

Washburn University Board of Regents Meeting

Kansas Room, Memorial Union

Thursday, 12/5/2024

3:30 - 5:00 PM CT

I. Call to Order

II. Roll Call

Regent Buhler
Regent Dietrick
Regent Dicus
Regent Fisher
Regent Jeffrey
Regent Nave
Regent Padilla
Regent Romero
Regent Sourk

III. Officer Reports

A. Chair's Report

B. President's Report

1. Cybersecurity Report - John Haverty

Cyber Security Report - Page 4

IV. New Business

A. Consent Agenda

1. Approval of Minutes of the October 17, 2024 Meeting

October 17, 2024 Board of Regents Minutes - Page 16

2. Approval of Minutes of the November 19, 2024 Special Board Meeting

November 19, 2024 Board of Regents Minutes - Page 23

3. Liquidated Claims Approval - September 2024 - Luther Lee

Liquidated Claims - September - Page 24

4. Liquidated Claims Approval - October 2024 - Luther Lee

Liquidated Claims - October - Page 25

5. Faculty Staff Personnel Action - Luther Lee

Faculty Staff Personnel Action - Page 26

6. Inactivation of Programs - John Fritch

Inactivation of Tech Certificate Programs - Page 27

7. Barbri Bar Review Preparation Program - John Fritch

Barbri Contract - Page 28

8. Renewal and Extension of Topeka Neighborhood Revitalization Plan - Marc Fried

Renewal of Neighborhood Revitalization Plan - Page 29

9. Printing and Bulk Mail - Luther Lee

Printing and Bulk Mailing - Mainline Printing - Page 30

10. Cybersecurity Monitoring - Luther Lee

Cybersecurity Monitoring - Page 31

11. KTWU Tower Lighting - Luther Lee

KTWU Tower Lighting - Page 32

12. KTWU High Definition Video Server - Luther Lee

KTWU High Definition Video Server - Page 33

B. Action Items

1. Revision of Bylaws of the Board of Regents - Second Reading - Chair John Dietrick

Revision of the Bylaws - Second Reading - Page 34

First Restated Bylaws - Page 35

2. Board Committee Charters - Chair John Dietrick

Board Committee Charters - Page 46

3. Board Committee Assignments - Chair John Dietrick

Committee Appointments for Board of Regents - Page 51

4. Washburn University Policies, Regulations, and Procedures Manual - Section DD.

Academic Affairs - Cynthia Holthaus

WUPRPM Academic Affairs - New Policy - Page 52

5. Faculty Tenure Termination Procedure - Cynthia Holthaus

Tenure termination procedure - Page 58

Tenure Termination Procedure for Approval - Page 59

Faculty Termination Procedure #3 - Page 64

6. Faculty Senate Constitution Amendment - John Fritch

Faculty Senate Constitution - Page 74

**7. Washburn University Policies, Regulations, and Procedures Manual - Section E.
Benefits - Luther Lee**

WUPRPM - Section E. Benefits - Page 75

8. New Program - Medical Dosimetry, MS - John Fritch

Medical Dosimetry MS program - Page 77

Medical Dosimetry - Supplemental Information - Page 79

9. New Program - Middle Grades Math, BEd - John Fritch

New Middle Grades Math - Bachelor of Education - Page 80

10. New Program - Washburn Institute of Technology AAS Degrees - John Fritch

Washburn Institute of Technology Associate of Applied Science Degrees - Page 81

11. Bradbury Thompson Alumni Center Renovation - Luther Lee

Bradbury Thompson Alumni Center Renovation - Page 83

12. Henderson Renovation Project Update - Luther Lee

Henderson Renovation Project Plans and Final Budget - Page 84

13. Real Estate Purchase -Luther Lee - PLACEHOLDER

Real Estate Purchase PLACEHOLDER - Page 86

V. Next Meeting Date

A. Board of Regent Meeting - February 6, 2025

VI. Executive Session

VII. Adjournment



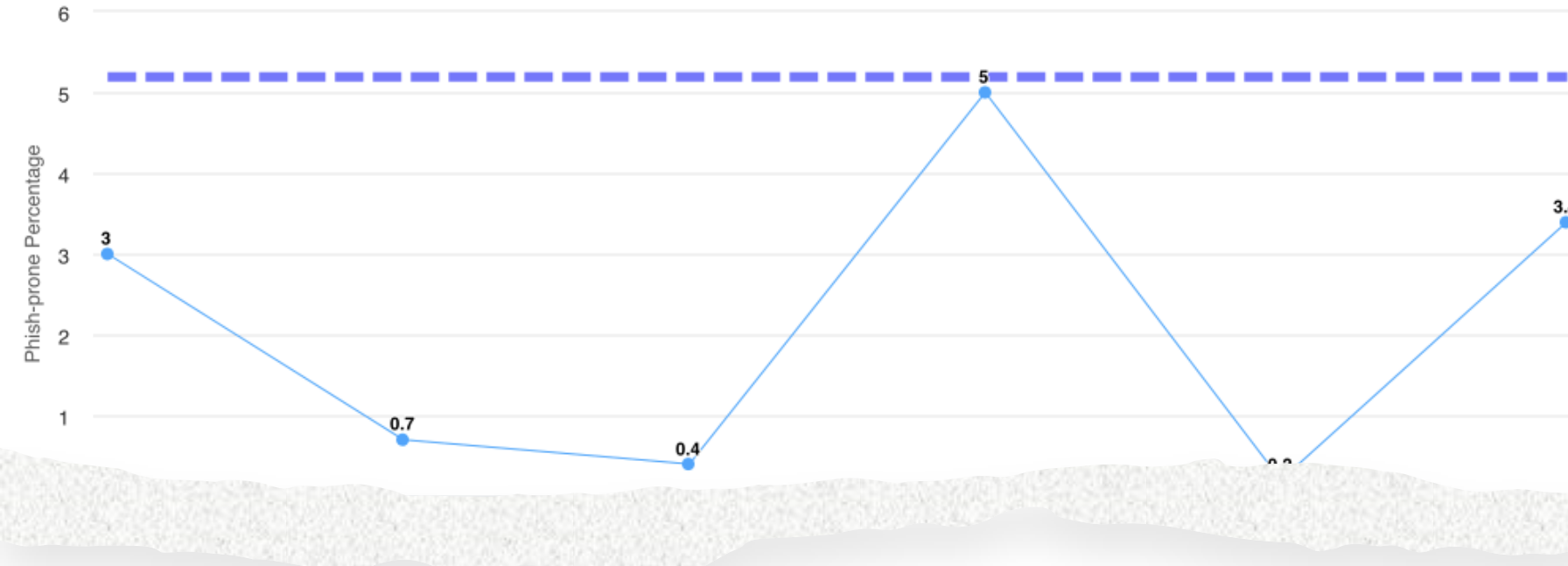
Washburn's CyberSecurity Program

Annual Update Dec 2025



Phish-prone Percentage By Group

This report displays the average Phish-prone Percentage of selected users.



Industry Benchmark Data ⓘ

Account Average Phish-prone %	4.2%
Last Campaign Phish-prone %	3.4%
Industry Phish-prone %	5.2%

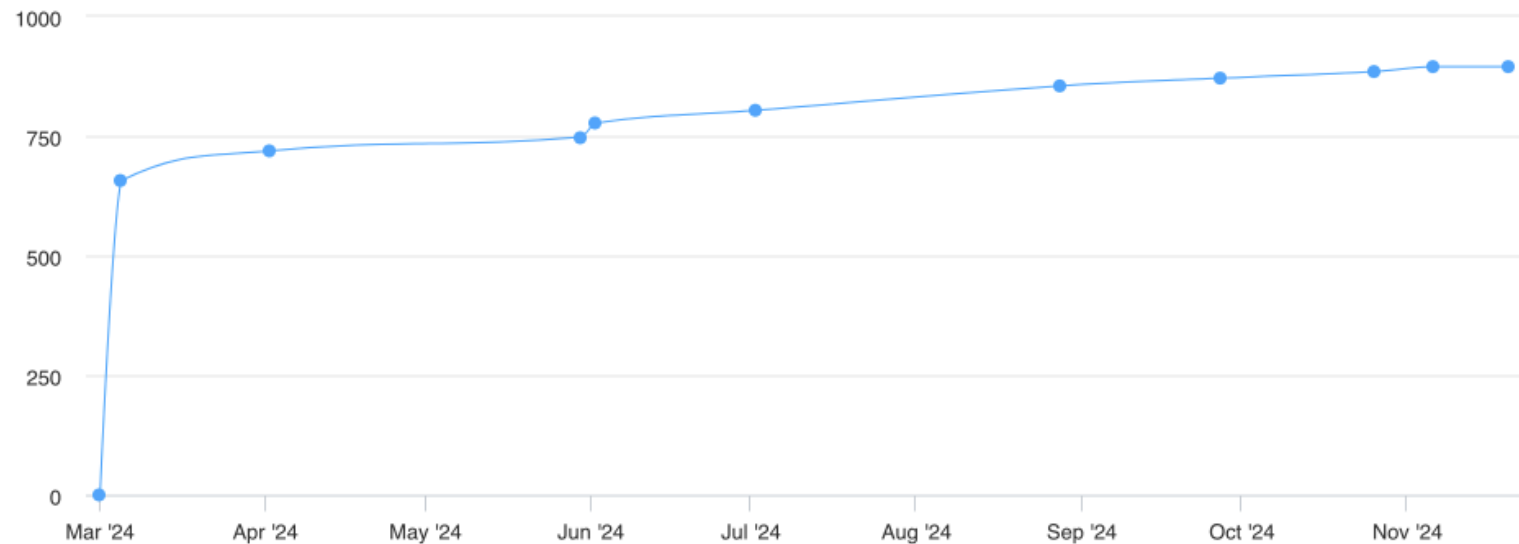
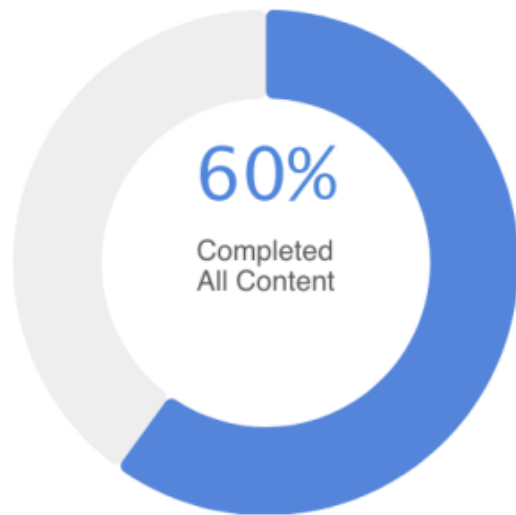
Industry Education ▾

Organization Size Medium (250-1) ▾

Program Maturity 1 Year ▾

Industry Benchmark

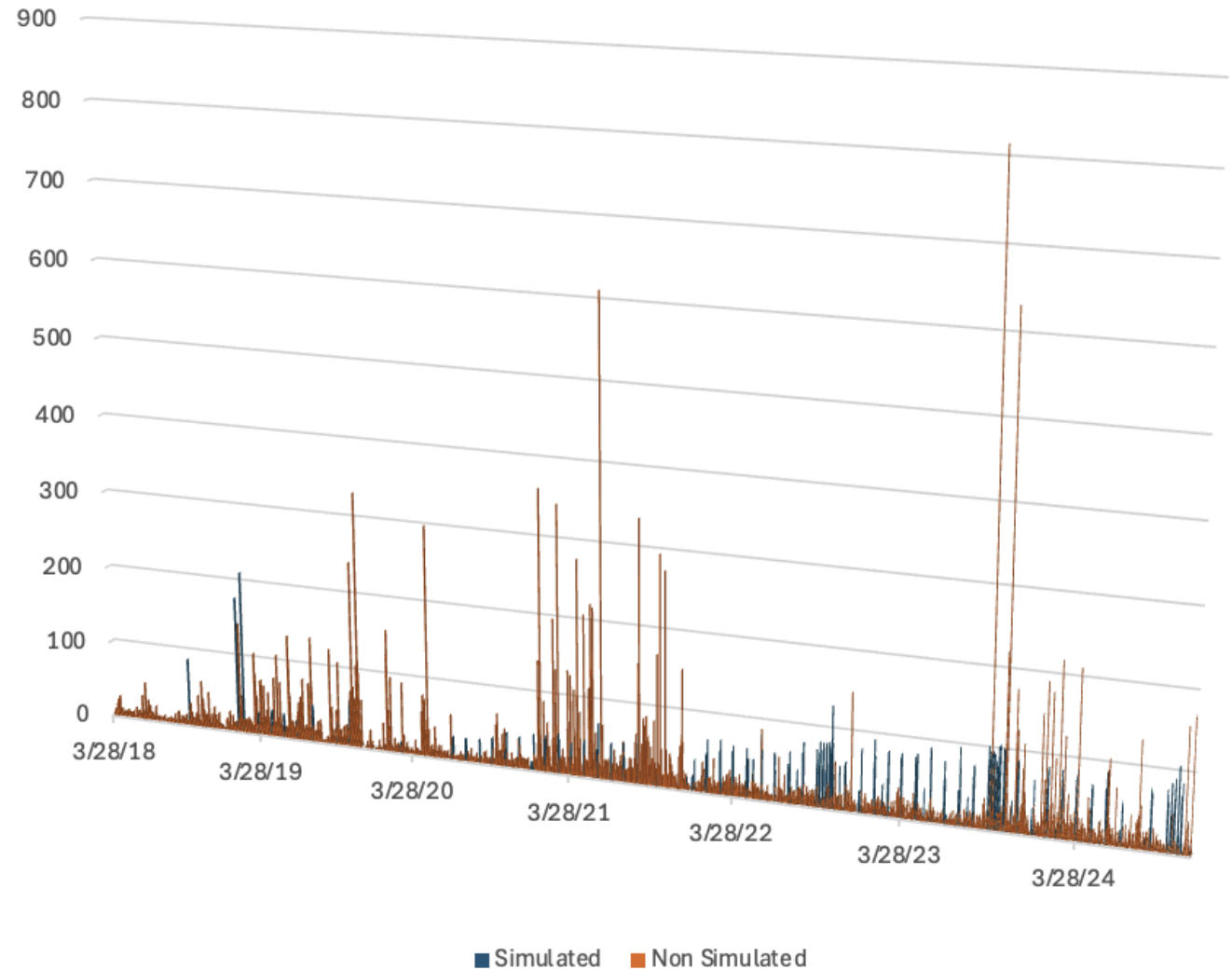
Information Security Program: Security Awareness Training – Compliance



Number of Faculty/Staff who have completed their assignments (out of 1,481 total)

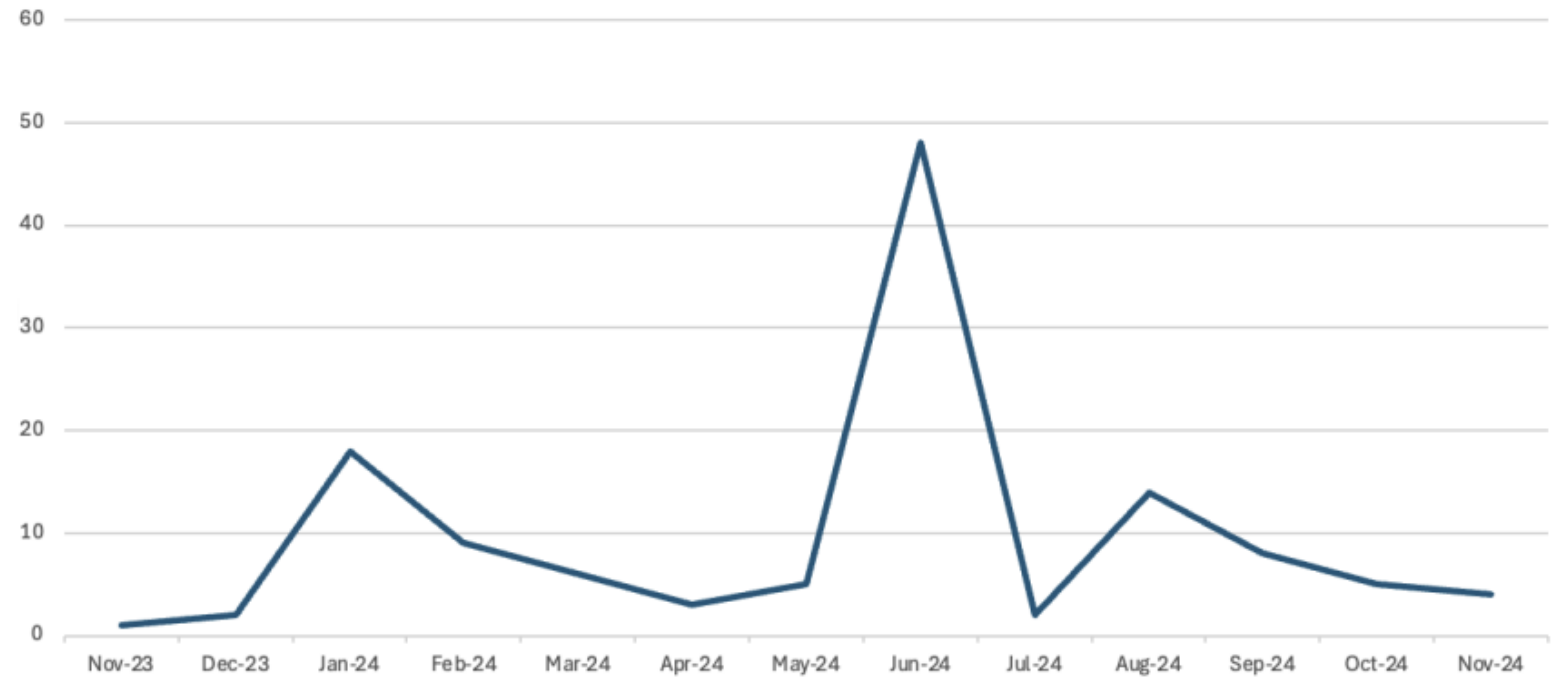
Information Security Program:
Security Awareness Training - Phish Alert Button

Phish Alert Button Usage



Information Security Program: Compromised Account Trending

Compromised Account Counts For the Last Year



Information Security Program: MFA Roadmap

All Faculty, staff, and students required to enroll in Duo within 30 days of account creation as of 10/25/2024

25 Oct. 2024

~~21 Nov. 2024~~

TouchNet access requires MFA as of ~~11/21/2024~~

- Students can use our Duo instance
- Parents can use TouchNet's MFA provider



Information Security Program: TableTop Exercises (TTX)

- Up Next: ITS Internal – Vendor Risk Scenario
- Goal
 - Improve current processes/policies/procedures
 - Find gaps

Service Provider Arrangements

- All procurement and renewals require Higher Education Community Vendor Assessment Toolkit (HECVAT) and security assessment overview
- PCI Compliance is ongoing

Risk Management: Vulnerability Management Program



Pentest Completed in August 2024

- Nothing critical found
- Mitigation and validation of findings underway



Monthly patching Cycle

Weekly Vulnerability Scanning
0-day response time

Security Events and How ITS Responded

Incidents

None monitored



Managed Detection and Response (MDR) Provider: Arctic Wolf

Recommendations for changes

FY25 Plans

- Managed Detection and Response (MDR): Arctic Wolf
- Security Information and Event Management (SIEM)/ Security Orchestration, Automation and Response (SOAR): Arctic Wolf
- Email/Cloud App Security and Data Leak Prevention (DLP)
- Cold or Hot Site For Disaster Recovery/Business Continuity

FY26 and on

- Network Security Monitoring (Zeek/Corelight/Sophos Network Detection and Response (NDR))
- Web Application Firewall (WAF)
- Managed Network Honeypots
- Security Awareness Training for Students

Staff Augmentation

- Help with administering/deploying/managing new initiatives
- Currently designing new security analyst position
- 2nd student worker position open



Questions?

WASHBURN.
UNIVERSITY

WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
October 17, 2024

I. Call to Order

Chairperson Dietrick called the meeting to order at 3:33 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

II. Roll Call

Present were:

Regent Buhler
Regent Dicus
Regent Dietrick
Regent Fisher
Regent Jeffrey
Regent Nave
Regent Padilla
Regent Romero
Regent Sourk – arrived at 3:38

The Board Chair announced that Action Item C.1 would be taken up at this time.

C.1. Eminentes Universitatis

Presented by Vice President Luther Lee. Mary Schumacher is currently the bursar. She began her career at Washburn in 2008 as an accountant before being promoted to Bursar in 2013. She has implemented several significant changes in Bursar's office to benefit current and former students. Schumacher's office took on additional duties during the pandemic to disburse COVID funds to students in an efficient and compliant manner. Ms. Schumacher is a graduate of Washburn and will retire on November 1.

Bob Stoller has served in many roles in the Information Technology Services for 44 years, the last as director of application services. Stoller joined Washburn as a programmer/analyst in 1980. Stoller helped move Washburn from punch cards to desktop computers and configured Washburn's first email system. Mr. Stoller will retire on November 29.

Motion by Regent Buhler and seconded by Regent Padilla to bestow status of Eminentes Universitatis to Mary Schumacher and Bob Stoller. Motion passed.

Regent Sourk arrives

III. Officer Reports

A. Chair's Report

Chair Dietrick advised the Board will be doing the first reading of the revised bylaws. Mr. Dietrick extended his thanks to the board working group and staff in working to get these completed. Chair Dietrick noted the bylaws were first written in 1941 and the last major revision was in 1982.

Mr. Dietrick stated he has been meeting with leaders of the university to better understand the processes of the university. He has met with Provost John Fritch, Vice President for Student Life Eric Grospitch, Associate Vice President for Student Life Teresa Clunch and President of Foundation Marshall Meek.

Chair Dietrick reminded everyone and the Regents that Homecoming is coming up and encourages everyone to attend the activities around that event.

B. President's Report

President Mazachek noted that many things have happened since last meeting. Washburn honored its Family of the Year, hosted Band Day, celebrated a gift to the Henderson Learning Center project and the Concannon Deanship, signed the wall at the new Recital Hall, celebrated 50 years of the School of Nursing and hosted the author of the iRead book this fall as well as other great speakers.

Dr. Mazachek announced for the second straight season Washburn men's tennis won the Fall ITA Cup Men's Doubles National Championship. Tim Hammes and Matthew Earle were the championship team. Last year, Hammes and Santiago Rendon won Washburn's first ever ITA Cup trophy.

President Mazachek announced enrollment showed a record freshman class for the second year in a row. Washburn Tech was also up, and Washburn had largest increase of any four year public institution in Kansas. Dr. Mazachek stated while this is great news, there is more to be done.

President Mazachek said she has been doing town hall meetings with employees at both the Washburn and Washburn Tech campus regarding the survey results with Great Colleges to Work For. Dr. Mazachek stated that she also presented information regarding the campus master plan and discussed the budgeting process.

President Mazachek noted that Washburn has hosted several community engagement events. Dr. Mazachek said Washburn hosted women in science day this week, and over 220 women were on campus to participate in activities with our faculty.

President Mazachek advised this allows young women to experience science as a possible pathway.

Dr. Mazachek stated other events included an open house at Washburn Tech and health professions day.

President Mazachek noted that earlier today the School of Business hosted their annual pitch contest. Over one hundred individuals/groups were competing. Dr. Mazachek advised that the winner will go to California with members of the Greater Topeka Partnership to participate in a larger pitch competition.

President Mazachek reiterated what Chair Dietrick said about Homecoming and please participate in any events you are able. Dr. Mazachek noted November 1 will be a celebration led by the Foundation.

President Mazachek informed the Board following up on the property insurance discussion from the last board meeting there were no bidders lower than anticipated.

C. Committee Report(s)

1. Audit Committee

Committee Chair Romero reported the committee received information about the audit at this stage. Mr. Romero invited Kaleb Lilly, from the auditing firm of RubinBrown to report.

Mr. Lilly informed the board the audit is nearly complete. He anticipates issuing a clean, unmodified opinion. If something is found in the remaining few tests to be performed, he would notify the Board, but that is not anticipated. Mr. Lilly stated his team received great cooperation from staff. Mr. Lilly concluded his comments by noting that he works with a number of higher education institutions, and Washburn is in very good financial position compared to most others in the region.

Chair Romero said he anticipates bringing the final report to the Board at the December board meeting.

Chair Dietrick introduced new board member Linda Jeffrey as she is attending her first Board meeting.

IV. New Business

A. Consent Agenda

Motion by Regent Romero and seconded by Regent Sourk to approve the consent agenda. Motion passed.

- 1. Approval of the Minutes of the September 12, 2024 meeting**
- 2. Liquidated Claims Approval – July, 2024**
- 3. Liquidated Claims Approval – August, 2024**

B. First Reading

1. Revision of ByLaws of the Board of Regents (First Reading)

President Mazachek presented the item and stated there was a working group of four members of the board and staff putting the revisions together. Dr. Mazachek noted they are being presented as restated bylaws because significantly rewriting the existing bylaws to reflect best practices for boards. President Mazachek advised the total pages is going from 27 pages to 11 pages, and said one of the changes is that the current bylaws contained policy language that should not be in bylaws.

Chair Dietrick thanked the staff for their work done on the revisions.

C. Action Items

2. Health Plan Renewal

Vice-President for Administration and Treasurer Luther Lee presented the item. Mr. Lee first thanked members of the Human Resources staff Watko BenefitGroup, Washburn's consultant for this process, for their work. Mr. Lee introduced Greg Watkins, CEO of Watko, to discuss some prescription initiatives of Blue Cross Blue Shield of Kansas, who is the administrator of our self-funded healthcare plan.

Mr. Watkins stated his work is to ensure that the benefits provided by employer are competitive with others in the market. Watkins advised costs are up and many employers are facing double-digit increases in costs this year, mostly due to the increased cost in pharmaceuticals. Mr. Watkins said the first initiative would begin January 1, 2025. Participation in this initiative is voluntary and provides a pharmacy benefit manager to work with the participant's doctor to see if an effective but less expensive medication is available. The purpose of the first initiative is to give participants time to work with their physicians to identify alternative medications before the new formulary plan goes into effect. The second initiative, which would begin January 1, 2026, would be a change to the prescription formulary plan.

Brent Krenzin from Blue Cross stated the reason to go to the closed formulary in 2026 is that research shows there are acceptable alternatives that would save costs, but the closed formulary would restrict certain meds from being available.

The delay to 2026 will allow Blue Cross to identify and work with participants whose treatments would be most disrupted to get them set up before 2026.

Vice President Lee presented on costs of healthcare plan. Mr. Lee stated the fund for the plan is trending down since Fiscal Year 2021, and the expected months of claims covered by the plan is down from 16.6 in 2020 to 9.7 in 2025.

In response to a question about best practice for number of months in reserve, Mr. Lee stated generally 3 to 6 months is considered the best practice, but Washburn prefers to have 8 months.

Dr. Mazachek stated Washburn looks to avoid a huge increase in one year, so the university will not have to have a 10 or 20 percent increase in one year for our employees.

Vice President Lee discussed the increase in premiums, which would be going from \$0 to \$5 for tier 1 employees for employee only coverage and from \$0 - \$10 for tier 2 employees only coverage.

Mr. Watkins addressed the issue of benchmarking of premium costs, noting that Washburn's contribution schedule for single coverage is much stronger than the market in general. Watkins added In Topeka, most larger companies charge \$100 for single coverage.

Recommendation for renewal for one year with the new rates.

Motion by Regent Nave and seconded by Regent Romero to renew the University Health Plan for one year with the new premium rates. Motion passed.

3. Campus Master Plan

President Mazachek presented the item and thanked HTK and Eric Just, Assistant Vice President Facilities Services. Dr. Mazachek advised the board this master plan is the guide for how to best use the campus in the future based on what we know today. Circumstances may change that would effect this plan in the future. President Mazachek noted the plan was previously presented at the Board retreat. Based on feedback from the Board and other stakeholders, this plan will have some tweaks from what was presented in August. Dr. Mazachek reminded the Board the campus master plan is a flexible plan in that every project shown will be brought forward to the Board for approval so the board will be able to use the best information at that time to determine if the project should be approved.

President Mazachek advised projects are in two categories – The Next Five Years and Beyond Five Years. Dr. Mazachek informed the Board financing has been defined and some projects in the Next Five Years category are already under way, such as phase 1 of Plass, the second floor of Washburn Tech East, and the Recital

Hall. Other spaces in this category are Lee Arena, Henderson Learning Center, a manufacturing center at Washburn Tech, Mabee, Falley Field, Facilities, and Stoffer Hall. President Mazachek noted Washburn will do a housing study this year to determine how to best serve students which could include adding housing.

President Mazachek then discussed the Beyond Five Years projects. She noted that these are projects being considered but could change. Dr. Mazachek pointed out the biggest project is the health services institute to bring classes from Washburn Tech, School of Applied Studies and School of Nursing to one place to help multi-disciplinary teams and processes to best prepare our students. Other potential projects listed include phase 2 of Plass, athletic spaces, Garvey Fine Arts, and Memorial Union.

Motion by Regent Jeffrey and seconded by Regent Sourk. Motion passed.

4. Morgan Hall 1st Floor Enhancements

Vice President Lee presented the item. Mr. Lee said this project is to enhance and reorganize spaces for recruiting, financial aid and admissions. Bids were sought and eight bids were received. Vice President Lee stated funding is available through the previously approved capital projects budget, and approval is sought for the project with a cost of 614,750.

Motion by Regent Buhler and seconded by Regent Dicus. Motion passed.

5. Benton Demolition

Vice President Lee presented the item and informed the Board Washburn received state funds to address deferred maintenance. Benton Hall is targeted for demolition by the end of the Spring 2025 semester and restore the area to green space and student focused entertainment area.

Motion by Regent Dicus and seconded by Regent Fisher. Motion passed.

6. Henderson Renovation – Architect Change Order

Vice President Lee presented the item and reminded the Board they approved moving forward for fundraising and design of Henderson Learning Center, with a budget of \$35 million, at the September 14, 2023, Board meeting. Mr. Lee advised Washburn previously hired an architect and a construction manager at risk, and in March, the project cost increased to \$40 million based on changes. Vice President Lee stated the increase in the project increased costs for the construction manager at risk and funding for the increased costs will come from the budget for the Henderson renovation project.

Motion by Regent Padilla and seconded by Regent Romero. Motion passed.

7. Snow Removal

Vice President Lee presented the item and said Washburn historically used outside vendors to address clearing of snow on campus. Washburn sought interest from several local contractors who perform this type of work. Only one firm could meet our needs of staff and timely response. Mr. Lee informed the Board this expense will be funded from the operating budget.

Motion by Regent Jeffrey and seconded by Regent Romero. Motion passed.

D. Financial Update

Vice President Lee gave a financial update to the board as a follow up to the audit. Mr. Lee thanked his staff, including Rhonda Thornburg, Alex Deters and Debbie White for their hard work.

V. Next Meeting Date

A. Board of Regents Meeting – December 5, 2024

VI. Adjournment

Regent Romero moved the meeting to be adjourned and was seconded by Regent Nave. The meeting adjourned at 5:09 p.m.

Marc Fried
Secretary, Board of Regents

**WASHBURN UNIVERSITY
BOARD OF REGENTS
SPECIAL MEETING
November 19, 2024**

I. Call to Order

Chair Dietrick called the meeting to order at 2:00 p.m. in the conference room in the President's office on the Washburn University Campus.

II. Roll Call

Regent Dietrick
Regent Jeffrey
Regent Nave
Regent Dicus
Regent Fisher
Regent Sourk
Regent Buhler
Regent Padilla

III. Executive Session

Motion by Regent Dietrick to go into executive session for 15 minutes for the preliminary discussion of the acquisition for real property. The subject of this executive session will be to discuss possible acquisition of real property to support existing and/or new academic programs. The open meeting shall resume at 2:20 p.m. in this same room. Regent Buhler second. Motion passes.

Enter executive session at 2:05pm.

IV. Open Session Resumes

Open session resumes at 2:20.

Motion by Regent Dietrick and seconded by Regent Nave to authorize President Mazachek to continue negotiations and enter into an agreement for the acquisition of real property, subject to ratification by the Board at the first scheduled board meeting after the agreement is signed. Motion passes.

V. Adjournment

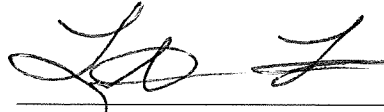
Chair adjourned the meeting at 2:21.

Washburn University Board of Regents

SUBJECT: Liquidated Claims Approval –September 2024

DESCRIPTION: Listed below is a summary by fund of all claims processed during the month of September 2024.

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.



Luther Lee, Vice President for Administration & Treasurer

WASHBURN UNIVERSITY		Total Claims
Fund #	Fund Name	
1.	General Fund	\$3,861,985
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	1,146,160
4.	Endowment Fund	-0-
5.	Student Loan Fund	-0-
7.	Tort Claim Fund	-0-
8.	Restricted and Agency Fund	431,849
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	36,3940
	Sub-Total	5,476,388
	Payroll	3,685,288
	Payroll Withholding ACH Transactions	2,226,439
	Total	\$11,388,115

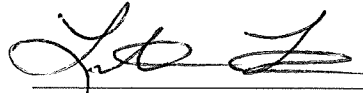
WASHBURN INSTITUTE OF TECHNOLOGY		
1.	General Fund	\$272,347
3.	Building and Construction Fund	46,333
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	11,011
13.	Government and Research Fund	15,192
	Sub-Total	344,883
	Payroll	437,325
	Payroll Withholding ACH Transactions	149,827
	Total	\$932,035

Washburn University Board of Regents

SUBJECT: Liquidated Claims Approval –October 2024

DESCRIPTION: Listed below is a summary by fund of all claims processed during the month of October 2024.

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.



Luther Lee, Vice President for Administration & Treasurer

WASHBURN UNIVERSITY		
Fund #	Fund Name	Total Claims
1.	General Fund	\$3,117,103
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	4,016,531
4.	Endowment Fund	-0-
5.	Student Loan Fund	1,000
7.	Tort Claim Fund	-0-
8.	Restricted and Agency Fund	657,960
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	107,733
	Sub-Total	7,900,327
	Payroll	3,648,822
	Payroll Withholding and ACH Transactions	2,063,027
	Total	\$13,612,176

WASHBURN INSTITUTE OF TECHNOLOGY		
1.	General Fund	\$433,738
3.	Building and Construction Fund	589,626
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	100,264
13.	Government and Research Fund	5,698
	Sub-Total	1,129,326
	Payroll	466,319
	Payroll Withholding and ACH Transactions	156,906
	Total	\$1,752,551

Washburn University Board of Regents

SUBJECT: Faculty/Staff Personnel Actions

DESCRIPTION:

The following routine adjustments to specific salary lines must either be reported to the Board or approved by the Board.

Name	Position	Change	Financial Implications	Comments	Action
Provorse, David	Associate Professor, Psychology #000949	Phased Retirement for 1 year beginning August 1, 2025	None	Will work at 50% for AY26	Request Approval

RECOMMENDATION:

President Mazachek recommends approval of this personnel action.

Washburn University Board of Regents

SUBJECT: Inactivation of Three Washburn Tech Certificate Programs

DESCRIPTION:

Washburn Tech is proposing the inactivation of three certificate programs:

- Heavy Diesel Construction Technology

Washburn Tech is no longer offering the Heavy Diesel Construction Technology certificate program. Instead, this certificate has been combined with the Diesel Technology certificate program (CIP 47.0613), and all relevant courses have been incorporated into Diesel Technology. The Diesel Technology certificate is a KBOR-aligned program that leads to careers as a Medium/Heavy Vehicle and Truck Technology/Technician.

- Legal Office Professional

This program has not been offered since 2021-2022 due to lack of enrollment and placement. The curriculum included a substantial overlap with the Business, Bookkeeping & Accounting Certificate that is currently offered.

- Medical Office Professional

This program has not been offered since 2021-2022 due to lack of enrollment and placement. The curriculum included a substantial overlap with the Business, Bookkeeping & Accounting Certificate that is currently offered.

FINANCIAL IMPLICATIONS:

No additional costs are anticipated.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the inactivation of the three Washburn Tech certificate programs.

Washburn University Board of Regents

SUBJECT: Bar Review Prep

DESCRIPTION:

In December 2022, the Board of Regents approved a multi-year agreement with Barbri for \$532,560 to facilitate Bar Exam test preparation and study aids. This request is for funds to cover the additional needs of this product due to increased enrollment. This increase will be for two and a half years. The request is for an additional \$700,000.

FINANCIAL IMPLICATIONS:

There are no financial implications for the University. The Barbri contract is paid for by fees assessed to all School of Law students each semester.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve an additional \$700,000.00 to the existing Barbri purchase agreement.

Washburn University Board of Regents

SUBJECT: Renewal and Extension of Topeka Neighborhood Revitalization Plan

DESCRIPTION:

The Topeka City Council adopted the attached draft of the 2025 - 2027 Neighborhood Revitalization Plan on October 15, 2024, to take effect January 1, 2025, as the previous reauthorization which will expire December 31, 2024. The Neighborhood Revitalization Plan (NRP) will be effective for three years through December 31, 2027. The Topeka City Council is requesting all other taxing entities be presented the plan for adoption.

This NRP encourages the revitalization of designated inner urban areas within the city by means of property tax rebate incentives. The area designated for the next three years includes the areas under the previous renewal and extension of the authorization (generally the central Topeka core) including areas immediately adjacent to the campus on the east, southeast and northeast.

As the Washburn University campus is adjacent to the west boundary of the primary target area, Washburn can expect to enjoy the direct benefit of an improved neighborhood. At the September 12, 2024, Board meeting, Dan Warner, Director of the City of Topeka Planning Division, explained the reauthorization of this plan.

FINANCIAL IMPLICATIONS:

Reauthorization of the Neighborhood Revitalization Plan allows for property tax incentives (rebates) on improvements to qualifying properties of up to 95% for five years (10 years if they meet historic landmarks criteria). The city and county would split the remaining 5% to administer the plan. In essence, by adopting this plan, Washburn is agreeing to forego indeterminate increases on improvements to some properties for five years (10 years if they meet historic landmarks criteria). From a practical standpoint, this has little financial impact on the University as those taxes are not being collected now. This is a modification of a plan previously approved by the Washburn University Board of Regents December 9, 2021.

RECOMMENDATION:

As a positive effort to improve neighborhoods near the campus and elsewhere in the city, President Mazachek recommends remaining a signatory of the interlocal agreement reauthorizing and extending the Neighborhood Revitalization Plan.

Washburn University Board of Regents

SUBJECT: Printing and Bulk Mail – Mainline Printing

DESCRIPTION:

Mainline Printing provides recruiting materials to the University, including brochures, posters, flyers, postcards, letters and other items. In addition, The University utilizes Mainlines bulk mail services to send these materials to prospective students and their parents and other relevant stakeholders. The University will be printing a wide range of new materials during the next several months as part of the rebranding project. A valued Topeka vendor that has supplied recruitment materials to Enrollment Management (EM) for several years, Mainline also provides the EM Marketing and Communications department with storage space at its warehouse at no cost to Washburn.

FINANCIAL IMPLICATIONS:

The projected cost of printing current and new materials for the rebrand and mailing collateral is \$150,000. Funds are available in the EM Marketing budget to cover these costs.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the payment of \$150,000 to Mainline Printing.

Washburn University Board of Regents

SUBJECT: Cybersecurity Monitoring

DESCRIPTION:

Cybersecurity threats occur throughout the day and night with attempts to access Washburn University servers and accounts. While we monitor and address compromised accounts known to us, there are other attempts to access accounts and servers that we might not detect the day it occurs. Working with Kansas Board of Regents, Fort Hays State, Pittsburg State University, and Emporia State University, we were able to work together to lock in pricing consistent across all organizations.

The cybersecurity solution from Artic Wolf will enhance our organization's cybersecurity posture. This investment will significantly strengthen our ability to detect, respond, and prevent cyber threats. Artic Wolf's comprehensive security platform offers a range of advanced capabilities including:

- **Threat Detection and Response:** Proactive identification and rapid response to cyber threats.
- **Security Operations Center (SOC)/Managed Detection and Response (MDR):** 24/7 monitoring and incident management.
- **Vulnerability Management:** Identification and remediation of security vulnerabilities.
- **Endpoint Detection and Response (EDR):** Advanced threat protection for endpoints.
- **Security Incident and Event Management (SIEM):** centralized, searchable logging with no bandwidth cap.

FINANCIAL IMPLICATIONS:

The entire expenditure will be funded from an appropriation from the Kansas Board of Regents specifically for cybersecurity needs. Pricing is based upon a previously bid E&I state contract with CDW-G.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the order for Artic Wolf for \$192,065 from CDW-G.

Washburn University Board of Regents

SUBJECT: KTWU Tower Light Replacement

DESCRIPTION:

This is a bid proposal by Hayden Tower Company, LLC to supply a Flash Technology replacement high intensity tower lighting system that meets all FAA and FCC regulations for the KTWU tower at 301 SW Wanamaker Road, and installation will meet all applicable State and Federal electrical codes.

Washburn issued an RFP including technical specifications from KTWU management. Bids were received from 3 vendors, SPX, United Towers and Hayden Tower Company, LLC and were evaluated by University Purchasing, Administrative and KTWU staff. Based upon a variety of factors including cost, the committee selected Hayden Tower Company, LLC., Topeka, Kansas.

FINANCIAL IMPLICATIONS:

This is an ARPA Grant funded project, so the entire project cost will be paid for by the KPBB (Kansas Public Broadcasting) Grant, an ARPA funded grant provided by the Kansas Department of Commerce.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the replacement of the KTWU tower lighting system at a total cost of \$262,171.26 and award the bid to Hayden Tower Company, LLC, located in Topeka, Kansas.

Washburn University Board of Regents

SUBJECT: KTWU High Definition Video Server

DESCRIPTION:

KTWU is requesting approval for the purchase of a new NVerzion High Definition Video Server. This video server would replace our existing video server, which is now 15-20 years old and is at risk of failure. Our existing server is unable to streamline conversion of content for on-air broadcast, including importing local content from our own production department, independent productions, and from our public broadcasting partners in Kansas and across the nation. We are proposing to purchase a High Definition Video Server from NVerzion, located in Salt Lake City, UT, at a cost of \$104,360.00. KTWU has an approved sole source application for this purchase, as NVerzion is compatible with the KTWU video router, traffic software, and NVerzion Master Control automation software.

FINANCIAL IMPLICATIONS:

This is an ARPA-funded purchase through the KPB (Kansas Public Broadcasting) grant provided by the Kansas Department of Commerce.

RECOMMENDATION:

KTWU recommends the Board of Regents approve the purchase of the NVerzion High Definition Video Server at a total cost of \$104,360.00.

Washburn University Board of Regents

SUBJECT: Revision of Bylaws of the Board of Regents - Second Reading

DESCRIPTION:

The Bylaws of the Board of Regents of Washburn University of Topeka serve as the governing document for the Board. First adopted in 1941, there have been few amendments with the last substantive revision in 1982. After a review of other university board bylaws and informed by research from the Association of Governing Boards of Colleges and Universities on best practices for modern board governance, the Board recognized the need to revise the current Bylaws

After the Board's governance discussion at its retreat in July, the Chair and President formed a Board governance working group comprised of four Board members, the President, and two staff. The working group was charged with reviewing the Bylaws and any related governing documents and drafting language for revised Bylaws, Policies, and any other supporting governance documents deemed necessary. The working group met several times to review draft language and presented recommended draft language to the entire Board for discussion at a work session in October. Upon review of the proposed changes and the significance of the changes to both the language and format of the document, the Board determined the revision be stated as the "First Restated Bylaws of the Board of Regents."

The current Bylaws contain important language about academic affairs more appropriate for a policy document. Washburn has developed new policies addressing these topics for the Washburn University Policy, Regulation, and Procedure Manual, which are before the Board for approval at this meeting.

The proposed First Restated Bylaws are attached to this item. Washburn's current Bylaws require two readings for any Bylaw revisions. The first reading of the "First Restated Bylaws of the Board of Regents" was at the October 17, 2024 meeting and the Board has not received suggested changes since that meeting. This meeting serves as the second reading and thus requires a vote for approval of the revised Bylaws, which are attached.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the "First Restated Bylaws of the Board of Regents," effective upon approval.

FIRST RESTATED BYLAWS
of the
BOARD OF REGENTS
of
WASHBURN UNIVERSITY OF TOPEKA

Originally adopted June 4, 1941, and revised and restated xxxx, 2024.

ARTICLE I. BOARD OF REGENTS

SECTION 1. POWERS.

The Board of Regents (“**Board**”) is vested with the authority to govern Washburn University of Topeka (“**Washburn**” or “**University**” or “**Washburn University**”) to carry out its mission and to set policy in accordance with the laws of the State of Kansas, more specifically Article 6, Section 2 of the Constitution of the State of Kansas and Chapter 13, Article 13a of the Kansas Statutes Annotated, as amended (“**K.S.A.**”).

SECTION 2. NUMBER OF BOARD MEMBERS.

As prescribed by the laws of the State of Kansas, the Board shall consist of nine Regents, appointed as follows: a) Three members appointed by the Mayor of the City of Topeka with approval by the Topeka City Council; b) Three members appointed by the Governor of the State of Kansas; c) One member shall be appointed by the Board of County Commissioners of Shawnee County; d) One member shall be the Mayor of the City of Topeka or a member of the Topeka City Council who is selected by the Mayor; and e) One member shall be a member of the Kansas Board of Regents as selected by the Kansas Board of Regents at its regular meeting in September. (K.S.A. 13-13a04) Additionally, the President shall serve as an ex-officio, non-voting member of the Board.

SECTION 3. TERM.

All members of the Board shall serve a term of four years (unless appointed to fill an unexpired term) and until a successor has been appointed and qualified, except for the Regent appointed by the Kansas Board of Regents, who shall serve a one-year term. (K.S.A. 13-13a05(a), (b) and 13-13a04(b)(5))

SECTION 4. RESIGNATION.

Any member of the Board may resign by submitting written notice to the Board Chair. The Board Chair shall report any such vacancy to the authority that appointed the member whose position is vacant. (K.S.A.13-13a04(b)(5))

SECTION 5. VACANCIES.

Vacancies shall be filled by the authority who appointed the member whose position is vacant by the appointment of a successor to complete the unexpired term and until a successor is appointed and qualified. (K.S.A.13-13a04(b)(5))

SECTION 6. EXPECTATION OF PARTICIPATION.

The Board shall establish a policy setting specific expectations for participation of individual Board members at Board and committee meetings, to be shared with the appointing authorities. Such a policy may include but is not limited to attendance at Board and committee meetings, fulfilling fiduciary duties, or behaving ethically. If a Board member fails to meet the expectations of the policy, the Board may vote to censure the Board member and/or provide notification to that Board member's appointing authority that the Board member is not meeting expectations as set forth in policy.

ARTICLE II. MEETINGS

SECTION 1. OPEN MEETINGS ACT.

All meetings will be held in strict compliance with the Kansas Open Meetings Act. (K.S.A. 75-4318)

SECTION 2. REGULAR MEETINGS.

Regular meetings, including the Annual Meeting, shall be held on the dates, hour, and place as determined by the Board. A schedule for all regular meetings for the fiscal year shall be established at the Annual Meeting of the previous fiscal year.

SECTION 3. ANNUAL MEETING.

Unless otherwise determined by the Board, the Annual Meeting of the Board shall normally be held at the last regularly scheduled Board meeting of each fiscal year in Topeka, Kansas.

The purpose of the Annual Meeting shall be to elect officers, set the meeting schedule for the following fiscal year and to conduct other such business as may properly come before the meeting.

SECTION 4. SPECIAL MEETINGS.

Special meetings may be called at any time by the Secretary at the request of the Board Chair, of three members of the Board, or of the President.

SECTION 5. PLACE OF MEETING.

Generally, meetings of the Board shall be in-person on one of the Washburn campuses, unless otherwise stated in the notice. The Board Chair, in consultation with the President, is authorized to direct that a meeting shall be conducted electronically, either by telephone or internet meeting services, instead of in-person. If the Board Chair elects to do so, the decision should be made as far in advance as possible from the scheduled meeting date to ensure the appropriate arrangements can be made by the administration. Any electronic meetings shall meet the conditions set out in **Section 8** below. Additionally, any Board member who is not able to attend a meeting in person may attend electronically with advance notice to the Secretary.

SECTION 6. NOTICE OF MEETINGS.

The Secretary to the Board shall transmit or cause to be transmitted to each member of the Board notice of all regular meetings of the Board at least five days prior to the meeting.

Notice of a special meeting, called as provided in **Section 4** above, shall be provided to each member of the Board in the same manner as regular meetings at least three days prior to the meeting, or as far in advance as practicable if less than three days.

SECTION 7. QUORUM.

A majority of the Board members duly appointed and qualified at any time and present shall constitute a quorum for purposes of conducting business of the University. (K.S.A.13-13a08(b)) If less than a quorum is present at any meeting, the Board members present may adjourn the meeting until a quorum is present.

SECTION 8. ELECTRONIC MEETINGS

Any meeting held by electronic means or any meeting in which one or more members of the Board attend by electronic means, attendance at such meetings shall be by telephone or internet services that allows all people participating in the meeting to hear each other simultaneously. Voice voting shall be allowed at such meetings. Participation by such platform shall be equivalent to presence in person at the meeting.

SECTION 9. EXECUTIVE SESSION.

Subject to the requirements of state law, the Board may conduct closed or executive sessions to discuss certain topics. No voting or other binding action may be taken by the Board at any such executive or closed session. (K.S.A.75-4319)

SECTION 10. RULES OF ORDER.

General parliamentary rules, as prescribed in the latest edition of Robert's Rules of Order, as modified by the rules and regulations of the Board or by these Bylaws, shall be observed in conducting meetings of the Board.

ARTICLE III. BOARD OFFICERS

SECTION 1. OFFICERS OF THE BOARD.

The officers of the Board shall be the Chair and the Vice-chair. The Board may establish additional officers of the Board as it deems necessary. All officers of the Board shall be regular Board members and serve at the pleasure of the Board.

SECTION 2. CHAIR.

The Chair of the Board shall preside at the meetings of the Board, shall have the right to vote on all questions, serve as spokesperson for the Board, and shall perform the other duties ordinarily performed by that officer. The Chair may be consulted in exceptional circumstances and asked for support by Administration to take action on such matters prior to the next scheduled Board meeting. If the Chair supports such action, the action is still subject to ratification by the full Board at the next scheduled Board meeting.

SECTION 3. VICE-CHAIR.

The Vice-chair of the Board, in the absence or disability of the Chair, shall perform all duties of the Chair of the Board. The Vice-chair shall have other duties as may be assigned by the Board or Chair from time to time. In the absence or disability of both the Chair and the Vice-chair for any meeting, the Board shall elect a Chair pro tempore at the beginning of that meeting who shall perform the duties of the Chair of the Board during the meeting.

SECTION 4. ELECTION AND TERMS.

At its annual meeting, the Board shall elect the officers of the Board to serve for one year beginning the first day of July following the annual meeting. Any officer whose term has ended shall serve until a new appointment is made. The Chair may not serve as Chair for more than two consecutive years, unless extenuating circumstances exist that justify extending the Chair's service beyond two consecutive years, as determined by the Board. The Vice-chair may be re-elected to unlimited number of consecutive years.

SECTION 5. SPECIAL ELECTIONS.

In the event of a failure for any reason to elect either or both Board officers at the annual meeting, or in case a vacancy shall occur in either of said offices for any reason, then an election may be held at any regular or special meeting, with notice of such election having been given in the notice of the call of the meeting.

SECTION 6. RESIGNATION OF BOARD OFFICERS.

Any Board officer may resign at any time by submitting a written notice to the Board Chair or Secretary. Such resignation shall take effect at the time specified therein or within 30 days of the date of receipt.

SECTION 7. REMOVAL OF BOARD OFFICERS.

Any Board officer may be removed from such office by a two-thirds majority vote of the Board members at any regular or special meeting of the Board called expressly for that purpose.

ARTICLE IV. UNIVERSITY OFFICERS

SECTION 1. OFFICERS OF THE UNIVERSITY.

The officers of the university shall be the President, Provost, Treasurer, and Secretary.

SECTION 2. PRESIDENT.

a. The President serves as the Chief Executive Officer of Washburn University, reporting directly to the Board. The President shall be appointed by the Board. On an annual basis, the Board, in consultation with the President, will define the goals for the President and evaluate the President's performance, including the progress in achieving the defined goals.

b. Role of the President. The Board defines the role of the President as follows:

1. To serve as the primary link between the Board and Washburn's day-to-day operations;
2. To provide to the Board information that is timely, accurate, and clear about key issues impacting Washburn;
3. To lead the development and execution of short- and long-term plans of Washburn;
4. To provide leadership to Washburn through academic and resource management, community involvement, fiscal management, relationship building, and strategic planning;
5. To oversee the day-to-day operations of Washburn;
6. To serve as the primary spokesperson for Washburn to students, employees, government authorities, and the public.

c. Powers and Duties of the President. The Board delegates to the President the responsibility to implement and administer the policies governing Washburn, subject to limitations set in these Bylaws, Board policy and federal and state law. These duties include:

1. The President shall design, implement and evaluate an organizational structure for Washburn.

2. The President shall ensure the Board receives information that is sufficiently thorough and timely so that the Board may carry out its legal and oversight duties.
3. The President is authorized, to the extent permitted by law, to enter all agreements on behalf of Washburn without prior approval by the Board except for those agreements required to be presented to the Board for approval as set out in Board policy.
4. The President is authorized to adopt such administrative procedures, make all decisions, and take all actions as needed to implement the policies adopted by the Board, to achieve the goals set by the Board, and to ensure financial and operational integrity and Washburn compliance with all applicable local, state and federal laws. In every case, the standard for compliance shall be a reasonable interpretation of the Board policies by the President.
5. The President is authorized to delegate any powers and duties entrusted by the Board to the appropriate member of the Washburn administration. While the President may delegate to others, the President remains ultimately responsible to the Board.
6. The President shall ensure that all Board policies are reviewed and updated at least every three years, or sooner when necessary.
7. The President shall make an annual report to the Board. The President shall give to the Board such additional reports as it may require or the welfare of the University may suggest.

d. In the case of a vacancy in the office of the President, the Board will appoint an Acting President. In the case of the inability of the President to act due to illness, injury, incapacity or disability, the Provost shall serve as the Acting President until the Board appoints an Acting President. An Acting President shall have the powers and duties of the President as described above in Article. IV. Section 2.c.

SECTION 3. PROVOST.

The Provost and Vice-president of Academic Affairs ("**Provost**") is the chief academic officer of Washburn and is responsible for advising the President on all academic matters. The Provost shall be a member of all academic committees and of the faculties of each of Washburn's schools and colleges. The Provost acts as the President's primary liaison with deans of the college(s) and school(s) and any other key academic leaders in strategic academic planning, recruiting faculty, overseeing academic appointments and promotions; guiding academic aspects of enrollment planning; ensuring academic standards for faculty and students across the University; overall planning and allocation of resources within academics; development and evaluation of academic programs; and institutional and program accreditation. The Provost is appointed by the President, subject to Board approval of the initial appointment, and will have such other duties as the President may prescribe from time to time. In case of the absence of the Provost, his or her inability to act, or the office becomes vacant, the President shall appoint an acting Provost to perform the above duties.

SECTION 4. TREASURER.

The Treasurer for the Board is the Vice-president for Finance and Administration (“*Treasurer*”), who serves as the chief accounting and financial officer of the University and is responsible for advising the President on all financial matters. The Treasurer will be responsible for assuring that the University is in compliance with applicable financial and accounting standards and has appropriate internal controls; for assuring that payments made by the University are included in the approved budget for the fiscal year, unless otherwise approved by the Board, and that restricted funds are expended in accordance with applicable limitations and restrictions; for collecting, recording, and safeguarding all funds and securities of the University, which will be deposited with such banks or trust companies as authorized by the Board; for keeping proper books of account, preparing financial reports, and providing financial reports to the Board at least annually and as requested by the President or the Board; working with the University’s independent certified public accounting firm in its preparation of the annual audit; and will have such other duties as the President may prescribe from time to time. The Vice-president for Finance and Administration (VPFA) is appointed by the President, subject to Board approval of the initial appointment. In case of the absence of the VPFA, his or her inability to act, or office becomes vacant, the President shall appoint an acting VPFA to perform the above duties.

SECTION 5. SECRETARY AND GENERAL COUNSEL.

The Secretary for the Board is the University General Counsel (“*Secretary*”). As Secretary, he or she will have custody of the seal, Charter, Bylaws, and records of the Board; act as secretary at all meetings of the Board and committees; be responsible for the maintenance of fair and accurate records of the proceedings of the Board, and their distribution to Board members, as applicable, in accordance with these Bylaws; cause notice to be given for meetings of the Board and Board committees; be responsible for the certification of documents; and will have all powers and duties incident to the office of secretary and such other powers and perform such other duties as the President or Board may prescribe from time to time.

The General Counsel serves as the chief legal officer and is responsible for advising the President and the Board on all legal matters. The General Counsel will represent Washburn University and its affiliates in its legal affairs; except for those matters where the General Counsel’s own performance of duties or status is being considered or evaluated, and subject to the right of the Board to engage independent counsel. All matters requiring legal advice or legal action by the University and its affiliates will be referred to the General Counsel who will provide legal advice or take legal action directly or through outside counsel engaged for such purpose. The General Counsel is appointed by the President, subject to Board approval of the initial appointment, and will have such other duties as the President may prescribe from time to time.

If the Secretary is absent or unavailable to act, the assistant general counsel shall be authorized to perform the duties of the Secretary, including the attesting of documents requiring the official University seal.

In the case the office shall become vacant, the President shall appoint an acting Secretary to perform above duties.

ARTICLE V. BOARD COMMITTEES

SECTION 1. STANDING AND AD HOC COMMITTEES.

The Board shall establish standing and ad hoc committees as it deems appropriate to discharge its responsibilities. Standing committees may include but are not limited to the following: Executive and Governance; Finance and Capital Strategies; Compliance, Audit and Risk; and Academic and Student Affairs. Each committee shall have a written charter setting out the purposes and primary responsibilities approved by the Board, and such rules of procedure or policy guidelines as it or the Board, as appropriate, may approve.

SECTION 2. COMMITTEE MEMBERSHIP.

a. The committees, and the Chair of each committee, shall be appointed by the Chair of the Board, in consultation with the President, subject to the approval of the Board. The Chair of each committee shall be a member of the Board and shall serve a one-year term from when appointed and shall serve until such time as a replacement is appointed. The Secretary for the Board shall serve as the Secretary for each of the committees.

b. For all committees, each committee shall consist of not less than three nor more than four appointed members of the Board. The Chair of the Board may appoint himself/herself to one or more committees. The members of such committees may be composed of members of the Board, and they shall serve at the pleasure of the Board. The President of the University shall be an ex-officio non-voting member of all such committees of the Board.

SECTION 3. QUORUM AND NOTICE OF COMMITTEE MEETINGS.

A majority of each committee shall constitute a quorum. Meetings of the committee may be called by the Chair of such committee, the President, or the Board Chair. The Secretary shall transmit or cause to be transmitted notice of a meeting to each member of the committee at least three days prior to such meeting if practicable. The place and hour of meeting shall be designated in the notice.

SECTION 4. RECOMMENDATIONS OF COMMITTEES.

Any recommendation made by a committee shall be presented to the Board by the committee chair, or any other committee member if the committee chair is unavailable, prior to any action being taken by the Board on that issue.

ARTICLE VI. CONFLICT OF INTEREST

SECTION 1. CONFLICT OF INTEREST POLICY

Board members must act in accordance with the laws relating to conflict of interest for local governmental subdivisions, K.S.A. 75-4301a, *et seq.*, and amendments thereto, these Bylaws, and Washburn's Conflict of Interest Policy for the Washburn University Board of Regents, incorporated herein and attached hereto, and marked as **Appendix A**. The Board shall adopt and revise, as appropriate, the Conflict of Interest Policy. Each provision of this Article shall apply to all Board members, with and without voting privileges, and all members of Board committees.

SECTION 2. DEFINITION

Subject to the Conflict of Interest Policy, a Board member shall be considered to have a conflict of interest if he or she, or persons or entities with which he or she is affiliated, has a direct or indirect interest that may impair or may reasonably appear to impair his or her independent, unbiased judgment in the discharge of his or her responsibilities to Washburn.

SECTION 3. VOTING

Board members shall disclose to the Board any actual, apparent, or possible conflict of interest at the earliest practical time. A Board member who has made such a disclosure shall abstain from voting and participating in the discussion on such matters, unless the Board requests information or interpretation for special reasons. The Board meeting minutes shall reflect that a disclosure was made and note the Board member's abstention from voting. A Board member who is recused may be counted for purposes of determining the presence of a quorum at the meeting but shall not be counted for purposes of determining the presence of a quorum for the requisite Board action.

SECTION 4. ANNUAL DISCLOSURE

In accordance with the Conflict of Interest Policy, every Board member shall annually complete and sign a disclosure form and update that form as promptly as possible following knowledge of conditions that may create a possible conflict of interest.

SECTION 5. COMPENSATION

Board members serve as volunteers and are not compensated for their services by Washburn or its affiliates. They may be reimbursed for transportation and other direct expenses while engaged in the discharge of their official Board duties. (K.S.A. 13-13a08)

ARTICLE VII. INDEMNIFICATION

SECTION 1. INDEMNIFICATION AGAINST EXPENSES

Washburn shall, to the extent legally permissible, indemnify each of its Board members and officers against all liabilities and expenses (including legal fees) reasonably incurred in connection with the defense of any action, suit, or other proceeding (whether civil, criminal, administrative or investigative) to which he or she has been made a party by reason of being or having been in such role, provided he or she acted in good faith and in a manner reasonably believed to be in or not opposed to the best interests of Washburn. Board members and officers shall not be entitled to indemnification for acts that are adjudicated in such action, suit or proceeding to be the result of gross negligence or willful misconduct in the performance of duty. Washburn shall also maintain directors' and officers' liability insurance coverage.

SECTION 2. ADVANCE PAYMENT OF EXPENSES

Expenses, including legal fees, reasonably incurred by any such Board member or officer in connection with the defense of any such action, suit or other proceeding may be paid from time to time by Washburn in advance of the final disposition thereof under the condition that the Board member or officer repay such advanced fees and costs if it ultimately is determined that the Board member or officer is not entitled to be indemnified by Washburn as authorized by these bylaws.

SECTION 3. ELIGIBILITY FOR INDEMNIFICATION

The Board may, at its discretion and to the extent legally permissible, indemnify any person not otherwise entitled to indemnification hereunder, who is an employee or other agent of Washburn or who serves at the request of Washburn as an employee or other agent of an organization in which Washburn has an interest, including authorizing the purchase and maintenance of insurance for such person.

SECTION 4. PERSONAL LIABILITY

Board members and officers shall not be personally liable for any debt, liability or obligation of Washburn. All persons, corporations or other entities extending credit to, contracting with or having any claim against Washburn may look only to the funds and property of Washburn for the payment of any such contract or claim, or for the payment of any debt, damages, judgment or decree, or of any money that may otherwise become due or payable to them from Washburn.

SECTION 5. MISCELLANEOUS

The foregoing rights of indemnification and advancement of expenses shall not be exclusive of any other rights to which any Board member, officer, or employee may be entitled, under any other bylaw, agreement, vote of disinterested Board members, or otherwise, and shall

continue as to a person who has ceased to be a Board member, officer, or employee and shall inure to the benefit of their heirs, executors and administrators of such a person.

ARTICLE VIII. AMENDMENTS

SECTION 1. AMENDMENTS

These Bylaws may be amended at any regular meeting of the Board by a vote of two-thirds of the entire Board, provided previous notice of the nature of any proposed amendment shall have been given at least one regular meeting before the action thereon shall be taken.

SECTION 2. NOTATION OF DATE OF AMENDMENTS

For any sections of this Bylaws that are amended or any sections that may be added, an exponential parenthetical indicating the month and year of the amendment or addition shall be placed directly after the title of the affected section. As example, "SECTION 1. AMENDMENTS ^(11/15)".

ARTICLE IX. MISCELLANEOUS

SECTION 1. FISCAL YEAR.

The Fiscal Year of Washburn shall be from July 1 until next June 30 at midnight.

SECTION 2. SUBORDINATION TO STATE STATUTES

To the extent that any of these Bylaws may be inconsistent with Kansas Statutes, the Kansas Statutes shall apply.

Washburn University Board of Regents

SUBJECT: Board of Regents Committee Charters

DESCRIPTION:

The Board Chair and President formed a Board governance working group after the Board's governance discussion at its retreat in July. One task, among others, was to review the Board's committee structure. From the retreat and learning best practices, the working group saw the need for revision to the scope and responsibility of current committees and identified the need for additional committees.

The working group met several times to review draft language and presented recommended draft committee charters to the entire Board for discussion at a work session in October. The committees can meet as needed to review and make recommendations to the Board on matters listed within the scope of each respective committee charter. The committees will not make decisions. This new committee structure will enable the Board to have more time during meetings for high-level strategy and fulfilling their fiduciary responsibility.

There are four committee charters before the Board for approval: Finance and Capital Strategies; Compliance, Audit and Risk; Academic and Student Affairs; and Executive and Governance. The Board intends for these charters to be reviewed annually and adjusted as necessary. The Board Chair will typically appoint Board members to each committee at the June meeting. This new committee structure will be effective upon approval of the Restated Bylaws before the Board today, so the Chair will appoint committee members to serve from January to June, 2025 on each of the approved committees.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the attached committee charters.

Charter of the Executive and Governance Committee

Adopted December 5, 2024

A. Purpose. The Executive and Governance Committee shall provide strategic direction and oversight, make recommendations to the Board, and take action pursuant to delegated authority on matters pertaining to the organization and management of the Board, the appointment, compensation and performance assessment of the President, and the review and amendment of Bylaws and Board policies.

B. Membership and Terms of Service. The Committee shall consist of the Chair of the Board and the Chairs of the other Standing Committees. The Chair of the Board shall be the Chair of the Committee. All members shall serve for one year. The President of Washburn shall serve as an ex-officio, non-voting member of the committee.

C. Quorum and Notice of Meetings. A majority of appointed Committee members shall constitute a quorum. A meeting of the Committee may be called by the Chair of such Committee, the President of Washburn or the Chair of the Board. The Secretary shall transmit or cause to be transmitted notice of a meeting to each member of the Committee at least three days prior to such meeting, if practicable. The place and hour of the meeting shall be designated in the notice. Location of the meetings, whether the meeting will be held electronically, and voting at electronically held meetings will be subject to the same requirements and restrictions as stated in Article II, Sections 5 and 8 of the Bylaws.

D. Minutes. Upon approval by the Committee, minutes of all committee meetings shall be made available to all Board members. Minutes shall reflect attendance and formal actions.

E. Oversight Responsibilities. The charge of the Committee shall include reviewing and making recommendations to the Board regarding the following matters and/or regarding the following areas of Washburn's business:

- Appointment and performance evaluation of the President
- Compensation for President
- Succession planning
- Washburn's Bylaws and Board Policies
- Formation and organization of the Board's Standing Committees, subcommittees and special committees.
- Development and regular review of committee charters
- Board expectation of participation and other Board policies
- Develop appropriate action as deemed necessary regarding Regent participation and performance in accordance with Board policy.
- Regent compliance with laws, regulations and University policy, including conflict of interest.
- Onboarding and training for Regents.
- Board performance and self-assessment programs
- Nomination of Board officers

F. Staff Resource. The President is the assigned University Officer.

The assignment of responsibility to this Standing Committee signifies that it is the Committee to which matters otherwise appropriate for Board consideration generally will be referred and does not create an independent obligation to present a matter to this Standing Committee, to the Board or to any other Committee.

Charter of the Finance and Capital Strategies Committee

Adopted December 5, 2024

A. Purpose. The Finance and Capital Strategies Committee shall provide strategic direction and oversight, make recommendations to the Board, and take action pursuant to delegated authority on matters pertaining to Washburn's fiscal and financial affairs, business operations, land use, and capital facilities.

B. Membership/Terms of Service. The Committee shall consist of not less than three nor more than four members of the Board, appointed by the Board Chair, in consultation with the President, and approved by the Board. The Committee Chair shall be appointed and approved in the same manner. The Board Vice-chair shall normally serve as the Committee Chair. Terms shall be for one year. The President of Washburn shall serve as an ex-officio, non-voting member of the Committee.

C. Quorum and Notice of Meetings. A majority of appointed Committee members shall constitute a quorum. A meeting of the Committee may be called by the Chair of such Committee, the President of Washburn or the Chair of the Board. The Secretary shall transmit or cause to be transmitted notice of a meeting to each member of the Committee at least three days prior to such meeting, if practicable. The place and hour of the meeting shall be designated in the notice. Location of the meetings, whether the meeting will be held electronically, and voting at electronically held meetings will be subject to the same requirements and restrictions as stated in Article II, Sections 5 and 8 of the Bylaws.

D. Minutes. Upon approval by the Committee, minutes of all Committee meeting shall be made available to all Board members. Minutes shall reflect attendance and formal actions.

E. Oversight Responsibilities. The charge of the Committee shall include reviewing and making recommendations to the Board regarding the following matters and/or regarding the following areas of Washburn's business:

- Budgeting
- Financial Reporting and Planning
- Facilities Planning
- Capital Improvements including technology and information services
- Insurance
- Investments and Banking
- Real estate

F. Staff Resource. The Treasurer is the assigned University Officer.

The assignment of responsibilities to this Standing Committee signifies it is the Committee to which matters otherwise appropriate for Board consideration generally will be referred and does not create an independent obligation to present a matter to this Standing Committee or its Subcommittee, to the Board or to any other Committee.

Charter of the Compliance, Audit and Risk Committee

Adopted December 5, 2024

A. Purpose. The Compliance and Audit Committee shall provide strategic direction and oversight, make recommendations to the Board, and take action pursuant to delegated authority on matters pertaining to the quality and integrity of financial reporting systems and controls; the independent financial auditor; the function and performance of risk management programs; and meeting all applicable legal, regulatory and policy requirements.

B. Membership/Terms of Service. The Committee shall consist of not less than three nor more than four members of the Board, appointed by the Board Chair, in consultation with the President, and approved by the Board. Committee Chairs shall be appointed and approved in the same manner. Terms shall be for one year. The President of Washburn shall serve as an ex-officio, non-voting member of the committee.

C. Quorum and Notice of Meetings. A majority of appointed Committee members shall constitute a quorum. A meeting of the Committee may be called by the Chair of such Committee, the President of Washburn or the Chair of the Board. The Secretary shall transmit or cause to be transmitted notice of a meeting to each member of the Committee at least three days prior to such meeting, if practicable. The place and hour of the meeting shall be designated in the notice. Location of the meetings, whether the meeting will be held electronically and voting at electronically held meetings will be subject to the same requirements and restrictions as stated in Article II, Sections 5 and 8 of the Bylaws.

D. Minutes. Upon approval by the Committee, minutes of all Committee meetings shall be made available to all Board members. Minutes shall reflect attendance and formal actions.

E. Oversight Responsibilities. The charge of the Committee shall include reviewing and making recommendations to the Board regarding the following matters and/or regarding the following areas of Washburn's business:

- Oversight of the relationship with the external independent financial auditor
- Approve external annual audit scope and plan and general delivery of services
- Receive the annual audited financial statements and recommend acceptance to the Board
- Monitor Washburn compliance with applicable laws, regulations and policies, including those concerning conflicts of interest and financial disclosure, those presenting a risk of a material financial impact to Washburn, and those relating to Washburn's policies prohibiting discrimination and harassment
- Developing and monitoring Washburn's processes for identifying, evaluating and mitigating risks, such as cybersecurity risks
- Monitor management response to risks

F. Staff Resource. The Treasurer is the assigned University Officer.

The assignment of responsibility to this Standing Committee signifies that it is the Committee to which matters otherwise appropriate for Board consideration generally will be referred and does not create an independent obligation to present a matter to this Standing Committee or its Subcommittee, to the Board or to any other Committee.

Charter of the Academic and Student Affairs Committee

Adopted December 5, 2024

A. Purpose. The Academic and Student Affairs Committee shall provide strategic direction and oversight, make recommendations to the Board, and take action pursuant to delegated authority on matters pertaining to Washburn's academic, instructional, and student affairs.

B. Membership/Terms of Service. The Committee shall consist of not less than three nor more than four members of the Board, appointed by the Board Chair in consultation with the President, and approved by the Board. The Committee Chair shall be appointed and approved in the same manner. Terms shall be for one year. The President of Washburn shall serve as an ex-officio, non-voting member of the Committee.

C. Quorum and Notice of Meetings. A majority of appointed Committee members shall constitute a quorum. A meeting of the Committee may be called by the Chair of such Committee, the President of Washburn or the Chair of the Board. The Secretary shall transmit or cause to be transmitted notice of a meeting to each member of the Committee at least three days prior to such meeting, if practicable. The place and hour of the meeting shall be designated in the notice. Location of the meetings, whether the meeting will be held electronically, and voting at electronically held meetings will be subject to the same requirements and restrictions as stated in Article II, Sections 5 and 8 of the Bylaws.

D. Minutes. Upon approval by the Committee, minutes of all Committee meetings shall be made available to all Board members. Minutes shall reflect attendance and formal actions.

E. Oversight Responsibilities. The charge of the Committee shall include reviewing and making recommendations to the Board regarding the following matters and/or regarding the following areas of Washburn's business:

- Academics – including curricular changes, quality, outcomes
- Academic and Admissions Policies
- Tenure
- Student Success
- Student Life
- Graduation requirements
- Degrees and certificates
- University and Program Accreditation
- Kansas Board of Regents

F. Staff Resource. The Provost is the assigned University Officer.

The assignment of responsibility to this Standing Committee signifies that it is the Committee to which matters otherwise appropriate for Board consideration generally will be referred and does not create an independent obligation to present a matter to this Standing Committee, to the Board or to any other Committee.

Washburn University Board of Regents

SUBJECT: Committee Appointments for the Board of Regents

DESCRIPTION:

The Bylaws of the Board of Regents state the Board shall establish standing and ad hoc committees as it deems appropriate to discharge its responsibilities. The committees, and the Chair of each committee, shall be appointed by the Chair of the Board, in consultation with the President, subject to the approval of the Board. The President of the University shall be an ex-officio non-voting member of all such committees of the Board.

The Chair recommends the following appointments to the Board's standing committees:

Finance and Capital Strategies – Jennifer Sourk (Chair), Shelly Buhler, John Dicus, Jake Fisher

Compliance, Audit and Risk – Angel Romero (Chair), John Dietrick, Linda Jeffrey, John Nave

Academic and Student Affairs – Shelly Buhler (Chair), Jake Fisher, Linda Jeffrey, John Nave

Executive and Governance - John Dietrick (Chair), Shelly Buhler, Angel Romero, Jennifer Sourk

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

President Mazachek recommends the Board approve the above listed committee appointments to serve during the 2024-2025 Fiscal Year.

Washburn University Board of Regents

SUBJECT: Washburn University Policies, Regulations, and Procedures Manual -
Section DD. Academic Affairs

DESCRIPTION:

Part of the responsibility of the Board governance working group was to review any related governing documents and drafting language deemed necessary when changing language in Bylaws. The revised Board Bylaws are before the Board today for second reading and approval. The current Board Bylaws contain important language about academic affairs more appropriate for a policy document. Bylaws are intended to govern Board activities so existing Board policy language that more accurately governs the University is being moved from Bylaws to the Washburn University Policies, Regulations and Procedures Manual (WUPRPM). Having this language as Board policy language is more appropriate and considered best practice in policy construction and governance.

The WUPRPM does not currently have a section specifically addressing Academic Affairs. Policies related to Academic Affairs are located in the Board Bylaws and are repeated and expanded upon in the Faculty Handbook. Washburn has developed new board Policies addressing these topics. It is important that these new Board Policies are considered at the same time as approval of revised Bylaws so both documents are implemented at the same time to prevent any confusion or conflict and to ensure important Policies remain in effect.

The new Board Policy addresses the general function of the Provost, describes the General Faculty body and authority, outlines granting and removal of tenure at a high-level, and defines academic freedom. Importantly, in this proposed Board Policy, the Board retains the authority to approve any changes to the process for termination for cause of tenured faculty. This means the Board will ultimately approve any changes to the tenure termination procedure, which is a significant difference from other regulations and procedures which the Board normally delegates to the Administration. Retaining the ability for the Board to approve changes to the tenure termination procedure emphasizes the importance of the Board's role in granting and removal of tenure.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

President Mazachek recommends the Board of Regents adopt new Policy Section DD. Academic Affairs of the Washburn University Policies, Regulations, and Procedures Manual.

DD. Academic Affairs

Table of Contents

1. Purpose
2. Establishment of Regulations
3. Structure of Academic Affairs
4. Tenure
5. Academic Freedom

DD. Academic Affairs

1. **Purpose.** To set forth policies applicable to academic affairs.
2. **Establishment of Regulations.** The administration, working with faculty within the structure of shared governance, shall establish regulations and procedures addressing matters of Academic Affairs. This includes promotion and tenure, personnel matters specific to faculty, academic freedom, faculty responsibilities, and development and assessment of academic programs and any other relevant matters.

Regulations shall be consistent with Board policies, applicable laws, and regulations and be fair and equitable. Administration should review and revise as frequently as appropriate to ensure we are following best practice, current legal requirements, and meeting the needs of Washburn. Until such time new regulations and procedures are established, the administration shall use the Faculty Handbook. There will be separate regulations and procedures related to the management and operations of Washburn Institute of Technology Academic Affairs and Instructors.

3. Structure of Academic Affairs.

A. Provost/Vice-President of Academic Affairs. The Provost/Vice-President of Academic Affairs (“*Provost*”) reports to the President and shall supervise and coordinate all academic programs. This includes the performance review of Academic Deans for all major academic units (major academic unit as defined in Section 7.19 of the Introduction and Definitions to the Board Policies).

B. General Faculty.

- i. The General Faculty shall consist of the President, Vice Presidents, Deans, Librarians, and those members of the University with the rank of Lecturer on a full-time annual contract, Assistant Professor, Associate Professor, or Professor and other persons appointed by the Board.
- ii. The General Faculty has the authority to recommend to the President, who shall transmit to the Board of Regents with their recommendation, matters including:
 - Changes in graduation requirements

- New degrees
 - New majors or academic programs
 - Elimination of existing degrees or major programs
 - Creation of new academic departments
 - General Faculty shared governance
- iii. The Faculty Senate is authorized to act as the agent of the General Faculty on matters listed in this Policy (3.B.ii.).
- iv. The Faculty Senate is authorized to speak on behalf of the General Faculty regarding matters described in the Faculty Senate Constitution.
- The Board will approve adoption and amendments to the Faculty Senate Constitution.

4. Tenure.

A. **Statement on tenure.** The awarding of tenure to a faculty member is a critical point in the member's relationship with Washburn University. Tenure is a means to certain ends; specifically: (1) academic freedom pertaining to teaching, research, and extramural activities and (2) a sufficient degree of economic security to make the profession attractive to individuals of ability. Academic freedom, economic security, and tenure are indispensable to the success of Washburn in fulfilling its obligations to its students, to society, and to the University continuing its reputation of excellent teaching faculty. Not only does tenure recognize the worth of the individual and that person's contribution to the University community, but tenure and the promotion processes are the means by which the quality of the faculty is maintained and improved. The added prestige and recognition that promotion and tenured status confer on an individual are essential to the moral and lustre of Washburn's faculty and the University.

- i. Tenure is granted by the Board of Regents who is the final step in the tenure review process.
- ii. The review of candidates for tenured appointments must be careful and deliberate at all stages of review.

- iii. **Criteria for tenure** must include teaching, scholarship (research), and service (community and professional). Normally, the granting of tenure is only for individuals with a terminal degree.

B. Termination for Cause.

- i. **Amendments.** The Board shall approve any changes to any regulation or procedure related to termination for cause of a tenured faculty member.
- ii. **Procedure.** The administration shall establish a process for terminating a tenured faculty member “for cause”. That process shall include the following elements:
 - Written notice of the intent to terminate provided to the faculty member
 - The opportunity for the faculty member to have the matter heard by a committee made up of tenured faculty members appointed by faculty. The committee hearing the matter shall make a recommendation as to whether the faculty member should be terminated.
 - The Provost and committee’s recommendation shall be presented to the President, and the President shall consider such recommendations prior to making a final determination whether to terminate the faculty member.
 - The faculty member shall be able to appeal the President’s determination to the Board of Regents.

5. **Academic Freedom.** Washburn University strives to promote the search for truth and its free exposition and thus to provide the best education possible for its students. Academic freedom is for the furtherance of these purposes and applies both to teaching and research. Freedom in research is fundamental to the advancement of law and fact. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. Academic freedom carries with it duties correlative with the rights.

- A. The faculty member is entitled to full freedom in research and in the publication of the results subject to performance of other academic

duties, but research for pecuniary return should be based upon University policy as stated in the Faculty Handbook.

- B. Faculty are entitled to freedom in the classroom in discussing their subjects and must exercise professional judgment in selecting the material they wish to use.
- C. The Washburn University faculty member is a member of a learned profession and an academic member of an educational institution. When the faculty member speaks or writes as an individual, the faculty member is free from institutional censorship or discipline. As a person of learning, the faculty member must remember that the public may judge the profession and Washburn University by the faculty member's utterances. Hence, the faculty should at all times endeavor to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should avoid indication that the faculty member is an institutional spokesman unless so designated.

Washburn University Board of Regents

SUBJECT: Faculty Tenure Termination Procedure

DESCRIPTION:

The current process for faculty termination is located in the Board Bylaws and in the Faculty Handbook. Several years ago, the termination procedure was utilized for a tenured faculty member. At that time, both faculty involved on a review committee and administration carrying out the process identified that a revision was needed, as the process was written nearly 40 years ago with only minor revisions, and had never been fully utilized. Work began through a Faculty Handbook Revision Committee to address identified issues in the current process. Progress on revision was paused when all steps in the process were taken for the first time in our recollection in 2021, all the way through to appeal to the Board. After conclusion of that appeal, the Board recommended revisions to the Faculty Handbook Committee who commenced work on the revised procedure.

The Faculty Handbook Committee is comprised of the Provost, the deans, general counsel, and several faculty members. The Committee worked diligently to ensure the revised procedure was clear, allowed for substantial opportunities for hearing and resolution, and set guidelines for consistency. Another key part of the revision was to clarify the faculty members who are subject to this procedure, as it was unclear in the current process. The second attached document has two processes that address termination for cause of faculty members, one for non-tenured faculty and one for tenured faculty. Over ten plus years, there have been diligent, thoughtful discussions and careful consideration of every word to develop the procedure before the Board today.

The Board need only consider for approval the termination procedure for tenured faculty. The portion of the termination procedure related to tenured faculty is in the first attachment titled "Tenure Termination Procedure to be approved by the Board." Because the Board grants tenure, the Board is the final appeal in removal of tenure, thus needs to approve the tenure termination procedure. With revision of the Board Bylaws, it is important the Board consider approval of this tenure termination procedure today as language addressing this topic is being moved from Bylaws and will reside more appropriately in the Faculty Handbook.

The second attachment is for reference only and contains the entire for cause termination procedure that applies to both tenured and non-tenured faculty. The Faculty Senate discussed during meetings last semester and this semester. On November 13, the General Faculty body considered and ultimately approved the entire procedure, which is the second attachment (and includes the flow charts).

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the tenure termination procedure.

Tenure Termination Procedure to be Approved by the Board

A. General Statement

A faculty member may be disciplined or dismissed for cause on grounds including but not limited to: (1) academic dishonesty; (2) acts of discrimination, including harassment, prohibited by law or University policy; (3) acts of moral turpitude substantially related to the fitness of faculty members to engage in teaching, research, service/outreach, and/or administration; (4) theft or misuse of University property; (5) incompetence in the performance of material assigned duties in teaching, research, and/or service; (6) refusal to perform reasonable assigned duties in teaching, research, and/or service; (7) engaging in or substantially contributing to actions materially disruptive to the effective operations of the faculty member's academic unit, division, or University; (8) use of professional authority to exploit others; (9) violation of University policy substantially related to performance of faculty responsibilities (including University internet); and (10) violation of law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach, and/or administration. The procedure that will be followed when terminating the employment of a faculty member for cause is discussed below.

F. FORMAL TERMINATION PROCESS FOR TENURED FACULTY (See Attachment B for flowchart of process.)

STEP 1: If the Pre-termination Resolution Process does not result in immediate resolution of the problem(s) and no PIP is implemented, the Dean shall make a recommendation to the Provost that the faculty member be terminated from his/her faculty position effective immediately. If the Provost previously determined that the Pre-termination Resolution Process should be disregarded per Section B above, the process moves to Step 2.

STEP 2: The Provost shall meet with the faculty member regarding the concerns(s) raised by the Dean. This meeting should occur as soon as reasonably possible after receiving the Dean's recommendation but no later than seven (7) days after receiving the Dean's recommendation. If the Provost and faculty member are able to agree in writing to a resolution regarding the matter, then no further action will be required. The written notice by the Provost to the faculty member regarding this meeting shall indicate the Dean is recommending termination and the meeting is Step 2 of the Formal Termination Process for Tenured Faculty. If the Pre-termination Resolution Process was not utilized per Section V.B. above, the written notice shall also include the causes provided by the Dean for such termination.

STEP 3: If no resolution is reached after the meeting in Step 2, the Provost may, but is not required to, appoint a Faculty Advisory Council ("FAC") within three (3) business days with whom to confer before making any further determination in the matter. The purpose of the FAC is to provide the Provost with a faculty perspective to assist the Provost in considering appropriate next steps in the process. The FAC will consist of three tenured faculty selected by the Provost, none of whom shall be in the faculty member's department (or unit if the faculty member is not in a department and the FAC member's duties

Tenure Termination Procedure to be Approved by the Board

do not involve interaction with the faculty member). The meeting between the Provost and the FAC shall occur no later than seven (7) days after the appointment of the FAC absent compelling circumstances. The FAC may, but is not required to, request a meeting with the faculty member within seven (7) days after the FAC meets with the Provost. The FAC shall then meet with the Provost no later than three (3) business days after meeting with the faculty member. Meetings of the FAC shall be confidential to the extent practicable. The faculty member, the members of the FAC, and the Provost may not be called as witnesses at the hearing of the Faculty Discipline Review Committee ("FDRC") (as described in Section ___ below) to testify about any communications between the FAC and the Provost in any meetings with or held by the FAC. Members of the FAC may be called to testify about other matters if relevant to the proceeding.

- After meeting with the FAC, if the Provost, in his or her sole discretion, believes another meeting with the faculty member would be beneficial, then the Provost may schedule another meeting with the faculty member. That meeting shall occur within seven (7) days of the Provost extending the invitation.
- If the Provost and faculty member are able to agree in writing to a resolution regarding the matter, then no further action will be required.

STEP 4: If after meeting with the FAC (and if no resolution is reached after an additional meeting with the faculty member) or if the FAC is not utilized (and Step 3 is skipped), the Provost shall then determine if the faculty member should be placed on a PIP, impose additional conditions on an existing PIP, or recommend to the President that the faculty member be suspended or terminated and have . The Provost shall make this decision within seven (7) days from the last meeting with the FAC or meeting with the faculty member whichever occurs later. If the Provost decides to take action other than to proceed with suspension or termination of the faculty member, the process shall end with the Provost's decision and it shall not be subject to further review by the University.

- The written decision of the Provost should be delivered in person to the faculty member when practicable. The Dean (and department chair, if applicable) may be present at the discretion of the Provost. If an in-person meeting is not possible or is conducted by virtual platform, then the decision shall be delivered by mail and/or by email to the faculty member.
- If the Provost's decision is to recommend termination or suspension of the faculty member to the President, the written notification shall include the cause(s) set out in Section V.A above that the Provost relied upon in making the recommendation.
- A copy of any recommendation for termination or suspension by the Provost shall be provided to the President at the time it is provided to the faculty member.

Tenure Termination Procedure to be Approved by the Board

STEP 5: If the Provost's recommendation is to suspend and/or terminate the faculty member, the faculty member shall have seven (7) days to make a written request to the Provost for review by the FDRC. (There is no review process if the Provost recommends a PIP or some other form of resolution not including suspension or termination.)

- If the faculty member does not make a written request for review by the FDRC of the Provost's recommendation in a timely fashion, the President shall review the recommendation. Unless the President determines that the Provost's recommendation lacks a reasonable basis, the President shall follow the recommendation and suspend and/or terminate the faculty member. There shall be no further review of the President's decision by the University.

STEP 6: If the faculty member does make a written request for review with the FDRC, the FDRC shall be appointed as set out in Section G below. After the FDRC is appointed, the Provost, absent compelling circumstances, shall provide for the chair of the FDRC a description of the charges stated with reasonable particularity (hereafter "Charges") within twenty-one (21) days after receiving the faculty member's written request for review (but in all events as soon as practicable). The Chair of the FDRC shall also receive information stating the cause(s) relied upon by the Provost in making the recommendation, along with a summary of the evidence upon which the Charges are based.

STEP 7: The faculty member shall file a written response to the Charges no later than fourteen (14) days after receipt of the Charges from the Provost.

NOTE: If one of the Charges to be presented to the FDRC is for incompetence in teaching, research, or service, then two outside evaluators shall be identified, one by the faculty member and one by the Provost, to provide objective evaluations of the faculty member's competence or lack thereof in teaching and/or research. The evaluations shall be conducted by outside evaluators in the faculty member's field. The evaluators shall provide written reports within twenty-one (21) days of being appointed by the Dean and the reports shall be made available to the FDRC for their consideration.

STEP 8: The FDRC shall follow the procedures set out in Section ___ below and then provide its recommendation, in writing, to the President stating whether the Provost's recommendation should be followed, rejected, or modified, including what modifications it would recommend. The FDRC shall simultaneously provide a copy of its recommendations to the Provost and the faculty member.

STEP 9: The faculty member, after being advised of the FDRC's recommendation in Step 7 above, shall have seven (7) days to notify the President in writing if the faculty member agrees or disagrees with the FDRC's recommendation. This is an opportunity for the faculty member to make any relevant statement to the President that the faculty member wishes the President to consider relating to the FDRC's

Tenure Termination Procedure to be Approved by the Board

recommendation before the President makes his/her decision. The Provost shall also have seven (7) days to notify the President in writing if the Provost agrees or disagrees with the FDRC's recommendation.

STEP 10: The President shall review the Provost's Charges (as amended if applicable), the faculty member's response to the Provost's Charges (as amended, if applicable), any post-hearing submissions as allowed by the FDRC, the recommendation by the FDRC, and any statement provided by the faculty member and Provost in Step 9. Within fourteen (14) days of receipt of the FDRC's recommendation, the President shall provide his/her written decision to the faculty member and Provost as to whether the faculty member should be dismissed, suspended, or other lesser action shall be taken, which could include taking no action at all against the faculty member. If the President's determination is different than the FDRC's recommendation, the President shall address the reasons for the difference in his/her decision. If the President's decision is something other than termination or suspension, the President's decision is final and no further review of the President's decision shall occur.

STEP 11: If the President determines that the faculty member shall be terminated, the faculty member shall have seven (7) days to make a written request for appeal to the Washburn University Board of Regents ("WUBOR"). If the faculty member does not request an appeal to WUBOR, then the President's decision is final and no further review of the President's decision shall occur. The faculty member's written request for appeal shall be made to the Chair of the WUBOR, the President, and the Provost. The faculty member's written request for appeal shall include any response the faculty member wishes to make regarding the President's written decision. The Provost shall have seven (7) days after receipt of the faculty member's written request for appeal to respond in writing, which response will be provided to the Chair of the WUBOR, the President, and the faculty member.

STEP 12: If the faculty member timely makes a written request for appeal to the Chair of the WUBOR, the WUBOR shall review a) the Charges (as amended, if applicable), b) the faculty member's response to Charges (as amended, if applicable), c) any post-hearing briefs filed by the parties as allowed by the FDRC, d) the recommendation of the FDRC, e) the faculty member's statement of disagreement with the FDRC recommendation, f) the decision of the President, g) the written appeal of the faculty member, h) the Provost's response to the faculty member's appeal, and i) the transcript of the proceedings before the FDRC. WUBOR shall *not* consider any information not listed above. After reviewing the above documentation, WUBOR may accept, reject, or modify the decision of the President. WUBOR shall issue its decision, in writing, within twenty-eight (28) days from receipt of the faculty member's written request for appeal. The decision of the WUBOR is final and not subject to any further appeal or University process.

Tenure Termination Procedure to be Approved by the Board

V. Procedures for Termination for Cause

A. General Statement

A faculty member may be disciplined or dismissed for cause on grounds including but not limited to: (1) academic dishonesty; (2) acts of discrimination, including harassment, prohibited by law or University policy; (3) acts of moral turpitude substantially related to the fitness of faculty members to engage in teaching, research, service/outreach, and/or administration; (4) theft or misuse of University property; (5) incompetence in the performance of material assigned duties in teaching, research, and/or service; (6) refusal to perform reasonable assigned duties in teaching, research, and/or service; (7) engaging in or substantially contributing to actions materially disruptive to the effective operations of the faculty member's academic unit, division, or University; (8) use of professional authority to exploit others; (9) violation of University policy substantially related to performance of faculty responsibilities (including University internet); and (10) violation of law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach, and/or administration. The procedure that will be followed when terminating the employment of a faculty member for cause is discussed below.

B. Pre-termination Resolution Process

Before a recommendation for termination or a decision to terminate for cause is made, certain interactions, at a minimum, should have already occurred. For units that have department chairs, there should have been communication between the department chair and the faculty member who has one or more problematic issues that would suffice as grounds for termination for cause as set out above. If that communication does not result in prompt resolution of the problem or a Performance Improvement Plan ("PIP"), then the department chair (or analogous position) shall arrange for a Pre-termination Resolution Process meeting between the faculty member, the department chair (or analogous position), and the Dean. For units without department chairs, the initial meeting shall be between the faculty member and the Dean. Notice of the meeting shall be in writing and shall indicate that the meeting is for a pre-termination resolution process pursuant to the Faculty Termination processes in the faculty handbook. If there is no intent by the Dean to make a recommendation for termination or suspension at the conclusion of the meeting, regardless of the outcome, then the meeting is not considered a Pre-termination Resolution Process meeting, and this written notice is not required. For all units, if the meeting with the Dean results in immediate resolution of the issue(s) or if a PIP is implemented, then the matter would not proceed further towards termination at that time. However, IF THE CONDUCT OF THE FACULTY MEMBER IN THE JUDGMENT OF THE PROVOST/VICE PRESIDENT OF ACADEMIC AFFAIRS ("Provost"), AFTER CONSULTING WITH THE DEAN, POSES A SUBSTANTIAL RISK TO THE SAFETY OF OTHERS, then the Pre-termination Resolution Process described in this paragraph may be disregarded and the Dean may move directly to the Formal Termination Process.

C. Employment status pending completion of University processes

1. The title, compensation, and benefits of the faculty member shall continue through the process until the President's determination is issued. The Provost, in consultation with the Dean, may reassign the faculty member to other duties or no duties pending the resolution of University's process as the Provost deems appropriate, however; such reassignment is not intended and shall not be used to create any undue hardship on the faculty member's ability to fully participate in the Procedures for Termination for Cause.
2. The Provost may suspend the faculty member without pay at any time during the pendency of the University's process if the conduct of the faculty member in the judgment of the Provost poses a substantial risk to the safety of others or if there is a substantial disruption to the operations of the academic unit, division, or University. This decision shall be provided in writing to the faculty member. Such suspension without pay is not intended and shall not be used to create any undue hardship on the faculty member's ability to fully participate in the Procedures for Termination. This action is considered an extraordinary sanction and should be used only when there is no other option available to fully protect the interests of the University.
 - a. The faculty member may request, within three business days of the written notice of suspension without pay, a meeting with the Provost to review the suspension without pay. This meeting shall occur as soon as practicable but no later than five business days from the date of the request for meeting unless agreed to by the Provost and faculty member. If the faculty member requests a review of the suspension without pay, the faculty member shall continue to be paid until the Provost's decision after review is issued.
 - b. The faculty member may present any information to the Provost that the faculty member believes is relevant to show why the faculty member should not be suspended without pay pending resolution of the matter.
 - c. The Provost, after considering the information presented by the faculty member, shall notify the faculty member within two business days if the suspension without pay remains in place. The Provost's decision shall be final and not subject to further review by the University.
 - d. If the faculty member is not terminated at the end of the process, then the faculty member shall receive compensation for pay lost during the period of suspension without pay.

D. Definitions and information:

- Calculation of Time:

- All time periods referenced in this process are stated in calendar days unless otherwise indicated.
- “business day” shall mean any day that is not a Saturday, Sunday, or a day that the University offices are closed.
- If the last day of a time period occurs on a Saturday, Sunday, or day that the University offices are closed, then the time period shall continue to the next business day.
- If University offices are closed three or more consecutive weekdays, such as winter break or due to weather, then those weekdays and any intervening weekends and holidays shall not be included in the calculation of the time period.
- The term “meeting” (other than for the hearing before the Faculty Discipline Review Committee) is intended to be a meeting between the named individuals in the same room. Meetings are intended and preferred to be in person. If, however, the individuals cannot meet in person, meeting by virtual platform, such as Zoom, is acceptable. If the faculty member requests the meeting occur by virtual platform, as long as such meeting can occur with the technology available to all of the parties, the request shall be granted.
- If, at any time during the process, the Provost or the President are unable or otherwise unavailable to complete their obligations in a timely fashion, they may designate another person employed at the University to perform the duties described in this process.
- Any time period set out in this process may be extended by agreement of the parties. This agreement shall be in writing, which can be satisfied by email communications between the parties.
- If the faculty member is unavailable for a period of time due to Family Medical Leave Act as reviewed and approved by the Department of Human Resources, then any pending time period in this process shall be stayed until such time the faculty member becomes available to participate in the process.
- The term “termination” when terminating a tenured faculty member shall mean terminating the faculty member’s employment with the University and revoking the faculty member’s tenure.

E. FORMAL TERMINATION PROCEDURE FOR ALL FACULTY WHO ARE NOT TENURED (See Attachment A for flowchart of process.)

STEP 1: If the Pre-termination Resolution Process does not result in immediate resolution of the problem(s) and no PIP is implemented, or if the Dean determines that the Pre-termination Resolution Process should be disregarded per Section B above, the Dean, after consultation with the Provost, shall notify the faculty member that he/she is terminated from his/her faculty position effective immediately. The notification shall be in writing and shall state the cause(s) that are the basis for the Dean’s decision.

STEP 2: The faculty member shall have seven (7) days to file a written request for appeal with the Provost. The written appeal need only state the faculty member appeals the decision of the Dean and requests a meeting with the Provost. If no appeal of the Dean's decision is timely made, then the termination of the faculty member becomes final and not subject to further review by the University.

STEP 3: If the faculty member does submit a written appeal with the Provost, the Provost shall arrange to meet with the faculty member within seven (7) days from the date the written appeal is received by the Provost. The Provost may choose to have the Dean be present during the meeting with the faculty member. The faculty member may present any information to the Provost in advance of the meeting to assist the Provost's preparation for the meeting. The faculty member, however, is not required to do so, nor is the faculty member restricted from raising any other issues in opposition to the Dean's termination during the meeting with the Provost that were not addressed in any information provided by the faculty member prior to the meeting.

STEP 4: After the meeting, the Provost shall have seven (7) business days to issue the decision on the appeal. The Provost may uphold the termination of the faculty member, grant the appeal, or determine an alternative resolution to the matter. The decision of the Provost shall be final and not subject to further review by the University.

F. FORMAL TERMINATION PROCESS FOR TENURED FACULTY (See Attachment B for flowchart of process.)

STEP 1: If the Pre-termination Resolution Process does not result in immediate resolution of the problem(s) and no PIP is implemented, the Dean shall make a recommendation to the Provost that the faculty member be terminated from his/her faculty position effective immediately. If the Provost previously determined that the Pre-termination Resolution Process should be disregarded per Section B above, the process moves to Step 2.

STEP 2: The Provost shall meet with the faculty member regarding the concerns(s) raised by the Dean. This meeting should occur as soon as reasonably possible after receiving the Dean's recommendation but no later than seven (7) days after receiving the Dean's recommendation. If the Provost and faculty member are able to agree in writing to a resolution regarding the matter, then no further action will be required. The written notice by the Provost to the faculty member regarding this meeting shall indicate the Dean is recommending termination and the meeting is Step 2 of the Formal Termination Process for Tenured Faculty. If the Pre-termination Resolution Process was not utilized per Section .V.B. above, the written notice shall also include the causes provided by the Dean for such termination.

STEP 3: If no resolution is reached after the meeting in Step 2, the Provost may, but is not required to, appoint a Faculty Advisory Council ("FAC") within three (3) business days with whom to confer before

making any further determination in the matter. The purpose of the FAC is to provide the Provost with a faculty perspective to assist the Provost in considering appropriate next steps in the process. The FAC will consist of three tenured faculty selected by the Provost, none of whom shall be in the faculty member's department (or unit if the faculty member is not in a department and the FAC member's duties do not involve interaction with the faculty member). The meeting between the Provost and the FAC shall occur no later than seven (7) days after the appointment of the FAC absent compelling circumstances. The FAC may, but is not required to, request a meeting with the faculty member within seven (7) days after the FAC meets with the Provost. The FAC shall then meet with the Provost no later than three (3) business days after meeting with the faculty member. Meetings of the FAC shall be confidential to the extent practicable. The faculty member, the members of the FAC, and the Provost may not be called as witnesses at the hearing of the Faculty Discipline Review Committee ("FDRC") (as described in Section ___ below) to testify about any communications between the FAC and the Provost in any meetings with or held by the FAC. Members of the FAC may be called to testify about other matters if relevant to the proceeding.

- After meeting with the FAC, if the Provost, in his or her sole discretion, believes another meeting with the faculty member would be beneficial, then the Provost may schedule another meeting with the faculty member. That meeting shall occur within seven (7) days of the Provost extending the invitation.
- If the Provost and faculty member are able to agree in writing to a resolution regarding the matter, then no further action will be required.

STEP 4: If after meeting with the FAC (and if no resolution is reached after an additional meeting with the faculty member) or if the FAC is not utilized (and Step 3 is skipped), the Provost shall then determine if the faculty member should be placed on a PIP, impose additional conditions on an existing PIP, or recommend to the President that the faculty member be suspended or terminated and have . The Provost shall make this decision within seven (7) days from the last meeting with the FAC or meeting with the faculty member whichever occurs later. If the Provost decides to take action other than to proceed with suspension or termination of the faculty member, the process shall end with the Provost's decision and it shall not be subject to further review by the University.

- The written decision of the Provost should be delivered in person to the faculty member when practicable. The Dean (and department chair, if applicable) may be present at the discretion of the Provost. If an in-person meeting is not possible or is conducted by virtual platform, then the decision shall be delivered by mail and/or by email to the faculty member.

- If the Provost's decision is to recommend termination or suspension of the faculty member to the President, the written notification shall include the cause(s) set out in Section V.A above that the Provost relied upon in making the recommendation.
- A copy of any recommendation for termination or suspension by the Provost shall be provided to the President at the time it is provided to the faculty member.

STEP 5: If the Provost's recommendation is to suspend and/or terminate the faculty member, the faculty member shall have seven (7) days to make a written request to the Provost for review by the FDRC.

(There is no review process if the Provost recommends a PIP or some other form of resolution not including suspension or termination.)

- If the faculty member does not make a written request for review by the FDRC of the Provost's recommendation in a timely fashion, the President shall review the recommendation. Unless the President determines that the Provost's recommendation lacks a reasonable basis, the President shall follow the recommendation and suspend and/or terminate the faculty member. There shall be no further review of the President's decision by the University.

STEP 6: If the faculty member does make a written request for review with the FDRC, the FDRC shall be appointed as set out in Section G below. After the FDRC is appointed, the Provost, absent compelling circumstances, shall provide for the chair of the FDRC a description of the charges stated with reasonable particularity (hereafter "Charges") within twenty-one (21) days after receiving the faculty member's written request for review (but in all events as soon as practicable). The Chair of the FDRC shall also receive information stating the cause(s) relied upon by the Provost in making the recommendation, along with a summary of the evidence upon which the Charges are based.

STEP 7: The faculty member shall file a written response to the Charges no later than fourteen (14) days after receipt of the Charges from the Provost.

NOTE: If one of the Charges to be presented to the FDRC is for incompetence in teaching, research, or service, then two outside evaluators shall be identified, one by the faculty member and one by the Provost, to provide objective evaluations of the faculty member's competence or lack thereof in teaching and/or research. The evaluations shall be conducted by outside evaluators in the faculty member's field. The evaluators shall provide written reports within twenty-one (21) days of being appointed by the Dean and the reports shall be made available to the FDRC for their consideration.

STEP 8: The FDRC shall follow the procedures set out in Section ___ below and then provide its recommendation, in writing, to the President stating whether the Provost's recommendation should be followed, rejected, or modified, including what modifications it would recommend. The FDRC shall simultaneously provide a copy of its recommendations to the Provost and the faculty member.

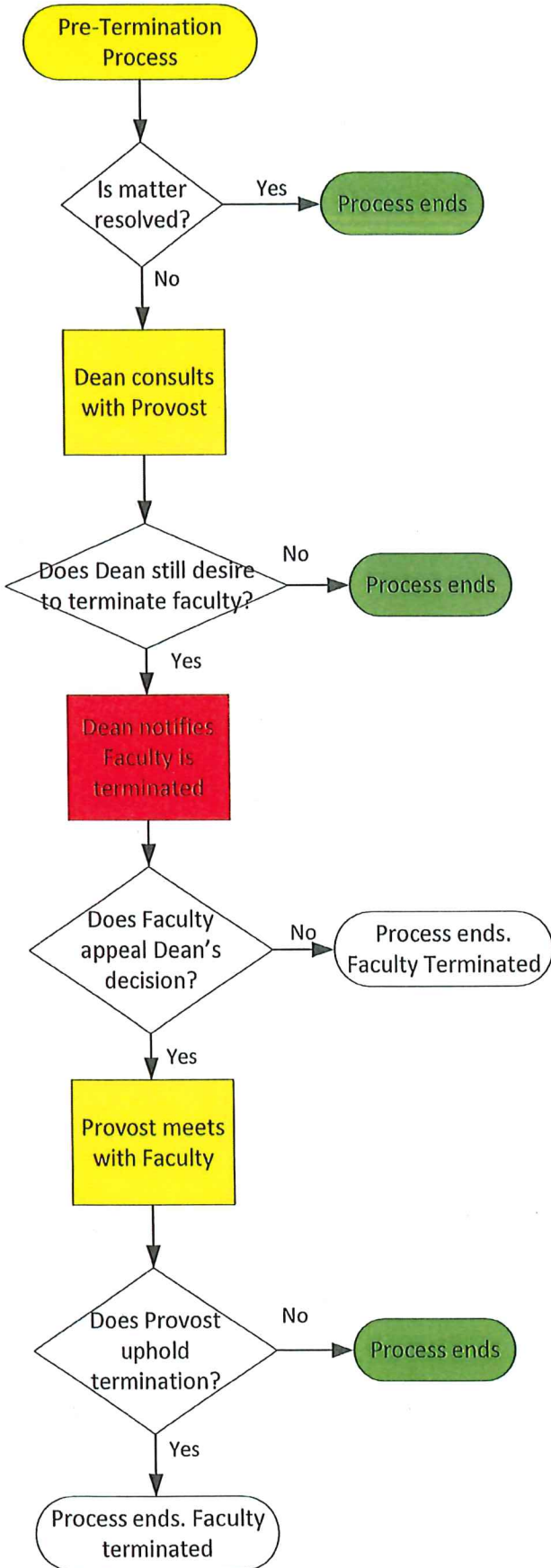
STEP 9: The faculty member, after being advised of the FDRC's recommendation in Step 7 above, shall have seven (7) days to notify the President in writing if the faculty member agrees or disagrees with the FDRC's recommendation. This is an opportunity for the faculty member to make any relevant statement to the President that the faculty member wishes the President to consider relating to the FDRC's recommendation before the President makes his/her decision. The Provost shall also have seven (7) days to notify the President in writing if the Provost agrees or disagrees with the FDRC's recommendation.

STEP 10: The President shall review the Provost's Charges (as amended if applicable), the faculty member's response to the Provost's Charges (as amended, if applicable), any post-hearing submissions as allowed by the FDRC, the recommendation by the FDRC, and any statement provided by the faculty member and Provost in Step 9. Within fourteen (14) days of receipt of the FDRC's recommendation, the President shall provide his/her written decision to the faculty member and Provost as to whether the faculty member should be dismissed, suspended, or other lesser action shall be taken, which could include taking no action at all against the faculty member. If the President's determination is different than the FDRC's recommendation, the President shall address the reasons for the difference in his/her decision. If the President's decision is something other than termination or suspension, the President's decision is final and no further review of the President's decision shall occur.

STEP 11: If the President determines that the faculty member shall be terminated, the faculty member shall have seven (7) days to make a written request for appeal to the Washburn University Board of Regents ("WUBOR"). If the faculty member does not request an appeal to WUBOR, then the President's decision is final and no further review of the President's decision shall occur. The faculty member's written request for appeal shall be made to the Chair of the WUBOR, the President, and the Provost. The faculty member's written request for appeal shall include any response the faculty member wishes to make regarding the President's written decision. The Provost shall have seven (7) days after receipt of the faculty member's written request for appeal to respond in writing, which response will be provided to the Chair of the WUBOR, the President, and the faculty member.

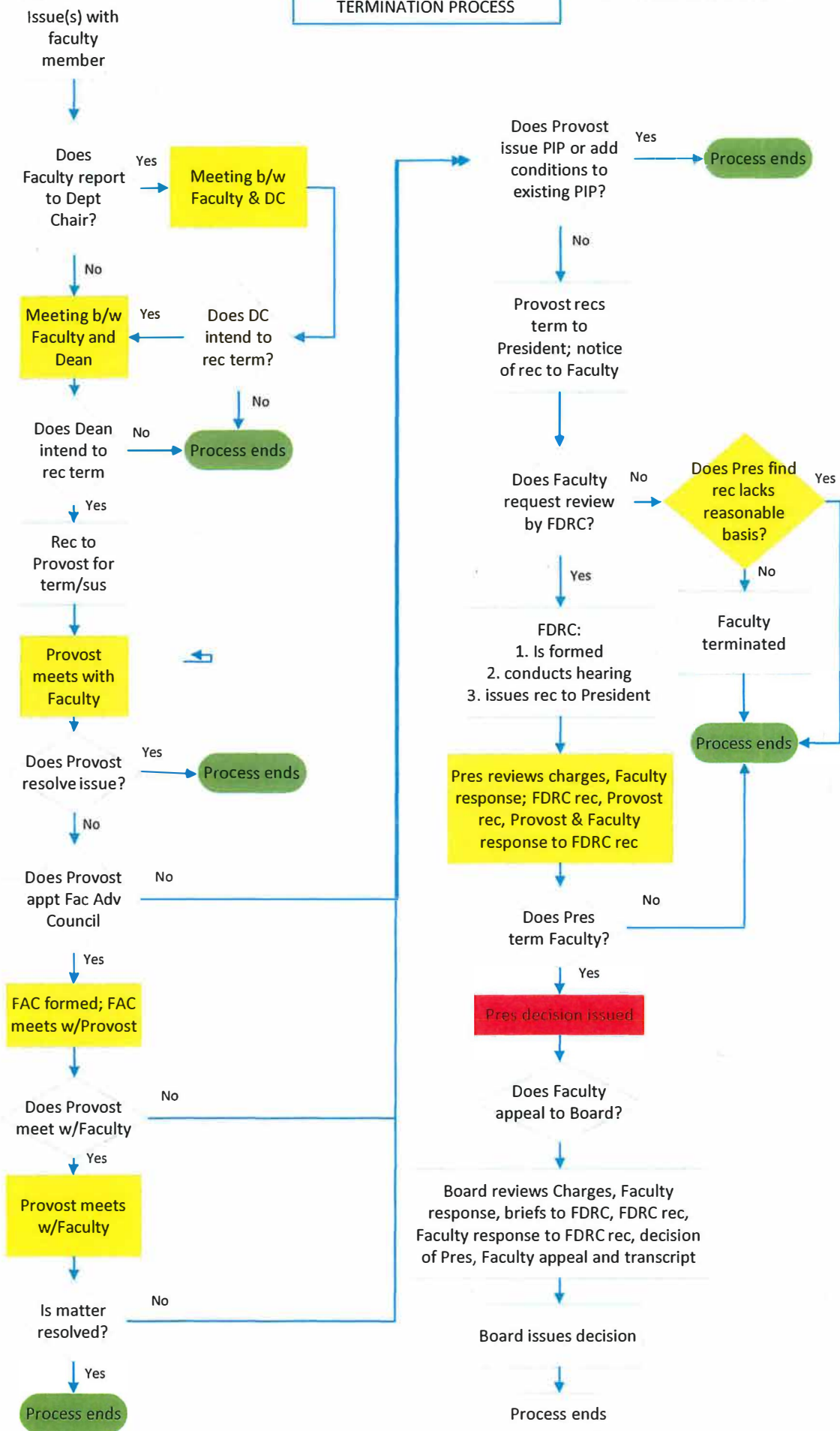
STEP 12: If the faculty member timely makes a written request for appeal to the Chair of the WUBOR, the WUBOR shall review a) the Charges (as amended, if applicable), b) the faculty member's response to Charges (as amended, if applicable), c) any post-hearing briefs filed by the parties as allowed by the FDRC, d) the recommendation of the FDRC, e) the faculty member's statement of disagreement with the FDRC recommendation, f) the decision of the President, g) the written appeal of the faculty member, h) the Provost's response to the faculty member's appeal, and i) the transcript of the proceedings before the FDRC. WUBOR shall *not* consider any information not listed above. After reviewing the above documentation, WUBOR may accept, reject, or modify the decision of the President. WUBOR shall issue

its decision, in writing, within twenty-eight (28) days from receipt of the faculty member's written request for appeal. The decision of the WUBOR is final and not subject to any further appeal or University process.



PROPOSED TENURED FACULTY
TERMINATION PROCESS

ATTACHMENT B



Washburn University Board of Regents

SUBJECT: Faculty Senate Constitution Amendments

DESCRIPTION:

During the 2022-2023 academic year, Faculty Senate and the General Faculty passed a major overhaul of the Constitution. Two amendments to the Constitution were recently passed by the Faculty Senate and the General Faculty:

One, correct a typographical error found in VI. H. 5. to align Faculty Affairs Committee processes with the other subcommittee and Faculty Senate agenda timelines. Additionally, add the word “calendar” to section V. F. to clarify the timeline is five calendar days. These changes will align the Faculty Senate and all subcommittees, such that all agendas will go out to faculty five calendar days in advance of the meeting.

Two, revise the Constitution to add that new degrees and elimination of existing degrees will automatically forward to the General Faculty as voting items. The proposed language amendment (Amend the FSC Section I.D.2.) is as follows:

I.D.2. Any action by the Faculty Senate concerning changes in graduation requirements, new degrees, elimination of existing degrees, or creation of new academic departments will be brought before the General Faculty for a vote.

FINANCIAL IMPLICATIONS:

No additional costs are anticipated.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the two amendments to the Faculty Senate Constitution.

Washburn University Board of Regents

SUBJECT: Washburn University Policies, Regulations, and Procedures Manual –
Section E. Benefits

DESCRIPTION:

In January 2021, we increased the amount of personal leave an eligible employee with less than 10 years of service could earn. While this change was helpful, the importance of offering competitive paid leave benefits continues. Based on a recent employee benefits survey, offering competitive paid time off benefits is increasingly important for attracting new talent to Washburn.

In our continuing effort to remain competitive, we compared our paid time off offerings with the Kansas Board of Regents and the State of Kansas. After review, we identified a discretionary paid leave benefit not currently offered at Washburn which we believe will enhance our paid leave options. By adding a new discretionary paid leave day benefit, in the form of a Floating Day, eligible employees will have another source of paid leave. We want to be prudent with our use of benefit-related budget, thus we will establish new regulations and procedures which will include limitations in eligibility and usage.

In the attachment, we recommend adding a new benefit policy for a Floating Day to Section E. of the Washburn University Policy, Regulation, and Procedures Manual (WUPRPM), effective January 1, 2025. New language will also be added to the respective regulations and procedures section of the Washburn University Policy, Regulation, and Procedures Manual (WUPRPM).

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve amendments to Section E. of the WUPRPM, effective January 1, 2025.

WUPRPM. Board Policies

E. Benefits

Revision Date: January 1, 2025

E. Benefits

5. Floating Day. The Administration shall develop and maintain regulations and procedures providing eligible Employees with a floating day as a paid leave benefit.

5.1. Eligible Employees are those who are employed in a position authorized to work .5 or greater FTE.

5.1.1 Temporary, seasonal, and Student Employees are not eligible.

5.2 No payment shall be made for an unused Floating Day upon termination of employment.

Washburn University Board of Regents

SUBJECT: New Program: Medical Dosimetry, Master of Science

DESCRIPTION:

Washburn is uniquely positioned to create and support a new Medical Dosimetry, Master of Science program that would help alleviate the projected shortage of certified Medical Dosimetrists in radiation oncology.

The 2020 American Association of Medical Dosimetrists (AAMD) Medical Dosimetry Workforce Study indicated that there will be a steady increase in the demand for certified medical dosimetrists due to a surge in retirement rates and rising cancer incidence. Since 2017, medical dosimetrists are required to graduate from a Joint Review Committee on Education in Radiologic Technology (JRCERT)-accredited program to be eligible to take the national certification board exam. However, there are only a small number of accredited programs, and the number of graduates will not be enough to fill the projected job vacancies. Recently, the JRCERT and AAMD reached out to existing JRCERT-accredited Radiation Therapy programs, including Washburn, to explain the urgent need for additional programs in medical dosimetry.

A Hanover Research Report concluded that Washburn should establish a Medical Dosimetry program if the ‘investment is minor and if there is a strong internal pipeline’ of students. Washburn distributed surveys to Radiation Therapy Program graduates to assess interest in a Medical Dosimetry Program. Overall, the response was favorable, with 60% of graduates responding with interest in becoming a medical dosimetrist. Of those graduates, 93% said they would ‘absolutely’ return to Washburn if we had a medical dosimetry program.

The program would be organized similar to the existing Radiation Therapy program, which has a long tradition of producing high-quality radiation oncology professionals. This program would offer an additional graduate degree option for allied health professionals and would attract a reasonable number of radiation therapists from across the country.

Rollout of the program will begin in Spring 2025 with curriculum development. Starting Fall 2025, open applications will be accepted. Formal acceptance of students and preparation for accreditation will start in Spring 2026. The first cohort will begin in Summer 2026.

FINANCIAL IMPLICATIONS:

A new full-time faculty person will be needed to teach the program. Due to being an accredited program, we are required to go through the accreditation process which will necessitate having a program director for 1.5 years prior to having students. Given this, we will incur costs for the program prior to having revenue. We anticipate that the program will have an annual net profit starting in FY27 and would be fully profitable in FY28.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the addition of the Medical Dosimetry, Master of Science program.

Below are some general financial implications for starting the program. Due to being an accredited program, we are required to go through the accreditation process which will make us have a program director for 1.5 years prior to having students. This is the main reason for the loss of profit for this and next fiscal years. The program would have an annual net profit starting in FY27 and would be fully profitable in FY28.

Medical Dosimetry

	projected	projected	projected	projected	projected
Revenue:	FY25	FY26	FY 27	FY 28	FY 29
#students	0	0	10	15	20
Cr Hr/student	40	40	40	40	40
Total SCH	\$0.00	\$0.00	\$400.00	\$600.00	\$800.00
Tuition	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00
Total Revenue	\$0	\$0	\$280,000	\$420,000	\$560,000

Expenses:	FY25	FY26	FY 27	FY 28	FY 29
Program Director	47000	94000	94000	94000	94000
Benefits (37%)	17390	34780	34780	34780	34780
Clinical Coordinator				80,000	80,000
Benefits (37%)			-	29,600	29,600
Professional Development		5000	5000	5000	5000
Accreditation costs		10000	4950	6200	7450
Supplies (AH)		500	500	500	500
Marketing/Travel		5,000			
One-time start up costs					
Furniture		5,000	5000		
Computer/Software		2,500	2500		
Total Expense	64,390	128,585	146,730	250,080	251,330

Annual Net Revenue	(64,390)	(128,585)	133,270	169,920	308,670
Total Revenue of program	(64,390)	(192,975)	(59,705)	110,215	418,885

Accreditation costs are roughly \$10,000 for all initial costs and then annually \$2,450 + \$250 for each new clinical site. Calculation considers new, unique clinical sites every year.

Washburn University Board of Regents

SUBJECT: New Program: Middle Grades Math, Bachelor of Education

DESCRIPTION:

There is a need for middle and high school math teachers who can teach courses through geometry, and Washburn has students interested in pursuing a program that would enable them to do this. Washburn currently offers an “advanced core math” program that includes preparation for teaching higher-level math courses (e.g., Pre-Calculus and Calculus). The proposed Middle Grades Math, BEd program provides an additional path to licensure to teach mathematics, focusing on the lower-level middle grades and secondary math courses. This program provides an immediate path to licensure in middle grades math and will also allow graduates to test for a new “core math” secondary education license that is currently in development by Kansas State Department of Education for our students.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the addition of the Middle Grades Math, Bachelor of Education.

Washburn University Board of Regents

SUBJECT: Washburn Institute of Technology Associate of Applied Science (AAS) degrees

DESCRIPTION:

Washburn Institute of Technology is committed to enhancing educational opportunities for students by expanding programs that currently offer Technical Certificate B or C credentials to include the option of earning an AAS degree. In addition to fulfilling the requirements of the Certificate B or C credential, students will complete 15 hours of general education courses, and any additional elective credit hours needed to reach a minimum of 60 credit hours, for the awarding of an AAS degree. With the support of the Kansas Board of Regents (KBOR), we are proposing to offer AAS degrees in the following programs:

- Automotive Collision & Refinishing Technology
- Automotive Technology
- Business, Bookkeeping & Accounting
- Cabinet/Millwork
- Commercial and Heavy Construction
- Cosmetology
- Culinary Arts
- Diesel Technology
- Early Childhood Education
- Engineering Drafting & Design
- Graphics Technology
- Heating, Ventilation & Air Conditioning (HVAC)
- Industrial Machine/Maintenance Technology
- Information Systems Technology
- Machining & Manufacturing Technology
- Surgical Technology
- Welding Technology

Additionally, we propose an AAS degree in Applied Technology that will permit students to combine two or more Certificates and similarly complete 15 hours of general education courses and any additional elective credit hours needed to reach a minimum of 60 credit hours.

This expansion empowers students to further their education by obtaining an AAS degree and creates a pathway for the transfer of 60+ credit hours to the University towards the completion of a baccalaureate degree. As part of this effort, transfer parameters are being developed in partnership with the University to ensure a smooth transition for our students. These program changes will go into effect Fall 2025.

FINANCIAL IMPLICATIONS:

No additional costs are anticipated.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the addition of the above Washburn Institute of Technology AAS programs.

Washburn University Board of Regents

SUBJECT: Bradbury Thompson Alumni Center (BTAC) Interior Remodel

DESCRIPTION:

Washburn seeks to remodel portions of the Bradbury Thompson Alumni Center (BTAC) to create space for the Alumni Association and Foundation staff to be housed in one building. This follows the previously approved projects to remodel portions of Bennett Computer Center and Morgan Hall to allow for departmental movements on campus. The scope of work includes modifying some office spaces, creating work areas in the current conference rooms, along with ancillary work such as electrical and network systems. The current plan is to use the vacated Foundation building as temporary space for faculty and staff displaced by the Henderson Renovation project.

Facilities engaged Falk Architects through their Master Services Agreement for design of the space and to produce construction documents.

Washburn issued a Request for Proposal in November 2024. Bids were received from five contractors as follows:

<u>Contractor</u>	<u>Location</u>	<u>Bid Amount</u>
Kelley Construction	Topeka, KS	\$146,800
Crossland Construction	Topeka, KS	\$148,900
Kendall Construction	Topeka, KS	\$153,735
Senne & Company	Topeka, KS	\$179,500
Shirley Construction	Topeka, KS	\$187,168

The proposals were reviewed and evaluated, and the evaluation team concluded that due primarily to previous project experience and current workload, Crossland Construction is the recommended contractor for this project.

FINANCIAL IMPLICATIONS:

The total budget for this work is \$300,000 and includes the construction, design services, furniture, soft costs, and contingency. Funding for this work is provided by previously approved capital funds.

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the award of a contract to Crossland Construction for the BTAC Interior Remodel at a cost of \$148,900.

Washburn University Board of Regents

SUBJECT: Henderson Renovation – Project Plan and Final Budget

DESCRIPTION:

In December 2021, the Board approved moving forward with fundraising and beginning the planning and design process for renovating Henderson Learning Resources Center. An overall plan for financing the project included private support, university reserves and university debt. An initial project budget of \$35,000,000 was estimated and included costs for design and construction for the complete renovation of the building.

After significant success in affirming private support for the project, the Board approved moving forward with the next stages of the project. The Board selected GastingerWalker as the design firm for the project in September 2023. Then in October 2023, the Board approved the selection of McCownGordon as the Construction Manager at Risk. Upon the hire of these project partners, the design and planning process commenced. This process was extensive and included significant opportunities for input from administration, academic leadership, faculty, staff and students.

Henderson is the largest academic classroom building on the Washburn campus housing approximately 25% of classroom spaces. It is likely every undergraduate student at Washburn takes at least one class in this building. It is home to the School of Business, the College of Arts and Sciences Deans Office and its Division of Social Sciences.

The proposed building project includes renovation of all aspects of the building and includes state of the art additions and renovations to ensure the best possible learning spaces for students, teaching spaces for faculty, and interaction and gathering spaces for faculty, staff, and students. This building will be a premier place to learn, work and thrive for decades to come.

GastingerWalker finalized construction documents in October 2024 and delivered them to McCownGordon to request subcontractor bids and establish their Guaranteed Maximum Price (GMP). McCownGordon has received bids for all aspects of construction for the project. The following provides the updated breakdown of the total project budget:

<u>Category</u>	<u>Budgeted Cost</u>
Design Services	\$2,732,285
Construction	\$33,509,809
Furniture	\$2,115,000
Audio-Visual	\$1,524,365
Soft Costs & Contingency	<u>\$2,618,541</u>
Total Project	\$42,500,000

Washburn is able to contribute some State of Kansas allocated demolition funds to the project for the demolition scope. This allocation, paired with additional private funds raised beyond the initial goal, allows the bond amount and University reserve initial commitments to remain unchanged from interim estimates.

FINANCIAL IMPLICATIONS:

The total Henderson Renovation Project budget is \$42,500,000. Funds for this project are provided by private funds, University reserves, bonds, and State demolition funds as follows:

Private Donations	\$16,200,000
State Demolition Funds	\$ 1,300,000
University Reserves	\$13,000,000
University Debt	<u>\$12,000,000</u>
	\$42,500,000

RECOMMENDATION:

President Mazachek recommends the Board of Regents approve the plans and the associated Project Budget of \$42,500,000 for the Henderson Building Project.

Washburn University Board of Regents

SUBJECT: Real Estate Purchase

Placeholder