skill Boss Trainer Equipment**

These pieces of equipment are funded in part by MARS and in part by a grant from the Kansas Board of Regents. The equipment will help with assessment of Washburn Tech students on over 60 essential manufacturing skills.

**d. BinaxNOW**

Vice President for Student Life Eric Grospitch presented the item. Dr. Grospitch introduced Tiffany McManis, Director of Health Services in the Student Health Center. Washburn has been using PCR saliva tests for COVID results throughout the year. They cost approximately \$120 per test. McManis been working all fall to purchase cheaper antigen tests, which will cost \$5 per test. This will save Washburn over \$200,000 in athletics alone, and should help with other students being able to be tested faster for other programs, such as music programs.

In response to a question relating to accuracy, McManis stated that reliability is still in the mid to high 90s. Answering a question about turnaround time for test results, McManis responded that results would be in 15 minutes, whereas the current test being used takes one to two days for a result.

Responding to a question about the difference in science between the tests, Vice President Grospitch responded that this is a nasal swab but not as deep as the first tests. Regent Klausman then noted that his company has been using similar type tests in adult living facilities and have found them to be very good. Dr. Grospitch stated the request is for 10,000 tests in order to get a contract.

In response to a question about the timeframe for these tests, Dr. Grospitch stated it should take a couple of weeks to receive the first tests and shelf life is about six months and working to extend to nine months. Dr. Grospitch added that all 10,000 won't be ordered right away. The University will start with about 1,000 tests. Dr. Farley said that this will help with the testing requirements by the NCAA.

In response to a question about if Washburn will be able to give vaccine, Dr. Grospitch stated that Washburn has requested to be a distribution site for the COVID vaccine, but at this point the county is not open to using closed, or not open to full public, vaccine sites.

It was moved by Regent Hulse and seconded by Regent Van Etten to approve the purchase of the software, HVAC equipment, technical education assessment machines and the antigen COVID-19 tests. Motion passed.

**C. Information Item(s)**

**1. Quarterly Financial Analysis for period ended December 31, 2020**

Vice President for Administration and Treasurer Chris Kuwitzky stated that when he took over, he was concerned that there was not a robust financial reporting program and so wants to do this on a quarterly basis.

Mr. Kuwitzky took the Board through the various financial statements provided in the report. Board comment that the presentation was very impressive and helpful. Mr. Kuwitzky reported doing this now internally on a monthly basis and we will begin presenting the information on a quarterly basis to the Board.

Responding to a question about general maintenance and where it is located in the reports, Kuwitzky stated there are two sources for those expenses - one would be in capital funds which would not be shown in these reports and the second source would be in general funds.

Answering a question about if Washburn is forward looking about maintenance and repairs for the law school building, Kuwitzky stated that as was done with the Indoor Athletic Facility, projection of costs of maintenance and utilities for the law school building will be performed. Regent Sourk requested that a pro forma for the School of Law, particularly relating to enrollment and tuition, be made available to the Board before seeking approval to issue the bonds.

## **2. School of Law Design Renderings**

This item was moved to President's report.

Before closing the meeting, a question was addressed to Mr. Meek about the progress in the day of giving event. Meek reported pledges had increased over \$100,000 since the meeting started.

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

The meeting adjourned.

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Marc Fried  
Secretary, Board of Regents