

WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
June 24, 2021

I. Call to Order

Chairperson Beck called the meeting to order at 4:01 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

II. Roll Call

Present were: Mr. Beck, Mrs. Buhler, Mr. Hoferer, *Mr. Hulse, Mr. Klausman, Mr. Padilla, Mrs. Parks, Mrs. Van Etten, and Mrs. Sourk. Mr. Padilla advised he would not be present.

* Regent Hulse participated via teleconference.

III. Fiscal Year 2022 Public Rate and Public Budget – Publish Notices of Hearings

Vice President for Administration and Treasurer Chris Kuwitzky noted that dates are changing for the public budget meeting because of recent changes in the law. It was moved by Regent Klausman and seconded by Regent Parks to publish notice for public hearings for both the tax rate and budget. Motion passed.

IV. Approval of Minutes of the May 6, 2021 meeting

It was moved by Regent Parks and seconded by Regent Hoferer to approve the Minutes of the May 6, 2021 meeting. Motion passed.

V. Election of Officers and Special Officers

Nominating Committee Chair Van Etten reported the committee met and recommended that Chairperson Beck and Vice Chairperson Buhler be nominated to serve a second year in their positions, and that Chris Kuwitzky be elected to serve as Treasurer, Marc Fried as Secretary and Cynthia Holthaus as Assistant Secretary. It was moved by Regent Van Etten and seconded by Regent Sourk to elect Regent Beck as chairperson, Regent Buhler as vice chairperson, Chris Kuwitzky as Treasurer, Marc Fried as Secretary and Cynthia Holthaus as Assistant Secretary. Motion passed.

Regent Van Etten commented that it was requested the Board consider moving the leadership positions around and utilize other talent.

VI. Officer Reports

A. Chair's Report

Chairperson Beck said Washburn was busy in the spring and summer. Spring sports teams had good results. Washburn placed 74 newcomers on MIAA the academic honor roll. Baseball lost to Pittsburg State in the quarterfinals. Softball placed 11 players on the all-conference team and two players on the all-Division II regional team. Tennis went to NCAA regionals and finished 14th. Track and Field had two members who are at their home countries right now competing to represent their countries in the Olympics. The Golf team finished 12th in the country and Andrew Beckler was named Division II player of the year

Switching out of the sports realm, he said the Mulvane Art Museum held an art auction in place of the annual art fair and raised \$67,000. \$20,000 was donated for Dr. Farley's portrait that hangs in the Memorial Union.

Chairperson Beck wanted to recognize and thank personally Helen Van Etten and Paul Hoferer for their service on the Board. Regent Hoferer served eight years and Regent Van Etten served seven years. Ms. Van Etten was appointed by the Kansas Board of Regents (KBoR) and has been an active member which is not always the case with the KBoR appointee. Regent Van Etten said her late husband was a graduate of the Washburn law school so it was like being at home. Chair Beck stated that Regent Hoferer was a law school classmate and he has served on about every committee. Regent Hoferer stated he has had a great time serving on the Board. Regent Beck also acknowledged John Dietrich in the audience, who will be replacing Regent Hoferer on the Board.

He said thanks to everyone at Washburn. In spite of all the challenges they performed spectacularly - faculty, administration and staff.

B. President's Report

President Farley said we are in the midst of music week in Topeka. There are many performances across the City and County. One of the events Washburn takes pride in is the Sunflower Music Festival. The event attracts musicians from all over the world. There are nine performances scheduled throughout the event. The Festival has commissioned a piece based on the first four women supreme court justices and it will premiere on Saturday night.

Dr. Farley said New Student Orientations have been occurring in the month of June, inviting students to come to campus, get more information and enroll. Every event has been filled to capacity or near capacity.

President Farley reported athletic camps are in full swing. This week has been a football camp which is new this year. The camp is for teams. Over 600 players participated. Other camps that have occurred or will occur this summer include pole vault, baseball, basketball, volleyball, and cheerleading.

Dr. Farley stated Washburn is reinstating the 60+ audit program. Anyone aged 60 or older can register for free in classes where space is available.

President Farley said Washburn Tech students perform each year in the USA Skills competition. They first compete locally and if successful, go to the national competition in Louisville. Washburn Tech has 14 gold medalists from the State competition going to the national event this summer.

Dr. Farley shared that Saturday and Sunday there will be an Air Show - Thunder Over the Heartland. Washburn is one of the sponsors and will have a tent so plan to stop on by.

Dr. Farley reported the Law School had a ground breaking for the new building.

President Farley said Dr. Eric Grospitch, Vice President for Student Life, and his team have developed an extensive list of activities for students this fall. There will be plenty of opportunities for students to be involved and in various areas. Data shows that students who are involved are more likely to stay in school and complete their degree.

Dr. Farley said one of our Board members, Mr. Jim Klausman, was inducted into the business hall of fame by the Junior Achievement for his work. He offered congratulations to him.

C. Committee Report(s)

1. Audit Committee

Committee Chair Regent Sourk reported. The committee met this afternoon. Caleb Lily presented on the expected process and they will be on site beginning in September.

2. Budget/Finance Committee

Committee Chair Regent Hoferer reported. The committee met this afternoon. Mr. Kuwitzky presented the proposed budget and the committee voted to recommend approval of the budget.

VII. New Business

A. Consent Agenda

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

1. Liquidated Claims Approval – April 2021

2. Liquidated Claims Approval – May 2021

3. Eminentes Universitatis

status of Eminentes Universitatis bestowed to Jamie McEwen and Duane Williams;

4. Faculty/Staff Personnel Actions

Hire James Anguiano, University Police Captain, effective June 25, 2021 at an annual salary of \$60,000; hire Taylor Sinclair, Director, Equal Opportunity, at an annual salary of \$90,000; extend Robert Boncella’s phased retirement for one year ending June 30, 2022; and,

5. Proposed Washburn University Board of Regents’ Meeting Dates for 2021-2022

proposed Washburn University Board of Regents’ meeting dates for 2021-2022: September 16, 2021, October 28, 2021, December 9, 2021, February 3, 2022, March 24, 2022, May 5, 2022, June 23, 2022, and September 15, 2022.

B. Action Items

1. Fiscal Year 2022 Operating Budget – Washburn University and Washburn Institute of Technology

Vice President for Administration and Treasurer Chris Kuwitzky presented. The budget was covered in detail at the Budget/Finance Committee meeting held today and on June 8. He said we are seeking approval for the budgets for Washburn University of \$96,278,548 and Washburn Tech of \$13,283,415. It was moved by Regent Hoferer and seconded by the committee to approve the budget. Motion passed.

2. Expenditures over \$50,000

a. Contracted Services with Pinegar, Smith & Associates, Inc.

Dr. Farley presented the item. He said Washburn has utilized the services of Pinegar, Smith & Associates for many years to represent Washburn at the Statehouse and in Washington D.C. They review proposed bills thoroughly and work with the administration to address any issues. Higher Ed is usually on the defense. It was moved by Regent Hoferer and seconded by Regent Parks to approve the contract with Pinegar, Smith & Associates. Motion passed.

b. Property and Business Interruption Insurance Renewal

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. Representatives from IMA, Washburn’s insurance broker, will be part of the presentation. Vice President Kuwitzky stated premiums from MHEC have increased in part due to the new law school being added to the

list of covered properties and in part because of the rate increase, up from \$0.061 to \$0.079 per \$100 of value. IMA did go to market to price other insurance options. Brett Taylor from IMA then presented. He said there is continuing struggle for property insurance on a commercial basis. There have been increases 13 years in a row. The best competing quote was more than \$.10 per \$100 of value, higher than the MHEC rate. The State of Kansas went out for bid with more leverage and their rate is \$0.073.

In response to the question about the consortium, Taylor recommended that should stay because we can get dividends and have gotten dividends in the past. Responding to a question about why the market is so tough, Taylor answered that insurers right now are spending \$1.08 for \$1 taken in. Wildfires, wind and hail in the Midwest are taking their toll as well as hurricanes. Not only numbers of incidents have increased but severity of storms is also increasing. Mr. Kuwitzky noted that because universities have a larger footprint if damage occurs, it tends to damage many buildings.

Regent Hulse left the meeting at 4:38 p.m., before the vote on the insurance renewal.

It was moved by Regent Klausman and seconded by Regent Parks to approve Property and Business Interruption insurance renewal. Motion passed.

c. Chartwells Contract Amendment No. 12

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. He said COVID exposed some issues with our agreement with Chartwell's, the market study done in 2014 to project what sales would be. In 2018 and 2019, numbers were down significantly from the market study. COVID further exacerbated the situation. This amendment is based on negotiations with Chartwell's to try and address their concerns but still continue to provide a refresh to the corner store and union market. Also, changes on commissions paid from a flat fee to a percentage.

Answering a question about Chick-fil-A, Mr. Kuwitzky stated that Chick-fil-A changed their sales guarantee from \$600,000 to \$1 million. When Washburn realized they could not guarantee that amount of sales, the parties mutually agreed to cancel their agreement. It was moved by Regent Klausman and seconded by Regent Hoferer to approve amendment No. 12 to the Chartwell's agreement. Motion passed.

d. Intercollegiate Sports Accident Insurance

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. He said this is a renewal. Last year, the Board approved an agreement with Mutual of Omaha after going to market to obtain bids. The agreement involved a premium and a stop loss maximum. This year's premium is rising as is the stop loss, as the number of claims increased. The

NCAA has a catastrophic loss policy. It was moved by Regent Parks and seconded by Regent Buhler to approve the intercollegiate sports accident insurance. Motion passed.

e. Petro 358A and 358B Classroom Upgrade

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. He said this is for upgrading technology in the classrooms. The project will be funded through existing capital funds. It was moved by Regent Sourk and seconded by Regent Buhler to approve the classroom upgrades. Motion passed.

f. Library Subscriptions

Vice President for Academic Affairs JuliAnn Mazachek presented the item. She said Washburn is moving to digital subscriptions. These curated types of subscriptions ensure quality of products. Washburn performs about 11 million searches each year which is about 2,000 per student. These four subscriptions are available all across campus. It was moved by Regent Van Etten and seconded by Regent Parks to approve payment of subscriptions. Motion passed.

g. Accruent EMS Scheduling Software

Vice President for Academic Affairs JuliAnn Mazachek presented, saying this software will enhance scheduling capability with technology. Scheduling currently uses paper to handle scheduling of classrooms and ensuring resources. This will migrate data to the cloud and will allow access to data daily for changes and also assess for best uses of our facilities. This software package supplements our facility scheduling software. It was moved by Regent Buhler and seconded by Regent Parks to approve acquisition of scheduling software. Motion passed.

h. EAB Edify Education Data Platform

Vice President for Academic Affairs JuliAnn Mazachek presented the item. This item does not have any dollars involved, but it is a significant change to contract. The Board previously approved to use an EAB platform to develop data to help academic side to make decisions and deploy resources to help with student success. The platform helped Washburn manage its budget these past two years. Now there is an opportunity to enhance and expand that data. Washburn will be an early adopter and because the university is such a good partner, EAB is providing this platform for free. Information Technology Services was also excited about the software. EAB will also be providing 500 hours of professional services to help Washburn get this up and running. It was moved by Regent Van Etten and seconded by Regent Buhler to approve the change to the contract. Motion passed.

3. Debt Disclosure Policy

Vice President for Administration and Treasurer Chris Kuwitzky presented the item. This policy formalizes what we have been doing historically. When tax-exempt debt is issued, there are certain requirements on how the monies are used. Bond counsel asked for this, so it is important to have it formalized. Motion by Regent Hoferer and second by Regent Klausman to approve the debt disclosure policy. Motion passed.

4. Legacy Waiver to Include Grandparents

President Farley presented this item. He said he had received communication from an alumnus in California trying to recruit a grandchild to attend Washburn. The alumnus learned Washburn's legacy policy allows for in-state tuition only for children, not for grandchildren. This policy allows for grandchildren of alumni to also receive in-state tuition. It was moved by Regent Sourk and seconded by Regent Parks to approve the change to Washburn's legacy waiver. Motion passed.

VIII. Executive Session

It was moved by Regent Parks and seconded by Regent Sourk to go into executive session to discuss personnel matters involving non-elected personnel for a period of 15 minutes. Motion passed.

Open session recessed for executive session at 5:02 p.m. The Board returned to open session at 5:17 p.m.

It was moved by Regent Hoferer and seconded by Regent Parks to adjourn the meeting. Motion passed.

Meeting adjourned at 5:17 p.m.

Marc Fried
Secretary, Board of Regents