

**WASHBURN UNIVERSITY OF TOPEKA**  
**BOARD OF REGENTS**  
**MINUTES**  
**June 30, 2021**

---

**I. Call to Order**

Chairperson Beck called the meeting to order at 9:21 a.m. in the Vogel Room of the Memorial Union on the Washburn University campus.

**II. Roll Call**

Present were: Mr. Beck, Mr. Hoferer, Mr. Hulse, Mr. Klausman, Mrs. Parks, \*Mrs. Sourk and Mrs. Van Etten. Ms. Buhler and Mr. Padilla advised they would not be able to attend.

\*Participated via telephone conference call.

**III. Presentation on process by University Counsel**

Marc Fried, University Counsel and Secretary to the Board of Regents, provided a procedural recap up to this date. The meeting was to conduct a review of the decision of the Faculty Appeals Committee (“*Committee*”) regarding the termination of a tenured faculty member as set out in the Bylaws and the Faculty Handbook (“*Handbook*”). Five charges were brought by Washburn. Counts 1 and 2, the Committee found there was not sufficient evidence to support the University’s decision to terminate. The Committee reached no conclusion as to Count 3 and found that for counts 4 and 5, there was sufficient evidence to support the University’s decision to terminate the faculty member. Only the faculty member appealed, the University did not appeal, so only counts 4 and 5 are for consideration by the Board.

Fried advised that pursuant to the Bylaws and the Handbook, the Board is to consider the record of the previous hearing, which has been previously provided to the Board. That record consists of the second amended charge filed by the University, the faculty member’s answer to the second amended statement of charges, all exhibits admitted into evidence by the Committee, closing briefs by both parties and the decision of faculty appeals committee. Also provided and available for the Board were Bylaws and Handbook language related to the Board’s responsibilities.

Fried further advised the Board that the Bylaws and Handbook basically leave the Board to make one of two choices; either uphold the Committee’s decision on counts 4 and 5, or send the matter back to Committee with ‘objections specified’ for committee to address. The Board should only consider the evidence relating to counts 4 and 5, and not evidence of any other charges.

Fried then advised that the Board may go into executive session to conduct its discussions on this matter, and Fried would recommend doing so both for protection of faculty member and to ensure that the members of the Board are comfortable discussing items that may be harmful to employee.

Fried informed the Board that they may not take votes in closed session. The Board can attempt to determine a consensus that all members are ready to vote. When ready to take vote, the Board must come back into open session.

Fried stated if the consensus is leaning towards sending the matter back to the Committee, the Board members may develop a list of those questions during their discussions, but what questions are to be sent back to the committee must be voted on in open session. The board could vote on a list as a whole or vote on each question individually as to whether it should be asked of the committee or not.

Fried advised the Board that after they go into executive session, he will remain outside and keeping time. He indicated he would also be available to answer any questions as they may related to process or legal issues, but he will not be able to answer questions about specific evidence in the record. If the Board needs additional time after the initial time period as stated in the motion, the Board will need to come back out into open session and move to go back into executive session for an additional period of time.

In response to a question if the written closing arguments to Board can be considered, Fried responded that yes they are to be considered as well and noted that those were sent directly to the Board members and not uploaded onto Directors Desk.

It was moved by Regent Beck and seconded by Regent Parks to go into executive session to discuss a personnel matter involving non-elected personnel to avoid disclosing information that may be harmful to the employee if discussed in a public meeting and also to ensure that Board members are not hesitant to discuss all relevant matters because of concern that they may be raising a possible harmful matter about the employee during a public meeting. The Board also anticipates that there may be legal questions that arise during the executive session and so an additional purpose of the meeting would be to receive legal advice for the University Counsel that would be considered subject to the attorney/client privilege and to preserve that privilege. The open meeting shall resume at 10:30 a.m. Regent Beck also stated that Mr. Fried would not be present during the executive session unless requested by the Board and will then appear only for the purposes of the providing such legal advice as requested by the Board. Motion approved.

The Board went into executive session at 9:30 a.m.

The Board reconvened in open session at 10:30 a.m. Regent Beck called the meeting to order. It was moved by Regent Hoferer and seconded by Regent Van Etten that the Board sustain and uphold the committee's decision to terminate Dr. Leslie Reynard including all salary and compensation, effective as of this date of June 30, 2021. Motion passed unanimously

There being no other business, it was moved by Regent Van Etten and seconded by Regent Parks to adjourn the meeting. Motion passed.

Meeting adjourned at 10:37 a.m.

---

Marc Fried  
Secretary, Board of Regents