

Kansas coronavirus update: Higher education grapples with academic, financial uncertainties; KDOC cans prison medical provider

By Tim Carpenter

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TOPEKA — Washburn University president Jerry Farley approaches planning for fall semester classes with optimism about possible return to some form of academic normalcy and with trepidation as financial costs of the coronavirus disruption sink in.

This feeling of excitement and angst is shared by administrators at universities large and small, as well as community and technical colleges across the state serving more than 125,000 students. Campus buildings have been shut down since mid-March in response to the COVID-19 pandemic, and learning from kindergarten through college in Kansas was hastily moved mostly online.

Farley, who presides over a Topeka university serving 6,000 students, said levers exist to adjust operating expenditures in a crisis. He has less influence over fixed-cost obligations boiled into the financial spreadsheet, including debt on student housing.

“Without any revenue coming in, it’s going to be a really tough job to work our way through that. I think that is probably the most difficult task, at least that we face at Washburn,” he said.

Complexities of transitioning from the online-only approach adopted for spring and summer classes to more traditional face-to-face instruction involves hundreds of decisions about public safety, teaching methods, staff duties and external business relationships.

Financial considerations range from student dormitory and meal rebates, to hiring freezes, salary reductions or layoffs, to adjusting course offerings or modifying tuition and fees, to operating sports programs. Federal and state government appropriations are expected to soften the impact on Kansas higher education.

The good vibe

Steve Scott, president at Pittsburg State University, said a crisis created by COVID-19 had an amazing power to reveal character. He said he recently received an email from a nontraditional student compelled to study for PSU classes from her car in a campus parking lot, because she had no internet service at home.

The student shared appreciation for kindness of people coming together at PSU, he said.

“We know there are some really hard decisions,” Scott said. “We’re going to use up some of that capital we’re building right now.”

He said it was important in the months ahead to retain backing of the Kansas Board of Regents, which has oversight of 32 public universities and colleges statewide, as campus officials made “some of the most difficult decisions that we’re probably ever going to face.”

Shifting enrollment

One of the great unknowns is how many new and returning students will show up in the fall. It’s not just fate of international and out-of-state students. There is not clarity about how Kansans feel about attending college after experiencing a pandemic with such lethal consequences.

Blake Flanders, president and chief executive officer of the state Board of Regents, said it was difficult to imagine international travel returning to normal by resumption of classes in August.

“I don’t have a crystal ball, but I do think we could potentially see contracting enrollments in the fall,” he said.

Flanders said colleges and universities provided underappreciated leadership as reality of the pandemic started to seep in. The decision to not bring students back for in-person classes after spring break reduced spread of the virus, he said.

“Particularly those communities where the universities are housed,” he said. “That probably saved the strain of significant resources at health care facilities and, probably, put Kansas in a better position long term.”

Seniors grieving

The pivot to online instruction wasn't easy for faculty and students, but emotional toll of postponing graduation ceremonies was a body blow.

“The seniors are going through a bit of a grieving process,” said Allison Garrett, president at Emporia State University. “The decision not to resume classes after spring break means senior students really didn't have an opportunity to say goodbye in the way they had hoped.”

Kansas State University president Richard Myers said he invited heavy criticism for calling off graduation exercises in May. “Worst it got,” he said, but K-Staters were working through such challenges.

“It doesn't mean there's not a lot of stress out there,” Myers said. “There is a tremendous amount of stress.”

He said athletic conferences would decide whether or how to proceed with competition, but the assumption was students would be returning to face-to-face instruction this fall semester.

“We're going to develop lots of alternatives,” Myers said.

Personal responsibility

Shane Bangerter, chairman of the Board of Regents and an attorney in Dodge City, attributed an outbreak of coronavirus in southeast Kansas to a person who traveled for vacation, contracted the virus, misled his employer and spread it to relatives, who then shed it to work colleagues.

“Take all necessary personal action to guard against the spread of this,” he said.

He said the state's education system and economy had a better chance of a solid restart if people adhered to social distancing guidelines. The state needs to adopt widespread testing, track infected people and isolate the sick, he said.

"The only way we're going to get back to a state of normalcy is if we can stop community spread in the state," Bangerter said

In Kansas, state health officials Saturday confirmed 86 deaths and 1,790 infections related to COVID-19. Cases have been identified in 66 of the state's 105 counties. The Kansas Department of Health and Environment has been tracking 35 clusters of infection in Kansas. The nine latest clusters to emerge have been at private companies.

Prison medicine

The Kansas Department of Corrections is severing ties with the state prison system's medical provider amid the pandemic responsible for a one-week doubling of the number of infected employees and inmates at Lansing Correctional Facility.

The decision to replace Corizon Health was anticipated, but executives of the Brentwood, Tenn., company rejected allegations by Jeff Zmuda, the state corrections secretary, that Corizon was unprepared for COVID-19. Zmuda's letter complaining about Corizon's response to the pandemic was dated April 9, the same day Lansing inmates rioted, in part, due to anxiety about adequacy of health care.

James Hyman, chief executive officer at Corizon, said Zmuda accused the company of failing to maintain an adequate stock of personal protective equipment for health staff and delaying until April 8 issuance of procedures for testing, isolating and treating coronavirus patients.

Zmuda also claimed care at Lansing was undermined by a nursing shortage.

"It is not accurate to allege that Corizon was unprepared for the COVID pandemic," Hyman said. "Our first and foremost objective is to ensure the health and safety of the inmates and staff."

Hyman said the Department of Corrections declined to implement screening or temperature checks at the Lansing prison gate until a staff member tested positive March 31. He said Corizon urged KDOC to lock down the prison in Lansing to contain what could form into an outbreak, but state officials declined.

Zmuda awarded a potential six-year contract to Centurion of Kansas, a company based in Vienna, Va., valued at \$86 million in the first year and as much as \$98 million in the final year.

“Providing high-quality health care that is consistent with community standards requires a partner who understands this responsibility,” Zmuda said. “In the procurement process, Centurion has demonstrated themselves to be up to the task.”

The Department of Corrections reported Friday that 39 staff and 30 inmates at Lansing had tested positive for the virus, up from 16 staff and 12 inmates on April 10. The initial employee infection was confirmed March 31, while the first infection of a prisoner was disclosed April 4.

ACLU on church services

Gov. Laura Kelly’s executive order on religious services limited congregational gatherings to no more than 10 people. Her order applied even if attendees respected advice on social distancing, including staying 6 feet apart.

The Legislative Coordinating Council, a Republican-led panel called to duty when the House and Senate couldn’t convene, voted to override the governor’s executive order on church attendance. The Kansas Supreme Court declared LCC lacked jurisdiction to overturn the governor.

That led the Alliance Defending Freedom of Scottsdale, Ariz., to file a lawsuit against Kelly on behalf of Baptist churches in Junction City and Dodge City. It alleges violation of constitutional rights of religious freedom and the right to expression.

In this fight, Kelly found an unlikely ally in the American Civil Liberties Union of Kansas.

Nadine Johnson, executive director of the Kansas chapter of ACLU, has championed the right of people of all faiths to be free from government interference in their right to worship.

“No civil liberty is absolute, however, and circumstances arise where the government can justify temporary, tailored restrictions on the right to assemble and worship. The current global pandemic presents such a circumstance,” she said.

The COVID-19 crisis forced Kelly to balance the quest to save lives against an obligation to respect constitutionally protected liberties.

“While freedom of religious assembly is one of the most sacred rights protected by our state and federal laws, one we defend zealously, the temporary limitations created by these executive orders are justifiable in light of the current health crisis,” Johnson said.