

**WASHBURN UNIVERSITY OF TOPEKA**  
**BOARD OF REGENTS**  
**MINUTES**  
**December 9, 2021**

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**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, Ms. Buhler, Mr. Dietrick, Mr. Klausman, \*Mr. Padilla, Mrs. Parks, and Mrs. Sourk. Mr. Hulse and Mr. Schmidt advised they are not able to attend.

\*Participated via Zoom protocol

**III. Approval of Minutes of the October 28, 2021 meeting**

Chairperson Beck asked if there were any changes to the Minutes as presented. No such request was made. It was moved by Regent Parks and seconded by Regent Sourk to approve the Minutes of the October 28, 2021 meeting. Motion passed.

**IV. Officer Reports**

**A. Chair's Report**

Chair Beck reported Fall classes are ending and finals are approaching. He said he is knee deep in studying for a final, so he understands it is a high stress time for students.

Beck said campus is just beautiful. He walked the campus to see the lights after the Bell Tower dinner.

Chair Beck said he attended the beam signing for the law school on December 2<sup>nd</sup>.

Beck reported the Volleyball team won today and has advanced to the finals tomorrow at 4:00 p.m. Four members have been named All-American.

He said the football team went 9-3 and made the playoffs for first time since 2011. One player was named 2<sup>nd</sup> team All-American.

Beck told the Board Washburn After Hours is tomorrow and there will be a photo opportunity with Mr. Ichabod for a Christmas card.

## B. President's Report

President Farley expressed his deep feelings regarding the passing of Senator Dole. Senator Dole was a steadfast friend and supporter of Washburn. He often proclaimed we were his alma mater. Senator Dole understood how to work with others with whom he didn't agree and, in most instances, was able to find an area of common ground for the better of our country. He will be missed. Washburn will honor him in the future.

Dr. Farley reported Commencement ceremonies will be held next week. Two days, Friday and Saturday, for the University campus ceremonies to spread out more in Lee Arena, and one day for Washburn Tech on Thursday.

Dr. Farley said Vespers is this coming Sunday at 4:00 p.m. in White Concert Hall. There is no cost for the performance and the public comes and fills the place so one need to arrive early. The program includes the University's orchestra with choirs and ensembles.

President Farley reported Washburn Tech held its 8<sup>th</sup> toy building activity where students create wooden toys and then deliver them to children around Topeka. Dean Bayens reported the current count is 200 toys but the students are still working.

Dr. Farley also reported this morning was another Recycled Rides program at Washburn Tech. They will present their 31<sup>st</sup> and 32<sup>nd</sup> cars in the program to two worthy families. Students work on donated vehicles and receive assistance and materials from companies in Topeka.

President Farley advised that tomorrow morning at 9:30 a.m., he will be appearing before the Shawnee County Legislative Delegation. This is Washburn's opportunity to tell the delegation about what is happening on campus and what is important to Washburn, and then the delegation advises of things that are coming up they believe will be important to Washburn. Dr. Farley met with Governor Kelly a few weeks ago to discuss what is coming up.

Dr. Farley said Washburn Tech is providing educational programs at correctional facilities through the efforts of Dr. Mazachek and others. There are two programs so far, electrical and carpentry; and they will be adding two programs, plumbing and industrial production technology, to help them have skills to get a job when they leave the facility.

President Farley reported The Governor is interested in our Concurrent Enrollment Programs ("**CEP**") for high school students to also gain college credit to use at Washburn or other educational institutions across the country. Washburn does CEP very well. Students can earn up to one year's college credit before graduating high school. There are concerns about CEP as schools in the western part of the state do not have the same opportunities because teachers do not meet the minimum qualifications for teaching as set by the Higher Learning Commission. The Legislature will be looking at how to correct this issue.

President Farley informed the Governor Washburn supports the continued coordinated budget for higher education.

**C. Committee Report(s)**

**1. Audit Committee**

Committee Chair Parks reported the committee reviewed the 2020-21 single audit report by RubinBrown and Washburn is receiving a clean report. It was moved by Regent Parks and seconded by Regent Klausman to receive the report. Motion passed.

**V. New Business**

**A. Consent Agenda**

Chairperson Beck asked if anyone wanted an item pulled from the consent agenda and there was no response. It was moved by Regent Sourk and seconded by Regent Buhler to approve the Consent Agenda. Motion passed.

As approved by action of the Board:

**1. Liquidated Claims Approval – September 2021**

**2. Liquidated Claims Approval – October 2021**

**3. Faculty/Staff Personnel Actions**

Extend phased retirement for Robert Boncella one year ending June 30, 2023;

**4. Renewal and Extension of Topeka Neighborhood Revitalization Plan**

Approve remaining a signatory and reauthorizing and extending the Neighborhood Revitalization Plan with the City of Topeka.

**B. Action Items**

**1. Fiscal Year 2020-21 Single Audit Report**

Vice President for Administration and Treasurer Chris Kuwitzky said the Board has already taken action on this, but as Regent Parks noted, this is a clean report and there are no deficiencies or adjustments indicated. Mr. Kutwitzky thanked the financial aid office and others for their work on this.

**2. Vice President for Administration and Treasurer – New Hire**

President Farley advised the Board at its last meeting about the need to hire someone to fill the opening created by Vice President Chris Kuwtizky leaving. After a national search, Washburn is recommending Luther Lee, who is currently the director of finance/controller for Washburn, to be the new Vice President for Administration and Treasurer.

The appointment will be effective January 1, 2022. It was moved by Regent Parks and seconded by Regent Klausman to approve Luther Lee as the Vice President for Administration and to appoint Luther Lee as Treasurer for the Board. Motion passed.

### **3. Academic Sabbaticals 2022-2023**

Vice President for Academic Affairs JuliAnn Mazachek presented the item, saying that periodically faculty are eligible to apply for fully or partially paid leave to focus on scholarship or other enrichment endeavors that will help faculty to improve their teaching and maintaining their competency. Faculty are eligible one time every seven years. There are several steps of the review process, including by a Dean and a campus-wide committee before going to Vice President for Academic Affairs and then the President. Departments have to cover the absence and faculty members in those departments cover the absence when necessary because it is important.

In response to a question about if the faculty member is required to provide a report, Dr. Mazachek responded that the faculty member must give a report on the outcomes of what happened. Dr. Mazachek added that there is also a requirement to return to Washburn for two years. It was moved by Regent Dietrick and seconded by Regent Buhler to approve the faculty members for academic sabbatical. Motion passed.

### **4. Business Data Analytics Minor**

Vice President for Academic Affairs JuliAnn Mazachek presented, reporting data analytics focuses on extracting and utilizing data to help us make better decisions. The importance of this skill applies to all areas of study and not just business. This Board previously approved a major for data analytics in the business school. She said other units want their students who are not business majors to have access to some of these courses. The courses will be offered through the School of Business. It was moved by Regent Parks and seconded by Regent Sourk to approve the minor in Business Data Analytics. Motion passed.

### **5. Energy Savings Capital Lease Prepayment**

Vice President for Administration and Treasurer Chris Kuwitzky presented, stating that in 2013 Washburn entered into a 15 year obligation to improve energy use. The University is now eight years into that obligation. The annual payments on the lease, at 2.36% interest, are in excess of \$790,000 per year. Over-realized sales tax revenue and excess CARES and HERFF funds provide a unique opportunity to use these one-time funds to pay off the lease in full. Paying off the lease will create a cost reduction of almost \$800,000 for the next seven years.

In response to a question about energy savings from the lease, Mr. Kuwitzky responded that because the footprint on campus has grown and rates have gone up, there is not a clean comparison available, but overall utility costs went down. Director of Facilities Eric Just was asked to comment. Mr. Just stated that the difference in energy costs was significant enough that it was deemed to be effective.

In response to a question about the pre-payment penalty, Vice President Kuwitzky stated that having the pre-payment penalty provision allowed Washburn to get a lower interest rate. If Washburn had chosen to go with a higher interest rate, then the University would have been able to pre-pay without penalty. It was moved by Regent Dietrick and seconded by Regent Klausman to approve the Capital Lease repayment. Motion passed.

**6. Video Board Control System Upgrade – For Ratification**

Vice President for Administration and Treasurer Chris Kuwitzky presented the item, stating the computers being used to run our system are original from the installation in 2014. Seven years is old for technology. This item is for ratification after Washburn sought approval by the Board Chair because lead time was needed to order the equipment in order to get the new system installed before next fall. It was moved by Regent Parks and seconded by Regent Dietrick to ratify the purchase of the video board control system upgrade. Motion passed.

**7. School of Law Building – Audio Visual Equipment**

Vice President for Administration and Treasurer Chris Kuwitzky presented, saying this purchase was a planned and integral component of the new building. This originally was budgeted at \$1.35 million, but will now cost \$1.85 million. A healthy contingency is in the budget for the project, so there are sufficient funds for the project. He said there are some other things to still bid, but any anticipated increases would still okay within contingency funds. This purchase is through a state contract, which is bid and negotiated like Washburn would, but has the State's greater purchasing power to use for the negotiated pricing.

Answering a question if this is instead of bidding out the contract, Vice President Kuwitzky responded affirmatively. Responding to another question as to why we are seeking approval now if this was approved before, Mr. Kuwitzky noted that the project budget was approved before, but not that actual purchase of items. Those purchases come to the Board separately. It was moved by Regent Buhler and seconded by Regent Dietrick to approve the purchase of audio visual equipment for the new law school building. Motion passed.

**8. Memorial Union Lower Level Restroom Remodel**

Vice President for Administration and Treasurer Chris Kuwitzky presented, saying this addresses the restrooms near the Ichabod shop. The restrooms currently look similar to how they looked when constructed in the 1970s. The remodel is to improve accessibility as well as refresh the appearance of the restrooms. This bid is over the estimated budget but small enough that there is existing capital budget available. The remodel will create an accessible women's restroom and two accessible gender-neutral restrooms. It was moved by Regent Parks and seconded by Regent Sourk to approve the restroom remodel. Motion passed.

## **9. Henderson Learning Resources Center Building Project**

Vice President for Administration and Treasurer Chris Kuwitzky presented, reporting this project will address the largest classroom building on campus. The building opened in 1971. The funding model for this project is similar to the law school; a combination of private donations, bonds and University reserves. The bond capacity currently exists for the project, and there will be sufficient funds in reserve to pay this project when it begins.

President Farley added that this is a very important project to the University. Henderson is the most significant building on campus for academics. 25% of all classrooms on campus are in the building.

Mr. Kuwitzky noted that Henderson has only had two renovations since 1971. One renovation occurred 14 years ago, and the restrooms were updated two years ago. Set up the same way as built but teaching has changed so need to remodel the building to be adaptive to technology and create functional learning spaces. We compete against the University of Kansas and Kansas State University and others and get compared to their facilities so important to upgrade these facilities.

President Farley commented that the building was high tech at the time it was constructed, but it is now obsolete. The outside of the building was a dramatic change compared to the rest of the campus after the tornado, but now is more plain looking. This renovation will involve a change similar to the change seen with Morgan Hall.

In response to a question about how long this project will take, Dr. Farley stated that he anticipates a three-year fundraising campaign and then starting construction. Construction will probably take longer than construction of the law school because it is renovating an existing building. Regent Klausman suggested to look at the possibility of state tax credits to reduce costs. It was moved by Regent Parks and seconded by Regent Dietrick to approve moving forward with the fundraising and begin the formal design for the renovation of Henderson Learning Resources Center. Motion passed.

## **10. KTWU Vehicle Replacement**

Vice President for Administration and Treasurer Chris Kuwitzky presented the item to replace 1997 and 2000 model vehicles at KTWU. The vehicles are being replaced with one used vehicle and one new vehicle. For the used vehicle purchase, Washburn solicited 11 bids, and had one response for the used vehicle. Plans are to use a portion of HERFF funds for KTWU, less the trade-in allowance for older vehicles. It was moved by Regent Sourk and seconded by Regent Dietrick to approve the KTWU vehicle replacement. Motion passed.

### **C. Information Item(s)**

#### **1. Quarterly Financial Analysis**

President Farley asked to make some comments before the meeting ended. Dr. Farley first recognized Gary Bayens, who is retiring as Dean of Washburn Tech. Dr. Bayens had a wonderful career in the Marines and law enforcement and then came to Washburn working in criminal justice. Dr. Farley noted that Dr. Bayens was ready to retire, but was talked him into staying on as Dean at Washburn Tech. President Farley thanked him for his service.

President Farley then recognized Vice President for Administration and Treasurer Chris Kuwitzky. Dr. Farley noted that Kuwitzky's term at Washburn was not as long as Gary but very eventful. Kuwitzky follows in a long line of successful VPATs in Washburn's history. He stepped right in and made a number of changes that have been good for Washburn. President Farley noted that Kuwtizky's goal was to leave Washburn in a better place than when he started, and he has done so. Dr. Farley thanked him for his service.

Chairperson Beck wished everyone a happy and safe holiday season.

It was moved and seconded to adjourn the meeting. Motion passed.  
The meeting adjourned 5:10 p.m.

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Marc Fried  
Secretary, Board of Regents