MINTUES

FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES MEETING

TUESDAY, JANUARY 19, 2010
8:30 A.M. - STUDENT UNION BALLROOM

8:30 a.m. Executive Session – Collective Bargaining (Pursuant to 447.605(1), F.S.)

Workshop on FGCU Strategic Plan for 2010-2015

1. Call to Order, and Roll Call – Chair Scott Lutgert
   Members Present: Brian Cobb, Lindsay Harrington, Ann Hamilton, Larry Hart, Scott Lutgert, Chuck Lindsey Robbie Roepstorff, Isaac Roman, Jerry Starkey, Doug St. Cerny, Jaynie Whitcomb

   Staff present: Wilson G. Bradshaw, President
                  Ron Toll, Provost and Vice President for Academic Affairs
                  Joe Shepard, Vice President for Administrative Services and Finance
                  Steve Magiera, Vice President for Advancement
                  Mike Rollo, Vice President for Student Services
                  Vee Leonard General Counsel
                  Barbara Krell
                  Kathy Bottoms

   Workshop on FGCU Strategic Plan for 2010–2015 – Provost and Vice President for Academic Affairs Ron Toll, and Associate Vice President for Planning & Institutional Performance Paul Snyder. The Workshop convened at 9:45 a.m.

2. Conclusion of Workshop – Break

3. Regular Meeting – Members Present: Lindsay Harrington, Ann Hamilton, Larry Hart, Scott Lutgert, Chuck Lindsey, Robbie Roepstorff, Isaac Roman, Jerry Starkey, Doug St. Cerny, Jaynie Whitcomb
   Staff present as listed above.
Chair Lutgert asked for a moment of silence for the victims of the earthquake in Haiti. He welcomed our new Trustees Ms. Ann Hamilton and Ms. Robbie Roepstorff. Ms. Hamilton and Ms. Roepstorff provided comments to Trustees regarding their appointment as new members of the Board.

Chair Lutgert reminded the audience that if anyone wishes to speak to an agenda item during today’s meeting, please see Ms. Bottoms at the staff table to complete a speaking request card. He called on President Bradshaw to introduce each of the standing reports and then to make his report to the Board.

4. Remarks from FGCU Faculty Senate – President Chuck Lindsey

Dr. Lindsey gave a brief report regarding faculty activities this semester.

5. Remarks from FGCU Staff Advisory Council (SAC) – President Lisa Banks

Ms. Banks provided an update regarding recent Staff Advisory Council activities.

6. Remarks From FGCU Student Government – President Isaac Roman

Mr. Roman provided an update regarding student activities and accomplishments this semester.

7. Remarks from FGCU Foundation Board Board of Directors – Chair Steve McIntosh

Dr. McIntosh reported on the various accomplishments of the FGCU Foundation Board in recent weeks.

8. President’s Report – President Wilson Bradshaw

President Bradshaw welcomed our two new trustees, Ann Hamilton and Robbie Roepstorff, and stated he had the opportunity to talk with each during the application process and was impressed with their interest in and support of FGCU. He stated he has met with each new trustee since they were appointed by the Board of Governors and looks forward to working with them on the Board.

President Bradshaw thanked the Board for their excellent thoughts and feedback as we move forward developing the University’s new strategic plan for 2010 through 2015. He stated today’s Strategic Planning Workshop was an important step in this process.
President Bradshaw reported the 2010 session of the Florida Legislature is on the horizon, and we are working very hard to share with legislators our critical funding needs. He stated our lobbyist, Ms. Jennifer Goen, is in Tallahassee this week for legislative committee meetings. He stated that he and Ms. Goen have been meeting with members of our Southwest Florida legislative delegation, as well as key members of the leadership of the House and Senate. He stated that later in today’s meeting there is an action time before the Trustees to adopt FGCU’s 2010 Legislative Agenda.

President Bradshaw reported that we have recently been informed by our accrediting body for Nursing that both our bachelor’s and master’s degree programs in Nursing are accredited for the next ten years. He stated that this is the longest period of accreditation these programs can attain. He stated he is very pleased with Dr. Marianne Rogers and the entire College of Health Professions. President Bradshaw stated we had our site visit for the School of Engineering. He has sat in many exit interviews and this is the most positive of the ones he has experienced. He stated that through the leadership of Dr. Susan Blanchard and with the College of Business providing a very nurturing incubating environment for that program, we can be very confident that our School of Engineering will be accredited in July.

President Bradshaw stated that the solar field is up and running and we will be holding an opening ceremony early this year. He stated this project is an important example of FGCU’s leadership in environmental sustainability. President Bradshaw reported that he and others have met with members of the University of Louisville to attempt to work together on a number of projects. That University has taken the lead in the area of batteries and long term storage. He stated President Ramsey was here along with his provost and faculty from that institution.

President Bradshaw stated that the new College of Arts and Sciences building recently opened and we are developing our package for LEED Certification. He stated we anticipate getting the platinum level (the highest level) of certification for that building.

President Bradshaw reported that we continue through the process of the NCAA certification for our Athletics program move to Division I. He stated the certification process is a highly participatory process, with all Athletics constituencies represented. He stated he was in Atlanta last week participating in a seminar for new presidents going through the Division I certification process, and he learned a lot about the certification process and the expectations of the NCAA with regard to Division I Athletics Programs and the institutions where they are housed. President Bradshaw commended Dr. Peg
Gray-Vickrey and Athletics Director Ken Kavanagh for their leadership in this project, and also thanked our students, faculty, staff, and community supporters for their fine work. President Bradshaw stated that Dr. Gray-Vickrey and Mr. Kavanagh made an initial presentation to you at your September meeting and asked that they return with an update at your April meeting.

President Bradshaw stated he will not spend a lot of time on the Buckingham property opportunity during his report now since it is on the agenda for later today. He stated that he, along with Provost Toll and Vice President Shepard, toured the property and facilities, and he is excited about the opportunities it offers.

President Bradshaw introduced new key staff members at the University. He asked David Greenbaum, the new Assistant General Counsel to stand and be recognized. President Bradshaw also introduced Mr. Ken Schexnayder, Community Relations Director to Trustees and asked that he stand and also be recognized.

9. Consent Agenda – Chair Scott Lutgert

Chair Lutgert stated we have one item on today’s consent agenda:

- Minutes of September 15, 2009 Meeting (Addendum A) – Motion was made by Trustee Harrington to approve the minutes. Motion was seconded by Trustee Lindsey. Motion carried unanimously.

10. Academic/Student/Faculty Affairs Committee Meeting – Committee Chair Larry Hart

Chair Lutgert turned the meeting over to Committee Chair Hart who stated there are five items to come before the Committee today. He asked that Provost Toll review the following action items:

- FGCU Mission and Vision Statements (Addendum B) – Motion was made by Trustee St. Cerny to approve the FGCU Mission and Vision Statements. Motion was seconded by Trustee Whitcomb. Motion carried unanimously.
- FGCU Annual Report for Board of Governors (Addendum C) – Motion was made by Trustee Harrington to approve the FGCU Annual Report for Board of Governors. Motion was seconded by Chair Lutgert. Motion carried unanimously.
- Family Resource Center Rates (Addendum D) – Motion was made by Trustee Starkey to approve the Family Resource Center Rates. Motion was seconded by Trustee Whitcomb. Motion carried unanimously.
• Regulation: Textbook Affordability (Addendum E) – Motion was made by Trustee Lindsey to strike the phrase “written determination” and replace it with “a declaration” as stated in the Statute. Motion was seconded by Chair Lutgert for discussion purposes. Discussion ensued. Ms. Leonard took a roll call vote as follows: Trustee Lutgert: against, Trustee Hart: against, Trustee Hamilton: against, Trustee Harrington: against, Trustee Lindsey: for, Trustee Roepstorff: against, Trustee Roman: against, Trustee Starkey: against, Trustee St. Cerny: against, Trustee Whitcomb: against. Motion was defeated. Trustee Lindsey stated that in Part II number 1.b., the term “published” in this portion is not clear to faculty which requirement is referred to. Provost Toll stated this portion has to do with conflict of interest and some existing regulations and policies that establish oversight with regard to conflict of interest from the Legislature and the Board of Governors. He stated that often it is a great credit to a university when there is an author that is a member of the faculty because it demonstrates the repute that individual has within the body of scholars. Provost Toll further stated that this was not seen as an impediment but rather a reflection of other existing policies and asked if General Counsel would provide a detailed definition in terms of conflict of interest. Ms. Leonard stated the conflict of interest is based in Statutes for public employees under Section 112 and anything that speaks to conflict of interest will be based on the Statute as it relates to public employees. Discussion ensued. Motion was made by Chair Lutgert to approve Regulation: Textbook Affordability. Motion was seconded by Trustee Starkey. Motion carried.

• Student Government Election Code (Addendum F) – Dr. Rollo presented the Student Government Election Code for approval. Motion was made by Trustee Harrington to approve the Student Government Election Code. Motion was seconded by Trustee Whitcomb. Motion carried unanimously.

11. Finance & Administration Committee Meeting – Chair Scott Lutgert

Chair Lutgert stated that David Lucas’ term expired at the last meeting, and therefore he will temporarily chair the Finance & Administration Committee meeting. He then called on Dr. Shepard to handle the agenda items:

Information Only:
• Finance/Budget Update (Addendum G)
• Unaudited University Financial Statements for Fiscal Year Ended June 30, 2009 (Addendum H)
Action Items:

- FGCU Foundation Independent Auditor’s Report (Addendum I) – Motion was made by Trustee Hart to approve the FGCU Foundation Independent Auditor’s Report. Motion was seconded by Trustee Starkey. Motion carried unanimously.

- FGCU Financing Corporation Independent Auditor’s Report (Addendum J) – Motion was made by Trustee St. Cerny to approve the FGCU Financing Corporation Independent Auditor’s Report. Motion was seconded by Trustee Hart. Motion carried unanimously.

- Regulation: FGCU PR1.003 Non-Discrimination and Anti-Harassment (Addendum K) – Discussion ensued. Trustee Lindsey asked that on page three, section (d), “Conflict of Interest,” the stricken portion “The University discourages such amorous or sexual relations between employees and students” remain as part of the language in this regulation. President Bradshaw stated that the Administration accepts replacing this section as a friendly amendment to this policy. Motion was made by Trustee Harrington that in Section 4 (d), the sentence “The University discourages such amorous or sexual relations between employees and students.” not be deleted, but included. Motion was seconded by Trustee Lindsey. Motion carried unanimously. Motion was made to approve Regulation: FGCU PR1.003 Non-Discrimination and Anti-Harassment by Trustee Hart. Motion was seconded by Trustee Starkey. Motion carried unanimously.

- Regulation: FGCU PR5.019 Personnel Records: Limited Access (Addendum L) – Motion was made by Trustee Starkey to approve Regulation: FGCU PR5.019 Personnel Records: Limited Access. Motion was seconded by Trustee Whitcomb. Motion carried unanimously.

- Regulation: FGCU PR5.003 Employee Debt Collection (Addendum M0 – Motion was made by Trustee Lindsey to approve Regulation: FGCU PR5.003 Employee Debt Collection. Motion was seconded by Trustee Whitcomb. Motion carried unanimously.

- 2010 Legislative Agenda (Addendum N) – Motion was made by Trustee Starkey to approve the 2010 Legislative Agenda. Motion was seconded by Trustee Lindsey. Motion carried unanimously.

- 2010-2011 Student Housing Rental Rates (Addendum O) – Motion was made by Trustee Hart to approve 2010-2011 Student Housing Rental Rates. Motion was seconded by Trustee Harrington. Motion carried with one no vote.
• Buckingham Land (Addendum P) – Motion was made by Trustee Harrington to approve the purchase of the Buckingham Land. Motion was seconded by Trustee Starkey. Motion carried unanimously.
• Resolution: Issuance of Revenue Bonds by Florida Gulf Coast University Financing Corporation to Finance Student Residences Phase XI, and Associated Infrastructure and Costs (Addendum Q) – Motion was made by Trustee St. Cerny to approve Resolution: Issuance of Revenue Bonds by Florida Gulf Coast University Financing Corporation to Finance Student Residences Phase XI, and Associated Infrastructure and Costs. Motion was seconded by Trustee Starkey. 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

   Chair Lutgert stated it is time again to elect a Board Chair and Vice Chair for the 2010-2012 term. He stated that as we have done in the past, he will call on the University President, Dr. Bradshaw, to administer the Board’s election of the Chair. President Bradshaw stated that at this time he would accept nominations for the Chair of the Board of Trustees. Trustee St. Cerny nominated Trustee Lutgert as Chair of the Board of Trustees. He stated as there were no other nominations, Chair Lutgert is nominated as Board Chair. All Trustees voted in favor of the nomination of Trustee Lutgert and President Bradshaw announced Trustee Lutgert is the Chair for the next two years. President Bradshaw then turned the meeting back to Chair Lutgert and congratulated him on his nomination. Chair Lutgert thanked his fellow Trustees for this honor and privilege. Chair Lutgert asked for nominations from the Board for Vice Chair. Trustee St. Cerny nominated Trustee Hart at Vice Chair. Motion was seconded by Trustee Whitcomb. Motion carried unanimously. Chair Lutgert then appointed Trustee Whitcomb as the Chair of the Academic/Student/Faculty Affairs Committee and Trustee St. Cerny as the Chair of the Finance & Administration Committee. Chair Lutgert stated that the Committee for Faculty Excellence Awards has again requested that Trustee Hart represent the Board of Trustees on the Committee.

14. Chair’s Closing Remarks, & Meeting Adjournment – Chair Scott Lutgert

   Chair Lutgert stated that the next Board meeting is scheduled for Tuesday, April 20th. Meeting adjourned at 12:50 p.m.
Addendums:

A. Minutes of September 15, 2009
B. FGCU Mission and Vision Statements
C. FGCU Annual Report for Board of Governors
D. Family Resource Center Rates
E. Regulation: Textbook Affordability
F. Student Government Election Code
G. Finance/Budget Update
H. Unaudited University Financial Statements for Fiscal Year Ended June 30, 2009
I. FGCU Foundation Independent Auditor’s Report
J. FGCU Financing Corporation Independent Auditor’s Report
K. Regulation: FGCU PR1.003 Non-Discrimination and Anti-Harassment
L. Regulation: FGCU PR5.019 Personnel Records: Limited Access
M. Regulation: FGCU Pr5.003 Employee Deb Collection
N. 2010 Legislative Agenda
O. 2010-2011 Student Housing Rental Rates
P. Buckingham Land
Q. Resolution: Issuance of Revenue Bonds by Florida Gulf Coast University Financing Corporation to Finance Student Residences Phase XI and Associated Costs