

**WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
December 13, 2017**

I. Call to Order

Chairperson McGivern called the meeting to order at 4:00 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

II. Roll Call

Present were: Mr. Beck, Mr. Boles, Mr. Hoferer, Mr. McGivern, Mrs. Parks, Mr. Sneed, Mrs. Sourk, Mrs. Van Etten and Mr. Wolgast.

III. Approval of Minutes of the November 9, 2017 meeting

It was moved by Regent Wolgast and seconded by Regent Parks to approve the Minutes of the November 9, 2017 meeting. Motion passed.

IV. Officer Reports

A. Chair's Report

Chair McGivern wished everyone Merry Christmas, Happy New Year, and hopes everyone has safe travels wherever they might be going.

B. President's Report

President Farley introduced:

Ally Burr, who was selected to participate in the U.S. Olympic Committee's FLAME program last summer in Colorado Springs. It is a career building opportunity for students working in the sports industry. There are 25-30 students accepted each year out of hundreds of applications. Burr is a tennis player and a mass media major.

James Barraclough, who said Jenny Lieurance is a recipient of the 2018 Jordan Smith Undergraduate Student Fellowship Award. He said this is the third consecutive year Washburn has had a winner. National Resource Experience recognizes five undergraduate students each year for working on First Year Experience on their campus. Lieurance is a LINC Bonner Scholar student and communications major.

Loren Ferre then introduced Jacob Klemz, a MIAA selection in his freshman year, all-conference honoree in 5k and 10k, including a school record. This year Klemz competed in six races, won four, including at Rim Rock, defeating runners from KU, WSU, UMKC and other universities across the country. He won conference, finished

third in regionals and 32nd in nationals. Klemz is a business major. Jacob thanked the board for bringing back Track & Field and said he cannot imagine doing it anywhere other than Washburn.

Dr. Farley said Laura Murphy, Assistant Professor of Anthropology, was appointed by Governor Brownback to the Kansas State Historic Sites Board of Review.

President Farley congratulated Kent McAnally, Director of Career Services. McAnally was awarded the Kansas Association of Colleges and Employers' (KACE) Larry Hannah Career Services Director Award, the highest award given by the association.

Dr. Farley introduced Washburn Tech Dean Coco, who said Tech processed their 20th and 21st recycled autos this week, combining that program with Toys for Tots. Their faculty and staff prepared 1,200 wooden toys for Christmas. Recycled Rides, with financial support from local business, rehabilitate vehicles to give to families who are in need of transportation.

Asked by the Board Chair to make a statement, Shaun Schmidt introduced Melanie Worsley. After Faculty Senate saw the indoor practice facility agenda item, they wanted to make a statement in response to the item. Worsley read a letter that was provided to each Board member.

C. Committee Report(s)

1. Audit Committee

Audit Committee Chair, Regent Boles, said the Audit Committee met prior to the Board meeting. The audit was presented by Rubin Brown. With one exception, where Washburn needed to amortize some revenue over the life of the contract instead of instead of "booking it" all in the year received. It was moved by Regent Sourk and seconded by Regent Sneed to approve the audit. Regent Boles commented that for the first time in four years no exception was stated for financial aid and special recognition should go to Kandace Mars and Richard Liedtke for their work in this process.

V. New Business

A. Consent Agenda

It was moved by Regent Parks and seconded by Regent Boles to approve the Consent Agenda. Motion passed.

As approved by action of the Board:

- 1. Liquidated Claims Approval – September 2017**
- 2. Liquidated Claims Approval – October 2017**
- 3. Liquidated Claims Approval – November 2017**

4. Designate Dr. Mark Kaufman and Dr. Brian Ogawa as Professor Emeritus; and Mr. Stephen Spyres as Lecturer Emeritus

Bestow the title Professor Emeritus to Dr. Mark Kaufman and Dr. Brian Ogawa, and Lecturer Emeritus to Mr. Stephen Spyres.

5. Faculty/Staff Personnel Actions

Hire new vacant position Admission Counselor at an annual basic salary of \$37,500; two new temporary positions recruitment pending: AO-K Case Manager and Adult Education Instructor, both Perkins Reserve funded.

B. Action Items

1. KanTRAIN Mobile Connections Center – Contract Agreement with KS Department of Commerce

Vice President for Administration and Treasurer, Jim Martin presented the item. It was moved by Regent Boles and seconded by Regent Wolgast to approve. Motion passed.

*** KanTRAIN Outreach Services**

It was moved by Regent McGivern and seconded by Regent Sneed to add the KanTRAIN Outreach Services to the agenda. Motion was approved.

Vice President for Administration and Treasurer, Jim Martin presented the item, indicating artwork, pictures and videos will be used to advertise and promote the program as it continues beyond the grant. He said it is important to work with other schools. It was moved by Regent Wolgast and seconded by Regent Sneed to approve. Motion passed.

2. Student Conduct Policy

Vice President for Student Life, Eric Grospitch presented the item, indicating what changes have occurred. It was moved by Regent Parks and seconded by Regent Hoferer to approve. Motion passed.

3. Indoor Driving Range Facility Lease Agreement

University Counsel Marc Fried presented the item. Fried said that the Board previously authorized the University to work with the Topeka Country Club to create an indoor driving range so that the golf team would have a place to practice year round. Fried noted some changes that had occurred in the project since the previous authorization, which included a ten year term with two automatically renewable ten year terms and that the Country Club will now own the building and grant the University a license to access the facility. The maximum outlay by the University will be \$410,000, and all comes from private donations through the Foundation. In response to a question, Fried said that the annual lease payment will be one dollar.

Regent Beck announces that he cannot participate in this item due to a potential conflict as a member of the club. Regents McGivern, Hoferer and Sneed also abstain for the same reasons. Motion by Regent Boles and second by Regent Van Etten to authorize the lease. Motion passes, noting the four abstentions.

4. Mobile Communication and Information Devices Policy

Vice President for Administration and Treasurer, Jim Martin presented the item. He said this is to address inefficiencies in uses of electronic devices to help reduce costs for the University. Regent Wolgast asked about guidelines and noted the concern about exactly how the phones are used. It was moved by Regent Hoferer and seconded by Regent Sneed to approve. Motion passed.

5. New Indoor Practice Facility

Board Chair McGivern stated that the Board was previously briefed on this issue and asked if any Board member had an interest in making a motion.

Regent Sneed then made a motion to approve the administration's recommendation with an amendment as then provided in writing to the other members of the Board [NOTE – the amendment is attached and reflected by the italicized language]. Regent Sneed stated that safeguards are in place to go along the process, and if the guidelines are not met along the process, the Board can revisit at that time. Regent Sneed also stated that he believed the project can be successful doing it this way. Motion seconded by Regent McGivern.

Regent Hoferer moved to further amend the motion to allow for extended discussion by the Board before approving the item.

Discussion then occurred amongst the Board members. The first issue raised was concern about Regent Sneed's amended proposal. The primary change was to have the administration move forward with the financing of the project upon the Foundation receiving \$5M in pledges towards the project. Some Regents supported the amendment because delays in the project would cause Washburn to be further behind other institutions that have such facilities for their athletes, which could create a disadvantage not only for our current athletes but also recruiting of future student athletes.

Other members raised concerns about proceeding directly to the financing upon reaching the \$5M pledge amount without first coming back to the Board. These concerns related to the amount of reserves that would be available for this project and for the law school project and also to the administration incurring debt without first coming back to the Board for approval.

The second issue raised related to the financing plan for the project. Reference was made to letters provided to the Board by both the Faculty Senate and the Washburn Student Government Association that stated their positions on the project, including the funding of the construction. (Letters are attached and made part of the minutes.) The letter from the Faculty Senate stated that this project should follow the pattern of

the law school and other construction projects and require pledges equaling 50% of the project cost before proceeding. Both the Administrations' plan and Regent Sneed's plan are for 25% of the total cost to be fundraised. Dr. Farley stated that the 50% pledge requirement was only for the law school project and had not been a requirement for other construction projects on campus.

A question was raised about language in paragraph two under the section "University Reserves" in the agenda item. Motion by Regent Sourk and seconded by Regent Boles to delete said paragraph two from the proposals. No further discussion being had on the motion, the motion passed.

Other issues raised were delays with the law school project that had frustrated donors and caused some to not contribute because a belief that the building would not be built. There were comments about about how athletic programs helped drive an increase in enrollment, not only at Washburn, but also at the other conference institutions.

Regent Hoferer withdrew his motion as sufficient discussion had occurred before the matter had been put to a vote. Regent Parks made a motion to approve the original motion. The Secretary advised that because the amended plan has a pending motion, the Chair cannot entertain a new motion until the pending motion is resolved.

Marshall Meek, President of the Washburn University Foundation, in response to questions, stated that he believed the \$5M pledge amount for the practice facility was a reasonable goal. He also updated the Board on fundraising for the law school, indicating pledges were about \$7.5M at that time.

A vote was then taken on Regent Sneed's amended proposal. Regents Sneed, McGivern, Boles and Sourk vote in favor. Regents Hoferer, Parks, Beck, Wolgast and Van Etten vote against. Amended plan fails. Regent Hoferer moved and Regent Parks seconded to approve moving forward on the Indoor Practice Facility as proposed by the administration. Motion passes.

Regent Wolgast asked for moment of privilege. This is his last meeting on the Board and he must leave for another meeting. He appreciates the relationship among the administration and the Board. The high point as Mayor for him was serving on the Board of Regents for Washburn University.

C. Information Item(s)

1. Pine Ridge Health Facility –

Regent McGivern invited Dr. Monica Scheibmeir, Dean of the School of Nursing to discuss Washburn's work at the Pine Ridge Health Facility. Dr. Scheibmeir introduced Dr. Shirley Dinkel, Professor in the School of Nursing to present the information to the Board.

D. Executive Session

It was moved by Regent McGivern and seconded by Regent Sneed to recess into executive session at 5:42 p.m. for personnel matters not relating to publicly elected officials and to resume in open session at 6:00 p.m. Motion passed. The Board recessed into executive session.

The Board reconvened in open session at 6:00 p.m. It was moved and seconded to adjourn. The meeting adjourned at 6:00 p.m.

/s/

Marc Fried
Secretary, Board of Regents

Temporary shortfalls in collections due to timing will be covered from other available sources. Donor gifts needed for construction are currently expected to be \$5 million.

- c) Financial market conditions must be favorable to issue bonds at the time the decision to go forward with construction is made by the Board. Bond financing needed for construction is currently expected to be no greater than \$10 million.
- d) *The University's financial and competitive profile plus the outlook for higher education, both nationally and locally, should be provided to the Board at the time of implementing Step 2.*

RECOMMENDATION: The Board of Regents directs the University to immediately commence with Step 1 of the Indoor Practice Facility project described above. Upon the completion of Step 1, the Board of Regents directs the University to immediately commence with Step 2 so long as Washburn University Foundation has received at least \$5 million of documented commitments. The Board of Regents approves moving forward for the design and building a \$20,202,000 or \$20,267,000 Indoor Practice Facility. This amount may be increased to include any additional enhancements to the project so long as those enhancements are funded through private sources.

Date

Jerry B. Farley, President



Faculty Senate

1700 SW College Ave.
Topeka, KS 66621
Phone: (785) 670-1010

December 12, 2017

Board of Regents
Washburn University
1700 SW College Avenue
Topeka, KS 66621

Regents,

Thank you for your continued commitment and service to the Vision and Mission of Washburn University. As faculty we share that commitment to “providing a superior student-centered, teaching-focused learning experience.” Your judicious leadership, exemplified through the decisions you make for our community of students, faculty, staff and region, is paramount in the fulfillment of that shared vision. You are tasked with maintaining fiscally sound and reasonable stewardship of the university resources, a task which we know that you take very seriously with both your heart and head.

The Washburn University faculty is a remarkable group of scholars who teach at Washburn University because of its focus on each and every student’s success. This includes our student athletes, who statistically perform better academically than students who are less engaged on campus. We support giving all of our students the resources that they need to find success in their collegiate endeavors. However, we also understand that financial resources are not unlimited and that difficult choices must be made by you, our Board of Regents.

We are writing you concerning agenda item V.B.5. New Indoor Practice Facility as distributed on the posted Meeting Agenda for December 13, 2017. We are not voicing opposition to the proposal, but would like to respectfully suggest three amendments. These amendments are meant to lower the expected impact on Shawnee County taxpayers, to ease the cost of reasonable tuition increases, and to maintain viable financial reserves.

- 1) Donor commitments for the project should be increased to at least 50% of projected total cost. This appears to be the minimum standard applied for other recent capital improvements.
- 2) The increase in donor commitment would allow a decrease in the estimated bond issue for the project. This will enable the university to adapt, change and grow in the future.
- 3) The increase in donor commitment would also decrease the amount of university reserves allocated to this project so that other capital projects and, if necessary, continued operating expenses can be addressed.

Furthermore, we are not voicing opposition to “Step 1” which begins the detailed design process as outlined in the agenda. Indeed, the creation and publication of a detailed design such as this may be a way to increase donor interest in this landscape-changing project. We simply do not think it is prudent to approve or undertake any additional steps in the process until additional donor commitments are in hand.

Respectfully submitted in service,

Shaun E. Schmidt, on behalf of the Executive Committee of Faculty Senate
Faculty Senate President



December 13, 2017

Dear Regents,

I am writing to you on behalf of Washburn Student Government Association (WSGA), to share with you some concerns the student body has expressed regarding the planned construction of the Indoor Practice Facility. These concerns are rooted in the overall cost, when there are other demonstrated needs on campus that could be partially or wholly addressed with similar funds. These include:

- Expanded personnel and resources for the following student services areas, but not limited to:
 - Counseling Services
 - Student Health
 - Student Activities & Greek Life
 - Equal Opportunity Office
- Further movement on the new Law School building
- Development of more usable space for students across campus (Ex: Expansion of Mabee Library)
- Becoming a model of best practice for accessibility, among colleges and university

Each of these concerns has been previously expressed to WSGA by students and faculty alike, and it is with our commitment to serve students that we continue to work toward solutions to these concerns. Students have also expressed a concern that the Indoor Practice Field will not be accessible to all Washburn students. While as students, we value creating a competitive atmosphere for our student athletes, these concerns are valid and we request they be addressed with equal urgency and dedication as the Indoor Practice Facility.

This perspective is submitted with the understanding that there are budgeting restrictions the University is obliged to follow. We encourage you to survey the student body to gain further insight into student feedback. We thank you in advance for considering our requests.

Sincerely,

A handwritten signature in blue ink that reads 'Alexis Simmons'. The signature is written in a cursive, flowing style.

Alexis Simmons, WSGA President

"Students serving students."