I. Call to Order

Chairperson Marquardt called the meeting to order at 4:06 p.m. in Conference Center C/D on the Washburn Institute of Technology campus.

II. Roll Call

Present were: Mr. Bunten, Mr. Klausman, Mr. Lagerberg, Ms. Marquardt, Mr. Moses, Mrs. Parks, Mr. Storey and Mrs. Warren. Mr. Lykins arrived at 4:08 p.m..

III. Election of Board Secretary

It was moved and seconded to appoint Lisa Jones, University Counsel, as Secretary to the Board. Motion passed.

IV. Approval of Minutes of the July 30, 2010 meeting as mailed.

Regent Warren moved that the minutes of the July 30, 2010 meeting be amended to include the following: “Regent Warren declared a conflict and excused herself from the portion of the executive session related to the Murray Construction lawsuit.” It was moved and seconded to approve the Minutes of the July 30, 2010 meeting with the correction moved by Regent Warren. Motion passed.

V. Officer Reports

A. Chair's Report

Chairperson Marquardt expressed recognition and appreciation for all those who contributed to a successful Constitution Day stating it was a wonderful experience. Lucas Mullin, Vice President of the Student Government Association, spoke on the success of the Constitution Day and thanked all those who contributed to its success. Chairperson Marquardt also noted that the Court of Appeals held three hearings in Henderson Hall on Constitution Day and had a wonderful turnout of student observers.

B. President's Report

President Farley welcomed everyone to the Washburn Institute of Technology campus. Dr. Farley reported that enrollment of new full-time freshmen at Washburn University coming straight from high school is up this semester by 12%, although overall graduation rates from Kansas high schools has declined. He attributed this increase to the re-focused efforts of the Admissions office and recognized Executive Director of Enrollment Management, Richard Liedtke for his efforts.
President Farley also recognized the efforts of the Deans’ offices and faculty members who visited with potential students and also called potential students who had visited the campus but had not enrolled. He recognized all these efforts made a big difference.

Dr. Farley reported that the LLC and the Village are at capacity with waiting lists for the first time since opening. Since several international students coming to Washburn were not able to be placed in on-campus housing upon arrival, Director of International Programs, Baili Zhang and Vice-President for Student Life, Denise Ottinger contacted people who opened their homes to provide international students a place to stay while awaiting housing vacancies.

President Farley also reported an increase in concurrent enrollment which provides an opportunity for high school students to enroll in college courses and get college credit; and recognized Dr. Tim Peterson for having 488 students in concurrent enrollment courses, many of whom may then come to Washburn as college students. Dr. Farley recognized that while there is an increase in full time students straight from high school, there is still a high commitment to the non-traditional students to help them find a pathway to graduate in a timely manner. President Farley reported that there have been discussions on whether to continue with the conditional enrollment program.

It was reported that the law school had 1,100 applicants for this fall’s enrollment; normally 125 are admitted, but due to the larger number that received admittance letters having accepted, the class size this fall is 144. This fall’s law school class had the greatest average LSAT score of any previous class.

President Farley reported that the news release from the Kansas Board of Regents reflected a 5.7% decline in enrollment at Washburn Tech, but that this is not accurate as there has been a total increase of 5.9% since last year. He said the KBOR was most likely comparing last year’s final enrollment compared to this year’s preliminary enrollment.

It was reported that Mr. Liedtke and his staff have plans to reach out to Missouri, particularly the Kansas City area, as state tuition is given to students from the Kansas City area. Regent Storey recognized Mr. Liedtke and his staff for a job well done. Regent Lykins commented that all KBOR governed schools are down in enrollment and we need to continue to think of new ways to bring the brightest students here. Regent Lykins also congratulated Mr. Liedke on a good job. Regent Moses commended Dr. Farley, the administration and Mr. Liedtke for the increase and noted that while the Kansas City market is considered, not to forget Wichita, also noting that Wichita State University’s enrollment remained flat.

C. Committee Report(s)

There were no committee reports. Chairperson Marquardt reported that there is progress on the Whistleblower policy which was sent back to the Audit Committee. Chair Marquardt noted it is not ready to come before the Board as there is new University Counsel and additional time is needed.
D. Treasurer's Report

Interim Vice President for Administration and Treasurer, John Moore, presented the Treasurer’s Report for Depository Security Transactions and Liquidated Claims Approval for the months of July and August 2010. Regarding the Quarterly Report for the Quarter Ended June 30, 2010, Mr. Moore commented that Sales Tax Revenues for FY 2010 were $96,017 under budget, much less than had been anticipated. This sales tax revenue shortfall was covered by transferring $96,017 from the Sales Tax Smoothing Fund to the General Fund. Mr. Moore also called the Regents’ attention to the YTD Net Educational and General fund amount of $2,080,621 (Total Revenues and Transfer In LESS Total Expenses and Transfers Out). This amount will increase the University’s General Fund Reserve to approximately $11.5 to $12.0 million pending the final results of the audit. Mr. Moore indicated that the February 25, 2010 Regents’ commitment to purchase the Phi Delta Theta fraternity house at its appraised value would be funded from this addition to the reserves. This appraised value according to material received from the Shawnee County Appraisers Office is $215,440.

Motion to accept the Quarterly Report was made and seconded. Motion passed.

Motion to accept the Treasurer’s Report for Depository Security Transactions and Liquidated Claims Approval for the months of July and August, 2010, was made and seconded. Motion passed.

VI. New Business

A. Consent Agenda:

It was moved and seconded to approve the Consent Agenda. Motion passed.

Approved by action of the Board:

1. **Student Educational Records**
   - the definition of directory information revised as outlined in the agenda item;

2. **Report of Purchases between $25,001 and $50,000**
   - award of contract to: Heartland Video Systems in the amount of $39,920 for encoder equipment for KTWU; Cytek Media Systems in the amount of $28,886 for the purchase of LCD projectors; and Boyce Scientific in the amount of $38,016 for the purchase of microscopes; and,

3. **Personnel**

   a. **Dean of University Libraries**
   - The Board ratified the Board Chair’s approval of the appointment of Dr. Alan Bearman as Dean of University Libraries at an annual salary of $95,000 effective August 1, 2010.
B. First Reading

1. First Reading – Voting Status of Full-Time Lecturers

Acting Vice President of Academic Affairs, Dr. Nancy Tate, read the Proposal to Amend Faculty Handbook/University By-Laws on Voting Status of Full-Time Lecturers. Dr. Tate reported the reason for the proposal is that Lecturers serve oftentimes many years and participate in numerous initiatives but do not get the chance to vote. Board members were invited to ask questions, and Dr. Tate stated there are approximately 35-50 full time Lecturers. Typically, Lecturers do not receive the same pay level as faculty as they are not expected to perform research and service.

C. Action Items:

1. Proposal to Establish “Success Week”

Dr. Tate, reported the General Faculty voted almost unanimously to approve the establishment of Success Week as presented by the WSGA. WSGA President Caley Onek reported the reasons behind the idea of Success Week. Washburn is one of the few schools that does not have a “dead week” and the term was not favored, so they went before Faculty Senate, then before General Faculty with the idea for a “Success Week,” and it was well received. Regent Warren recognized the WSGA for their efforts and was delighted, and Regent Parks commended WSGA. Regent Moses asked for clarification that during Success week classes would still be held but there would be no finals that could be given during that week. President Onek confirmed this understanding with the exception of take-home exams. Dr. Tate reported it is already policy to give finals during finals week. It was moved and seconded to approve the proposal. Motion passed.

2. Washburn Institute of Technology Parking Lot Repairs – North and South Lots Building L – Project CK1101 & CK1102

It was moved and seconded to approve the award of a contract to American Asphalt Company in the amount of $99,565.00 for removal and replacement of the existing south parking lot of the Washburn Tech campus. Interim Vice President Moore noted American Recovery and Readjustment Act (ARRA) funds would be used for the project. Upon vote of the motion, motion passed.

3. University Health Plan Renewal

It was noted the Benefits Committee is made up of faculty and staff with Harold Rood as chair of the committee, who was present to answer questions. It was noted the proposal includes very little change, except for a small change in the premiums paid by the employees. Dr. Farley stated that the cost of insurance continues to rise but we have a good and well structured plan. The recommendation is for a 4.8% increase. Other options considered were a 5.6% increase and a 6.1% increase depending on what plan is chosen. Dr. Farley
noted there is a good reserve but that last year was a difficult year as far as claims and the hope for this year is that the reserve will be built back up.

Regent Parks asked if employees pay a co-pay. Dr. Farley responded that under the proposed plan employees will continue to pay deductible and co-pays. Regent Lagerberg asked what the effect would be on custodial service employees if an RFP for outsourcing was approved. Dr. Farley stated that the RFP was for facilities, which included more than custodial services and that should it be accepted, the vendor awarded the contract would be responsible for health insurance of its employees.

Regent Moses asked if the increase of health insurance costs was passed onto employees and noted that there was no cost of living adjustment last year. Dr. Farley noted that Washburn University, as the employer, is also going to be paying an increase in premiums on the employee’s behalf. Regent Moses also asked if there was a change in co-pay and deductible in the proposed plan. Benefits Chairperson Rood noted that due to the change in federal law, employers now must allow employees with family coverage to cover dependent children until the age of 26 which has an impact on the overall cost of health coverage. It was also noted that health insurance is a small part of the overall family budget. Dr. Farley noted that the increase was modest compared to last year. Dr. Farley also noted that USD 501 was facing a much larger increase.

Discussion was had on the effect to the employees of health insurance premiums going up every year. Benefits Committee Chairperson Rood explained that if we do not keep premiums up, Washburn will have to pay out of the reserve fund and eventually it will be depleted and the money will have to come from somewhere else. It was moved and seconded to approve the University Health Plan Renewal. Upon vote, motion passed.

4. **Renewal of Insurance Policies**

Interim Vice-President for Administration and Treasurer, John Moore reported that each year Washburn University works with IMA to review its insurance program. He reported a mixture of premiums going up while some went down. General liability went up the most while Workers Compensation Insurance went down as a result of fewer claims.

IMA representative Dick Feldman explained the reasons for the changes in premiums, including significant claim activity, a death in Missouri, and recent employment practices lawsuits. This is the area, Mr. Feldman said, Hanover Insurance felt was greatly underpaid. He stated although there is no settlement on the lawsuits, the law requires a certain amount to be reserved pending outcome of the lawsuits. There was discussion regarding the need for reserve to be set aside when there are claims even though there is no settlement.

Regent Moses stated he understood that, but asked for clarification as to the increased premium to cover reserves, expressing that it seemed the insurance company was trying to make the money back before there is even a settlement.
IMA representative Dick Feldman explained this is an industry wide standard that will be the same with any other company, also expressing that they continually check with other insurance providers to get the best deal and that Hanover specializes in Higher Education, noting also that right now we are unable to get close to these rates with any other company.

Regent Storey noted that they must reserve funds for each individual claim.

Regent Klausman noted it was important to know we were going out every year to get the best deal.

Regent Lykins asked about insurance coverage for students travelling abroad that may injure someone and it was noted that students travelling out of country are required to have insurance.

In response to a question by Regent Moses, Athletics Director Ferre replied that for sports related claims, student health insurance is primary but that we pay the deductible and the amount the student insurance does not cover. Mrs. Dorothy Hedman, Administrative Assistant in the office of the Vice President for Administration and Treasurer, noted that general liability insurance was significantly lower last year than the year before. It was moved and seconded to approve the Renewal of Insurance Policies. After vote, motion passed.

5. Washburn Institute of Technology Strategic Plan

Dr. Roxanne Kelly, Dean of Washburn Institute of Technology, presented the Washburn Institute of Technology Strategic Plan. Approval of the Strategic Plan was moved, seconded and after vote, passed.

VII. Executive Session

It was moved and seconded to recess to Executive Session for the purpose of discussing legal matters and to reconvene at 6:30. Motion passed. The Board recessed to Executive Session. Regent Warren excused herself due to a conflict.

At 6:30 the Board reconvened in Open Session. It was moved and seconded to approve the proposal of settlement in Murray & Sons Construction Co., Inc. v. Washburn University, Shawnee County Case No. 07C686. Upon vote, motion passed.

Lisa R. Jones
Secretary, Board of Regents