FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Tuesday, April 21, 2015 8:30 a.m. – 2:25 p.m.

COHEN CENTER BALLROOM, ROOM # 203-B
FLORIDA GULF COAST UNIVERSITY

Minutes

Members:
Present: Trustee Robbie Roepstorff – Chair (left at 2:45 p.m.); Trustee Dudley Goodlette – Vice Chair; Trustee Joe Catti; Trustee Thieldens Elneus; Trustee Shawn Felton; Trustee Tom Grady (left at 2:45 p.m.); Trustee Kevin Price; Trustee Russell Priddy; Trustee Ken Smith; and Trustee Rob Wells (arrived at 9:00 a.m.).

Not Present: Trustee Blake Gable; Trustee Dick Klaas; and Trustee Christian Spilker.

Others:
Outgoing Trustee Ann Hamilton; Outgoing Trustee Domenic Volpi; FGCU Foundation Board of Directors Chair Miller Couse; and FGCU Financing Corporation Board of Directors Chair Dick Ackert.

Staff: President Wilson Bradshaw; Provost and Vice President for Academic Affairs Ron Toll; Vice President for Administrative Services and Finance Steve Magiera; Vice President for Student Affairs Mike Rollo; Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau; Vice President and Chief of Staff Susan Evans; Vice President and General Counsel Vee Leonard; Director of Internal Audit Carol Slade; Director of Board Operations, and Special Projects Amber Pacheco; Director of Media Relations Lillian Pagan; and Executive Assistant to the Vice President and Chief of Staff Valerie Whitaker.

Item 1: Call to Order, Roll Call, and Opening Remarks
Chair Robbie Roepstorff called the meeting to order at 8:31 a.m. Roll call was taken with 9 of 13 Trustees present, thus meeting quorum requirements. Chair Roepstorff welcomed returning Trustee Christian Spilker as a Board of Governors appointee; announced her appreciation for being reappointed by the Board of Governors; and welcomed new Trustee and Student Government president Thieldens Elneus.

Item 2: Consent Agenda (See Tabs #1, #2, #3, #4, #5)
Chair Roepstorff listed the five items on the Consent Agenda as Meeting Minutes for January 20, 2015 Meeting, Meeting Minutes for March 9, 2015 Conference
Call Meeting; Resolution of Appreciation for Outgoing Trustee John Little; Resolution of Appreciation for Outgoing Trustee Ann Hamilton; and Resolution of Appreciation for Outgoing Trustee Domenic Volpi.

Trustee Catti motioned to approve the Consent Agenda. Trustee Smith seconded the motion. The vote was unanimous in favor of the motion.

Presentation of Resolutions of Appreciation for Outgoing Trustee John Little, Trustee Ann Hamilton and Trustee Domenic Volpi

Vice President and Chief of Staff Susan Evans read for the record the Resolutions of Appreciation for Outgoing Trustees Little, Hamilton, and Volpi. Chair Roepstorff and President Bradshaw presented the Resolutions of Appreciation to Outgoing Trustees Ann Hamilton and Domenic Volpi, who were present for this portion of the FGCU Board of Trustees (BOT) meeting. Outgoing Trustees Hamilton and Volpi both gave brief remarks of thanks and appreciation of their time served on the BOT. Outgoing Trustee John Little was traveling and unavailable to attend the meeting; his framed Resolution will be delivered to him.

Item 3: Executive Sessions

Chair Roepstorff called on Vice President and General Counsel Vee Leonard. Ms. Leonard asked the FGCU Board of Trustees (BOT) to meet in Executive Sessions to discuss two matters of litigation, pursuant to 286.011(8), and also for Collective Bargaining, pursuant to 447.605(1), F.S.

At 8:48 a.m. Chair Roepstorff adjourned the regular BOT meeting for the purpose of convening the Executive Sessions in the Cohen Center, room 213.

Closed Meeting - Executive Session #1 – Matter of Litigation

Closed meeting to discuss matters of litigation, pursuant to 286.011(8), F.S.

Closed Meeting - Executive Session #2 – Matter of Litigation

Closed meeting to discuss matters of litigation, pursuant to 286.011(8), F.S.

Closed Meeting - Executive Session #3 – Collective Bargaining

Closed Meeting to discuss matters of collective bargaining, pursuant to 447.605(1), F.S.

Item 4: Regular Meeting Resumes

Having concluded the Executive Sessions, Chair Roepstorff resumed the open meeting of the FGCU Board of Trustees at 11:13 a.m. in the Cohen Center Ballroom.
Vice President and Chief of Staff Susan Evans announced for the record that
Trustee Wells had arrived, was present for all the Executive Sessions, and
present for the resumption of the open meeting.

**Item 5: Presentation – Campus Master Plan Update for 2015-2025**

(See Tab #6)

FGCU Director of Facilities Planning Tom Mayo and President of Campus
Planning Group Steven Gift (consultant) presented an update on the Campus
Master Plan for 2015–2025. Mr. Mayo assured the FGCU Board of Trustees
(BOT) that meetings with outside stakeholders were taking place. Mr. Gift
reviewed the timeline and process of the Campus Master Plan. He described the
process as being open, and transparent, and he described the Campus Master
Plan as being a thoughtful growth proposal. Mr. Gift commended the University
on its significantly higher than average classroom space utilization. Mr. Gift
described the expansion of the University’s eastern and arts districts.

Mr. Gift described the future “classroom” as a hybrid with a mixture between
face-to-face class meetings and online sessions. Also, he stated the 2015-2025
Campus Master Plan includes the Emergent Technologies Institute (ETI), main
campus property on Ben Hill Griffin Parkway, and West Lake Village; and he said
the classroom space utilization percentage represents the mission critical space.

Dr. Toll stated that different organizations use different equations to calculate
classroom utilization space percentages.

Steve Magiera commented on the University’s Buckingham property. He
described the property as a long term project, and an initial review of the property
projected an estimate of $6 million to repair water and sewer systems. Mr.
Magiera said some of the Buckingham property buildings have been demolished
due to poor condition; and the property is used for the FGCU Student Affairs’
rope course, cross country practice, professor research, and storage.

Trustee Priddy asked to hear in the future from the University’s deans as to how
they envision the Buckingham property being used.

**Item 6: Standing Report from FGCU Foundation Board of Directors**

FGCU Foundation Board of Directors Chair Miller Couse reported the Foundation
concluded the 3rd quarter with $16 million raised toward the $17 million
fundraising annual goal. He announced Tiburon golf course in Naples will host
the October 16, 2015 Founder’s Cup Golf Tournament, and recapped the
President’s Celebration held in February 2015. Mr. Couse said the FGCU
Foundation will create an audit committee headed by Lee Seidler, and
anticipates adding between three and five new members to the Foundation
Board. He reported the $8 million expansion of Alico Arena has $4.5 million in
commitments, and the 2015 4th quarter will launch the first regional alumni
chapters, adding four chapters this year and six more chapters in the 2016 1st
quarter. He announced the official launch of the new University Marketing and Communications unit in March 2015.

Item 7: Standing Report from FGCU Financing Corporation Board of Directors

FGCU Financing Corporation Board of Directors Chair Dick Ackert asked Executive Director Curtis Bullock to present on the University’s bond ratings. Mr. Bullock announced there are no outstanding issues with the rating agencies; the bond ratings have been reaffirmed to “A” and “A-” ratings, and affirmed the outlook as stable.

Mr. Ackert announced the organization “Best College Values” included FGCU Housing in the “30 Most Luxurious Student Housing in America.”

Mr. Ackert recapped the last FGCU Financing Corporation Board meeting where the following items were discussed: 1) expanding food service capabilities in North Lake Village; the 2015-2019 Housing capital improvement plan; the 2015-2020 Parking capital improvement plan; FGCU Financing Corporation finances; floating rate bonds versus fixed rate bonds; and review and approval of IRS form 990.

Item 8: Chair’s Report

Chair Roepstorff formally announced her appointment of Trustee Spilker as Chair of the FGCU Board of Trustees (BOT) Academic/Student/Faculty Affairs Committee, and as a member of the BOT Special Committee for Review of Academic Degree Programs; and her appointment of Trustee Smith as the liaison to the FGCU Foundation Board of Directors. She recapped her participation at the last FGCU Foundation Board meeting in giving a report on behalf of the BOT, and also expressing its appreciation to the Foundation Board for its successful, ongoing work in support of FGCU.

Chair Roepstorff highlighted several items related to the March 2015 Board of Governors’ (BOG) meeting including (1) the approval of FGCU’s Doctor of Nursing Practice degree program; (2) she requested the Academic/Student/Faculty Affairs committee report annually on new degree program outcomes as compared to projections given at the time of degree approval; (3) she attended the BOG Audit Committee workshop along with FGCU Director of Internal Audit Carol Slade, and mentioned the possibility of a new BOG audit regulation; (4) she said the BOG discussed the Sunshine State Scholars program for STEM students, and requested at the June 2015 BOT meeting a presentation on how FGCU is attracting high-achieving students. Chair Roepstorff also commented on her response to Governor Scott’s letter about making higher education more affordable and accessible to students, and said copies of the two letters were distributed to the Southwest Florida legislative delegation, BOG Chancellor, and BOG Chair.
Item 9: President’s Report

President Bradshaw welcomed new Student Government President and Trustee Elneus, and congratulated Chair Roepstorff and Trustee Spilker on their reappointments. He recapped the groundbreaking event for the Emergent Technologies Institute (ETI), and also the FGCU score on the Board of Governors’ (BOG) Performance Based Funding Model. President Bradshaw gave an update on the 2015 Legislative session including the delay of the state budget due to Low Income Pool (LIP) and Medicaid expansion debate. For overall higher education funding, he said the House and Senate have different amounts in their budgets for performance funding; the House budget contains $100 million of new funding with another $100 million coming from base funding of the State University System (SUS); and the Senate budget contains $200 million of new funding with another $200 million coming from base funding of the SUS. President Bradshaw gave an update on FGCU’s funding requests: 1) FGCU Academic and Career Attainment Request for $4.1 Million: $4.1 million in the Senate budget, and not included in the House budget; 2) FGCU South Access Road Request for $4 Million: $2.8 million in the House budget, and the Senate has not yet addressed Public Education Capital Outlay (PECO) budget items; 3) FGCU Central Energy Plant Request for $9 Million: not included in the House budget, and the Senate has not yet addressed PECO funding requests; 4) FGCU Academic 9 – School of Integrated Watershed and Coastal Studies Request for $3.8 million: not included in the House budget and also a PECO item, which the Senate has not addressed; and 5) FGCU Student Academic Health & Life Fitness Center Request for $9.8 Million to be supplemented by on-hand funds of $5.2 Million from FGCU students’ Capital Improvement Trust Fund (CITF) Fees: not included in the House budget, and not yet addressed in the Senate budget.

He thanked Trustees who participated in the first FGCU Day at the Capitol, and noted his invitation to and participation in Governor Scott’s leadership dinner.

At 12:04 p.m. the FGCU Board of Trustees recessed for a lunch break. The regular meeting resumed at 12:27 p.m.

Item 10: Report from Special Committee for Review of Academic Degree Programs (See Tab #7)

Chair Roepstorff called on Special Committee for Review of Academic Degree Programs Chair Goodlette. Chair Goodlette’s first item was to call for the Committee to approve the April 15, 2015 meeting minutes.

Trustee Priddy made the motion to approve the April 15, 2015 meeting minutes and Trustee Wells seconded the motion. Public comment registrants included Dr. Glenn Whitehouse, FGCU; Dr. Lyn Millner, FGCU; and Mr. Karl Smesko, FGCU; but each indicated their intended comments were substantive and not related to the April 15, 2015 meeting minutes. Chair Goodlette thanked them for registering to speak and encouraged them to attend a future Committee meeting to offer substantive remarks.
The vote was unanimous in favor of the motion to approve the minutes.

Chair Goodlette gave an overview of the April 15, 2015 meeting. He began with an overview of the creation of the Special Committee for Review of Academic Degree Programs, he reviewed the first phase of the Committee’s process, and he discussed the start of the Committee’s second phase of the process with the review of 10 specified degree programs. Chair Goodlette reviewed the Board of Governors’ 30/20/10 rule for determining why some of the programs had been selected by the Committee for review.

Item 11: Report from Ad Hoc Committee on FGCU Strategic Plan 2015-2020

Chair Roepstorff called on Ad Hoc Committee on FGCU Strategic Plan 2015-2020 Chair Grady. Chair Grady’s first item was to call for the Committee to approve the April 15, 2015 meeting minutes.

Trustee Smith made a motion to approve the April 15, 2015 meeting minutes. Trustee Price seconded the motion. Public Comment included Ms. Katie Leone, FGCU who waived her time since her intended remarks were substantive, and not related to the meeting minutes; and Mr. Morgan Paine, FGCU.

The vote was unanimous in favor of the motion to approve the minutes.

Chair Grady reviewed the creation of the Ad Hoc Committee on FGCU Strategic Plan 2015-2020, the Committee’s discussion at the April 15, 2015 meeting sparked from his drafts of the vision and mission statements, and the next steps in the Committee’s process. He asked that Committee members submit their thoughts on FGCU’s vision and mission statements to Vice President and Chief of Staff Susan Evans for circulation.

Trustee Price recommended the Board of Governors’ website and FGCU’s Work Plan as resources. Trustee Smith asked for feedback on the draft vision and mission statements from administration, faculty, staff, and students. Chair Grady agreed with Trustee Smith. Trustee Roepstorff commented on the shared governance process with the Planning and Budget Council (PBC).

Upon adjournment of the Committee meeting, Chair Roepstorff reconvened the regular meeting of the FGCU BOT.

Item 12: Academic/Student/Faculty Affairs Committee Meeting

In the absence of Trustee Spilker, Chair Roepstorff chaired the Academic/Student/Faculty Affairs Committee. Chair Roepstorff called on Provost and Vice President for Academic Affairs Ron Toll to present the “Draft FGCU 2015 Work Plan for Board of Governors” item, which is provided as Information Only today. Dr. Toll reviewed the Draft Work Plan and stated it includes more than student and academic affairs information. He explained the Draft included
prior input from Trustees on the Statement of Strategy, Academic Quality, and Return on Investment, and he reviewed the Performance Based Funding Metrics on page 6. He described data revisions on page 8 under the “2015 Actual” column with updated calculations from the Board of Governors (BOG) that changed the SAT Score from 1569 to 1576. He reviewed the Planned Enrollment Growth and New Programs for Consideration.

Dr. Toll clarified that the 2016 Goals related to the SAT Score can be modified prior to the BOT’s approval of the 2015 Work Plan, and changing the goal will not affect the process of achieving the goal. Dr. Toll said an adjustment would be made to the SAT Score 2016 Goal so the 2016 Goal would not appear as decreasing from the 2015 Actual.

Dr. Toll explained the strategic emphasis grouping of programs is established by the BOG and changes from year-to-year due to changing economic and world conditions. He said nationally graduate student enrollment is trending down. He described local factors that impacted FGCU’s graduate enrollment as: 1) changes in the K-12 compensation package for teachers does not add incentives to obtain a graduate degree, 2) the local market for Master of Business Administration (MBA) degree seeking students had been saturated, and 3) some employers who were paying for employees to obtain their MBA withdrew that support due to economic conditions. He stated efforts to increase graduate enrollment as 1) extending recruiting into Latin America; 2) the recent hire of a new Director of Graduate Studies; and 3) installation of a new software to assist in processing applications.

Trustee Grady asked about the average amount of student debt over the five-year period stated on page 11 of the 2015 Work Plan, and if it is due to increased availability of debt and students who can borrow, borrow when they can or are there other factors?

Dr. Toll responded that students in some cases borrow more than the actual cost of attendance. He said he would refer the question to Jorge Lopez, Director of Student Financial Services, who was not in attendance at the meeting.

Additionally, Dr. Toll said conversations with local businesses about rebuilding employee graduate degree assistance programs are taking place.

President Bradshaw said the University educates students and their parents about the burden of borrowing; however, there is easy access to student loans. He offered to give Trustee Grady a copy of a correspondence with Senator Gaetz about how FGCU’s student loan default rate is among the lowest in the State University System (SUS).

Chair Roepstorff asked the FGCU Board of Trustees (BOT) to review the Work Plan carefully.

President Bradshaw asked why ACT scores were not included in the Work Plan. Dr. Toll explained the BOG determines the format of the Work Plan.
Dr. Toll explained an earlier BOG 2015 Work Plan submission deadline of May 4, 2015; however, he said the BOG accepted an unapproved 2015 Work Plan, and then would accept the approved 2015 Work Plan once the BOT has had the opportunity to approve it at the May 12, 2015 BOT meeting.

**New Degree Program: Bachelor of Music Therapy** (See Tab #10)

Dr. Toll presented the Bachelor of Music Therapy program. He described the benefits of music therapy to Alzheimer’s patients and children with Autism. He stated that music therapy/music therapists is a State University System (SUS) critical workforce health area of strategic emphasis. He said the program has over $1 million in endowment support at FGCU. Also, Dr. Toll stated there is a need for music therapists, and their salaries generally are higher than the average salary of baccalaureate graduates one year after graduation.

Trustee Priddy made a motion to approve the Bachelor of Music Therapy program. Trustee Wells seconded the motion. There was no public comment.

The motion was unanimous in favor of the motion.

**Classification of Instructional Program (CIP) Code and Level** (See Tab #11)

Dr. Toll referred to the December 10, 2014 FGCU Board of Trustees (BOT) meeting, where the BOT discontinued 36 programs. He explained there are seven Classification of Instructional Program (CIP) codes for termination as a result of no longer containing degree programs due to the discontinuance of the 36 degree programs.

Trustee Goodlette made the motion to terminate the seven CIP codes. Trustee Wells seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**Item 13: Finance, Facilities, and Administration Committee Meeting** (See Tab #12)

Chair Roepstorff called on Finance, Facilities, and Administration Committee Chair Wells. Chair Wells asked Vice President for Administrative Services and Finance Steve Magiera to present the Finance and Budget Update. Mr. Magiera gave an update on the details of the fiscal activities of the institution through the close of March 31, 2015. Mr. Magiera noted the figures in the Finance and Budget Update are projected through March 31, 2015 and typically there is little to no difference between the projected numbers and the actual numbers; however, he said at the end of the March the University received about $4 million in revenue earlier than anticipated.

Mr. Magiera reviewed his response to Trustee Grady’s January 22, 2015 letter about FGCU Auditor General’s Financial Audit Report for the Fiscal Year ended June 30, 2014, and he noted in response to an additional Trustee question the University spends on average about $515,000 on uncompensated balances.
Trustee Grady stated he was still concerned about the accrued unfunded liabilities. Chair Roepstorff suggested sending a letter to the Board of Governors (BOG) expressing the FGCU Board of Trustees’ (BOT) concerns.

President Bradshaw described the unfunded accrued liabilities issue as a State University System (SUS) structural problem, and a fix for FGCU would not happen without a SUS fix. He said he is prepared to bring the concerns of the BOT to the Council of Presidents.

Mr. Magiera stated the universities closest in size to FGCU, the University of North Florida (UNF) and the University of West Florida (UWF), have a similar percentage of Post-Employment Benefits Payable, with UNF having a slightly higher dollar amount due to being slightly larger than FGCU.

Trustee Goodlette agreed with expressing the concerns of the BOT to the BOG. President Bradshaw agreed to bring the concerns of the BOT to the BOG Chief Financial Officer.

Chair Wells asked for an update on the correspondence at the May 12, 2015 BOT meeting.

Chair Wells asked Trustee Priddy to bring forth his two items for discussion. First, Trustee Priddy asked for an internal reserve fund goal in addition to the BOG mandated 5% reserve fund, and suggested an additional 5% in addition to the BOG standard of a 5%. Trustee Priddy said he was open to discussion on the timeframe to establish the additional internal reserve fund, and FGCU’s internal reserves are a small fraction compared to other SUS institutions.

Trustee Priddy made a motion to establish an internal reserve fund of 5%, and for it to be funded annually until reached. Trustee Smith seconded the motion.

President Bradshaw agreed with the rationale for having a reserve above the statutorily required 5%, and with the approach of the year end the Administration would make a recommendation to the BOT on the progress toward meeting the additional 5%.

Trustees were concerned that the internal reserve fund may need to be allocated to prevent legislative criticism; about the timeframe to fund the internal reserve, and the possible need for more flexibility. Trustee Priddy agreed with flexibility on the timeframe to fund the internal reserve.

There was no public comment. The vote was unanimous in favor of the motion.

Trustee Priddy brought his second item for discussion; he expressed concern about the presidential authority to amend the budget by 5% without the consent of the BOT. He proposed putting in place a mechanism that would require the president to have consent of the Chair of the Finance Committee when amending the budget by $500,000; consent of the BOT Chair and Chair of the Finance
Committee when amending up to $1 million; and any amount over $1 million dollars would need the consent of the BOT.

The President stated he has not exercised his authority to amend the budget, and stated with the University’s $200 million budget that half a million dollars is not rounding error, thus he believes the suggested dollar amounts are too low.

Chair Wells suggested keeping the 5% authority in place with a $10 million limit, and said it would be fiscal year 2019-2020 before 5% of the budget would be equal to $10 million.

Trustee Priddy expressed he was not supportive of a $10 million limit.

Mr. Magiera stated when President Bradshaw started at FGCU in 2007 the dollar amount for 5% of the budget was $5.8 million. Mr. Magiera provided examples as to how the budget could be amended as: 1) emergency capital expenditures, and 2) allocating income received that had not been previously budgeted for the fiscal year.

President Bradshaw provided the example of the new Alico Arena scoreboard where he could have used the presidential authority; however, he elected to work with the FGCU Financing Corporation to obtain its approval of the project.

Trustee Priddy made a motion to change the presidential authority to amend the budget to 5% not to exceed $5 million. There was no second on the motion.

Trustee Smith suggested maintaining the presidential authority to amend the budget by 5% not to exceed $10 million with an individual item exceeding a certain dollar amount would need BOT approval. Trustees discussed the limitations in scheduling and noticing BOT meetings to approve individual items and the need to provide flexibility.

Chair Wells suggested maintaining the presidential authority to amend the budget at 5%. President Bradshaw stated the 5% authority is included with the proposed budget every year brought forward for approval by the BOT.

**Regulation: FGCU-PR8.005: General (Parking)** (See Tab #13)

Mr. Magiera presented Regulation: FGCU-PR8.005: General (Parking) with some time and day changes to reflect changes in the University class schedule. He explained the Regulation changes have been reviewed by the University’s Parking Committee, which includes students.

Trustee Goodlette made a motion to approve Regulation: FGCU-PR8.005: General (Parking). Trustee Smith seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**Regulation: FGCU-PR8.006 Parking and Traffic Enforcement** (See Tab #14)

Mr. Magiera presented Regulation: FGCU-PR8.006 Parking and Traffic Enforcement. He said the regulation recognizes the changes made to
Regulation: FGCU-PR8.005 General (Parking) and clarifies language about towing vehicles.

Trustee Felton made a motion to approve Regulation: FGCU-PR8.006 Parking and Traffic Enforcement. Trustee Smith seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

Regulation: FGCU-PR5.023 Separation from Employment (See Tab #15)
Chair Wells called on Vice President and General Counsel Vee Leonard to present Regulation: FGCU-PR5.023 Separation from Employment. Ms. Leonard stated Regulation: FGCU-PR5.023 Separation from Employment is being brought back to the FGCU Board of Trustees (BOT) with the suggested revisions from the January 20, 2015 BOT meeting.

Chair Wells noted on page 4 under number six “Dismissal for Cause” the language had been clarified to reflect the changes.

Trustee Grady referenced his January 21, 2015 letter of follow-up on Trustee Klaas’ comments from the January 20, 2015 BOT meeting regarding language in Regulation: FGCU-PR5.023 Separation from Employment on page 2, under 4a, numbers 1 through 7 be edited due to Florida’s being an “at will” state.

Ms. Leonard said she spoke with Trustee Klaas after the January 20, 2015 BOT meeting about his comments regarding language on page 2, 4a, and that he did not recall specifics. Trustee Roepstorff understood that because Regulation: FGCU-PR5.023 Separation from Employment was coming back to the BOT for approval, those items could be discussed at today’s meeting.

Trustee Grady made a motion to approve Regulation: FGCU-PR5.023 Separation from Employment with the language 1 through 7 on page 2, under 4a be stricken. Trustee Goodlette seconded the motion. There was no public comment.

Ms. Leonard explained removing items 1 through 7 on page 2, 4a means employees could be laid off for any or no reason; and these items pertain to staff since faculty have the Collective Bargaining Agreement.

The vote was unanimous in favor of the motion.

Ms. Leonard added it does not pertain to employees with contracts.

Regulation: FGCU-PR5.020 Grievance (See Tab #16)
Ms. Leonard presented Regulation: FGCU-PR5.020 Grievance and stated the Regulation is being brought back to the FGCU Board of Trustees (BOT) from the January 20, 2015 meeting. She said the Regulation includes draft language of changes that were made from the floor during the January 20, 2015 BOT meeting, and allows time for the University’s winter break.
Trustee Smith made a motion to approve Regulation: FGCU-PR5.020 Grievance. Trustee Price seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**Item 17: Old Business**

Chair Roepstorff asked to move Old Business out of order and asked Ms. Leonard to present the Old Business. Ms. Leonard asked the FGCU Board of Trustees (BOT) to vote on a tentative settlement agreement of $50,000 in the case of E. Valerie Smith versus FGCU Board of Trustees, which would be paid by the University’s insurer, and she said the agreement is conditioned on the BOT’s approval. She explained if the BOT does not approve the settlement then the litigation would continue.

Trustee Goodlette asked if the settlement is not approved, the trial proceeds, and is lost, would the expenses be paid by the State’s Risk Management or by the University? Ms. Leonard said she would need to ask Risk Management. Ms. Leonard asked outside Counsel Deborah Brown about her experience as relates to this question. Ms. Brown explained in her experience that Risk Management will often cover the judgment, but there could be a potential the University would absorb some cost.

Trustee Goodlette asked legal counsel to get an answer from Risk Management before the May 12, 2015 BOT meeting and suggested moving the item to May 12, 2015 BOT meeting. Chair Roepstorff agreed to move the vote to the May 12, 2015 BOT meeting.

Chair Roepstorff turned the meeting over to Vice Chair Goodlette, and dismissed herself en route to a Board of Governors meeting.

Vice Chair Goodlette resumed the FGCU Board of Trustees (BOT) meeting and asked Finance, Facilities, and Administration Committee Chair Wells to continue with the Committee’s items.

**FGCU Foundation Bylaws** (See Tab #17)

Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau presented the FGCU Foundation Bylaws. Mr. Simoneau described the changes to the FGCU Foundation Bylaws including that the FGCU President and the FGCU Board of Trustees Liaison to the Foundation Board cannot be removed; clarifies the role of staff as not voting members of the Foundation Board; establishes an audit committee; and aligns the Foundation’s nondiscrimination policy with the University’s nondiscrimination policy.

Trustee Smith made the motion to approve the FGCU Foundation Bylaws as revised, and Trustee Price seconded the motion. There was no public comment. The motion was unanimous in favor of the motion.
**Item 14: Standing Report from FGCU Faculty Senate**

FGCU Trustee and Faculty Senate President Shawn Felton welcomed Trustee Elneus and Trustee Spilker, and recognized outgoing Trustees Hamilton, Little, and Volpi. He announced the Faculty Senate held the 2015-2016 elections; and announced he has been reelected as Faculty Senate President, and Dr. Sandra Pavelka reelected as Vice President. He gave an update on the Faculty Senate Leadership Initiatives; and noted the Senate reviewed and updated the Excellence and the Professional Development Fund Awards criteria supported by the Office of the Provost. Additionally, he said the development of the universal promotion document will continue in the 2015-2016 year. He said the Faculty Senate passed motions related to legislation surrounding concealed weapons on campus and recommendations to enhance textbook affordability. Trustee Felton encouraged Trustees to attend Spring Commencement on May 3, 2015.

Trustee Goodlette confirmed with Trustee Felton and President Bradshaw that Ambassador Rooney is the Spring 2015 Commencement speaker.

**Item 15: Standing Report from FGCU Staff Advisory Council (SAC)**

FGCU Staff Advisory Council (SAC) President Nicole Black announced her term as SAC president ends in June 2015. She gave an update on the SAC initiatives including the increase in staff professional development opportunities with the Soar into Spring event; the increase in the SAC Professional Development Awards; the creation and funds raised for the SAC scholarship; enhancement to the methods of recognizing staff members; collaboration with Faculty Senate on scheduling and online learning as well as the passing of supporting resolutions for both groups. She described SAC’s participation at 2015 FGCU Day at the Capitol. She gave an update on the SAC Shared Governance and Human Resources task forces, and both task forces will continue into the 2015-2016 year. She expressed disappointment that the definitive process changes to better include SAC in the University’s Shared Governance based on the report from the SAC Shared Governance Task Force have not yet been made. She described the events SAC hosted during the 2014-2015 year.
President Bradshaw thanked Ms. Black for her service to SAC and ensured the Administration’s continued support of and work with the SAC Shared Governance Task Force.

**Item 16: Standing Report from FGCU Student Government**

Trustee and Student Government President Thieldens Elneus thanked the FGCU Board of Trustees (BOT) for its guidance and support over the last year, and the Administration for its assistance and approval of the 2015 recommended Activities and Service Fee budget. He stated the recommended budget includes provisions for a new Student Media Advisory member who will assist and oversee all student led media outlets, and also intentions to install a campus radio program. He said the goals for Student Government this year are to build school spirit on campus and within the community; expand student participation in key University activities; build relationships with the BOT and the community; continue to seek efficient ways to use the Activities and Service Fee; and continue the campus T-shirt exchange program to support FGCU T-shirts.

President Bradshaw mentioned the Activities and Service Fee students pay generates substantial funds which are overseen by Student Government. Vice President for Student Affairs Mike Rollo said the Activities and Service Fee budget currently is $3.8 million.

**Item 18: New Business**

In the absence of Associate Vice President for Marketing and Communications Deborah Wiltrout indicated on the agenda, Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau presented a brief overview of FGCU360, and said in the interest of time he would email the FGCU360 site to Vice President and Chief of Staff Susan Evans to distribute to the FGCU Board of Trustees.

**Item 19: Chair’s Closing Remarks, & Meeting Adjournment**

Vice Chair Goodlette announced the next regular FGCU Board of Trustees meeting will be May 12, 2015 immediately followed by a meeting of the Ad Hoc Committee on Presidential Evaluation. The meeting was adjourned at 3:06 p.m.

Minutes submitted by secretary Valerie Whitaker.

Agenda Items:

