

WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
December 8, 2022

I. Call to Order

Chairperson Buhler called the meeting to order at 4:00 p.m. in the Conference Center at Washburn Institute of Technology.

II. Roll Call

Present were: Mr. Beck, Ms. Buhler, Mr. Dicus, Mr. Dietrick, *Mr. Nave, Mr. Padilla (left at 5:00 p.m.), Mr. Romero and Mrs. Sourk (arrived at 4:44).

* Participated via Zoom protocol.

III. Approval of Minutes of the October 20 and November 14, 2022 meetings

It was moved by Regent Dicus and seconded by Regent Beck to approve the Minutes of the October 20 and November 14, 2022 meetings. Motion passed.

IV. Officer Reports

A. Chair's Report

Chair Buhler noted that commencement is next week. The Washburn Tech commencement will be on Thursday and Washburn University will have two ceremonies on Friday. Ms. Buhler thanked the regents for their participation in the events.

Chair Buhler noted that the presidential search is on schedule to identify a candidate and start negotiations before the end of the year.

Ms. Buhler noted that holiday time means many events such as Vespers, After Hours, and the campus glow. Chair Buhler encouraged everyone to visit Washburn and enjoy the holiday season.

B. President's Report

President Meek commented on how great it is to be present at Washburn Tech.

Mr. Meek noted that last week the Chronicle for Higher Education published an article looking at 1,300 private and public entities comparing graduation rates before and during the pandemic. Washburn is one of a few that beat the national average by more than 5%, with a rate of 6.9%. President Meek noted that Washburn was the only public institution in Kansas to make that high a mark. Mr. Meek thanked the Center for Student Success and faculty and staff to make sure students cross the stage.

President Meek stated the school of law announced two weeks ago a 3+3 agreement with Pittsburg State so that students can transfer to Washburn School of Law after three years and graduate with both an undergraduate and a law degree after six years. Mr. Meek noted there are currently similar agreements with Forth Hays State, Baker and Washburn.

President Meek mentioned that he met with the Shawnee County Legislative Delegation regarding redistricting for the appointments to the Board of Regents and advised them of language to be provided by John Pinegar and Doug Smith. Mr. Meek believed the delegation was generally supportive of the plan.

President Meek noted that Washburn Tech hosted a Toys for Tots toy build last week. The toys will be donated to Toys for Tots. Mr. Meek said this is another example of collaboration with the greater Topeka/Shawnee County community

President Meek introduced Loren Ferre, Athletic Director, for a recap of athletics in the fall. Mr. Ferre advised that student athletes had a cumulative GPA of 3.40. 74 athletes earned a 4.0 GPA and 70% had a 3.0 or higher. This fall Washburn had 95 students on the MIAA academic honor roll.

Mr. Ferre said the year began with highest number of athletes ever. He added that athletics also oversees in excess of 40 cheerleaders.

Athletic Director Ferre then discussed teams' performance in competition. The football team finished with a 7-4 record, and he informed the Regents that the football team's record was 7-4. James Letcher was named MIAA special teams player of the year and Grant Bruner led the nation in tackles.

Mr. Ferre said Chris Herron, women's volleyball coach, has been at Washburn 21 years and his teams have made the post-season 17 times. The women's volleyball team won the MIAA tournament for first time ever. Women's soccer had most its most wins since 2009 and was one win away from making regionals.

Mr. Ferre told the board that cross-country finished 4th in the conference and 5th in the region. He added that 34 teams competed at regionals and Washburn was honored for having the highest GPA of any team there. Mr. Ferre added that Sonja Smagina, a member of the women's tennis team, played in the ITA tournament in the fall and lost in the championship match in a tiebreaker. Social Media note – webstreaming was strong as all games can be viewed by streaming.

President Meek then introduced Gina Stewart, Executive Director for Administration for the Washburn University Alumni Association and Foundation, to inform the board about the *I Will for Washburn* campaign. Ms. Stewart noted the campaign started in March as a result of generous donors – Greg Greenwood and Bruce McPherson – who created a pool of money to incentivize donors to add Washburn to their estate plans. If a person can document making a bequest to Washburn in their will, they get \$10,000 from the pool of money to spend anywhere at Washburn. Ms. Stewart advised since the campaign started, 26 gifts have already been documented. A good start because such gifts usually take time. Another 50 or so conversations are ongoing for other possible gifts. The

Alumni Association and Foundation offer an estate attorney for free to help donors work on their wills. Ms. Stewart introduced Erin Aldrich, Director of Gift Planning and Development, who is heading up the campaign.

C. Chair appointment to committees

Chairperson Buhler then stated as Regent Nave has now been appointed to the Board, she is appointing him to the Audit Committee if the Board approves. It was moved by Regent Dicus and seconded by Regent Padilla to approve Regent Nave's appointment to the Audit Committee. Motion passed.

V. New Business

A. Consent Agenda

It was moved by Regent Beck and seconded by Regent Romero to approve the Consent Agenda. Motion passed. As approved by action of the Board:

- 1. Liquidated Claims Approval – September 2022**
- 2. Liquidated Claims Approval – October 2022**

B. Action Items

1. Personnel

a. Faculty/Staff Personnel Actions

Vice President for Administration and Treasurer Luther Lee presented the item. This action is a reclassification and change in salary for the Financial Aid Advisor position to be more competitive in the marketplace. It was moved by Regent Dietrick and seconded by Regent Beck to approve the reclassification. Motion passed.

b. Academic Sabbaticals 2023-2024

Interim Vice President for Academic Affairs (VPAA) Laura Stephenson presented the item. Sabbaticals are awarded on an annual basis to support faculty development to improve their skills and knowledge in their discipline. A faculty committee reviews applications and then makes recommendations to the VPAA for the President for review. Dr. Stephenson advised the number that can be granted each year is limited to 4% of the full-time faculty, excluding the law faculty. This year there were eight applications plus one from the law school and all nine were recommended. When they return from sabbatical, they are required to present a report on their sabbatical works.

In response to a question if sabbaticals include teaching somewhere else, VPAA Stephenson stated that sabbatical is for study and research, and could include travel outside of country or state. Dr. Stephenson further noted that faculty are

compensated, receiving ½ of their salary plus continuing benefits if on sabbatical for a full year.

Responding to a question about how many faculty is 4% of the full-time faculty, VPAA Stephenson stated that 4% of the full-time faculty works out to be around 9 or 10. It was moved by Regent Dietrick and seconded by Regent Romero to approve the applications for sabbatical. Motion passed.

2. Academic Programs

a. Addition of Certificate – Advanced Emergency Medical Technician (AEMT)

Interim Vice President for Academic Affairs Laura Stephenson presented the item. Washburn Tech currently has an EMT program. This is for those who already have a basic EMT credential. This is a 20-credit-hour program for additional advanced certification. Dr. Stephenson stated that this program is being offered at the request of our community partners. The program has been approved by the technical authority and is eligible for the Promise Scholarship. The program is scheduled to begin in Fall 2023. It was moved by Regent Beck and seconded by Regent Padilla to approve the certificate program. Motion passed.

b. Certificate Change in Welding Technology

Interim Vice President for Academic Affairs Laura Stephenson presented the item. Dr. Stephenson stated this should look familiar because the board approved certificates A and C at the last meeting. This approval is for certificate B, which is part of stackable credentials for the industry. Vice President Stephenson noted this will help address a big demand in our community for welding as last review showed 133 openings in our area. This certificate program was approved by the technical authority and the Kansas Board of Regents. It was moved by Regent Padilla and seconded by Regent Dicus to approve the certificate program. Motion passed.

c. Certificate Name Change – Climate & Energy Control Technologies (HVAC)

Interim Vice President for Academic Affairs Laura Stephenson presented the item. This item involves a simple name change. The Technical Education Authority and Kansas Board of Regents have stated that programs have to say Heating, Ventilation and Air Conditioning in the name of the program. It was moved by Regent Dicus and seconded by Regent Dietrick to approve the name change of the program. Motion passed.

d. Master of Arts in Communication and Leadership (MACNLE) Admission Standards Revision

This item was pulled from the agenda.

3. Washburn University Policy Regulations and Procedures Manual Policy Change – Board Policies – Purchasing and Financial Obligations

Vice President for Administration and Treasurer Luther Lee presented the item. This proposal is to increase the amount for Board pre-approval from \$50,000 to \$100,000. The proposal does not change any internal procedures for when bids and multiple bids are required. Because of inflation, an increasing number of items are coming to the Board. Mr. Lee spoke with the outside auditor regarding this policy change. The outside auditor indicated they have no problem with the change and have seen others make similar adjustments to their policies. Until June 30, 2023, items between \$50,000 and \$100,000 will be listed on the agenda as information items so the board can see the impact of the decision.

Answering a question about if the items will also appear in the liquidated claims items, Mr. Lee stated they would. It was moved by Regent Dicus and seconded by Regent Romero to approve the policy change. Motion passed.

4. Expenditures over \$50,000

a. Living Learning Center Building Automation System Upgrade

Vice President for Administration and Treasurer Luther Lee presented the item. The Living Learning Center's system is obsolete and beginning to fail and it is also harder to find replacement parts. This recommendation involves installing a Trane system to match other systems on campus to allow for consistent controls for all such systems. Funds will come from reserves. It was moved by Regent Beck and seconded by Regent Dietrick to approve the system upgrade. Motion passed.

b. Mulvane Museum HVAC Renovation – Construction Manager at Risk

Vice President for Administration and Treasurer Luther Lee presented the item. The Board approved this project at the September Board meeting. This item is for the Request for Proposal (RFP) issued for a construction manager at risk. Five bids were received, but one backed out because of scheduling. Mr. Lee stated the funding will come from capital funds.

In response to a question if this was the lowest bid, Vice President Lee noted that Washburn's policy does not require the lowest bid. Mr. Lee further noted that bids were reviewed by Mulvane staff, Bartlett & West, facilities and purchasing and KBS was deemed to be the best bid following the policy.

Responding to a question about the total budget, Mr. Lee stated the total budget is about \$1.8 million and this bid is for \$1.3 million. The money comes from the capital budget.

Answering a question about the range of bids, Vice-president Lee stated that he did not have the information but could have the director of purchasing gather

that information. It was moved by Regent Dietrick and seconded by Regent Padilla to approve the hiring of the construction manager at risk. Motion passed.

c. Ellucian Oracle Campus-Wide License

Vice President for Administration and Treasurer Luther Lee presented the item. The item increases coverage for all existing database needs and allows for expansion. This is a sole source project because it is an amendment of an existing contract.

In response to a question about what is an ERP, Mr. Lee explained it is an Enterprise Resource Program and it runs many parts of the Washburn system. It was moved by Regent Romero and seconded by Regent Dietrick to approve the amendment to the existing contract. Motion passed.

d. Bar Review Prep

Vice President for Administration and Treasurer Luther Lee presented the item. Washburn issued an RFP for bar preparation programs. Mr. Lee introduced Dean Jeffrey Jackson from the School of Law to present. Dean Jackson stated that the costs of the bar preparation program will be included as part of the fees for attending law school. Dr. Jackson noted that five years ago, the state of Kansas switched to the Uniform Bar Exam and this has affected the pass rate for Washburn students. A problem is that bar preparation programs are after graduation and payment is required to be in a lump sum so it is not cost effective for students. By making the cost as part of attendance, students can use financial aid to help pay and payments are spread out over the three years of attendance.

Dean Jackson noted that because this goes into effect this year but fees were already set, this covers the costs for students graduating and taking the bar exam after this spring. Washburn will pay less in future years as students being contributing towards the fees, with students enrolling next fall, paying the entire fee. Dr. Jackson also noted that the cost includes a discounted fee for the program, so it will cost the students less overall.

Dean Jackson advised BARBRI was determined to be the best program, as they have a higher bar passage rate and their materials are better than the other vendors. Dr. Jackson added that one of the big draws is they are the leader in preparation for the Uniform Bar Exam and have been doing this training since the Uniform Bar Exam was introduced in 2011.

Dean Jackson further noted that BARBRI is one of only two vendors that has a live program. As a result of the partnership, the School of Law will get some items for free that Washburn has been doing in its own bar review course. Dr. Jackson advised the Board that 40% of the current students take BARBRI which is more than any other vendor. Dean Jackson noted that while KU contracted with another vendor for the same thing, a number of their students are still paying for BARBRI.

Regent Sourk arrived.

Responding to a question about the length of the agreement, Dean Jackson said it is a yearly agreement which will be evaluated on an annual basis and this item is only for payment in the first year.

Regent Romero commended the law school for taking this step to help their students afford this training for the Uniform Bar Exam.

It was moved by Regent Romero and seconded by Regent Dietrick to approve the agreement for the bar preparation program. Motion passed.

e. Investment in Topeka Partnership

President Meek presented. Momentum 2022 is expiring, and Washburn supported that program with a contribution. Momentum 2027 is now starting and the Greater Topeka Partnership (GTP) is asking Washburn to support the new program with another contribution. Mr. Meek noted that GTP has partnered with Washburn on many things, most notably Washburn Tech East. It was moved by Regent Padilla and seconded by Regent Beck to approve the contribution. Regent Dicus abstained. Motion passed.

C. Presentation(s)

1. Quarterly Financial Analysis Report

Vice President for Administration and Treasurer Luther Lee presented. Mr. Lee provided information on first quarter of FY 2023. Tuition revenue is down due to lower enrollment. Residential living revenue is up due to more persons living in the residence hall. Salaries are up primarily due to the 4% program started July 1, 2022. At the request of a board member, Vice President Lee in future reports will add the % of the total budget for year-to-date progress.

2. Cybersecurity Program

John Haverty, Chief Information Officer, presented the item. This presentation to the Board is new. Providing this information to the Board, as well as security activity throughout the year, is now required as part of the Graham Leach Bliley Act. Mr. Haverty explained that there will also be security awareness training for faculty and staff as such educational training is required by both the State of Kansas and our liability insurance carrier.

Mr. Haverty said 32,000 phishing attempts were reported by employees, approximately 6,400 were simulated and 26,000 were non-simulated. Information Technology Systems (ITS) implemented a change in the authentication protocol before the fall semester began in August.

Regent Padilla left the meeting.

CIO Haverty stated that currently Washburn is paying for multi-factor authentication for faculty/staff and some students, but the plan is to have employees and students all on the same protocol through Microsoft, which will save Washburn money. Mr. Haverty reported that ITS began a security health review process as part of Washburn's cybersecurity insurance for the current year to ensure Washburn has appropriate security protocols in place, and to work towards greater coverage than is currently available. ITS also developed a vulnerability management program which checks on vulnerabilities, and maintains regular patching of servers and workstations.

Mr. Haverty then discussed two security events that occurred and how the University responded.

Mr. Haverty then discussed recommendations for changes in the future. All recommended items have been presented to State of Kansas for funding. This past budget, the State set aside \$890,000 for Washburn to address these issues. CIO Haverty added that some items would require third parties to perform monitoring because ITS does not have the capacity.

Responding to a question about ITS staff for cybersecurity, Mr. Haverty stated that they currently have one, but will move one network administrative person over to cybersecurity, but have three or four staff who work to resolve issues when they arise. Adding third-party vendors would help take on the increased requirements.

In response to a question about the \$890,000, Vice President Lee noted that we did not get cybersecurity funding from KBOR in previous years, so that is being added to Washburn's funding request this year to be available for FY 2024.

Answering a question about the percentage of our employees and other institution employees who complete the cybersecurity training, Mr. Haverty stated that it depends on the institution. CIO Haverty added that some other institutions turn off access if training is not completed, but Washburn just sends a reminder at this time.

It was moved by Regent Beck and seconded by Regent Romero to adjourn. Regent Buhler thanked Washburn Tech and Washburn, School of Law and President Meek for all they are doing for our students. Motion passed.

The meeting adjourned 5:11 p.m.

Marc Fried
Secretary, Board of Regents