FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Tuesday, January 14, 2020

COHEN CENTER BALLROOM, ROOM #203
Florida Gulf Coast University

Meeting Minutes

Members:
Present: Trustee Blake Gable – Chair; Trustee Josh Ballin; Trustee Darleen Cors (at 8:37 a.m.); Trustee Richard Eide, Jr.; Trustee Joseph Fogg III; Trustee Jamie MacDonald; Trustee Leo Montgomery; Trustee Edward Morton; Trustee Jaye Semrod; Trustee Kenneth Smith; and Trustee Stephen Smith.

Not Present: Trustee Ashley Coone (Excused Absence) and Trustee Kevin Price (Excused Absence).

Others:
Staff Advisory Council (SAC) President Missy Berkley.

Staff: President Mike Martin; Provost and Vice President for Academic Affairs James Llorens; Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera; Vice President and Chief of Staff Susan Evans; Vice President and General Counsel Vee Leonard; Vice President for Student Success & Enrollment Management Mitchell Cordova; Vice President for University Advancement, and Executive Director of FGCU Foundation Kitty Green; Senior Vice President for Strategy and Program Innovation Mike Rollo; Director of Internal Audit Bill Foster; Director of Equity, Ethics and Compliance, and Title IX Coordinator Precious Gunter; Director of Operations Tiffany Reynolds; Assistant Director of Board Operations Tiffany Jackson; Project Manager Melissa Pind; and Executive Assistant to the Vice President and Chief of Staff Bruna Ugolotti.

NOTE – At the direction of the Chair and with the concurrence of the Board, some agenda items were taken out of order. The minutes reflect the actual order of the proceedings.

Item 1: Call to Order, Roll Call, and Opening Remarks
Chair Blake Gable called the meeting to order at 8:30 a.m., and stated that the noticed meeting was originating from the Cohen Center Ballroom on the campus of Florida Gulf Coast University. He asked Vice President and Chief of Staff Susan Evans to call the roll. Roll call was taken with 10 of 13 members initially present and one joining shortly thereafter for 11 of 13 members present, thus meeting quorum requirements. Trustee Ashley Cone and Trustee Kevin Price were granted excused absences.
Item 2: Welcome to New Trustees Edward Morton and Jaye Semrod
Chair Gable welcomed new Trustees appointed by the Board of Governors: Trustee Edward Morton and Trustee Jaye Semrod. Trustee Semrod stated she was delighted and honored to serve on the FGCU Board of Trustees. Trustee Morton stated he was pleased to be back on the FGCU Board of Trustees after serving seven years on the Board of Governors.

Item 3: Consent Agenda (see Tabs #1-2)
Chair Gable indicated there were two items on the Consent Agenda: (1) Minutes of September 10, 2019 Meeting and (2) Minutes of October 31, 2019 Conference Call Meeting.
Trustee Ken Smith made a motion to approve the Consent Agenda. Trustee Jamie MacDonald seconded the motion.

There was no public comment, or Board discussion. The vote was 10-0 in favor of the motion.

Item 4: Student Success – Enrollment Management Initiative (TAB #3)
Chair Gable explained to new Trustees Morton and Semrod that he asked Vice President for Student Success and Enrollment Management Mitch Cordova to provide an update regarding the Student Success – Enrollment Management Initiative at all of the Board meetings.

Dr. Cordova indicated as part of the Student Success update, he would discuss the initiative around DFW grades (grades of "D," "F," and "withdrawal") in gateway courses. He indicated this was a major initiative starting this year and would be a focus for many years to come. He said an integral part of FGCU's comprehensive Student Success Initiative was the need to decrease the rate of DFWs received by students in key lower level and upper level courses. He explained decreasing the rate of DFWs has been shown to significantly improve retention, persistence, and four-year graduation rates at colleges and universities nationwide.

Dr. Cordova explained gateway courses were foundational, credit-bearing, lower-level courses such as developmental math, English, biology, finance, and economics. He stated gateway courses were sometimes called "killer" courses due to the detrimental effect on grade point average (GPA), motivation, and progress. He noted large numbers of students enroll in multiple, high DFW courses at the same time. He said there was a strong correlation between students who did well in gateway courses and students who were retained and graduated in four years.

He discussed the four-and-a-half-year graduation rates. He said this was not something that was discussed a lot, but the graph illustrates a large gap between four-year and four-and-a-half year graduation rates. He said there was a 10 percentage point...
difference between four-and-a-half year graduates and four-year graduates. He explained that four-and-a-half year students were students who started in the first-time-in-college (FTIC) freshman cohort, and graduated in the fall semester of their fifth year. He noted there was an opportunity to increase the four-year graduation rate by assisting the four-and-a-half-year graduation students with gateway courses. He displayed a graph which illustrated the top 25 gateway courses which students failed and caused a graduation delay. He explained that some of the top gateway courses were college algebra, statistics, general biology, microeconomics, and macroeconomics. He displayed and discussed a graph which illustrated the last three graduating cohorts (2013-2015). He then displayed and discussed a graph which illustrated the DFW rates for the last six fall terms (2019 data not yet available). He noted of the 810 undergraduate courses (1,905 sections) offered in fall 2018, approximately 62,000 grades were assigned. He said of the 62,000 grades assigned, 12.6 percent of the grades resulted in a DFW outcome. He explained that half of the DFW grades were generated by 26 courses. Dr. Cordova said now they were investigating what specific courses were producing the dominant rate of DFW grades.

Dr. Cordova stated the Gardner Institute for Excellence in Higher Education provided best practices regarding lowering DFW rates that could be used as a roadmap. These best practices included: (1) use institutional data analytics to understand the problem and create interventions - he said he liked to refer to data analytics as actionable intelligence; (2) inform academic units of DFW rates and develop department action plans for improvement; (3) develop more academic support services for courses with high DFWs; (4) provide supplemental instruction specifically for courses with high DFWs; (5) create more engaging pedagogies - he said that this was something that would take time at FGCU as colleges and faculty worked on changing pedagogies and strategies in courses that result in high DFW rates; and (6) create a coordinated institutional plan. He stated creating a coordinated institutional plan to lower DFWs was of utmost importance.

He indicated there were five current initiatives underway at FGCU: (1) the Student Success Council to develop institutional strategy and coordinate institutional efforts around decreasing DFWs; (2) engagement of the colleges in providing data and helping them to develop intervention strategies; (3) creation of an early alert system through early grade reporting; (4) implementation of Soar4Success program to focus specifically on freshmen; and (5) increased peer academic support services for courses with high DFWs.

Dr. Cordova said the Soar4Success program was launched in fall 2019 and was a residency-based program focused on freshman students housed at South Village. He indicated it was an interdisciplinary team approach consisting of resident advisors (RAs), staff from the Center for Academic Achievement (CAA), and faculty teaching the courses. He said the program identified "at-risk" students (students not likely to graduate in four years based on high school GPA, ACT/SAT scores, major, and number of high DFW courses taken). He explained that predictive analytics are being utilized to figure out which students are most at risk to not graduate in four years based on the
He noted the program was a cohort model to help students work together and actively engage in various services such as tutoring, supplemental instruction, and coaching. He displayed a chart which contained fall 2019 outreach outcomes. He explained 517 very high-risk and high-risk students enrolled in English composition, general biology, intermediate algebra, and college algebra were targeted through outreach (e.g. email and intentional conversations). He said students who were very high risk and did not go to the CAA for supplemental instruction or tutoring had a DFW rate across the target courses of 45 percent. He explained that students who were very high risk and went to the CAA for at least one visit had a DFW rate across the target courses of 42 percent. He stated the average DFW rate for all very high-risk students was 43 percent. He said the high-risk students who went to the CAA at least once had a drop in their DFW rate across the target courses of 22 percent. He explained that students who made contact in the CAA consistently performed better in the higher risk gateway courses; therefore, this indicated that more visits to the CAA leads to better performance. He stated this clearly indicated that refocusing resources for specific courses to scale up student services and bring students into the CAA would make a huge impact on the DFW rate of gateway courses.

Dr. Cordova said Peer Academic Support Services (PASS) programs were designed to directly lower DFW rates. He explained the PASS programs included supplemental instruction to directly support high DFW gateway courses (such as MAT 1033, MAC 1105, and BSE 1010C). He noted the Learning Assistants (LAs) program promoted a partnership between faculty and student LAs to create an active learning classroom and deliver course content. He displayed a chart which illustrated the outcomes of the supplemental instruction and tutoring program for general biology (BSE 1010C) in fall 2018. He noted students who attended a supplemental instruction or tutoring session three or less times had a DFW rate of 63 percent. He said students who went four or more times for supplemental instruction or tutoring had their DFW rate drop drastically to 20.7 percent. He pointed out on the chart that if a student went six or more times, his DFW rate was 16.6 percent. He said that this data proved that students who participated in supplemental instruction or tutoring at the CAA had better DFW outcomes.

He explained the journey at FGCU to lower DFWs would be long and would require an institutional effort. He stated the University culture recognized the critical need to work toward a substantive difference in helping students be successful in gateway classes. He said universities with excellent retention rates and student success outcomes as a result of working towards ensuring student success in gateway courses were Georgia State University (GSU), University of South Florida (USF), and Florida International University (FIU).

Trustee Richard Eide said he appreciated the presentation’s great detail and felt Dr. Cordova had an excellent handle on the issue. He asked how a four-and-a-half-year graduate was treated within the performance metrics. Dr. Cordova responded four-and-a-half-year graduates were reported as five-year graduates. He noted there was no four-and-a-half-year graduation rate variable. Trustee Eide asked if it might be possible
to convince the BOG that four-and-a-half-year graduates should be considered four-year graduates. Dr. Cordova stated he was unsure, and while this was something which might be advocated for, his purpose was to maximize FGCU’s ability to help students graduate within a four-year period. Trustee Eide asked if students who were unsuccessful in the gateway courses divert to other majors. Dr. Cordova responded in the affirmative; students who were unsuccessful in gateway courses tended to migrate to other majors and colleges within the institution.

Trustee Stephen Smith informed the FGCU Board of Trustees (BOT) he recently served on the Lutgert College of Business Dean search committee and said he learned a lot about FGCU through the Dean selection process. Trustee S. Smith stated he wondered if FGCU was admitting students into the correct programs. He said, for example, he worried students without a solid math background were being admitted into math-oriented programs which in turn would set these students up for failure. He suggested the possibility of a math “boot camp” for students who wished to join a math-oriented program but did not have a solid math background. He recommended correlating the data presented by Dr. Cordova with the credentials the students had upon entering FGCU. He stated he wondered if students who did not take advantage of the tutoring programs felt there was no hope in learning the subject. Dr. Cordova responded FGCU was starting to focus on targeting admission of students around the colleges and programs which best fit each student.

Trustee K. Smith thanked Dr. Cordova, Provost and Vice President for Academic Affairs James Llorens, and President Martin for these targeted efforts. He noted for years summer school had been a problem for FGCU; however, with the new summer school plan he believed the four-and-a-half-year graduation rate should organically lower as students were able to take summer school courses. Dr. Cordova concurred. Trustee K. Smith asked how changing majors affected the four-and-a-half year and five-year graduation rates. Dr. Cordova stated if the change of major was within the same college, the outcome was less severe; however, if a student shifted from pre-nursing to engineering, for example, a four-year graduation rate became much more challenging. Trustee K. Smith noted many students began college without career conviction and it was important for students to find a passion. He stated while it was important to meet metrics, it was also important to develop better citizens with better education. He asked if there were certain high schools that consistently produced students with difficulties in certain subjects. He asked if there was a way to identify such high schools and require students, through the admission process, to engage certain advisors. Dr. Cordova explained FGCU was currently looking at the four-year graduation rates and retention rates of successful students from certain regions of the state, counties, and high schools. He stated his team would be digging deeper into this data to develop admission strategies. He noted FGCU wanted to be a ladder and not a filter, and the Step Ahead Summer Bridge Program was in place to help students coming in with deficiencies in math and/or English be successful. Trustee K. Smith said that in the push to graduate students in four years, he hoped faculty members would not feel the need to water down important foundational course material, or experience unfair blame for students who might take longer to graduate.
Trustee Jamie MacDonald concurred with Trustee K. Smith; students needed help and faculty needed help as well. He asked if any of the DFW courses were delivered online. Dr. Cordova responded in the affirmative; he did not know how many but certainly some were offered as online courses. Trustee MacDonald indicated it would be interesting to know how online courses related to DFW courses.

Trustee Josh Ballin stated, as a student, he was happy to hear Dr. Cordova and his team’s efforts towards reducing DFW rates. He noted these gateway courses could be quite challenging. He asked how at-risk students were approached and encouraged to visit the CAA or to reach out to other resources. Dr. Cordova explained with the Soar4Success program, outreach was made via email, followed by intentional conversations and focus groups. Trustee Ballin asked if the Soar4Success program was replacing the First Year Residential Experience (FYRE) program. Dr. Cordova responded the Soar4Success program was a new program focusing on courses with high DFW rates in high-risk students, but it is not replacing FYRE. Trustee Ballin asked if the Soar4Success program was partnered with the FYRE program. Dr. Cordova responded in the affirmative. He said that there are FYRE Fellows teaching some of the courses and there is some crossover.

Trustee Ballin asked if advisors were made aware of which students were high risk, and help offered through the program. Dr. Cordova stated he was unsure. Trustee Ballin said if a student was considered at risk and receiving help, the advisor should know that he may be struggling and can then advise him about better-suited majors. Dr. Cordova deferred to Associate Vice President for Academic Engagement Andrew Cinoman, who oversaw University Advising and the Soar4Success program in part. Dr. Cinoman responded that first-year advising (exploratory advising), included four mandatory contacts: two in the fall and two in the spring. He explained one of the fall contacts was a group meeting addressing the transition into the institution, and the second was a pre-registration advising appointment which occurred later in the term. He said in the spring semester, a check-in meeting was required to review grades from the fall semester along with a group meeting to assist students in recognizing how performance related to their majors and determining if a major was a good fit. He stated the student could then follow up with an advising appointment for pre-registration for summer or fall. He noted while the connection with Soar4Success was indirect, the advisory community was aware of the program and was helping students simultaneously.

Trustee Joseph Fogg stated academic success was related to course selection. He asked if FGCU explained to at-risk students that certain courses and majors were not in the best interest of certain students. Dr. Cordova responded in the affirmative; this was done through the advising process. He explained advisors were familiar with a student’s record, and knew the student’s profile and major; however, students could be persistent in pursuing certain majors for which the student was not prepared.
Item 5: The Water School at Florida Gulf Coast University (TAB #4)

Chair Gable called on Executive Director, and Professor of Marine Science Greg Tolley to present “The Water School at Florida Gulf Coast University.” Dr. Tolley said the recent groundbreaking for the new home of The Water School was exciting, and local community support had been fantastic. He indicated when The Water School was established on March 22, 2019, Southwest Florida (SWFL) was reeling from Hurricane Irma, as well as a Red Tide which was the fifth longest in Florida recorded history and that overlapped with harmful blue-green algae blooms in the Caloosahatchee River and Lake Okeechobee. He said March 22 was also World Water Day, and the groundbreaking of The Water School on that date recognized the importance of water around the globe and connected SWFL with the rest of the world. He stated The Water School was established to address water and climate-related issues in SWFL by bringing together faculty from across campus; forging partnerships with local communities; building research capacity in the region to ensure SWFL had the tools needed to adapt to a changing world; training future water leaders; and creating a better informed and better prepared citizenry. He stated The Water School trained students in water security to ensure healthy drinking water and human wellbeing and healthy ecosystems. He said The Water School provided training regarding water-related hazards and climate change, economic activities, and development. He explained The Water School taught a systems approach which identified issues and conflicts ahead of time, foresaw future challenges, and applied a highly interdisciplinary approach to address those issues. He displayed a chart which illustrated the differing disciplines which contributed to The Water School. He noted 17 faculty members in 14 different disciplines across the College created an interdisciplinary connection that made The Water School a unique institution. He said The Water School was building on over two decades of FGCU’s water-related research in SWFL. He noted The Water School offered three undergraduate programs in water-related issues, including the new Bachelor of Science degree in environmental geology, as well as two graduate programs. He said The Water School was home to seven centers and institutes: (1) Coastal Watershed Institute, (2) Vester Marine Field Station, (3) Everglades Wetland Research Park, (4) Center for Environmental & Sustainability Education, (5) Emergent Technologies Institute, (6) Center for Agribusiness, and (7) Regional Economic Research Institute. He invited members of the FGCU BOT to make recommendations for The Water School Advisory Board by providing suggested names to Vice President Evans. He stated a council of directors also was being established to connect The Water School with other centers and institutes across campus. He said he was meeting with the Center for Agribusiness, the Regional Economic and Research Institute, and the Emergent Technologies Institute to leverage research and capabilities across campus.

Dr. Tolley said research always started with a question. He presented the work occurring in The Water School by introducing the specific strategic initiatives, the questions which drove the initiatives, and the faculty responsible for them. He discussed Department of Marine Science Program Coordinator and Professor Mike Savarese, a noted climate change and sea level rise expert in SWFL, and his research explored questions such as:
How does sea level rise shape our coastline?

What can sediments tell us about how our coastline has responded in the past?

Can coastal environments keep pace with sea level rise?

He said Dr. Savarese and Department of Marine Science Program Coordinator and Associate Professor Felix Jose had been partnering with the University of Florida (UF) to develop, build, and distribute an online decision tool to help local communities predict specific impacts in their neighborhoods, and to develop effective and sustainable responses. Dr. Tolley noted Department of Marine Science Chair and Associate Professor Joanne Muller's research which explored questions such as:

(1) Can we identify fingerprints of historic hurricanes in sediments?
(2) Knowing strengths of modern hurricanes, can we estimate strengths of historic storms?
(3) Can we predict strength and frequency of future storms based on climate projections?

He discussed the research being conducted regarding harmful algae blooms. He noted Ecology and Environmental Studies Professors Barry Rosen and Toshi Urakawa who were researching harmful blue-green algae blooms, along with Assistant Professor & Program Director of Public Health Jayanta Gupta, and Director of the Coastal Watershed Institute and the Vester Marine Field Station Mike Parsons. He noted Dr. Parsons also was researching Red Tide which was exponentially worse this past season and had caused economic and potential health difficulties. He noted the researchers were attempting to determine how to mitigate harmful algae blooms.

Dr. Tolley indicated he believed The Water School would make a substantial economic impact in the region. He stated The Water School combined interdisciplinary groups of faculty members from across campus in a more integrated and multidisciplinary fashion to approach these water issues. He noted the School was recruiting new faculty and staff, retaining talent in SWFL, recruiting students to SWFL, providing a high return on investment, and fueling innovative approaches to solving environmental challenges, and that the students were making impactful contributions to SWFL. He said The Water School students were obtaining internships from a wide of companies. He displayed and discussed a list of the various Water School partnerships, including conservation groups, organizations, and other institutions.

Dr. Tolley stated he believed The Water School represented an investment in the future of SWFL by attracting and growing talent in the region, building research capacity, and engaging local communities to act in their own best interest, all in an effort to conserve the environment, feed the economy in innovative ways, and protect the quality of life which SWFL residents have come to love and expect.
Trustee Fogg stated he believed the establishment of The Water School was one of the most impactful things FGCU had accomplished during his time on the FGCU BOT. He noted he hoped The Water School would develop over time significant doctoral programs with original research and significant grants. Trustee Fogg stated he would like to hear what the Board could expect from The Water School in the future in this regard. Dr. Tolley stated he was supportive of a doctoral program related to water. President Martin stated research-based doctoral programs were appropriate for The Water School. President Martin said he hoped to develop a strategy over the next few years ultimately to bring to the Board of Governors. Dr. Tolley noted cutting-edge research currently was being conducted in The Water School, and that they had received funding by the following organizations: the National Science Foundation (NSF), National Institute of Health (NIH), National Oceanographic and Atmospheric Administration (NOAA), U.S. Environmental Protection Agency (EPA), and Florida Department of Health (DOH). Dr. Tolley stated Dr. Parsons received a $5.9 million grant from NSF and NIH two years ago to research seafood safety in the Caribbean. Dr. Tolley said he thought The Water School was doing well, but still had a long way to go. He noted that the School also relies on state and local funding to ensure that FGCU is part of the solution here in SWFL.

Trustee Leo Montgomery suggested looking into corporate sponsorships. He explained that some Fortune 500 companies have in their mission statement an effort to preserve the environment, which included water. He asked if there was a plan in place to develop relationships, not only locally, but with corporate America. Dr. Tolley agreed with Trustee Montgomery, and said there was a plan to assemble a strong advisory board with individuals who might have corporate connections.

**Item 6: Campus Master Plan Update for 2020-2030 (TAB #5)**

Chair Gable called on Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera to present the Campus Master Plan Update for 2020-2030. Mr. Magiera explained the Campus Master Plan (CMP) was required by Florida Statute and must be updated every five years. He noted the CMP would not be completed until September 2020, at which time the CMP would come before the FGCU BOT for approval. He indicated that following approval, FGCU was required to meet with Lee County Government to discuss potential FGCU impacts on water, sewer, transportation, etc. He stated today’s presentation primarily would focus on the FGCU main campus, but they would also be looking at other sites such as the Emergent Technologies Institute, the Naples Botanical Garden, and the Vester Marine Field Station. He introduced Senior Planner Jay Demma from Perkins & Will Consulting.

Mr. Demma stated Perkins & Will Consulting had over 80 years of higher education design experience and had worked with over 300 institutions globally regarding building and campus planning. He noted sustainability and resiliency was an important focus of Perkins & Will, and a part of the company’s mission. He stated Perkins & Will was rated number one in higher education design by Architectural Record Top Firms and had
extensive experience in the State University System (SUS) of Florida, working with University of Florida (UF), Florida International University (FIU), and Florida State University (FSU). He explained Perkins & Will was updating FGCU’s Campus Master Plan (with the previous CMP completed in 2015). He noted the CMP update would include many elements, as required by the SUS, including urban design framework, land use patterns, identification of the need for new buildings, transportation improvements, infrastructure improvements, conservation, and prioritization of recommendations. He said meeting and working with the local government also was a key part of updating the CMP. He stated the updated CMP would cover the years 2020 to 2030 but would require updating in 2025 (every five years). He reviewed the CMP process timeline, which is four phases extended over one year’s time. He said the first phase was inventory and analysis of existing conditions for the campus. He stated the second phase was taking information from the first phase and generating concepts and ideas to formulate the CMP. He explained the third phase was where a lot of the concepts are refined and developed into a cohesive CMP. Mr. Demma said in the fourth phase Perkins & Will would work with the FGCU BOT through a first public hearing, then present the plan to local governments for their review, incorporate their comments, and ideally adopt the plan in 2020. He stated that as part of the timeline, they would be coming back to the FGCU BOT for an informal public hearing that is required by Florida Statute.

Mr. Demma reviewed what Perkins & Will had accomplished up to this point. During close observations of the campus, Perkins & Will noted the remarkable native Florida landscape, identified the opportunity to enhance the central spine, identified the potential for outdoor study areas, and noted the Student Union (Cohen Center) appeared to lack critical programming. He noted Perkins & Will reviewed FGCU enrollment and graduation trends, the physical inventory of campus, and previous CMPs. He displayed and discussed a map which illustrated the 2015 CMP, what project areas were awaiting implementation, and what project areas already had been implemented. He indicated Perkins & Will conducted nine listening sessions on a variety of topics within the FGCU community over a three-day period. He noted over 200 individuals attended the sessions, including more than 60 students. He indicated a survey was taken with more than 100 responses. He noted while this was not a representative sample of the entire FGCU community, the survey responses provided beneficial feedback. He stated a workshop was held with about 80 attendees in December, which provided additional beneficial feedback. He said that after reviewing the feedback, four main themes were discovered: (1) using space more efficiently; (2) connections to the community; (3) preserving and leveraging the campus’ natural assets; and (4) movement as a quality experience (safety, wellbeing, transportation, timeliness, etc.).

Mr. Demma discussed the survey questions and answers; (1) Over the next 10 years, what is the one thing on campus you hope will remain the same? He indicated the number one answer was the natural environment. (2) Over the next 10 years, what is the one thing on campus you hope will change? He indicated building locations and transportation were important for faculty and staff, while students wished to see more
commitment to the environment and to have a bigger voice in the decision-making process and (3) Over the next 10 years, what is the one thing you hope will be added to the campus? He indicated the answer that came to the forefront for faculty, staff, and students was spaces and services for students.

Mr. Demma stated Perkins & Will was in the second phase of the process, which is exploration of concepts. He said the first step was taking the information collected in phase one and creating two maps. He said they mapped a lot on constraints – due to movement, and to the physical space. He said they then began to map where opportunities existed, such as outreach to the community, as well as a list of guiding principles focused on student success. He indicated a map with conceptual ideas for how to potentially optimize use of space within the core academic district over the long term was developed, along with ideas regarding transforming small spaces into impactful spaces. He noted ideas were generated and illustrated on a map regarding improved movement, including a redesigned loop road, future boardwalk locations, and location of future solar fields when the existing ones meet their shelf life. He indicated ideas regarding leveraging and preserving natural assets were generated and needed to be clearly delineated. He stated FGCU’s connection to the community was evaluated, including campus visibility and access to the community. He said they also were looking at how the Emergent Technologies Institute, Naples Botanical Garden, and Vester Marine Field Station were extensions of the FGCU main campus and what roles they played.

Mr. Demma stated the next steps were fleshing out the design concepts, refinement of the plan (including an informal hearing with the FGCU BOT), formal hearings, meeting with local government, and then finalizing the plan.

Trustee Montgomery asked if any lessons were learned from the 2010 and 2015 CMPs. Mr. Demma responded in the affirmative; a number of projects from the 2015 CMP were continuing to be moved forward into the 2020 CMP. He stated a number of boardwalk connection ideas and parking needs identified in the 2015 CMP had value in today’s CMP.

Trustee MacDonald noted preservation of the natural assets was extremely important to faculty and suggested that moving forward, clearly delineating the preserve areas would be very beneficial.

Trustee Eide asked if Perkins & Will was involved with the original campus design. Mr. Demma responded in the negative. Trustee Eide asked if there were original design flaws which were causing difficulties and wondered if Perkins & Will would have designed the campus differently. Mr. Demma responded in the negative. He stated Perkins & Will felt the original campus design recognized the importance of the natural environment. He noted the proposed changes were less about “fixing a defect” and more about “addressing new needs.”
Trustee S. Smith asked who Perkins & Will reported to at FGCU. Mr. Demma indicated Perkins & Will most directly reported to Director of Facilities Planning Tom Mayo.

Trustee S. Smith asked for more information regarding constraints, including information about possible county, state, or other regulatory bodies which might impinge upon FGCU’s ability to make changes. Mr. Demma noted Perkins & Will was in the process of identifying the various legal authorities in this regard. He noted Lee County recently updated its Comprehensive Plan which was being reviewed. He stated the University also formed a Steering Committee with representation from faculty, staff, and students which Perkins & Will was working with on a regular basis.

Trustee Ballin indicated he was the student representative on the Steering Committee. He stated there were three things that came from the survey answers that resonated with him and that the students hoped to change. He said it is not parking – instead, it is to: (1) have a more culturally-inclusive campus; (2) have improved safety and security, and; (3) have more transparency in campus decision-making. He indicated it was important to keep these three major items in the forefront of thinking and planning as it impacts the lives of FGCU students daily. He said the things students wished to have added to campus were: space and services, transportation, and a connection to FGCU. He stated if students were not connected to the institution, retention was difficult. He emphasized the importance of creating more spaces for students in an effort to provide more connectivity and thus improve retention. He again encouraged Perkins & Will and FGCU to keep these priorities in the forefront of decision-making and planning.

**Item 7: Standing Report from United Faculty of Florida (UFF)/FGCU Chapter**

Chair Gable stated the standing report from United Faculty of Florida (UFF)/FGCU Chapter was being made in conjunction with the Collective Bargaining Agreement (CBA) provision which provided UFF an opportunity to speak to FGCU Board of Trustees’ agenda items which affected the wages, hours, and other terms and conditions of employment of employees. “Employees” was defined as a member of the bargaining unit. He welcomed UFF Co-Presidents Dr. Scott Michael and Dr. Patrick Niner.

Dr. Michael said the CBA was completed. He noted the interactions with management were very collegial, and all parties were in agreement that excellence and positive student experience were top priorities. He stated the new CBA included a two-percent raise, with a $2,000 minimum, retroactive to August 7, 2019. He stated that in order to avoid retroactive salary increases in the future, the UFF/FGCU Chapter was moving salary negotiations forward into a more long-term, strategic, forward-looking process. He indicated a ratification vote on the new CBA was conducted. He explained all 407 in-unit faculty were eligible to vote (65 percent were dues-paying members), and 273 ballots were received with 221 votes “aye”, and five votes “nay” regarding the changes made to the CBA. He noted the CBA would be presented to the FGCU BOT later today for approval, and he encouraged the Board to agree to the terms.
Item 8: Standing Report from FGCU Foundation Board of Directors

FGCU Board of Trustees Liaison to FGCU Foundation Board of Directors Leo Montgomery reported the FGCU Foundation ended the first quarter of Fiscal Year 2020 with $140 million in assets and total liabilities of just over $600,000. He noted net investment earnings for the quarter were $0.5 million; the investment pool’s market value as of September 30, 2019 was $103.8 million. He stated the Foundation remained ahead of last year in fundraising, and for the first half of the year had commitments of roughly $15 million, over halfway to the annual goal of $25 million. He stated the focus for fundraising this year was to complete the funding needed to build the Center for Entrepreneurship and Innovation, as well as funding for The Water School; continued student success initiatives; scholarships; and phase two of Alico Arena renovations. He noted that the Development team was now fully staffed and working to align with areas of focus and portfolios. He noted an outside consultant reviewed the operation and was complimentary of the team and the success achieved. He indicated the consultant would continue working with the team regarding system refinements over the next quarter. He noted the Foundation Strategic Plan was being updated. He said last quarter was devoted to getting input from the Foundation Board, staff, and academic units, and the Foundation was drafting the revised plan for Foundation Board approval in March. He stated the Real Estate Committee was finalizing a 20-acre land donation from Benderson Development in its planned Commercial Park at Alico Road and Ben Hill Griffin Parkway. He noted the Advancement team spearheaded several successful events last quarter which garnered positive attention in the community, including the grand opening of the new Student and Community Counseling Center, and the ceremonial groundbreaking for Academic Building 9. He stated preparations were being made to launch the second season of the Research Roadshow, which would provide engaging community-focused student/faculty research to be presented to the public in Naples, Fort Myers, and Sanibel Island. He noted planning was underway for the February 7 grand opening celebration for the University Recreation and Wellness Center. He commended all involved in the advancement and improvement of FGCU. He said many people, including members of the FGCU BOT, were involved in the advancing of the University and fundraising. He commended President Martin for setting the tone at the top and being very engaged. He said, for example, President Martin served on the Board of Imagine Solutions and as a result, the CEO of Imagine Solutions arranged a fundraiser with a roundtable of retired Fortune 500 CEOs in SWFL.

Item 9: Standing Report from FGCU Financing Corporation Board of Directors

FGCU Board of Trustees Liaison to FGCU Financing Corporation Board of Directors Richard Eide, Jr. reported the Financing Corporation refunded approximately 25 percent of outstanding debt; roughly $41 million was refunded. He explained this was done in a way which restructured the debt and cut the rate to the effect the University would save $11 million in debt service over the next 19 years: $330,000 would be saved this year followed by $580,000 annually for 19 years. He noted if rates stayed low, another $25 million in debt could be restructured in February 2021. Chair Gable commended Trustee Eide and the Financing Corporation Board of Directors for this outstanding
accomplishment. Trustee Eide said the new bonds were held by top bond funds and
top casualty insurers, not because of the clever financial engineering by the Financing
Corporation Board, but because of FGCU’s high-quality real estate operation (student
housing and parking). He noted FGCU had no difficulties in occupancies with student
housing and parking, however, some of the housing was aging and would need
improvements such as new roofs and other maintenance. He indicated it was important
to make these investments to keep the housing program functioning at its current high
level.

Trustee Morton asked about the impact of the Tax Act of 2018 on the financing deals.
Mr. Magiera indicated FGCU refinanced bonds two years ago and did not do quite as
well; however, the Tax Act did not seem to have much of an impact on the recent
refinancing. He explained bonds were held for 30 years with call dates at the first 10
years. He stated in February 2021 there was another $25 million bond issue which had
the potential to be called and restructured; the process of restructuring would begin
around September 2020.

Trustee Eide explained the Tax Act of 2018, as a general proposition, narrowed the
spread between tax exempt bonds and taxable bonds.

**Item 10: Chair’s Report**
Chair Gable stated he would be speaking on various items in the meeting; therefore, he
would forego his report in the interest of time with today’s full agenda.

**Item 11: President’s Report**
President Mike Martin welcomed back Trustee Edward Morton and welcomed Trustee
Jaye Semrod to the FGCU Board of Trustees. He stated Joe Alexa, recently retired
Athletics Director from Louisiana State University (LSU), and Carl Benson, recently
retired Commissioner of the Sunbelt Conference, would come and spend the day talking
with FGCU publicly about the current state of, and future direction of, intercollegiate
sports.

President Martin stated the Board approved a Legislative Budget Request (LBR) in
June; in the interim, the BOG changed the rules and the request was required to be
reorganized and resubmitted, prior to time for re-approval by the FGCU BOT. He
explained this was for the designation of FGCU as a University of Distinction built
around The Water School initiative. He stated the spirit of what was approved was not
violated in any way, only portions were relabeled in an attempt to ensure the obligations
of the Board of Governors were met in a timely fashion. He stated the Legislature was
now in session and he looked forward to having success from the support of the local
delegation and the Board of Governors.

He introduced the new Dean of the Lutgert College of Business Chris Westley, who was
selected from a competitive national search. He noted Trustee Stephen Smith
participated on the search committee for the Dean of the Lutgert College of Business, and thanked him for his thorough and thoughtful assessment of the candidates. He introduced the new Assistant Vice President for Human Resources Sara Stensrud. He noted the search for an Executive Vice President and Provost continued, led by Senior Vice President for Strategy and Program Innovation Mike Rollo. He noted the Diversified Search executive search firm was assisting in the process, and Trustee Ashley Coone was participating as a representative of the BOT. He noted the search for a Dean of the College of Arts and Sciences would begin in the near future.

President Martin said he was recommending the UFF/FGCU Chapter CBA's compensation package for approval. He stated next week the Recreation and Wellness Center would become operational and would have an official grand opening on February 7. He stated FGCU was close to obtaining the final amount of needed funding to build an Entrepreneurship Institute building, including housing the Regional Economic Research Institute. He thanked Joe Catti and his bank FineMark for making a $1 million commitment toward this building. He said 3,600 square feet had been added to the Cohen Center with the renovation. He indicated the Cohen Center would be renamed the Cohen Student Union, and that the addition and the name change were approved by donor Janet Cohen.

He said the Campus Master Plan process was under way as described earlier in the meeting, and it was important to consider other FGCU assets including West Lake Village, ETI, Vester Marine Field Station, and at the Naples Botanical Garden. President Martin stated there were emerging academic programs, including micro-credentialing. He explained that micro-credentialing referred to badges and certificates that enhanced an individual’s capabilities to enter the workforce in certain industries. He said there would be a micro-credentialing program in partnership with Arthrex for people entering the medical device field, and described the Arthrex program as one to be replicated with other major employers in the region. He said a Continuous Improvement Initiative was launched, and that FGCU Complete had gained traction. He indicated FGCU was moving forward with changes in the Resort and Hospitality Management program in an effort to seek a higher Classification of Instructional Programs (CIP) number and accreditation through the more rigorous Association to Advance Collegiate Schools of Business (AACSB). He stated on January 31, a broadly inclusive campus-wide conversation would begin regarding an assessment to rebalance resources in an effort to meet the demand of certain programs. He urged the BOT to keep the fundraising staff apprised of any opportunities regarding donors or partnerships.

Chair Gable and President Martin commented positively on the FGCU Holiday Concert in December and a friends dinner Trustee Fogg hosted following the concert. Trustee Fogg stated it was a fabulous concert and encouraged everyone to attend in the future.
Item 12: Academic/Student/Faculty Affairs Committee (see Tabs #6, 7, 8, 9, 10, 12)

Chair Gable said he would run today’s Committee meeting for former Trustee Christian Spilker, who previously chaired it. He noted there was one information item and five action items.

Online Graduate Programs (TAB #6)

Senior Vice President for Strategy and Program Innovation Mike Rollo stated the Board of Governors (BOG) Strategic Plan for Online Education directed universities to enhance their online presence. He said, in support of this goal, FGCU had entered into an agreement with a company called Academic Partnerships to focus on graduate education. He stated FGCU, with consultation from Academic Partnerships, identified six graduate programs to be offered completely online that were most likely to be competitive in the marketplace: the Master of Business Administration (MBA) with four concentrations, and five master's degrees in education in different areas of expertise (including special education, higher education, K-12 leadership, and curriculum and instruction). He indicated Academic Partnerships had expertise in marketing and recruitment and would assist in bringing in qualified graduate applicants. He noted FGCU completely controlled the curriculum and production of courses. He stated this would be done in seven-week semesters, which would allow non-traditional students access to FGCU. He noted if a student was extremely dedicated, it would be possible to complete a master’s degree in one year. He stated many similar programs throughout the nation were highly successful.

Mr. Magiera said this program was only for select graduate degrees and only for fully online students. He explained Academic Partnerships would conduct all marketing for the program and would be paid 50 percent of the tuition. He displayed and discussed a chart which illustrated projected revenues: FGCU would lose approximately $335,000 the first year, and it would not be profitable until the third year. He noted if the courses were taught by an adjunct, expenses would be less. He indicated as the online programs progressed and developed (by Ph.D. professors) expenses would go down as adjunct professors and teaching assistants (TAs) were able to step in and assist with growing class sizes. He noted paying 50 percent of tuition to Academic Partnerships matched Academic Partnerships’ interest to FGCU’s interest; Academic Partnerships wished to see the program succeed.

Trustee MacDonald asked how long the agreement was with Academic Partnerships. Mr. Magiera responded the agreement was for seven years.

Trustee Fogg asked who would review the academic quality of the MBA degrees. Dr. Rollo responded Director of Instructional Technology Dave Jaeger and his digital learning group were working to reformat current FGCU courses into seven-week modules according to the State of Florida guidelines. He stated the online MBA was the same MBA as could be achieved on campus, simply in an online format.
FGCU Regulation 4.002 Student Code of Conduct and Student Conduct Review Process (TAB #7)

Dr. Cordova stated amendments to FGCU Regulation 4.002 Student Code of Conduct and Student Conduct Review Process were made after a committee of students, faculty, and staff met during the fall 2019 semester to review the existing Student Code of Conduct and Student Conduct Review Process. He explained the Board of Governors Regulation 6.0105 required performance of a periodic evaluation of the student disciplinary system. He stated the amendments prohibited gambling on campus, prohibited commercial solicitation without prior approval, and described the existing procedures to seek judicial review following the final decision made by the University. He asked for approval of the amendments.

Trustee K. Smith made a motion to approve FGCU Regulation 4.002 Student Code of Conduct and Student Conduct Review Process as presented. Trustee S. Smith seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation 3.005 Graduate Admissions (TAB #8)

Dr. Cordova stated FGCU Regulation 3.005 Graduate Admissions was amended to reflect new organizational changes in the Enrollment Management unit, as well as changes to the immunization requirements for on-campus and off-campus students. He asked for approval.

Trustee K. Smith made a motion to approve FGCU Regulation 3.005 Graduate Admissions as presented. Trustee Cors seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation 2.001 Undergraduate Admissions (TAB #9)

Dr. Cordova explained FGCU Regulation 2.001 Undergraduate Admissions was amended to reflect new organizational and procedural changes in the Office of Undergraduate Admissions and the Enrollment Management unit; also, amendments were made to reflect changes in the immunization requirements for on-campus and off-campus students. He asked for approval.

Trustee K. Smith made a motion to approve FGCU Regulation 2.001 Undergraduate Admissions as presented. Trustee Ballin seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.
Ratification of 2018-2019 Collective Bargaining Re-Opener Agreement with United Faculty of Florida/FGCU Chapter (TAB #10)

Provost and Vice President for Academic Affairs James Llorens indicated the United Faculty of Florida/FGCU Chapter (UFF/FGCU) Collective Bargaining Re-Opener Agreement was being presented for approval. He stated this was a fair agreement with the UFF/FGCU Chapter. He thanked Associate Provost and Associate Vice President for Academic Affairs Tony Barringer for negotiating on behalf of the University and Office of the Provost, and also thanked the UFF/FGCU Chapter. He asked for approval.

Trustee MacDonald made a motion to ratify the agreed upon changes bargained during the 2018-19 Collective Bargaining Agreement re-opener session. Trustee Montgomery seconded the motion.

Trustee S. Smith asked if the current budget was able to absorb the changes. Provost Llorens responded in the affirmative.

President Martin stated he felt it was easier to justify a compensation increase when the faculty earned the increase. He stated FGCU generated more tuition revenue by having higher teaching loads and greater participation by students. He stated funding was recovered through performance funding. He indicated he felt this justified the faculty’s compensation increase.

Chair Gable congratulated all individuals who were involved in the Collective Bargaining Agreement.

There was no public comment, or further Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation 7.003 Special Fees (Library Fines) (TAB #12)

Provost Llorens stated it was discovered students were blocked from registering for, adding, or dropping classes due to unpaid overdue fines for the late return of library materials. He indicated students would continue to be held accountable for a loss of books, but removal of these minimal fines would eliminate a timely registration barrier. He asked for approval to remove these fines.

Trustee K. Smith made a motion to revise FGCU Regulation 7.003 Special Fees to eliminate the Overdue Library Material Fee (see Line #7 of the Regulation) and only charge students for damaged or lost materials as described in the Regulation. Trustee Ballin seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

Chair Gable called for a brief recess at 10:42 a.m.
Item 13: Finance, Facilities and Administration Committee (see Tabs #13-24)
Chair Gable reconvened the meeting at 10:55 a.m. and called on Committee Chair Ken Smith for his items. Committee Chair Ken Smith said there was one information item and 11 action items on the agenda. Trustee K. Smith called on Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera.

Finance/Budget Update (TAB #13)
Mr. Magiera presented the Finance/Budget Update. He noted total revenues were up approximately $1.5 million over the budgeted amount; concessions were down $36,000; and financial aid was up approximately $1.3 million. He noted generally when a budget was up in financial aid on revenue, expenditures also would be up. He stated the budget had a $4.7 million favorable variance in expenditures. He noted there were no concerns and the budget was healthy enough to absorb the increase in faculty compensation (approximately $450,000). He noted salary savings were currently much greater than $450,000, and that this would become a permanent item in the budget for next year.

Trustee K. Smith stated he found the Summary Memo helpful.

FGCU Regulation (# TBD) Procurement (TAB #14)
Mr. Magiera indicated he was going to discuss Tabs #14 through 19 as the topics were related; however, each would require a separate vote per Board of Governors (BOG) regulations. He explained when the BOG changed a regulation, the University was required to adjust its own regulations. He stated the BOG regularly audited transactions, as well as regulations, to ensure FGCU regulations met the spirit and intent of BOG regulations. He stated at a meeting of university purchasing directors, it was recommended that a number of regulations be collapsed into a single regulation. He stated Tab #14 was the new regulation, which incorporated the content of five regulations (Tabs #15 through 19) into a single regulation.

Trustee S. Smith made a motion to approve FGCU Regulation (# TBD) Procurement. Trustee Ballin seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation Repeal: FGCU-PR6.014 Purchasing Authority of the University (TAB #15)
Mr. Magiera said this Regulation was being repealed and its contents were incorporated into new FGCU Regulation (# TBD) Procurement.

Trustee S. Smith made a motion to approve FGCU Regulation Repeal: FGCU-PR6.014 Purchasing Authority of the University. Trustee Cors seconded the motion.
There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation Repeal: FGCU-PR6.015 Competitive Solicitations Requirement (TAB #16)

Mr. Magiera stated this Regulation was being repealed and its contents were incorporated into new FGCU Regulation (# TBD) Procurement.

Trustee Cors made a motion to approve FGCU Regulation Repeal: FGCU-PR6.015 Competitive Solicitations Requirement. Trustee Semrod seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation Repeal: FGCU-PR6.016 Purchase of Commodities or Contractual Services (TAB #17)

Mr. Magiera stated this Regulation was being repealed and its contents were incorporated into new FGCU Regulation (# TBD) Procurement.

Trustee S. Smith made a motion to approve FGCU Regulation Repeal: FGCU-PR6.016 Purchase of Commodities or Contractual Services. Trustee MacDonald seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation Repeal: FGCU-PR6.019 Standard of Conduct (Procurement) (TAB #19)

Mr. Magiera said this Regulation was being repealed and its contents were incorporated into new FGCU Regulation (# TBD) Procurement.

Trustee Cors made a motion to approve FGCU Regulation Repeal: FGCU-PR6.019 Standard of Conduct (Procurement). Trustee Montgomery seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

FGCU Regulation Repeal: FGCU-PR6.018 Contracts (TAB #18)

Mr. Magiera said this Regulation was being repealed and its contents were incorporated into a new FGCU Regulation (# TBD) Procurement.

Trustee S. Smith made a motion to approve FGCU Regulation Repeal: FGCU-PR6.018 Contracts. Trustee Montgomery seconded the motion.
There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**FGCU Regulation 5.018 Sick Leave Pool (TAB #20)**

Mr. Magiera said that in 2013, University regulations changed for new employees to state an outgoing employee would not be paid for unused sick leave. He explained this new amendment prohibited vacation time from being donated to the sick leave pool. He stated that if the balance of the sick leave pool were to become low, an email would be sent to participating employees to donate eight hours of their sick leave to the pool.

Trustee Cors made a motion to approve FGCU Regulation 5.018 Sick Leave Pool as presented. Trustee Ballin seconded the motion.

Trustee Eide asked if there had been any objections to this change. Mr. Magiera responded in the negative.

There was no public comment, or further Board discussion. The vote was 11-0 in favor of the motion.

**FGCU Regulation 5.010 Nepotism (TAB #21)**

Mr. Magiera stated the amended Regulation would still prohibit a University official from holding a supervisory role over an employee who was a related person of the University official. He noted wording had been changed to allow for exceptions to this prohibition with approval from the President or the respective Vice President.

Trustee S. Smith made a motion to approve FGCU Regulation 5.010 Nepotism as presented. Trustee Montgomery seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**FGCU Regulation 6.008 Protests (TAB #22)**

Mr. Magiera said this Regulation was amended to include language from Board of Governors Regulation 18.002.

Trustee S. Smith made a motion to approve FGCU Regulation 6.008 Protests as presented. Trustee MacDonald seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.
Mr. Magiera reminded the BOT that this was a new report this year, as a requirement from the Board of Governors to bring forward all fixed capital outlay in a quarterly update format. He explained the changes were as follows:

1. Line 4 – Central Energy Plant was completed and was under budget by $54,908. These funds would be returned to the Auxiliary fund, which was paying for the improvements.

2. Line 7 – Reed Hall 153 & 163 remodel was completed and was under budget by $15,434. These funds would be returned to the carryforward balance.

3. Line 13 – Campus Dining-SoVi Dining. This was a new item to possibly renovate and remodel the food service location in South Village. The funds were being provided from the food service vendor, Chartwells; however, funds would go to FGCU and would require the FGCU BOT’s permission for expenditure. A budget for this fiscal year of $300,000 was requested in order to get the project started.

4. Line 15 – Maintenance. There were various maintenance items including parking lot maintenance. The projects were completed under budget by $62,872. These funds would be returned to carryforward balance.

5. Lines 21 and 22 – SoVi Modular 2 and Lutgert Hall were being presented because of a change in the ruling by the Board of Governors as it relates to encumbrances. For the first time this year, encumbrances were considered carryforward. He indicated he believed there was a chance this would be reversed next year. Trustee K. Smith asked if the auditors would have difficulty with this change. Director of Internal Audit Bill Foster responded if there was a signed contract in place and a purchase order issued, it was an encumbrance. Mr. Magiera stated he felt this should be acceptable as it was identified and separated. He noted he was only concerned as adding encumbrances to carryforward would increase the carryforward balance; however, there were reasons for the growth and the reasons were clearly identified.

6. Lines 23 and 24 – Alico Arena Phase 2 remodeling and Center for Entrepreneurship and Innovation were completely funded through the Foundation and therefore there was no request for an approved budget. He noted this was included for informational purposes only as this was not an FGCU project.

Trustee Montgomery asked if FGCU had capital leases and/or operating leases. Mr. Magiera responded in the affirmative. He said the FGCU had some operating leases, such as car leases, and housing was the only capital lease. Mr. Magiera explained that in the past, only capital leases and not operational leases needed to be reported on financial statements but this would soon change under new forthcoming accounting rules.

Trustee Cors made a motion to approve the Fixed Capital Outlay Budget Quarterly Update. Trustee Semrod seconded the motion.

There was no public comment, or further Board discussion. The vote was 11-0 in favor of the motion.
FGCU Financing Corporation Bylaws (TAB #24)

Mr. Magiera indicated three changes were made to the Financing Corporation Bylaws:

(1) Page 2 – Item 4.a.2. The President of the University also would serve as the Assistant Secretary to the Financing Corporation Board of Directors for emergency purposes. He explained this was necessary as some Board members were not local year round; specifically, the Secretary was not present during the summer and timely signatures on important documents often were needed.

(2) Page 2 – Item 4.a.3. The President would no longer recommend two of the Board members to the FGCU Board of Trustees. All Board members would be recommended by the full Financing Corporation Board of Directors to the FGCU Board of Trustees.

(3) Page 5 – Item 9.g. The Financing Corporation would now have the ability to call an emergency meeting with 24 hours’ notice; this could become necessary when dealing with bond issues. He noted these changes had been approved by the Financing Corporation Board of Directors; he asked the FGCU Board of Trustees for approval.

Trustee S. Smith made a motion to approve the FGCU Financing Corporation Bylaws as presented. Trustee Ballin seconded the motion.

Trustee K. Smith asked if there was a minimum qualification for an individual to serve on the Financing Corporation Board of Directors. Trustee Eide responded in the negative; however, he noted the Financing Corporation Board of Directors had no difficulty finding highly qualified candidates.

There was no public comment, or further Board discussion. The vote was 11-0 in favor of the motion.

Item 14: Audit and Compliance Committee (See Tabs #25-34)

Audit and Compliance Committee Chair Joseph Fogg said the Committee met on December 13, 2019. He indicated there were two information items, one Committee action item, and seven Board action items. He called on Director of Internal Audit Bill Foster to present the two information items.

Investigation – Bishop (Purchasing card) (TAB #25)

Mr. Foster indicated a verbal report was given at the September 10, 2019 meeting of the FGCU Board of Trustees. He stated the short version of this report was that former employee Dr. Winston Bishop inappropriately misspent approximately $7,400 on his University-issued purchasing card (P-card). He noted that the funds had been recovered, and the employee terminated.
Trustee Fogg stated the Audit and Compliance Committee (ACC) spent an extended amount of time reviewing the report.

**FGCU Policy 1.004 Fraudulent or Other Dishonest Acts (TAB #26)**

Mr. Foster said FGCU Policy 1.004 Fraudulent or Other Dishonest Acts was updated to move items from the “Exhibit” section to the body of policy. He stated this policy was originally adopted on July 24, 2008 and was updated to current best practices. He explained items related to fraud had been listed in a separate exhibit in the rear of the policy but were now moved into the body of the policy; the policy was updated for any changes according to the Association of Certified Fraud Examiners (ACFE). Trustee Fogg asked if this was basically ministerial in nature. Mr. Foster responded in the affirmative.

**Minutes of December 13, 2019 Meeting (TAB #27)**

Trustee Fogg stated the next item on the agenda was approval of the minutes of the December 13, 2019 meeting of the Audit and Compliance Committee. He stated for this purpose alone, only Committee members would vote on this item.

Trustee Cors made a motion to approve the minutes of the December 13, 2019 Audit and Compliance Committee meeting. Trustee Montgomery seconded the motion.

There was no public comment, or Committee discussion. The vote was 4-0 in favor of the motion, with Trustees J. Fogg, D. Cors, L. Montgomery and S. Smith voting.

**Florida Gulf Coast University Financing Corporation Independent Auditor’s Report Fiscal Year Ended June 30, 2019 (TAB #28)**

Mr. Foster stated this action item was a request to accept the Florida Gulf Coast University Financing Corporation Independent Auditor’s Report for Fiscal Year Ended June 30, 2019. He indicated this report was approved at the December 13, 2019 Audit and Compliance Committee meeting. He explained each direct support organization of a state university was required to conduct an annual audit of its accounts and records by an independent certified public accountant in accordance with Section 1004.28(5), Florida Statutes. He stated FGCU-PR1.005 required annual reports related to FGCU direct support organizations be submitted to the FGCU Board of Trustees. He indicated the firm of Tuscan & Company, P.A. completed the audit report of the FGCU Financing Corporation for the fiscal year ended June 30, 2019. He said the Financing Corporation’s Board of Directors approved the audit report at its September 24, 2019 meeting, and the FGCU Audit and Compliance Committee approved it at its September 10, 2019 meeting.

He reviewed the summary page. He said on page 2 was the Opinion, which reflected that the auditors determined the financial statements fairly presented the financial position of the Financing Corporation; this was known as a clean opinion. He stated on pages 4 through 11 was the Management’s Discussion and Analysis, which was the section where Management described in reader-friendly terms what occurred during the last fiscal year; this section highlighted major transactions and presented comparative
figures from the prior year. He said on page 12 was the Statement of Net Position (previously known as the Balance Sheet), which reflected at year end, there were $220.7 million in total assets, $192.2 million in total liabilities and deferred inflows, and net position (residual equity) was $28.5 million. He stated page 13, Statement of Revenues, Expenses and Changes in Net Position (previously known as an Income Statement), which reflected for the year, there was $19.1 million in operating revenue, $14.5 million in operating expenses, and $1.6 million in non-operating expenses, arriving at a net increase in position of $3.0 million. He stated page 14, Statement of Cash Flows showed the effects to cash from the financial transactions; the net effect was a $5,000 decrease in cash and cash equivalents for the year. He stated pages 15 through 29 were the Notes to the Financial Statements, which contained a significant amount of information that explained the various line items in the financial statements, and compared to Management’s Discussion and Analysis, these notes were not necessarily as reader friendly. He stated pages 30 and 31 contained the Auditor’s Report on Internal Control and Compliance, which related financial reporting and compliance with Government Auditing Standards; there were no deficiencies in internal controls noted. He stated pages 32 and 33, Auditor’s Report to Management indicated there were no comments in the current or prior years.

Trustee Fogg indicated the Audit and Compliance Committee recommended the Board accept this report.

Trustee K. Smith made a motion to accept the Florida Gulf Coast University Financing Corporation Independent Auditor’s Report for the Fiscal Year Ended June 30, 2019. Trustee MacDonald seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

Florida Gulf Coast University Foundation, Inc. Independent Auditor’s Report
Fiscal Year Ended June 30, 2019 (TAB #29)

Mr. Foster said this request was to accept the Florida Gulf Coast University Foundation Inc. Independent Auditor’s Report for the Fiscal Year Ended June 30, 2019. He indicated the Foundation Board of Directors’ Audit Committee accepted the audit report at its October 15, 2019 meeting; the Foundation Board of Directors’ Executive Committee accepted the audit report at its November 20, 2019 meeting; and the FGCU Foundation Board of Directors accepted it at its December 4, 2019 meeting.

He reviewed the summary page. He stated on page 1 was the Opinion, which reflected the auditors determined the financial statements fairly presented the financial position of the Foundation; this was known as a clean opinion. He said on pages 2 through 11 was the Management’s Discussion and Analysis, which was the section where Management described in reader-friendly terms what occurred during the last fiscal year; this section highlighted major transactions and presented comparative figures from the prior year. He stated on page 12 was the Statement of Net Position (previously known as the Balance Sheet), which reflected at year end, there were
$134.9 million in total assets, $1.7 million in total liabilities and deferred inflows, and net position (residual equity) was $133.2 million. He stated page 13, Statement of Revenues, Expenses and Changes in Net Position (previously known as an Income Statement) reflected for the year there was $15.3 million in operating revenue, $20.1 million in operating expenses, and $7 million in net non-operating revenue, primarily $6.5 million in investment gains, and $1 million in net contributions to endowments, arriving at a net increase in position of $3.2 million. He stated pages 14 through 15, Statement of Cash Flows showed the effects to cash from the financial transactions; the net effect was a $1.4 million decrease in cash and cash equivalents for the year. He said pages 16 through 30 were the Notes to the Financial Statements, which contained a significant amount of information which explained the various line items in the financial statements, and compared to Management’s Discussion and Analysis, these notes were not necessarily as reader-friendly. He stated pages 31 through 41 contained Supplementary Information which included additional required State Schedules and provided a breakdown of the financial statements by account type. He stated pages 42 and 43 contained the Auditor’s Report on Internal Control and Compliance, which related financial reporting and compliance with Government Auditing Standards.

Trustee Fogg stated the Audit and Compliance Committee recommended acceptance of this Audit Report by the full Board.

Trustee Semrod made a motion to accept the Florida Gulf Coast University Foundation, Inc. Independent Auditor’s Report for the Fiscal Year Ended June 30, 2019. Trustee Montgomery seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**FGCU Regulation (# TBD) Complaints of Waste, Fraud, or Financial Mismanagement (TAB #30)**

Trustee Fogg stated this was a new regulation to address complaints made against the President, a member of the FGCU Board of Trustees, the Chief Audit Executive, and the Chief Compliance Officer of any significant and credible allegations of waste, fraud, financial mismanagement, misconduct or other abuses.

Trustee MacDonald made a motion to approve FGCU Regulation (# TBD) Complaints of Waste, Fraud, or Financial Mismanagement. Trustee K. Smith seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**FGCU Regulation 1.006 Whistle-Blower Reporting and Protection (TAB #31)**

Trustee Fogg said this item was an amendment to the Whistle-Blower in order to conform to Florida Statute. Mr. Foster stated this regulation was originally adopted September 13, 2016 and was being updated to comply with statutory changes.
Trustee S. Smith made a motion to approve the amendments to FGCU Regulation 1.006 Whistle-Blower Reporting and Protection. Trustee Ballin seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**Audit and Compliance Committee Charter (TAB #32)**
Trustee Fogg indicated the last three items were Charter revisions which were discussed both by the Committee and the full Board many times. He indicated essentially three Charters were to be amended; they were the Audit and Compliance Committee Charter, the Office of Internal Audit Charter, and the Compliance Office Charter. He explained that the revisions to the Charters arose from clarification and guidance he received from State University System Chancellor Marshall Criser on interpretation of Board of Governors’ regulation provisions for required and best practices as related to this Committee and the Office of Internal Audit, and the Compliance Office. He said this included language to clarify how both Offices reported functionally to the Chair of the Audit and Compliance Committee, and administratively to the President. This also added quarterly meetings for the Committee Chair and the directors of each Office. He noted each Charter needed to be approved by a separate vote. He asked for a motion regarding the Audit and Compliance Committee Charter.

Trustee K. Smith made a motion to approve the Audit and Compliance Committee Charter as presented. Trustee Cors seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**Office of Internal Audit Charter (TAB #33)**
Trustee Fogg said the next item for consideration was the Office of Internal Audit Charter.

Trustee K. Smith made a motion to approve the Office of Internal Audit Charter as presented. Trustee Ballin seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

**Compliance Office Charter (TAB #34)**
Trustee Fogg said the final item for consideration was the Compliance Office Charter.
Trustee K. Smith made a motion to approve the Compliance Office Charter as presented. Trustee S. Smith seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.
Trustee Fogg expressed appreciation to Chancellor Criser for responding to the Committee’s questions.

Item 15: New Business
Chair Gable called on Officers Nominating Committee member Trustee Leo Montgomery.

Election of 2020-2022 Chair and Vice Chair of Florida Gulf Coast University Board of Trustees (Includes Public Comment) (TAB #35)
Trustee Montgomery said the Officers Nominating Committee met on December 12, 2019 in response to the charge from Chair Gable to adopt a recommended slate for the positions of Board Chair and Board Vice Chair. He stated by unanimous vote the Committee recommended re-election of Trustee Blake Gable as Chair, and the election of Trustee Stephen Smith as Vice Chair for the 2020-2022 term.

Trustee K. Smith made a motion to approve the slate of Trustee Blake Gable as Board Chair and Trustee Stephen Smith as Board Vice Chair for the 2020-2022 term. Trustee Fogg seconded the motion.

Trustee MacDonald stated Chair Gable performed excellently in engaging the Faculty Senate and represented the interests of the faculty very well with the Board. He indicated support for his re-election.

Trustee S. Smith asked if it was appropriate for him to vote regarding this item. Vice President and Chief of Staff Susan Evans responded in the affirmative.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.

Suspension of Florida Gulf Coast University Board of Trustees Bylaws Provision on Term of Office for Vice Chair (TAB #36)
Chair Gable indicated the FGCU Board of Trustees Bylaws had an effective date of February 1, 2020 for the term of office for Chair and Vice Chair. He explained as former Vice Chair Robbie Roepstorff’s term on the FGCU Board of Trustees ended on January 6, 2020, an action was needed to suspend the Bylaws and make the Vice Chair election just approved effective immediately. He stated a motion was needed to suspend the FGCU Board of Trustees Bylaws provision for a February 1, 2020 start date for the term of Vice Chair and substitute an effective start date of today, January 14, 2020.

Trustee MacDonald made a motion to suspend the FGCU Board of Trustees Bylaws provision for a February 1, 2020 start date for the term of Vice Chair and substitute an effective start date of today, January 14, 2020. Trustee Ballin seconded the motion.

There was no public comment, or Board discussion. The vote was 11-0 in favor of the motion.
Chair Gable thanked the Board for its vote of confidence. He stated he felt the Board had accomplished much over the past two years and he looked forward to the further good work which would be done. He said it was a pleasure to work with President Martin and everyone at FGCU. He stated this role is a responsibility that he takes on with great enthusiasm, and it’s a joy to work with everyone present.

Vice Chair S. Smith stated he hoped Chair Gable continued to have great health and longevity in his position as Chair. He stated he had come to think of FGCU as a special place populated by professionals committed to positively changing the lives of people, and he looked forward to being a part of that as Vice Chair.

**Item 16: Old Business**

There was no old business for discussion.

**Item 17: Board of Governors 2019 Trustee Summit Discussion**

Chair Gable asked if there were any comments regarding the Trustee Summit hosted by the Board of Governors last fall.

Trustee Fogg stated he felt the Trustee Summit was constructive and useful. He indicated there were three takeaways he would like to discuss. First, he indicated at the BOG level there were a number of annual meetings of State University System counterparts. He noted, for example, that Director of Internal Audit Bill Foster and Director of Equity, Ethics and Compliance, and Title IX Coordinator Precious Gunter met annually with their counterparts. He stated he felt it would be beneficial to hold an annual meeting with the Chairs of the Audit and Compliance Committees to discuss issues and solutions. He said he would mention this idea to either Chancellor Criser or BOG Chair Syd Kitson. He asked for Trustee Morton’s thoughts.

Trustee Morton responded he felt it was an excellent idea. He noted it was possible the situation at the University of Central Florida (UCF) might have been somewhat mitigated if an annual meeting with the Chairs of the Audit and Compliance Committees took place. Trustee Fogg asked how best to present this idea. Trustee Morton responded the FGCU Board Chair, Trustee Fogg, or President Martin could make a call to the Chancellor with the suggestion. He stated it would be an excellent idea. Chair Gable agreed this was a good idea.

Next, Trustee Fogg stated a substantial number of universities within the SUS held separate committee meetings prior to their full Board meetings. He noted FGCU held a separate Audit and Compliance Committee meeting as it was required by a regulation. He stated he wondered if it would be more productive to hold separate committee meetings for more thorough discussions, such as with the ACC, prior to the full FGCU BOT meetings. In response to a question from Trustee Fogg, Vice President Evans stated this idea had arisen in the past and previous FGCU Boards had decided to operate as a committee of the whole, with some trustees expressing a concern about
being “pigeonholed” into a single area of interest. She said that the Board had operated as a committee of the whole since its inception until the Audit and Compliance Committee was required to operate as a standalone committee.

Trustee Morton stated as universities evolved and grew, and the business aspects became more complex, the larger universities found an advantage to the depth of the conversation which would occur with separate smaller committee meetings. He stated that this idea should be given careful consideration. He stated he could see the wisdom in this as the University grew. He said he had participated in this conversation when it occurred in the past and was an advocate for separate committee meetings at that time. Trustee Fogg asked if FGCU had grown large enough to now consider this idea of separate committee meetings.

Trustee K. Smith explained the space and staff constraints that separate committee meetings would present. He stated he understood the importance of the Audit and Compliance Committee, and indicated he felt a standalone Budget and Finance Committee should be considered.

Trustee Fogg agreed and stated he felt a standalone Academic Affairs Committee should be considered as well, especially with formation of The Water School. Trustee Morton stated he agreed with Trustee K. Smith. He stated he understood the FGCU Board of Trustees had an awesome fiduciary responsibility and he was an advocate for more transparency between the Board and the operations of the University as the Board was ultimately held accountable to this standard. He stated it was important to assure the taxpayers, students, and faculty that the BOT was doing its job as fiduciaries.

Trustee Montgomery agreed that some improvements needed to be made, but it was important to keep in mind the FGCU Board of Trustees was in a governance role, not a micromanagement role.

Trustee Eide asked if the suggestion was specifically for formation of a Budget Committee. Trustee Fogg stated his suggestion was if there was an important item for discussion, such as the budget, there should be a separate committee meeting for said item.

Trustee K. Smith indicated he felt holding separate committee meetings prior to every BOT meeting would become a burden. He stated he believed the Chair and the President understood when separate meetings needed to be held regarding special topics; however, he believed a Budget Committee was necessary each year before the annual budget was approved.

Trustee Morton stated that the ability for more in-depth conversations would support the fiduciary role of the Board. He indicated he was an advocate for a Finance Committee which could be charged with a budget responsibility.
Ms. Evans indicated the FGCU BOT Bylaws, at this time, had three standing Committees: (1) Academic/Student/Faculty Affairs; (2) Finance, Facilities and Administration; and (3) Audit and Compliance. She indicated the Bylaws also enabled the Chair to name ad hoc, or as needed, Committees, as for example the Officers Nominating Committee which just met, and only needed to meet every two years unless there was an emergency situation. She noted she had considered very carefully the operational aspects of having separate committee meetings, and these included space, staff, and equipment aspects. She stated the Board of Governors had an organizational model which could be utilized by the FGCU Board of Trustees; this meant a longer meeting day, and the meetings would be held in one room. She explained the Board of Governors (BOG) held committee meetings sequentially, with all governors invited to sit in on all committee meetings as desired. She noted the full BOG met following the committee meetings to hear reports from the committees and act on items as recommended by the committees. She indicated moving to this type of format would require a time commitment of a day and possibly a day and a half. She also noted the Finance, Facilities and Administration Committee responsibilities did include the budget.

Trustee Fogg stated that the Audit and Compliance Committee would need to meet separately of the other committees as it has different deadlines from the BOG. Ms. Evans explained it would be unmanageable in terms of resources to have multiple committees meet throughout the month as this would put the University on a continuous wheel of preparing for multiple next meetings on different days.

Chair Gable stated he would meet with President Martin and Vice President Evans to discuss this further. He noted he also would hold discussions with each of the committee chairs and come back at the next in-person Board meeting with his thoughts.

Thirdly, Trustee Fogg stated during the Trustee Summit he was impressed by the presentation on presidential evaluations made by an outside consultant. He said he liked the idea of a 360-degree evaluation system, which is used by many universities. He stated he felt the use of an outside consultant might be beneficial in FGCU presidential evaluations due to the unique perspective and the experience they have with other institutions.

Trustee Eide recalled from the Trustee Summit the Board Chairs panel discussion when Florida Atlantic University’s Board Chair stated it was difficult to get straightforward opinions from their Trustees due to the Sunshine Law, to which Chair Gable indicated FGCU did not have that difficulty.

President Martin thanked Chair Gable and Vice Chair S. Smith for being willing to serve as Board Chair and Vice Chair. He stated he had confidence in Chair Gable’s and Vice Chair S. Smith’s ability to successfully lead the FGCU Board of Trustees.
Item 18: Chair’s Closing Remarks, and Adjournment

Chair Gable stated he had some appointments to make in accordance with the FGCU BOT Bylaws.

He said the Academic/Student/Faculty Affairs Committee, previously led by former Trustee Christian Spilker, was in need of a new Chair. He appointed Trustee Edward Morton to fill this position. He said he felt Trustee Morton’s long relationship with FGCU and his experience on the BOG made him the best fit for the role.

He re-appointed Trustee Ken Smith as Chair of the Finance, Facilities and Administration Committee. He said Trustee K. Smith has done a wonderful job in that role over the years.

He re-appointed Trustee Joseph Fogg as Chair of the Audit and Compliance Committee. He said he felt this was the best committee for Trustee Fogg to utilize his experience and talents for the University and thanked Trustee Fogg for his service.

He re-appointed Trustee Leo Montgomery as the Board Liaison to the FGCU Foundation Board of Directors. He said that Trustee Montgomery has been very engaged and involved in that role.

He re-appointed Trustee Richard Eide as Board Liaison to the FGCU Financing Corporation. He noted the $11 million that Trustee Eide and others recently saved the Financing Corporation as an example of his service.

In other closing remarks, Chair Gable noted the Audit and Compliance Committee would meet by conference call on February 13, 2020 at 3 p.m. to review the annual Data Integrity Audit, followed by a full Board conference call meeting on Tuesday February 18, 2020 at 9 a.m. to act on the Data Integrity Audit. He indicated the next regular meeting of the FGCU Board of Trustees would be on Tuesday April 14, 2020 at 8:30 a.m.

Chair Gable adjourned the meeting at 12:12 p.m.

Minutes prepared by Transcription Experts, and reviewed by Tiffany Jackson, FGCU Assistant Director of Board Operations.

Agenda Items:

A. See Tabs # 1-36
B. Handouts

Attachment:
A. Record of Votes
## Consent Agenda
(Tabs #1-2)
1. K. Smith
2. MacDonald

1. K. Smith
2. MacDonald

FGCU Regulation 4.002 Student Code of Conduct and Student Conduct Review Process (Tab #7)
1. K. Smith
2. S. Smith

FGCU Regulation 3.005 Graduate Admissions (Tab #9)
1. K. Smith
2. Ballin

Ratification of 2018-2019 Collective Bargaining Re-Opener Agreement with United Faculty of Florida/FGCU Chapter (Tab #10)
1. K. Smith
2. MacDonald
2. Montgomery

FGCU Regulation 7.003 Special Fees (Library Fines) (Tab #12)
1. K. Smith
2. Ballin

FGCU Regulation Repeal: FGCU-PR6.014 Purchasing Authority of the University (Tab #15)
1. S. Smith
2. Montgomery

FGCU Regulation Repeal: FGCU-PR6.015 Competitive Solicitations Requirement (Tab #16)
1. S. Smith
2. Montgomery

FGCU Regulation Repeal: FGCU-PR6.016 Purchase of Commodities or Contractual Services (Tab #17)
1. S. Smith
2. Montgomery

FGCU Regulation Repeal: FGCU-PR6.018 Standard of Conduct (Procurement) (Tab #19)
1. S. Smith
2. Montgomery

FGCU Regulation Repeal: FGCU-PR6.019 Sick Leave Pool (Tab #20)
1. S. Smith
2. Montgomery

FGCU Regulation Repeal: FGCU-PR6.018 Napoleonic (Tab #21)
1. S. Smith
2. Montgomery

---

### Record of Votes
**FGCU Board of Trustees**

**DATE:** 1/14/2020

<table>
<thead>
<tr>
<th>TRUSTEES</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Trustee Josh Ballin</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Trustee Ashley Coone (excused absence)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Trustee Darleen Cors</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Trustee Richard Eide</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>5 Trustee Joseph Fogg</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>6 Trustee Jamie MacDonald</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>7 Trustee Leo Montgomery</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>8 Trustee Edward Morton</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>9 Trustee Kevin Price (excused absence)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Trustee Jaye Semrod</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>11 Trustee Kenneth Smith</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>12 Trustee Stephen Smith</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>13 Trustee Blake Gable</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
## Record of Votes
**FGCU Board of Trustees**
**DATE:** 1/14/2020

<table>
<thead>
<tr>
<th>TRUSTEES</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Trustee Josh Ballin</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Trustee Ashley Coone (excused absence)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Trustee Darleen Cors</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Trustee Richard Eide</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>5 Trustee Joseph Fogg</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>6 Trustee Jamie MacDonald</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>7 Trustee Leo Montgomery</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>8 Trustee Edward Morton</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>9 Trustee Kevin Price (excused absence)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Trustee Jaye Semrod</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>11 Trustee Kenneth Smith</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>12 Trustee Stephen Smith</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>13 Trustee Blake Gable</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**FGCU Regulation**
6.008 Protests (Tab #22)
1. S. Smith
2. MacDonald

**Fixed Capital Outlay Budget Quarterly Update (Tab #23)**
1. Cors
2. Semrod

**FGCU Financing Corporation Bylaws**
1. S. Smith
2. Ballin

**Members of Audit and Compliance Committee Only:**
Minutes of December 13, 2019 Meeting
1. Cors
2. Montgomery

**Florida Gulf Coast University Financing Corporation Independent Auditor's Report Fiscal Year Ended June 30, 2019 (Tab #29)**
1. MacDonald
2. K. Smith

**Florida Gulf Coast University Foundation, Inc. Independent Auditor's Report Fiscal Year Ended June 30, 2019 (Tab #27)**
1. MacDonald
2. Montgomery

**Florida Gulf Coast University Foundation, Inc. Independent Auditor's Report Fiscal Year Ended June 30, 2019 (Tab #28)**
1. K. Smith
2. MacDonald

**FGCU Regulation (TBD) Complaints of Waste, Fraud, or Financial Mismanagement (Tab #30)**
1. MacDonald
2. K. Smith

**FGCU Regulation 1.006 Whistleblower Reporting and Protection (Tab #32)**
1. K. Smith
2. Ballin

**Audit and Compliance Committee Charter (Tab #33)**
1. K. Smith
2. Ballin

**Office of Internal Audit Charter (Tab #34)**
1. K. Smith
2. Ballin

**Compliance Office Charter (Tab #35)**
1. K. Smith
2. Ballin

**Suspension of Florida Gulf Coast University Board of Trustees Bylaws Provision on Term of Office for Vice Chair (Tab #36)**
1. MacDonald
2. Ballin