

WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
December 5, 2024

I. Call to Order

Chairperson Dietrick called the meeting to order at 3:30 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

III. Officer Reports

A. Chair's Report

Chair Dietrick welcomed everyone and stated it will be a long meeting but there are many important issues, and it will be an exciting meeting.

B. President's Report

President Mazachek noted the volleyball team was participating in the NCAA tournament and won their first match today.

Dr. Mazachek informed the Board 29 students from Washburn Tech were inducted into the National Technical Honor Society.

President Mazachek was excited seeing Washburn involved throughout the community, with the toy build at Washburn Tech, the Giving Tree, the CASA Tour of Homes and on Saturday, Washburn will be participating in the Miracle on Kansas Avenue parade.

Dr. Mazachek reminded everyone about the graduation ceremonies occurring at the end of next week for both Washburn University and Washburn Tech.

President Mazachek asked John Haverty, CIO, for his annual update on Cybersecurity

1. Cybersecurity Report – John Haverty

Chief Information Officer Haverty provided information steps taken to improve Washburn’s cybersecurity processes. Washburn provides training and over half of the employees completed the training. Information Technology Services (ITS) is working on processes to increase participation.

Mr. Haverty stated another process is using a Phish Alert button. Employees and students use these to report suspected phishing emails. ITS also performs some simulated phishing emails as a test.

CIO Haverty noted other steps taken by ITS include requiring all students and faculty to enroll in Duo requiring a dual step process to login, and tabletop exercises in ITS to improve current processes and locate gaps needing to be addressed.

Mr. Haverty said all purchases go through HECVAT Higher education community vendor assessment toolkit.

CIO Haverty advised the Board ITS conducted penetration testing – or Pentest – to test Washburn’s systems. No critical issues found. He added Washburn started doing a Pentest for 6 years, which was before our higher ed colleagues at KBOR began performing those tests.

Mr. Haverty added ITS is looking to add a second position to oversee security.

In response to a question about having a cold or hot recovery spot, CIO Haverty advised Washburn has a back up for system at the Wichita State University computer center, but ITS is looking for another location as an additional back site.

IV. New Business

A. Consent Agenda

Motion by Regent Sourk and second by Regent Padilla to approve the consent agenda. Motion passed.

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

- 2. Approval of the Minutes of the November 19, 2024 Special Board Meeting**
- 3. Liquidated Claims Approval – September, 2024**
- 4. Liquidated Claims Approval – October, 2024**
- 5. Faculty Staff Personnel Action**
- 6. Inactivation of Washburn Tech Certificate Programs**
- 7. Barbri Bar Review Preparation Program**
- 8. Renewal and Extension of Topeka Neighborhood Revitalization Plan**
- 9. Printing and Bulk Mail**
- 10. Cybersecurity Monitoring**
- 11. KTWU Tower Lighting**
- 12. KTWU High Definition Video Server**

B. Action Items

1. Revision of Bylaws of the Board of Regents – Second Reading

Chair Dietrick presented the item. Mr. Dietrick stated the Board has had discussions at a retreat with a presentation by the Association for Governing Boards and then a committee was created to work on these changes. Chair Dietrick noted the bylaws were first approved in 1941 and the last comprehensive review of the bylaws occurred in 1982. The committee, made up of Regents Dietrick, Sourk, Buhler and Romero, worked with the President and other staff on the changes. Chair Dietrick advised the current bylaws contain information that is not appropriate for bylaws, such as policy language. Mr. Dietrick said the proposed revision only addresses powers and responsibilities of the Board members, as well as committee structure.

Motion by Regent Sourk and second by Regent Romero to adopt the revised bylaws. Motion passed.

2. Board Committee Charters

Chair Dietrick presented the item. The working group addressing the bylaws also addressed the issue of committees for the board, creating four committees to assist the Board and board meetings be more effective. Additionally, the workgroup developed charters for each committee. Mr. Dietrick listed the four committees:

Finance and Capital Strategies; Compliance, Audit and Risk; Academic and Student Affairs; and Executive and Governance. The Executive and Governance Committee will be made up of the chairpersons of the other three committees and the Board Chair. The bylaws and the new committees are effective as of today, but no meetings will occur until after the new year.

Motion by Regent Romero and seconded by Regent Nave to approve the committee charters. Motion passed.

3. Board Committee Assignments

Chair Dietrick presented the item and read the list of proposed appointments for each of the new 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

Mr. Dietrick added each of the Regents had been contacted and agreed to accept the appointments. These appointments begin today and run through June 30, 2025.

Motion by Regent Jeffrey and seconded by Regent Dicus to approve the Board Committee appointments. Motion passed.

4. Washburn University Policies, Regulations, and Procedures – Section DD. Academic Affairs

Presented by Chief of Staff Cynthia Holthaus. Ms. Holthaus advised this item is to replace the policy language from the Bylaws but at a higher level of language. Chief of Staff Holthaus added the one difference for this policy than others is the board retains authority to approve any changes to the Termination of Tenured faculty process. Ms. Holthaus noted one comment repeatedly received is about the phrase “moral and luster”. Moral was the intended word, and not morale, and Luster means distinguished.

Motion by Regent Sourk and seconded by Regent Buhler to approve the new Board Policy Section DD – Academic Affairs. Motion passed.

5. Faculty Tenure Termination Procedure

Presented by Chief of Staff Holthaus, who advised the Board an ad hoc faculty handbook committee was created to address a number of items in the handbook including the termination procedure. Ms. Holthaus noted in 2017, Dr. Mazachek made it a standing committee. At that time, work began in earnest on this item. The committee included the Provost, General Counsel, Chief of Staff, Deans, and faculty, sometimes meeting 2x/month. Chief of Staff Holthaus stated work on the revisions was paused while the process was implemented all the way through the appeal to the Board. Once that process was completed, persons involved in that process provided input and recommendations regarding the procedure. Ms. Holthaus informed the court the process being presented is a process that will ensure consistency and due process. It has been through faculty affairs and faculty senate and the general faculty approved it unanimously. Chief of Staff Holthaus explained to the Board about the two attachments. The first is the actual language being approved. The 2d is the entire procedure to provide context.

Motion by Regent Sourk and second by Regent Romero to approve the revised Faculty Tenure Termination Procedure. Motion passed.

6. Faculty Senate Constitution Amendment

Presented by Provost Fritch. Dr. Fritch advised there are two proposed amendments to the constitution. One is a minor language correction to help with an inconsistency in the document. The second change is to add certain items to be included in items required to be taken to the general faculty for approval.

Responding to a question about process, Dr. Fritch stated the amendment went through both Faculty Senate and General Faculty.

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

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

Presented by Vice President Luther Lee. Mr. Lee advised the Board this item is to add additional day off. Vice President Lee stated a review was performed of time off benefits and pay with KBOR institutions, this is a floating day benefit that the KBOR institutions offer that Washburn does not. Mr. Lee noted the floating day off expires at the end of each fiscal year if not used and will not be paid out if an employee leaves employment.

Regent Dietrick commented this type of benefit is common.

Regent Romero commented he was glad to see Washburn continuing to improve benefits for employees.

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

8. New Program – Medical Dosimetry, MS

Presented by Provost Fritch. Dr. Fritch stated this program is important for three reasons: 1) it reaffirms the strategic platform relating to health industry programs; 2) it addresses local and national needs and Washburn was contacted by a national agency to consider adding this degree; and 3) this is a graduate program and will be the first Masters of Science degree. Provost Fritch recognized Mark Kohls and Zach Frank for their work to reach potential students and employers.

Answering a question about hiring a director a year and half before having students, Dr. Fritch said the year and a half will be used to build the program and obtain accreditation.

Regent Dietrick commented a survey indicated 93% of our graduates said they would return to Washburn to get this degree.

Motion by Regent Padilla and seconded by Regent Romero to approve the new Medical Dosimetry program. Motion passed.

9. New Program – Middle Grades Math, BEd

Presented by Provost Fritch. Dr. Fritch informed the Board of the critical need for teachers teaching middle school math in Kansas and across the country. Provost Fritch advised the state is creating a new licensure program to address the need and this is a fill in program until the State Department of Education approves their own plan.

Motion by Regent Buhler and second by Regent Nave. Motion passed.

10. New Program – Washburn Institute of Technology AAS Degrees

Presented by Provost Fritch. This item will allow certain programs offering Certificate B & C certificates to offer Associate of Applied Science (AAS) degrees as well at Washburn Tech. Dr. Fritch noted KBOR had previously not allowed Washburn Tech to offer associate degrees although other Tech programs

in Kansas allowed to offer the AAS degrees. KBOR recognized inequity in their restriction, so they removed the obstructions to Washburn Tech offering the AAS. Provost Fritch stated this allows Washburn Tech students to get AAS degrees without having to transfer to Washburn University for the AAS degree and then return to Washburn Tech for other training. Dr. Fritch said this will also allow Tech students to transfer to University with an AAS degree to complete their four year bachelor's degree.

Regent Dietrick commented he likes seeing new pathways for students.

Regent Nave commented he sees this as an opportunity to open conversations in the labor community and he will be pushing this because it will open opportunities for persons in our community and will help change their lives.

Motion by Regent Padilla and second by Regent Sourk to approve creating the AAS degree for all the programs listed in the agenda item. Motion passed.

Provost Fritch commented this is a significant achievement, and the hiring of Scott Smathers as Dean of Washburn Tech was very helpful with his prior work at KBOR to get Washburn Tech to this point.

11. Bradbury Thompson Alumni Center Renovation

Presented by Vice President Luther Lee. Mr. Lee stated this is to remodel portions of the Bradbury Thompson Alumni Center (BTAC) to allow moving of the Foundation staff from the building on MacVicar to the BTAC so that the alumni association and foundation employees can be located in one building. Vice President Lee noted RFP responses were received from five vendors. Mr. Lee advised Crossland Construction is the recommended vendor. Budgeted costs for the total project are \$300,000 and will be funded by previously approved capital funds. Vice President Lee said the cost for Crossland is \$148,000.

Motion by Regent Jeffrey and second by Regent Fisher to approve the hiring of Crossland Construction for the BTAC remodeling project. Motion passed.

12. Henderson Renovation Project Update

Presented by Vice President Luther Lee. Mr. Lee invited Assistant Vice President for Facilities Services Eric Just to present on the topic and acknowledged the work of Mr. Just and his team on doing the hard work to get us to this point.

Mr. Just stated in December 2021, the Board approved the beginning of fundraising and planning for this project. At the October 2023 meeting, the Board approved the hiring of a Construction Manager at Risk. Assistant Vice President

Just said Washburn worked with GastingerWalker for the last year on design to develop construction documents and then presented them to McCownGordon, the CMAR. McCownGordon then received bids from subcontractors to establish the Guaranteed Maximum Price of \$42.5M. Funds for the project will come from private donations, University reserves, bonds to be issued in 2025 and state funds for demolition.

Motion by Regent Dicus and second by Regent Sourk to approve the plans and associated project budget of \$42,500,000. Motion passed.

13. Real Estate Purchase

Presented by Vice President Luther Lee. Mr. Lee stated this is an exciting item. Vice President Lee noted there has been increase in manufacturing facilities in and around Shawnee County and Northeast Kansas, and Washburn Tech needs to be part of this growth. Mr. Lee advised Washburn was approached about purchasing a vacant retail building in North Topeka which could help Washburn Tech locate a manufacturing training center. The building is the former K-Mart building on NW Tyler Street and Highway 24. The lot is eight acres, the building is over 91,000 square feet and there are over 400 parking spaces for the building. Vice President Lee told the Board Washburn was able to perform structural and utility inspections and an environmental inspection is scheduled before closing on the building would occur.

Mr. Lee advised the purchase price is \$2,000,000 and the closing date is scheduled for December 31, 2024. President Mazachek, after conferring with the Board Chair, entered into a purchase agreement for the building prior to today to allow processes to begin so the December 31 closing date could be met.

Regent Padilla commented the project will be transformational for that part of the city and is pleased Washburn is being involved in all parts of the city.

Motion by Regent Padilla and second by Regent Buhler to ratify the sales contract to purchase to former K-Mart building in North Topeka. Motion passed.

V. Next Meeting Date

A. Board of Regents Meeting – February 6, 2025

VI. Executive Session

Motion by Regent Dietrick and second by Regent Padilla that the regular session of this meeting be recessed immediately following a 5 minute break into executive session for 15 minutes for consultation with general counsel which would be deemed privileged in

the attorney-client relationship. The subject of this executive session will be to provide legal advice to the Board on a complaint made by a student. The open meeting shall resume at 5:15 in this same room. Motion passed.

Moved into executive session.

Regular session resumed at 5:15. Motion by Regent Dietrick and seconded by Regent Nave to go back into executive session for 10 minutes the same reason and justification as stated in the previous motion to return to the regular session at 5:25. Motion passed.

Moved into executive session.

Regular session resumed at 5:25. Regent Sourk states the Board acknowledges receipt of the complaint and no further action will be taken.

VII. Adjournment

Motion by Regent Nave and second by Regent Romero to adjourn the meeting. Motion passed. The meeting adjourned at 5:28 p.m.

Marc Fried
Secretary, Board of Regents