Chairman Lutgert convened the meeting of the University Board of Trustees in the Sprint Room on the Florida Gulf Coast University Campus at 8:30 a.m., February 6, 2003, with the following members present:

Brian Cobb - via conference call
Larry Hart
Renee Lee
Bernard Lester
David Lucas
Scott Lutgert
Harry Moon
Edward Morton
Adam Ricciardiello
Linda Taylor
Peg Gray-Vickrey

Guests: Gerri Moll, Member, Board of Governors
F. Fred Pezeshkan, Chair, FGCU Foundation Board

Members of the staff present were:

William Merwin, President
Brad Bartel, Provost
Curtis Bullock, Vice President, Administrative Services
Tom Healy, Special Assistant to the President for Governmental Relations
J. Robert Quatroche, Vice President, Advancement
Susan Evans, Special Assistant to the President
Wendy Morris, General Counsel

1. Call to Order & Chair’s Remarks — Chair Scott Lutgert

Chairman Lutgert greeted trustees and thanked audience members for attending. He welcomed Dr. Peg Gray-Vickrey as a voting member of the board and Gerri Moll, who has been appointed to the statewide Board of Governors and will be leaving the FGCU Board of Trustees. He also welcomed Fred Pezeshkan, chair of the FGCU Foundation Board, and finally, welcomed Dr. Bob Quatroche, FGCU’s new Vice President for University Advancement. Chairman Lutgert congratulated board members on their
reappointment and since the Board is a newly constituted Board, it is necessary to elect a chair and vice chair. He turned the meeting over to President Merwin to conduct the election of the Board’s chair.

2. Board Election of Chair and Vice Chair - President Bill Merwin

President Merwin, serving as Acting Chair, requested a nomination for the Chair of the Florida Gulf Coast University Board of Trustees. Trustee Morton made a motion to nominate Trustee Lutgert. Motion was seconded by Trustee Hart. Motion carried unanimously.

Chairman Lutgert thanked board members for their confidence in him. He stated the next order of business was to elect a Vice Chair and opened the floor for nominations. Trustee Lester made a motion to nominate Trustee Taylor as Vice Chair. Motion was seconded by Trustee Hart. Motion carried unanimously. Trustee Taylor stated that she too appreciated the support of the board’s leadership and looks forward to the exciting work ahead.

3. Appointment of Committee Chairs – Chairman Scott Lutgert

Chairman Lutgert stated that as chair of the board, he is required to appoint committee chairs, and as such, would request that Trustee Lester serve as the Chair of the Finance & Administration Committee. Trustee Lester accepted this nomination. Trustee Lutgert stated that Trustee Lee is willing to serve as Chair of the Academic/Student Faculty Affairs Committee. He appointed all the trustees to both of the committees as has been done in the past. Trustee Lutgert stated there are a few minor revisions that will need to be made to the “Practices & Procedures” to conform with the passage of Amendment 11. These will be prepared by General Counsel Wendy Morris, and brought back for approval at the board’s April 10 meeting.


President Merwin introduced Ms. Magali Solimano who served as the 2001-02 president of the FGCU Student Government Association. She played an integral role in the development of the Student Code of Conduct that the Board would consider today and because of that, Adam Ricciardello asked Magali to make remarks on behalf of the students. Magali Solimano updated Board members regarding student activities, and in particular, the Student Code of Conduct.
5. Remarks from FGCU Faculty Senate – Vice President Dr. Donna Price-Henry

President Merwin introduced Dr. Donna Price Henry, Vice President of the FGCU Faculty Senate. Dr. Price Henry is speaking today for Senate President Dr. Peg Gray-Vickrey.

Donna Price-Henry reported to the Board members on various events and activities of the faculty.

6. Remarks from FGCU Staff Advisory Council – President Bob Swank

President Merwin introduced Bob Swank, president of the FGCU Staff Advisory Council. Mr. Swank reported on the various activities and plans of the Staff Advisory Council.

7. Presentation of Appreciation – Chairman Scott Lutgert

Chairman Lutgert stated he has the privilege of making a very special presentation and has a resolution of appreciation for Gerri Moll, who has served as a member of this board until her recent appointment to the new Board of Governors. Governor Moll joined Chairman Lutgert and President Merwin at the podium. Susan Evans, Special Assistant to the President read the resolution into the record as follows:

A Resolution of the Florida Gulf Coast University Board of Trustees

WHEREAS, the Florida Legislature and Governor Jeb Bush in 2001 created a new system of K-20 seamless education for the State of Florida, which included installation of the Florida Gulf Coast University Board of Trustees; and

WHEREAS, Gerri Moll was named a member of this inaugural Florida Gulf Coast University Board of Trustees; and

WHEREAS, Gerri has served with great distinction for the benefit of the students, faculty, staff and greater communities of Florida Gulf Coast University; and
WHEREAS, Gerri was recently appointed by Governor Bush to a new statewide position as a member of the Florida Board of Governors that will oversee the state’s 11 universities; and

WHEREAS, this appointment necessitates Gerri’s stepping down from the Florida Gulf Coast University Board of Trustees, where she will be missed;

NOW, THEREFORE BE IT RESOLVED that the Florida Gulf Coast University Board of Trustees wishes to express appreciation for Gerri Moll’s outstanding service, and wishes to recognize her abiding commitment to Florida Gulf Coast University.

DULY ADOPTED THIS 6th DAY OF FEBRUARY IN THE YEAR 2003.

SIGNED:

______________________________________________
Scott F. Lutgert, Chair
Florida Gulf Coast University Board of Trustees

Trustee Moll thanked the Board for the resolution and pledged her continued support of Florida Gulf Coast University as a member of the Board of Governors.

8. President’s Report – President Bill Merwin

President Merwin added his congratulations to Gerri Moll, Chairman Lutgert, Vice Chairman Taylor and welcomed Peg Gray-Vickrey as a voting member of the board. He welcomed the new Vice President for Advancement Bob Quatroche and congratulated all trustees on their reappointment to the FGCU Board of Trustees.

President Merwin informed the board that the enrollment for the spring term has been phenomenal. We are 22% over where we were a year ago. We have, for the first time in our history, exceeded the 3000 FTE level.

President Merwin introduced Dr. Tom Healy, Special Assistant to the President, to update board members regarding the Legislative Session & Governor’s Budget. (Appendix A). President Merwin stated that the university’s administration is concerned about the Governor’s Legislative
Budget Request. He stated that he, Dr. Healy, and Mr. Bullock had a positive meeting with the Chairman of the House Appropriations Committee. He also reported that the state university presidents met with the leadership of the Senate and House regarding the Governor’s Budget Request. President Merwin requested that board members use the contact information distributed for the 2002-2003 Florida legislators to ask for help for enrollment growth money.

President Merwin reported that the Alliance of Educational Leaders Meeting was a help with the legislative delegation and budget concerns were discussed. He stated that a groundbreaking on campus for the Lee County/FGCU Aquatics Center had been held, as well as opening night at Alico Arena, and successful launchings of men’s and women’s basketball, men’s and women’s cross country, men’s baseball, and women’s softball. Carl McAloose will provide an athletics update at the BOT meeting.

President Merwin reported that the first meeting of the FGCU Arts Advisory Group was held on campus.

President Merwin discussed the passing of Mr. Herb Sugden, one of our university’s finest benefactors.

President Merwin called upon Wendy Morris, General Counsel, to give board members an update about executive session related to collective bargaining. Ms. Morris updated the board regarding proceedings before the Public Employees Relations Commission (PERC) on employer status and collective bargaining. Ms. Morris remarked that in December 2002 the United Faculty of Florida (UFF) filed a petition for representation-certification with PERC seeking a representation election for FGCU faculty. Ms. Morris stated that, pursuant to Constitutional Amendment Eleven, the Board of Governors passed a resolution on July 7, 2003, designating the university boards of trustees as employers for their faculty and staff and requiring the boards to handle collective bargaining matters. Ms. Morris further stated that the universities were awaiting a final order from PERC confirming their status as an employer and that once PERC entered such order it would schedule an election and determine the scope of the collective bargaining unit. Ms. Morris described the process and procedures for the board to hold an executive session on matters related to collective bargaining.

9. Consent Agenda – Minutes of December 2, 2002 Meeting

A motion was made by Trustee Moon to approve the minutes of December 2 with the correction of adding Trustee Moon to the list of members present. Motion was seconded by Trustee Hart. Motion carried unanimously.
10. Academic/Student/Faculty Affairs Committee Meeting (Includes Public Input) – Committee Chair Renee Lee

Chairman Lutgert introduced Committee Chair Lee to call the Academic/Student/Faculty Affairs Committee to order. Trustee Lee introduced Provost Brad Bartel who reviewed the action items before the board.

Action Items:
- New Degree Program: MA in English (Appendix B) Dr. Bartel introduced Dr. James Wohlpart, associate professor, Arts and Sciences, who outlined the new degree program request. A motion was made by Trustee Gray-Vickrey to approve the MA in English degree program. Motion was seconded by Trustee Hart. Motion carried unanimously.
- Student Code of Conduction (Appendix C) Dr. Bartel stated that the Student Cod of Conduct has been examined for over a year led by Ms. Magali Solimano, Dean Joseph Shepard, Dr. Charles McKinney and others. He stated it is critical that every university have a set of regulations concerning how students behave and that he endorses this policy. A motion was made by Trustee Moon to approve the Student Code of Conduct. Motion was seconded by Trustee Ricciardiello. Motion carried unanimously.

11. Finance & Administration Committee Meeting (Includes Public Input) – Committee Chair Bernard Lester

Information Items:

Committee Chair Lester asked Mr. Bullock to provide information on the Financial Audit (Appendix D).

Committee Chair Lester turned the meeting over to President Merwin who introduced Dr. Bob Quatroche, the new Vice President for Advancement. Dr. Quatroche made a presentation to the board on the Relationship Between University Boards of Trustees and their Foundation Board of Trustees. Mr. Pezeshkan, on behalf of the University Foundation Board, welcomed Dr. Quatroche and stated the board is looking forward to working with him in the future. There was general discussion among board members regarding the relationship between the two boards.

Action Items:

Committee Chair Lester introduced Ms. Wendy Morris, General Counsel who explained the DSO Rule to Board members (Appendix E). A motion was made by Trustee Lee to adopt the DSO Rule. Motion was seconded by Chairman Lutgert. Motion carried unanimously.

Approved April 10, 2003
Committee Chair Lester turned the meeting over to President Merwin for a PowerPoint presentation on the “President’s Performance Measures.” (Appendix F) A motion was by Trustee Taylor to approve the “President’s Performance Measures” at the May meeting and also approve next year’s Performance Measures. Motion was seconded by Trustee Lee. Motion carried unanimously.

12. **Old Business – Chair Scott Lutgert**

   There was no old business to come before the board.

13. **New Business – Chair Scott Lutgert**

   Chairman Lutgert reported the university annually makes faculty awards for excellence, and a selection committee considers nominees for the awards. Provost Bartel has asked him to appoint a trustee to the selection committee for this year’s awards. Chairman Lutgert appointed Trustee Hart if he is willing to serve. Trustee Hart responded that he would be happy to serve in this capacity.

   Trustee Taylor requested that Ms. Susan Evans supply the Board with bullet points of important matters the board would discuss with legislators.

14. **Chair’s Closing Remarks – Chair Scott Lutgert**

   Chairman Lutgert reminded board members that the next meeting is Thursday, April 10 and that the June 12 meeting has been changed to Thursday, May 29. Meeting adjourned at 12:06 p.m.
INDEX OF MINUTES

<table>
<thead>
<tr>
<th>ITEM</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call to Order &amp; Chair’s Remarks – Chair Scott</td>
<td>1-2</td>
</tr>
<tr>
<td>2. Board Election of Chair and Vice Chair – President Bill Merwin</td>
<td>2</td>
</tr>
<tr>
<td>3. Appointment of Committee Chairs – Chair Scott Lutgert</td>
<td>2</td>
</tr>
<tr>
<td>4. Remarks from FGCU Student Government Association 2001-02 President Magali Solimano</td>
<td>2</td>
</tr>
<tr>
<td>5. Remarks from FGCU Faculty Senate – Vice President Dr. Donna Price Henry</td>
<td>3</td>
</tr>
<tr>
<td>6. Remarks from FGCU Staff Advisory Council – President Bob Swank</td>
<td>3</td>
</tr>
<tr>
<td>7. Presentation of Appreciation – Scott Lutgert, Chair</td>
<td>3</td>
</tr>
<tr>
<td>8. President’s Report – President Bill Merwin</td>
<td>4</td>
</tr>
<tr>
<td>9. Consent Agenda</td>
<td>5</td>
</tr>
<tr>
<td>10. Academic/Student/Faculty Affairs Committee - Committee Chair Renee Lee</td>
<td>6</td>
</tr>
<tr>
<td>11. Finance &amp; Administration Committee Meeting - Committee Chair Bernard Lester</td>
<td>6-7</td>
</tr>
<tr>
<td>12. Old Business – Chair Scott Lutgert</td>
<td></td>
</tr>
<tr>
<td>13. New Business – Chair Scott Lutgert</td>
<td>7</td>
</tr>
<tr>
<td>14. Chair’s Closing Remarks – Chair Scott Lutgert</td>
<td>7</td>
</tr>
</tbody>
</table>
APPENDIX

A. Governor’s Budget  
B. New Degree Program: MA in English  
C. Student Code of Conduct  
D. Financial Audit  
E. DSO Rule  
F. President’s Performance Measures