

# Board of Regents Meeting

Thursday, 2/3/2022

4:00 - 6:00 PM CT

## I. Call to Order

## II. Roll Call

Mr. Beck  
Ms. Buhler  
Mr. Dietrick  
Mr. Hulse  
Mr. Klausman  
Mr. Padilla  
Mrs. Parks  
Mr. Schmidt  
Mrs. Sourk

## III. Approval of Minutes of Past Meeting(s)

### A. Approval of the Minutes of the December 9, 2021 Meeting

*December 9, 2021 Board Minutes - Page 2*

## IV. Officer Reports

### A. Chair's Report

### B. President's Report

## V. New Business

### A. Consent Agenda

#### 1. Liquidated Claims Approval - November 2021 - Luther Lee

*Liquidated Claims - November 2021 - Page 9*

#### 2. Honorary Degree Candidates - President Farley

*Honorary Degrees - Page 10*

### B. Action Items

#### 1. Expenditures over \$50,000

##### a. Henderson Emergency Roof Repair - Ratification - Luther Lee

*Henderson Roof Repair.Ratification - Page 11*

##### b. Replacement of Various Door Access Control Locks - Luther Lee

*Door Locks - Page 12*

##### c. Washburn Institute of Technology Financial Aid Platform - Luther Lee

*Financial Aid Tech - Page 13*

##### d. Earth Moving Simulator for Commercial and Heavy Construction - Luther Lee

*Tech Earthmover - Page 14*

#### 2. Eminentes Universitatis - JuliAnn Mazachek

*Eminentes Universitatis - Page 15*

**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



**Agenda Item No.  
Washburn University Board of Regents**

**SUBJECT:** Liquidated Claims Approval – November 2021

**DESCRIPTION:** Listed below is a summary by fund of all claims processed during the month of November 2021.

To the best of my knowledge and belief, I certify that the liquidated claims submitted in this transmittal are in compliance with all applicable laws and University policies.

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Luther Lee, Vice President for Administration & Treasurer

<b>WASHBURN UNIVERSITY</b>		
<b>Fund #</b>	<b>Fund Name</b>	<b>Total Claims</b>
1.	General Fund	\$2,420,512
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	1,841,413
4.	Endowment Fund	-0-
5.	Student Loan Fund	-0-
7.	Tort Claim Fund	266,466
8.	Restricted and Agency Fund	503,611
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	52,151
	Sub-Total	5,084,153
	Payroll	3,281,922
	Payroll Withholding ACH Transactions	1,926,017
	<b>Total</b>	<b>\$10,292,092</b>

<b>WASHBURN INSTITUTE OF TECHNOLOGY</b>		
1.	General Fund	\$132,051
3.	Building and Construction Fund	28,284
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	5,851
13.	Government and Research Fund	40,465
	Sub-Total	206,651
	Payroll	423,635
	Payroll Withholding ACH Transactions	110,724
	<b>Total</b>	<b>\$741,010</b>

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Date

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Jerry B. Farley, President

**Agenda Item No. V. A. 2.**  
**Washburn University Board of Regents**

**SUBJECT:** Honorary Degree Candidates

**DESCRIPTION:**

Faculty, students, Washburn University Foundation members, Washburn Board of Regents members, and Alumni Association members are invited to submit nominations for Honorary Degree recipients every September.

The Committee which consists of the President, Vice President for Academic Affairs, one faculty member from each School and the College, a representative from Washburn Institute of Technology, Alumni Association Director, Washburn University Foundation President, and one student representative appointed by the President to meet in October to review the nominations and send recommendations to the president for Honorary Degrees to be awarded the following May.

The Honorary Degree Committee recommends the following candidates receive Honorary Degrees at the 2022 Spring Commencement ceremonies:

**Kristin Rinne – CAS, Doctor of Science Sc.D.**  
**Mark Yardley – School of Business, Doctor of Commerce D.Comm**  
**Cynthia Heath – School of Law, Doctor of Law LL.D.**  
**Joseph Gigous – SAS, Doctor of Humane Letters L.H.D.**

**FINANCIAL IMPLICATIONS:**

The Honorary Degree Program is part of the University's commencement budget.

**RECOMMENDATIONS:**

President Farley recommends that the Board of Regents approve the awarding of the four Honorary Degrees.

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Date

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Jerry B. Farley, President

**Agenda Item No. V. B. 1. a.**  
**Washburn University Board of Regents**

**SUBJECT:** Henderson Emergency Roof Repair – Ratification

**DESCRIPTION:**

On December 15<sup>th</sup>, a strong wind storm blew through Topeka causing damage to the Henderson Learning Resource Center roof. Approximately 4,300 square feet of roofing materials blew loose on the west side, including 90 feet of drip edging and flashing along the perimeter of the roof.

Washburn Facilities located a local roofing contractor who had roofing materials on hand and labor available to repair the roof. Washburn has favorable experience with the contractor, JB Turner & Sons. The contractor was able to mobilize to campus the following week to begin work on the repair. Time was of the essence for this repair to mitigate the risk of further damage to the building due to additional weather events.

**FINANCIAL IMPLICATIONS:**

The Board Chair was contacted and approved the emergency roof repairs totaling \$88,902. The Chair of the Board has authority to approve such purchases and seeks ratification by the Board of Regents.

The roof repairs will be funded by previously approved capital funds.

**RECOMMENDATION:**

President Farley recommends the Board of Regents ratify Chair Beck's approval to enter into an \$88,902 expenditure for emergency repairs of the Henderson Roof.

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Date

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Jerry B. Farley, President

**Agenda Item No. V. B. 1. b.**  
**Washburn University Board of Regents**

**SUBJECT:** Replacement of Various Door Access Control Locks

**DESCRIPTION:**

The project goal is to improve access control of exterior doors on the remaining buildings around campus. This will be achieved by installing electronic door keypads and door strikes at selected building entrances. After-hours access to these buildings will be granted using SEOS issued iCards. (SEOS cards are high frequency smart cards the university is moving to).

This will directly integrate into our current software-controlled system that can react to the environment in real time. This is a valuable investment for Washburn University because it will improve security and access afterhours. This project will also provide some contact tracing in the case of COVID exposure. DH Pace is under state contract and certified with equipment/software installed at Washburn.

**LOCATIONS AFFECTED THIS PHASE**

- Bennett Computer Center
- Facility Heat Plant
- Henderson Learning Center
- KTWU
- Bradbury Thompson
- Facility Services
- Mabee Library

**VENDOR**

**BASE BID**

DH Pace Control Service Company      \$81,215

**FINANCIAL IMPLICATIONS:**

Washburn has recent and favorable experience working with DH Pace.

Project funds are available from the HEERF grant award.

**RECOMMENDATION:**

President Farley recommends the Board of Regents approve the award of a \$ 81,215 contract to DH Pace Control Service Company to supply the door lock upgrade for additional door lock security on campus.

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Date

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Jerry B. Farley, President

**Agenda Item No. V. B. 1. c.**  
**Washburn University Board of Regents**

**SUBJECT:** Washburn Institute of Technology Financial Aid Platform

**DESCRIPTION:**

Financial Aid activities at Washburn Institute of Technology are currently performed in a manual or face to face manner without the automated self-service features like at Washburn University. As the pandemic has lingered, the need for students to be able to apply for and receive financial aid electronically has become increasingly urgent.

The desired state would be that the Financial Aid platform at Washburn Institute of Technology mimic what Washburn University has for a Financial Aid platform through Ellucian/Banner. This would create a consistent approach to financial aid activities across the continuum of students. In order to attain that goal, six potential vendors were solicited for RFP 22014 with 3 vendors responding to the RFP.

<u>Vendor</u>	<u>Base Bid</u>
Strata Information Group	\$ 65,000
David Kent Consulting	\$ 88,400
Blue Icon Advisors	\$213,300

**FINANCIAL IMPLICATIONS:**

Washburn has recent and favorable experience with Strata Information Group (SIG), the low-cost responsive bidder.

This project of \$65,000 will be funded from Washburn Institute of Technology's Lost Revenue allocation from the HEERF Grant.

**RECOMMENDATION:**

President Farley recommends the Board of Regents approve the award of a \$65,000 contract to SIG to supply the technical expertise to upgrade the Financial Aid platform at Washburn Institute of Technology.

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Date

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Jerry B. Farley, President

**Agenda Item No. V. B. 1. d.**  
**Washburn University Board of Regents**

**SUBJECT:** Earth Moving Simulator for Commercial and Heavy Construction

**DESCRIPTION:**

Washburn Institute of Technology was awarded a Jobs and Innovative Industry Skills Training (JIIST) Grant from the Kansas Department of Commerce in the amount of \$67,045 to purchase a Commercial & Heavy Construction simulator. Washburn Institute of Technology will provide matching funds in the amount of \$67,045 for instructor salary and benefits.

The Vortex Edge Max is an entry-level Earthmoving Simulator that develops transferable operator skills by replicating the motion and feel of real construction equipment and comes embedded with CM Labs' Smart Training Technology. The simulator will be used in the Commercial & Heavy Construction program at Washburn Institute of Technology.

<b>VENDOR</b>	<b>BASE BID</b>
Aidex	\$67,045

**FINANCIAL IMPLICATIONS:**

Funds will be provided by a JIIST grant award from the Kansas Department of Commerce.

**RECOMMENDATION:**

President Farley recommends the Board of Regents approve the award of a \$67,045 contract to Aidex to supply the Vortex Edge Max Earthmover Simulator.

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Date

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Jerry B. Farley, President

**Agenda Item No. V. B. 2.**  
**Washburn University Board of Regents**

**SUBJECT:** Eminentes Universitatis

**DESCRIPTION:**

Washburn University awards the “Eminentes Universitatis” designation to long-term employees who meet the following requirements: employed as a technical instructor, staff employee or equivalent for a period of ten years or more; retire in good standing; and service performed must be judged to have been meritorious. At this time, we have two employees meeting these requirements.

Ms. Anita Jo Hunt, Associate Dean for Administration, School of Law, retired with almost 12 years of service to Washburn University. She began her career at Washburn in August, 2010 providing oversight of the administrative functions of the School of Law. She also had the pleasure of serving on several University committees. This past decade has been a transition period for legal education and Ms. Hunt was instrumental in managing the financial transitions during this time. While Ms. Hunt earned her degree from another institution, she took several classes as an undergraduate student at Washburn and has always considered them some of the best. Ms. Hunt retired in January, 2022.

Mr. Eugene Williams, Executive Director/General Manager of KTWU, retired after 23 years of service. In addition to his regular duties, Mr. Williams spent much of his time mentoring employees, faculty, and students at Washburn, as well as making committee connections throughout the region. At a national level, Mr. Williams served as Public Broadcasting System Board of Directors, served on the Small Station Fund Committee and the Digital Distribution Fund Panel for the Corporation of Public Broadcasting. He is a graduate of multiple National Association of Broadcasters programs, as well as the Management Development Seminar for Television Executives and the Broadcast Leadership Training Program. Mr. Williams attention to community partnerships helped build a national profile for KTWU. He has been a hands-on broadcaster serving as executive producer on multiple KTWU shows receiving multiple regional EMMY awards. He served as host for a variety of TV shows and pageants as well as moderator for multiple political debates. His efforts earned him induction into the Topeka Business Hall of Fame in 2016. Mr. Williams retired in January, 2022.

**FINANCIAL IMPLICATIONS:**

None.

**RECOMMENDATION:**

President Farley recommends the Board of Regents bestow the status of “Eminentes Universitatis” to Anita Jo Hunt and Eugene Williams.

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Date

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Jerry B. Farley, President