AGENDA
FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES
MEETING
OCTOBER 25 & 26, 2001
SPRINT ROOM IN WHITAKER HALL
FLORIDA GULF COAST UNIVERSITY

Thursday, October 25, 2001

8:30 a.m. Call to Order, & Chair’s Remarks – Chair Scott Lutgert

8:45 a.m. President’s Report – President Bill Merwin

9:30 a.m. Trustee Orientation – Dr. James Koch (TAB #1-
Distributed during Presentation)

10:45 a.m. Break

11 a.m. FGCU Budget Overview – Curtis Bullock, Vice President for Administrative Services (TAB #2)

Noon Lunch
(NOTE: Lunch will be provided for the FGCU Board of Trustees. The campus Eagle Café is available for others attending the meeting.)

1:15 p.m. Academic/Student Affairs Committee Meeting (Includes Public Input) – Committee Chair Renee Lee

Information Only:
• Accreditation Summary Report (TAB #3)
• ROTC (TAB #4)
• Provost's Update (Including Patriotic Celebration, and Long-Range Planning Committee)

**Action Items:**
• Student Fees *(TAB #5)*
• New Degree Proposal: Political Science *(TAB #6)*
• New Degree Proposal: Communication *(TAB #7)*
• New Degree Proposal: Legal Studies *(TAB #8)*

3 p.m.

**Finance & Administration Committee Meeting (Includes Public Input) – Committee Chair Bernie Lester**

**Information Only:**
• Naples Center *(TAB #9)*
• Student Housing Phase IV *(TAB #10)*
• Board Liability Insurance *(TAB #11)*
• President’s Employment Package *(TAB #12)*

**Action Items:**
• Revised Corporate Seal *(TAB #13)*
• Legislative Request Items *(TAB #14)*

4:30 p.m.

Adjourn

Immediately Following Adjournment, a Reception for the Board of Trustees will be Hosted by FGCU Faculty Senate, and FGCU Chapter/United Faculty of Florida

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**Friday, October 26, 2001**

8:30 a.m. **Call to Order** – Chair Scott Lutgert

8:35 a.m. **Remarks from FGCU Faculty Senate** – Dr. Sally Mayberry, Faculty Senate Vice President
8:45 a.m. **Remarks from FGCU Student Government Association (SGA) – Dan Mitchell, SGA Treasurer**

8:55 a.m. **Remarks from FGCU Staff Advisory Council (SAC) – Steve Belcher, SAC President**

9:05 a.m. **Board Action Items – Chair Scott Lutgert**

**Academic/Student Affairs Committee:**
- Student Fees *(TAB #5)*
- Degree Proposal: Political Science *(TAB #6)*
- Degree Proposal: Communication *(TAB #7)*
- Degree Proposal: Legal Studies *(TAB #8)*

**Finance & Administration Committee:**
- Revised Corporate Seal *(TAB #13)*
- Legislative Request Items *(TAB #14)*

**General:**
- Minutes of September 20 & 21, 2001 Meeting *(TAB #15)*
- Revised “Interim Practices & Procedures” *(TAB #16)*

10:45 a.m. **Break**

11 a.m. **Old Business – Chair Scott Lutgert**
- President’s Accountability – President Merwin *(TAB #17)*

11:30 a.m. **New Business – Chair Scott Lutgert**

11:45 a.m. **Public Comment**

11:55 a.m. **Chair’s Closing Remarks**

Noon **Adjourn, and Lunch**
*(NOTE: Lunch will be provided for the FGCU Board of Trustees. The campus Eagle Café is available for others attending the meeting.)*
AGENDA INDEX

FLORIDA GULF COAST UNIVERSITY
BOARD OF TRUSTEES
MEETING

OCTOBER 25 & 26, 2001

SPRINT ROOM OF WHITAKER HALL – FLORIDA GULF COAST UNIVERSITY

1. Trustee Orientation (Presentation Materials at Meeting) (INFORMATION)
2. FGCU Budget Overview (INFORMATION)
3. Accreditation Summary Report (INFORMATION)
4. ROTC (INFORMATION)
5. Student Fees (ACTION)
6. New Degree Proposal: Political Science (ACTION)
7. New Degree Proposal: Communication (ACTION)
8. New Degree Proposal: Legal Studies (ACTION)
9. Naples Center (INFORMATION)
10. Student Housing Phase IV (INFORMATION)
11. Board Liability Insurance (INFORMATION)
12. President’s Employment Package (INFORMATION)
13. Revised Corporate Seal (ACTION)
14. Legislative Request Items (ACTION)
15. Minutes of September 20 & 21, 2001 Meeting (ACTION)
16. Revised “Interim Practices & Procedures” (ACTION)
17. President’s Accountability (INFORMATION)

(END)
Florida Gulf Coast University Board of Trustees  
October 25 & 26, 2001

SUBJECT: Board Orientation by Dr. James Koch

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

Dr. Koch’s presentation at the October Board meeting will focus on:

- Governmental Relations
- Budget and Finance
- Academic Affairs
- Evaluating and Compensating the President

A summary of his remarks will be distributed during his presentation at the Board meeting.

Supporting Documentation Included: To be distributed at Board meeting

Committee Review: N/A

Prepared by: Dr. James Koch

Submitted by: Dr. James Koch
Florida Gulf Coast University Board of Trustees  
October 25 & 26, 2001

SUBJECT: FGCU Budget Presentation

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

A presentation will be made on FGCU’s budget and process, as reflected in the attached document.

Supporting Documentation Included: Budget Presentation

Committee Review: N/A

Prepared by: David Vazquez, University Budget Office

Submitted by: Vice President Curtis Bullock
Board of Trustees
Operating Budget Overview

Budget Cycle

University Responds to LBR Guidelines
FBOE Coordinates and Submits LBR to Gov.
Governor Develops Budget for Legislature

House & Senate Develop Budget
Budget goes to Conference Committee
Legislature Votes on Conference Appropriation

Governor Line Item Veto and Approves Budget
Continues on Next Page…
Budget Cycle (Cont.)

From Previous Page… → FBOE Produces Allocation Workpapers → Universities Receive Allocations

Each Institution Finalizes Internal Budgets → Budget Office Submits Budget to BOT & FBOE → Process Starts Over for Next Year

System Initiatives for 02-03

- Cost to Continue
- Enrollment Growth
- New Space
Allocation Workpapers

• FBOE Division of Colleges and Universities Distributes Allocation Draft
• Additional Information is Required Before Draft is Final
• Veto impact is not realized until after papers are submitted

Preparation of Operating Budget

• Allocation Document is the Beginning of the Operating Budget
• Final Totals Ready in July
• Certain Control Totals must be recognized
  – Library Resources
  – Physical Plant
  – Financial Aid
University Trust Funds

- The University receives and generates funds in a multitude of fund sources, called trust funds.
- Some are state controlled, others have more local autonomy.
- All trust funds are part of the operating budget planning and reporting.

Trust Funds at State Level

- Education and General Revenue
  - General Revenue
  - Educational Enhancement
  - Student Fee Trust Fund
- Contracts and Grants
- Auxiliary Trust Fund
Local Trust Funds

• Athletics
• Activity and Service
• Financial Aid
• Concessions

Budgets are further divided by program components and categories

Program Components

• Instruction and Research
• Radio and TV
• Administration and Direction Support Services
• Student Services
• Library Services
• Physical Plant Management
# Primary Budget Areas

- Administration and Directions Support Services
  - President’s Office
  - University Advancement
  - Administrative Services
- Instruction And Research
  - Instructional Activities
  - Research and Public Service
  - Academic Administration
- Student Services
  - Enrollment Management
  - Student Life
- Library Services
- Physical Plant Management

## Expenditure Categories

- Salaries
- Other Personnel Services (OPS)
- Expense
- Other Capital Outlay
- Library Resources
- Institutional Financial Aid
- Many Other Specialty Categories

All expenditures are divided into object codes
Development of the Budget at Florida Gulf Coast University

- FGCU Budget Based on BOR Decision to Construct Opening Year Base Similar to Funding levels at UWF (Plant Based on FAU)
- UWF “Funding Factors” Multiplied by 3,000 Student FTE to Derive Base
- FGCU Original Budget Consistent with this Plan.
- Base Does Not Increase Until 3,000 FTE is Surpassed

Budget Development (Cont.)

- Current base budget is starting point
- Cost to Continue items allocated accordingly
- New Issues/Additional Funding Allocated per direction of FGCU BOT and/or FLBOE as is appropriate
- Majority of budget is non-discretionary
Other Budget Issues

- Certified Forward
- Carry Forward
- Rate
- Releases

Review of Current Year Funding

- Figures based upon 2001-02 Operating Budget Submission on August 16th 2001
- Budget subject to variability of tuition, fees, and other revenues actually collected
Florida Gulf Coast University
Education & General Revenue
2001-2002

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue</td>
<td>28,885,898</td>
<td>78.95%</td>
</tr>
<tr>
<td>Student and Other Fees</td>
<td>6,187,477</td>
<td>16.91%</td>
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<tr>
<td>Educational Enhancement</td>
<td>1,512,825</td>
<td>4.13%</td>
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<tr>
<td><strong>Total</strong></td>
<td>36,586,200</td>
<td>100.00%</td>
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Florida Gulf Coast University
2001-02 Funding By Budget Area

<table>
<thead>
<tr>
<th>Budget Area</th>
<th>Amount</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Instruction &amp; Research</td>
<td>20,314,301</td>
<td>55.52%</td>
</tr>
<tr>
<td>Radio/Tv</td>
<td>160,881</td>
<td>0.44%</td>
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<tr>
<td>Administration &amp; Support</td>
<td>5,728,186</td>
<td>15.66%</td>
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<tr>
<td>Student Services and Enrollment Management</td>
<td>3,303,821</td>
<td>9.03%</td>
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<tr>
<td>Library</td>
<td>2,930,874</td>
<td>8.01%</td>
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<tr>
<td>Plant Operations</td>
<td>3,222,608</td>
<td>8.81%</td>
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<tr>
<td>Central Funded Items</td>
<td>925,528</td>
<td>2.53%</td>
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<td><strong>Total</strong></td>
<td>36,586,200</td>
<td>100.00%</td>
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## Florida Gulf Coast University
### Grants and Auxiliaries
#### 2001-2002

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<th>Projected</th>
<th>Actual 00-01</th>
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<tr>
<td>Contracts and Grants</td>
<td>434,130</td>
<td>385,892</td>
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<tr>
<td>Sponsored Research</td>
<td>6,271,397</td>
<td>5,574,596</td>
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<tr>
<td>Auxiliaries</td>
<td>5,750,427</td>
<td>4,787,815</td>
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## Florida Gulf Coast University
### Local Funds
#### 2001-2002

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<tr>
<th></th>
<th>Projected</th>
<th>Actual 00-01</th>
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<tr>
<td>Student Activities</td>
<td>745,051</td>
<td>626,848</td>
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<td>Financial Aid</td>
<td>2,651,435</td>
<td>2,881,995</td>
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<td>Concessions</td>
<td>6,500</td>
<td>1,615</td>
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<tr>
<td>Intercollegiate Athletics</td>
<td>824,365</td>
<td>727,046</td>
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*These funds are subject to the most variability and revision*
# Operating Budget Summary
## 2001-02 Planned

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<tr>
<th></th>
<th>Amount</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Education and General</td>
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<td>68.68%</td>
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<tr>
<td>Auxiliary Trust Fund</td>
<td>5,750,427</td>
<td>10.79%</td>
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<td>Contacts &amp; Grants</td>
<td>434,130</td>
<td>0.81%</td>
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<td>Sponsored Research</td>
<td>6,271,397</td>
<td>11.77%</td>
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<td>Local Funds</td>
<td>4,227,351</td>
<td>7.94%</td>
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<td><strong>Total</strong></td>
<td><strong>53,269,505</strong></td>
<td><strong>100.00%</strong></td>
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# Capital Budgets & Sources

- Public Education Capital Outlay (PECO)
- Capital Improvement Trust Fund
- Challenge Grants
- Revenues from Bonding
### Florida Gulf Coast University
#### 2002-03/2006-07 Capital Improvement Plan

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<tr>
<th></th>
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<tr>
<td>1</td>
<td>Classroom/Offices</td>
<td>2,000,000</td>
<td>500,000</td>
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<td>2,500,000</td>
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<td>2</td>
<td>Library Additions</td>
<td>7,500,000</td>
<td>1,500,000</td>
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<td>9,000,000</td>
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<td>3</td>
<td>Road/Planning/Structural Mitigation</td>
<td>706,344</td>
<td>469,180</td>
<td>3,000,000</td>
<td>5,000,000</td>
<td>8,975,724</td>
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<td>4</td>
<td>Fine Arts Phase 2 Auditorium</td>
<td>763,000</td>
<td>10,665,532</td>
<td>2,000,000</td>
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<td>13,428,532</td>
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<td>5</td>
<td>Recreation Improvements (P, C, E)</td>
<td>2,000,000</td>
<td>1,500,000</td>
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<td></td>
<td>3,500,000</td>
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<td>6</td>
<td>Classrooms/Offices/Labs</td>
<td>697,000</td>
<td>6,401,180</td>
<td>1,500,000</td>
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<td>8,587,180</td>
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<td>7</td>
<td>Central Energy Plant Expansion Phase 2 (P, C, E)</td>
<td>500,000</td>
<td>1,500,000</td>
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<td></td>
<td>2,000,000</td>
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<tr>
<td>8</td>
<td>Land Acquisition</td>
<td>1,000,000</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>7,000,000</td>
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<tr>
<td>9</td>
<td>Classrooms/Offices/Labs</td>
<td>585,000</td>
<td>6,650,785</td>
<td>1,500,000</td>
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<td>8,735,785</td>
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<td>10</td>
<td>Fine Arts (P, C, E)</td>
<td>763,000</td>
<td>763,000</td>
<td></td>
<td></td>
<td>1,526,000</td>
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<td>11</td>
<td>Nitrogen Plant (P, C, E)</td>
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<td>500,000</td>
<td></td>
<td></td>
<td>1,000,000</td>
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<tr>
<td>12</td>
<td>Environmental Science Labs (P, C, E)</td>
<td>453,000</td>
<td>4,941,400</td>
<td>500,000</td>
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<td>6,994,400</td>
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<td>13</td>
<td>Computer Science &amp; Engineering (P, C, E)</td>
<td>780,000</td>
<td>7,752,950</td>
<td>1,500,000</td>
<td>10,032,950</td>
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<td></td>
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<tr>
<td>14</td>
<td>College of Business (P, C, E)</td>
<td>500,000</td>
<td>6,001,860</td>
<td>6,631,860</td>
<td></td>
<td>18,133,620</td>
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<tr>
<td>15</td>
<td>College of Health Professions</td>
<td>1,000,000</td>
<td>510,000</td>
<td>6,000,000</td>
<td>6,500,000</td>
<td></td>
<td></td>
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<tr>
<td>16</td>
<td>Health Education Center</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td></td>
<td></td>
<td>2,000,000</td>
<td></td>
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<tr>
<td>17</td>
<td>Botanical Garden Lab</td>
<td>1,497,825</td>
<td></td>
<td></td>
<td></td>
<td>1,497,825</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td>15,954,169</td>
<td>21,620,092</td>
<td>18,783,785</td>
<td>32,594,995</td>
<td>18,001,860</td>
<td>106,954,901</td>
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### Florida Gulf Coast University
#### 2002-03/2004-05 Three Year PECO Project List

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<tbody>
<tr>
<td>Utilities/Infrastructure/Capital Renewal Roofs (P, C, E)</td>
<td>500,344</td>
<td>469,380</td>
<td>500,000</td>
<td>1,469,724</td>
</tr>
<tr>
<td>Classrooms/Offices/Labs, Academic 5 (C) (E)</td>
<td>2,000,000</td>
<td>500,000</td>
<td>2,500,000</td>
<td></td>
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<tr>
<td>Library Expansion (C) (E)</td>
<td>7,500,000</td>
<td>1,500,000</td>
<td>9,000,000</td>
<td></td>
</tr>
<tr>
<td>Fine Arts (P)</td>
<td>763,000</td>
<td>763,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>10,066,344</td>
<td>2,469,380</td>
<td>1,263,000</td>
<td>13,798,724</td>
</tr>
</tbody>
</table>
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: University’s Accreditation Report Summary

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

A request was made at the September Board meeting for a summary of the University’s accreditation report, which summarizes institutional strengths and recommendations. Provost Brad Bartel will make an oral presentation based on the attached report.

Supporting Documentation Included: Accreditation Summary Report

Committee Review: Academic/Student Affairs Committee of the Board

Prepared by: Dr. Joseph Ravelli, Dean of Planning & Evaluation

Submitted by: Provost Brad Bartel
SUMMARY OF FGCU ACCREDITATION BY SACS/COC

Regional Accreditation

The Southern Association of Colleges and Schools (SACS) is one of six private, nonprofit, voluntary regional accrediting associations established for the purpose of improving education in colleges and schools. The Commission on Colleges (COC) of SACS accredits institutions awarding associate, baccalaureate, master’s, specialist’s and doctoral degrees in Latin America and the eleven southern states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Regional accreditation serves as recognition that an institution has been evaluated and that the institution meets a set of standards of quality that are determined by the members of the association or agency granting the accreditation. While accrediting associations are not connected with the local, state, or federal government, government agencies do consider institutional accreditation when determining eligibility for student financial aid and other funds. In addition, some private foundations rely on accreditation status when making decisions about funding research activities or awarding grants.

Regional Accreditation Activities at FGCU

An ambitious timetable for regional accreditation was first described in the Board of Regents’ report, “Ten Year Development Plan for a New University in Southwest Florida” (1992), and formal planning for accreditation began in 1996. Within two months of the August 1997 opening, an accreditation candidacy committee visited the university. The committee wrote a very favorable report; and in January 1998, FGCU was granted initial accreditation candidacy retroactive to the university’s opening. In addition, the COC authorized the university to complete a self-study and receive an accreditation committee visit in two years.

FGCU conducted an intensive self-study that involved over 100 faculty, staff, and students serving on 14 study committees. The Self-Study Report was published in fall 1998 and an accreditation committee visited the campus in January 1999. The report of the visiting committee was unusually favorable including only ten recommendations and eight commendations. The university received commendations in several areas including the university’s commitment to technology, the liberal studies program, and the team spirit that permeates the institution.

The university addressed the recommendations in an Institutional Response that was considered along with the Self-Study Report and the report of the visiting committee at the June 1999 meeting of the COC. The action of the commission was to award FGCU initial membership with the COC with accreditation retroactive to January 1, 1999. (The university would seek reaffirmation of accreditation in 2004.)
The commission found that following five recommendations had been successfully addressed in the Institutional Response and needed no further follow up:

- Development and implementation of policies and procedures for the maintenance of non-credit course records.
- Development and implementation of formal university-wide polices regarding the hiring, orientation, and supervision of part-time faculty and adjuncts.
- Assurance that library resources supporting graduate programs are substantially more extensive than those required for baccalaureate programs.
- Regular evaluation of cooperative agreements with other libraries and agencies.
- Approval of the draft safety plan and regular evaluation to ensure that this function is adequately staffed.

In April 2000, FGCU submitted a First Follow-Up Report outlining completed and planned activities related to the remaining five recommendations, including:

- Evaluation of graduate student orientation programs.
- Retention of student records in a secure and fireproof vault or cabinet.
- Adoption of criteria for determining eligibility for faculty teaching graduate courses.
- Expansion and renovation of library space.
- Annual evaluation of the campus maintenance plan to improve campus maintenance.

In June 2000, the commission reviewed FGCU’s First Follow-Up Report. Since the Institutional Report and the First Follow-Up Report had successfully addressed all recommendations, no additional report was requested.

FGCU was scheduled to seek reaffirmation of accreditation in 2004. In June 2001, however, the Executive Council of the COC approved a plan to equalize the number reaffirmation reviews conducted annually. As a result, the commission requested that FGCU’s reaffirmation take place in 2005, one year later than previously scheduled.
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: Feasibility of University ROTC Program

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

The FGCU Board of Trustees requested at the September Board meeting that the University explore options for possibly implementing a ROTC program. A status report of current exploration is provided.

Supporting Documentation Included: ROTC Feasibility Progress Report

Committee Review: Academic/Student Affairs Committee of the Board

Prepared by: Dr. Rick Bower, Office of the Provost

Submitted by: Provost Brad Bartel
At the 9/21/01 meeting of the Board of Trustees, the Board directed President Merwin to conduct a feasibility study on the possibility of offering ROTC at FGCU. The study is under way and the following information has been gathered:

1. Among Florida’s state universities, only FAMU has a Naval ROTC unit. FSU, UF, USF, and UCF have Air Force ROTC units. UWF, USF, FAMU, UF, USF, UCF, and FIU have Army ROTC units. There are also six private institutions in Florida with ROTC units.

2. Discussions with military personnel at the various ROTC headquarters have indicated that establishing another independent ROTC unit at a state university in Florida anytime in the near future is highly unlikely for the following reasons:
   a. The services have just completed a round of ROTC unit closures brought about by an overall 30% reduction in the size of the military force from 1990 to the present. Fewer officers are needed in the post Cold War military.
   b. The Department of Defense five-year budget plan includes no increases for force expansion or for ROTC spending, which translates into no near future planned increases beyond the current number of units.
   c. New ROTC units are awarded based on laws and regulations designed to achieve an equitable national distribution that insures all our citizenry have an opportunity to become military officers. Florida currently exceeds the state average for both Army and Air Force ROTC units.

These facts are not to indicate however, that offering ROTC at FGCU is not a possibility. Although the University may not be able to immediately establish its own independent ROTC unit, it may be able to affiliate with an existing unit through what is known as a Cross Town Agreement. The host university allows students from other nearby universities to take ROTC on its campus and the students’ universities agree to accept the credit toward graduation. Cross Town universities have been known to receive their own ROTC unit based on a demonstrated level of participation. Presently, UWF, FSU, FAMU, UNF, FAU, and FIU have all entered into Cross Town Agreements with one or more ROTC units.

Dr. Rick Bower of the Provost’s staff will be meeting with the commanders of the Army and Air Force ROTC units at the University of South Florida to gather information regarding a possible affiliation with these units. Currently Cross Town Agreements exist with the University of Tampa, St. Leo University, and Eckert College. The results of that meeting will be presented at the October meeting of the FGCU Board of Trustees.
PROPOSED BOARD ACTION

Approve Student Fee Increase Request Recommendation.

BACKGROUND INFORMATION

Florida law requires that increases in university student fees (Activity & Service Fee, Health Fee, and Athletic Fee) be recommended to the University president by a committee of which one-half of its members are students. FGCU has constituted the statutorily-required committee, and the committee’s recommendation is supported by University President Bill Merwin. In accordance with a 2001-02 legislative mandate capping fees, the total amount of increased student fees for FGCU can be no more than $.55 per credit hour. The committee is recommending that the current Athletic Fee be increased by $.40 per credit hour, and the current Activity & Service Fee be increased by $.15 per credit hour. President Merwin recommends these requested increases.

Supporting Documentation Included: Student Fees Summary and Recommendations

Committee Review: Academic/Student Affairs Committee of the Board

Prepared by: Dr. Gregory Sawyer, Dean of Student Services

Submitted by: Provost Brad Bartel
Introduction

Florida Statute 240.235(c), as amended, requires that any increase in the Activity and Service (A&S) Fee, the Health Services Fee and the Athletic Fee be recommended by a Fee Review Committee, of which at least one half are students. The University President, following consultation with the Student Body President and the Dean of Student Services, in order to receive final approval by the Board of Trustees, must support the recommendation of the committee.

In years past, each fee had a separate committee; this year a “super” fee committee will evaluate all three fees and make a recommendation based on the overall increase to students. This year the Legislature placed a cap on fees for each University. The FGCU cap is equivalent to a maximum of $.55 per credit hour.

Current Fee Information

The current Activity and Service Fee is $9.55/credit hour. The fee is used to operate and fund Student Government Association services, Recreation and Leisure Services, Student Life, Orientations, the Family Resource Center, Tutoring Services, Student Organizations, Counseling Services, Career Development Services, the Student Programming Board, Safe Passage At Night (SPAN) and Student Government. The $9.55 fee was increased from $7.80 beginning in the Fall 2001 semester.

The current Athletic Fee is $9.00 per credit hour. The fee is used to operate and fund athletic services at FGCU including salaries, programs, equipment and supplies. The current $9.00 fee was increased from $4.75 beginning in the Fall 2001 semester.

The current Health Fee is $35.50 per student, per semester. The fee is used to operate and fund Health Services at FGCU including salaries, programs, equipment and supplies. The current $35.50 fee was increased from $20.50 beginning in the Fall 2001 semester.

The Committee

This years committee is comprised of 6 students and 5 faculty/staff members. The members are:

Erika Rafuls – Student, Committee Chair
Steve Landherr – Graduate Student
Sue Buntic - Student
Jennifer Rhonda - Student
Wolfgang Pinther - Student
Ashley Armstrong - Student
Willie Baca – Staff
Joan Glacken – Faculty
Edwin Lebioda - Staff
Duncan McBride – Staff
Hudson Rogers – Faculty
The committee met to discuss the current fee rate, the current estimated enrollment, the estimated enrollment for 2002-2003 and the estimated revenue at the current fee rate and at new possible rates (taking into account a maximum of $.55). The committee also reviewed last years A&S requests as well as the request for Athletics (made by Carl McAloose). The committee then held two Open Forums at the Eagle Café to discuss the proposed increases with students and obtain feedback.

**The Proposal**

Upon review of the anticipated expenditures and revenue, the committee unanimously proposes increasing the Activity and Service (A&S) fee $.15/credit hour (from $9.55 to $9.70) and the Athletic fee $.40/credit hour (from $9.00 to $9.40) to begin in the Summer 2002 semester. If enrollment projections are accurate this will allow for an approximate increase of $153,000 (of which $36,508 is due to the $.40/credit hour increase) for Athletics (over the 2001-02 budget) and $137,000 (of which $13,691 is due to the $.15/credit hour increase) for the Activity and Service budget (over the 2001-02 budget). The committee also feels that each area (Athletics and A&S) requires greater increases to obtain the funding levels necessary to provide the services and programs the students desire. If the total increase in fees can exceed $.55, then the committee would like to review the fee structure.
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: New Degree in Political Science

PROPOSED BOARD ACTION

Approve new Bachelor of Arts (BA) degree in Political Science.

BACKGROUND INFORMATION

Florida’s university boards of trustees have been granted authority for approving new bachelor’s and master’s degrees for their respective universities. FGCU is requesting permission to offer a Bachelor of Arts degree in Political Science, as described in the attached documentation.

Supporting Documentation Included: (1) Cover Memo from Provost, and (2) Request to Offer New Degree Program in Political Science

Committee Review: Academic/Student Affairs Committee of the Board

Prepared by: Dr. Joseph Ravelli, Dean of Planning & Evaluation

Submitted by: Provost Brad Bartel
MEMORANDUM

DATE: October 5, 2001

TO: Chair, Academic/Student Affairs Committee
    FGCU Board of Trustees

FROM: Brad Bartel, Provost

SUBJECT: BA in Political Science

Proposal

The College of Professional Studies (CPS), with the participation of the College of Arts and Sciences, is proposing to initiate a Bachelor of Arts degree program in Political Science in fall 2002. The program will be housed in CPS’s Division of Public Affairs. The proposal was submitted to the Board of Regents (BOR) for approval in spring 2001. However, the BOR was dissolved before it had an opportunity to consider the program. BOR staff gave their approval of the program and recommended that it subsequently be reviewed by FGCU’s Board of Trustees.

Program Description

The BA program in Political Science is designed to provide students with the analytical tools that will both facilitate achievement of their career objectives and aid them in addressing Southwest Florida’s significant public policy issues.

The program will offer the choice of five concentrations:

- **Political Science**, will immerse students in the major subfields of Political Science, including American Politics, Public Policy, and International Relations.

- **Interdisciplinary Social Science**, will examine the interrelationship between Political Science and other Social Science disciplines such as Economics, with a focus on developing interdisciplinary problem-solving skills.

- **Government and Managerial Innovation**, will examine the interrelationship between public-sector and private-sector management and problem-solving, and provide emphasis on managerial innovation in the public sector.
Government and Information Systems, will expose students to the exigencies and increasing prevalence of information technology in government.

Public Administration, will be anchored in a linkage between the proposed undergraduate Political Science program and the existing CPS Master of Public Administration (MPA) program. An articulated arrangement between the BA in Political Science and the MPA program will provide students the opportunity to obtain both the BA and the MPA in a shortened period of study.

While the program will be predominantly campus-based, many courses will be enhanced by the use of distance learning technologies.

Consistency with FGCU’s Mission and Strategic Plan

The program is in accord with FGCU’s mission, which directs the university to offer a broad range of undergraduate areas of study including the arts and sciences, and public and social services. In addition, the program supports key objectives of the university’s strategic plan including the leveraging of resources to develop a distinctive and high quality academic program, the creative use of technology and interdisciplinary approaches, and the integration of environmental issues in the curriculum.

Consistent with both the university’s mission and strategic plan, the program was designed to facilitate evaluation of its effectiveness and quality. The curriculum has carefully defined learning outcomes, which link to the university-wide Undergraduate Student Learning Outcomes. Measurement of these outcomes will be a prime factor in determining the program’s success and quality.

Need and Demand

Political Science is a core social sciences discipline and is a traditional part of a comprehensive liberal arts education. It is the central discipline for imparting knowledge of political institutions and processes, political values, and public policy making. For these reasons alone it is an essential program for FGCU.

Nonetheless, key quantitative indicators also support the establishment of a BA in Political Science. State statistics demonstrate that the number of undergraduate students from FGCU’s five-county service area who are majoring in Political Science at other State University System institutions has been rising steadily in recent years. Clearly students are leaving Southwest Florida to attend Political Science programs at other institutions of higher education. Data from the American Political Science Association document a similar upward trend in Political Science enrollments nationally.

Enrollment growth in Political Science programs is stimulated by opportunities for employment upon graduation and for enrollment in graduate programs. Majoring in Political Science can qualify a student for a variety of careers in public-sector, private-sector, and non-profit organizations, including careers in local, state, and federal
government, public administration, and public interest work for community service organizations. Baccalaureate programs in Political Science also provide excellent preparation for graduate study in law, business, or the social sciences.

**Enrollment Projections**

It is estimated that enrollment in the first year of the program will be 26 students (14.44 FTE) increasing to 85 students (47.22 FTE) in five years. Approximately one-third of the students would be transfers from Florida community colleges.

**Resources**

The program will be offered by faculty from the College of Professional Studies and the College of Arts and Sciences, who are well-qualified and hold terminal degrees in Political Science and related fields. There are currently two funded vacant faculty lines in the Division of Public Affairs that will need to be filled before the program can be implemented.

The library collection in support of the program and classroom space are adequate for initiating the program. The Division of Public Affairs maintains an extensive network of potential public-sector and non-profit internship placement sites through the existing MPA program and the FGCU Institute of Government. In addition, the university is a Washington Center affiliate, which provides enhanced internship placement possibilities for undergraduate students in Washington, D.C.

The cost of implementing the program will be relatively low because many of the resources needed already exist. It is estimated that in the first year, the program will cost approximately $148,000, which represents existing College of Professional Studies and College of Arts and Sciences resources to be allocated to the program. In the fifth year, the program would cost approximately $198,000 (in recurring funds) of which $63,000 would be new funding, with the balance being resources already in place.

**Recommendation**

Implementation of the BA in Political Science will provide FGCU students with access to a high quality program that is a fundamental component of a comprehensive public university. The program was approved by the appropriate faculty committees, including the university-wide Undergraduate Curriculum Team. In addition, the program represents a wise use of existing resources. As indicated above, the projected date for implementation is fall 2002. However, since two faculty lines to be used for the program are vacant, implementation would not occur until these positions are filled. With this understanding, I recommend approval by the Board of Trustees.

c: President William C. Merwin
Florida Gulf Coast University Board of Trustees  
October 25 & 26, 2001

SUBJECT: New Degree in Liberal Studies with Major in Communication

PROPOSED BOARD ACTION

Approve new Bachelor of Arts (BA) degree in Liberal Studies with Major in Communication.

BACKGROUND INFORMATION

Florida’s university boards of trustees have been granted authority for approving new bachelor’s and master’s degrees for their respective universities. FGCU is requesting permission to offer a Bachelor of Arts degree in Liberal Studies with a Major in Communication, as described in the attached documentation.

Supporting Documentation Included: (1) Cover Memo from Provost, and (2) Request to Offer New Degree Program in Political Science

Committee Review: Academic/Student Affairs Committee of the Board

Prepared by: Dr. Joseph Ravelli, Dean of Planning & Evaluation

Submitted by: Provost Brad Bartel
MEMORANDUM

DATE: October 5, 2001

TO: Chair, Academic/Student Affairs Committee
FGCU Board of Trustees

FROM: Brad Bartel, Provost

SUBJECT: BA in Liberal Studies with a Major in Communication

Proposal

The College of Arts and Sciences is proposing to initiate a Major in Communication within its Bachelor of Arts degree program in Liberal Studies. The proposal was submitted to the Board of Regents (BOR) for approval in spring 2001. However, the BOR was dissolved before it had an opportunity to consider the program. BOR staff gave their approval and recommended that it subsequently be reviewed by FGCU’s Board of Trustees.

Program Description

The Communication major aims to develop skills in thinking, speaking, and writing by providing a theoretical foundation that combines philosophy, speech communication, and English. Since these skills also have a practical application, the program will provide a solid educational foundation for students seeking careers in such fields as business, law, journalism, public relations, mass communication, and environmental communication. The program also provides the necessary foundation for students planning to attend graduate school.

The program consists of the Collegium of Integrated Learning (the 12 credit core of the Liberal Studies degree) and a choice of three concentrations:

- **Communication Studies Track**, provides students with a strong theoretical foundation in Communication while also preparing them to enter a variety of Communication-related fields and graduate programs. This is the most flexible of the three tracks. In addition to the 12 credit core, students select from upper level communication theory, advanced philosophy, specialized writing, and advanced performance (e.g., public speaking, interviewing, etc.) courses. Students also select either an internship or a research methods course.
Environmental Communication Track, is designed for students interested in becoming public communicators for environmental issues. In addition to the 12 credit core, students take courses in environmental public speaking, persuasion, and philosophy along with other specialized courses in environmental communication. Students complete their program with an internship in an environmental organization.

Public Relations Track, delivers specialized training for students interested in entering the field of professional public relations. In addition to the 12 credit core, students take courses in advertising, marketing, and public relations. Students complete their program with an internship in public relations.

Consistency with FGCU’s Mission and Strategic Plan

The program is in accord with FGCU’s mission, which directs the university to offer a broad range of undergraduate areas of study including the arts and sciences and environmental studies. In addition, the program supports key objectives of the university’s strategic plan including the leveraging of resources to develop distinctive and high quality academic programs, and the development of student learning outcomes for knowledge attainment and successful career preparation. Indeed, effective communication is one of the university-wide Undergraduate Student Learning Outcomes.

Need and Demand

While the Communication major has intrinsic value as a liberal arts experience, it also has practical value as preparation for careers in many areas. A 1995 U.S. Department of Labor report on fastest growing careers noted that communication skills will be in demand well into the 21st century. Results of a 1997 national survey of human resource managers, published in the Journal of the Association of Communicators, identified oral communication skills as valuable for obtaining employment and for successful job performance. In 1996, as FGCU was planning its curricula, interviews were conducted with 55 potential employers of future FGCU graduates. Fifty-three of the 55 interviewees rated communication skills of the highest importance, and the same number rated the adequacy of communication skills of current employees as grossly inadequate.

Student demand is documented by the fact that, in AY 2000-01, more than 20 students were enrolled in a Communications concentration tailored specifically for them through the Individualized Program option of the Liberal Studies degree program. Moreover, members of the FGCU admissions and advising staff report that Communications is one of the majors most often requested by prospective students.

Enrollment Projections

It is estimated that enrollment in the first full year of operation will be 30 students (20 FTE) increasing to 85 (57.5 FTE) in the fifth year. Approximately 10 to 15% of students will be transfers from community colleges.
Resources

Faculty resources, the library collection, and classroom space are adequate for implementation of the program. FGCU has established more than 20 internship sites for the program including local TV and radio stations, public relations firms, the Disney organization, and the Washington Center, which provides placement for undergraduate students in Washington, D.C.

Costs associated with the program total approximately $200,000, which represents resources already in place redirected to the program. No new resources are required.

Recommendation

Implementation of the Communication major within the BA in Liberal Studies will provide students with a high quality liberal arts program that also offers career opportunities. The program was approved by the appropriate faculty committees, including the university-wide Undergraduate Curriculum Team. Moreover, the program represents a wise use of existing resources. I recommend approval by the Board of Trustees.

c: President William C. Merwin
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: New Degree in Legal Studies

PROPOSED BOARD ACTION

Approve new Bachelor of Science (BS) degree in Legal Studies.

BACKGROUND INFORMATION

Florida’s university boards of trustees have been granted authority for approving new bachelor’s and master’s degrees for their respective universities. FGCU is requesting permission to offer a Bachelor of Science degree in Legal Studies, as described in the attached documentation.

Supporting Documentation Included: (1) Cover Memo from Provost, and (2) Request to Offer New Degree Program in Political Science

Committee Review: Academic/Student Affairs Committee of the Board

Prepared by: Dr. Joseph Ravelli, Dean of Planning & Evaluation

Submitted by: Provost Brad Bartel
MEMORANDUM

DATE: October 5, 2001

TO: Chair, Academic/Student Affairs Committee
    FGCU Board of Trustees

FROM: Brad Bartel, Provost

SUBJECT: BS in Legal Studies

Proposal

The College of Professional Studies (CPS) is proposing to initiate a Bachelor of Science
degree program in Legal Studies, which will be housed in CPS’s Division of Justice
Studies. The proposal was submitted to the Board of Regents (BOR) for approval in
spring 2001. However, the BOR was dissolved before it had an opportunity to consider
the program. BOR staff gave their approval of the program and recommended that it
subsequently be reviewed by FGCU’s Board of Trustees.

Program Description

The BS program in Legal Studies is designed to prepare graduates for advancement in
careers in law-related professions, particularly as legal assistants or paralegals, by
providing an in-depth understanding of the legal system as it relates to the law, the courts,
clients, and lawyers. Higher education in Florida has emphasized the two-year Associate
of Science (AS) degree for paralegals and legal assistants. However the trend nationally
is toward baccalaureate-degree preparation. Studies conducted by the National
Federation of Paralegal Associations, Inc. indicate that a “four-year degree is the hiring
standard in many markets.”

As its primary focus, the FGCU program will create the opportunity for AS degree
graduates from Florida community college legal assisting or paralegal programs to
continue their education at FGCU toward a bachelor’s degree. The program will function
as a capstone articulation degree that builds on the skills and foundation knowledge
students have acquired in the AS program, and allows more in-depth and advanced
concentration in a variety of legal specializations. This articulation arrangement between
associate in science degree programs and the university’s baccalaureate degree will
enable students to complete the BS in Legal Studies in a much shorter period of time than
would otherwise be necessary.
All of the upper division courses in the program will be available via distance learning. Thus, legal assisting or paralegal graduates from all 21 community colleges offering such AS programs will have access to the FGCU program in their home areas.

In addition to the capstone articulation arrangement for community college students, the program will in the future provide the opportunity for FGCU students who do not have the AS degree to obtain a BS in Legal Studies.

**Consistency with FGCU’s Mission and Strategic Plan**

The program is consistent with FGCU’s mission, which directs the university to offer a broad range of undergraduate study, and to employ innovative technology in the development and delivery of programs. In addition, the program supports key objectives of the university’s strategic plan including the leveraging of resources to develop distinctive and high quality academic programs, the creative use of technology, and development of student learning outcomes for knowledge attainment and successful career preparation.

**Need and Demand**

National and state statistics demonstrate the need for the program. The U.S. Bureau of Labor Statistics indicates that between 1998 and 2008, the need for and employment of legal assistants/paralegals will increase nationally by 62%. The Florida Department of Labor and Employment Security projects a 71% increase by 2008 in the hiring of legal assistants/paralegals in FGCU’s five-county service area. In addition to law firms, graduates of the program will be qualified to hold positions as legal assistants/paralegals in banks, insurance companies, courthouses, corporations, and government agencies.

A survey of directors of community college legal assisting and paralegal studies programs revealed that more than 2,500 students are currently enrolled in legal assisting and paralegal studies programs. The directors collectively estimated that approximately 30% of these students plan to pursue a baccalaureate program after graduation. The availability of the FGCU program by distance will be an attractive option for these students, most of whom do not live near universities that have baccalaureate degree programs in legal studies.

**Enrollment Projections**

It is estimated that enrollment in the first full year of operation will be 25 students (13.13 FTE) increasing to 90 students (47.26 FTE) in the fifth year.

**Resources**

The Division of Justice Studies has had outstanding success with distance learning: it has been a leader in both developing courses delivered via distance and creating on-line
tutorials and introductory materials to facilitate the entry of students into distance education. This expertise will be available for the BS program in Legal Studies.

The two full-time faculty in the program are appropriately credentialed, holding the Juris Doctor degree. In addition, well-qualified professionals, including judges with teaching experience and board-certified attorneys, will serve as adjuncts, who will bring their experience and expertise to the program.

The library collection and distance learning technology are adequate for implementing the program. Because these and other resources already exist, the cost of implementing the program will be relatively low. It is estimated that in the first full year of operation, the program will cost approximately $130,000, which represents resources already in place redirected to the program. In the fifth year, the program would cost approximately $190,000 (in recurring funds) of which $60,000 would be new funding, with the balance being resources already in place.

**Recommendation**

Implementation of the BS in Legal Studies will make available to legal assistants and paralegals throughout Florida a high quality program that offers career advancement opportunities. The program was approved by the appropriate faculty committees, including the Undergraduate Curriculum Team. In addition, the program represents a wise use of existing resources. I recommend approval by the Board of Trustees.

c: President William C. Merwin
Florida Gulf Coast University Board of Trustees  
October 25 & 26, 2001  

SUBJECT:  Naples Center  

PROPOSED BOARD ACTION  

Information only.  

BACKGROUND INFORMATION  

The Florida Gulf Coast University Foundation Board of Directors will be entering into a lease agreement for space to serve as a Naples Center of the University. This lease is being made possible through an offsetting, five-year gift by an anonymous donor. The Naples Center will house and offer programs which may include those of the Renaissance Academy, continuing education, and executive-type course and degree offerings convenient for working professionals. The lease information is summarized in the attached document, for information to the Board of Trustees.  

Supporting Documentation Included:  Naples Center Information  

Committee Review:  Finance & Administration Committee of the Board  

Prepared by:  Steve Magiera, Office of Vice President for University Advancement  

Submitted by:  Vice President John Crowley
Naples Center Information

Lessor: Dooner Family Equities, LTD.

Lessee: Florida Gulf Coast University Foundation Inc.

Location: The Heart Fax Building
1010 5th Avenue South
Naples, Florida 34102

Square Footage: 6,989 @ $19.50 per square foot
Including common area maintenance fee of $3.50 a square foot

Price: The rent is being proposed as follows:

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<th>Amount Due</th>
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Purpose: The Center will be used for the following projects:

- Renaissance Academy
- Continuing Education Courses
- Lecture Series
- Computer Lab
- College Projects
- Foundation Office

Donation: The Foundation has received an anonymous donation of $75,000 per year for the next five years, which will be used to offset the costs of renting and operating the Naples Center.
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: Student Housing Phase IV

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

The Florida Gulf Coast University Foundation Board of Directors is proceeding to finance and construct Phase IV of student housing on campus. This action will create an additional 288 student residence beds on campus beginning fall term 2003.

Supporting Documentation Included: Student Housing Phase IV Information

Committee Review: Finance & Administration Committee of the Board

Prepared by: Duncan McBride, Office of Vice President for Administrative Services

Submitted by: Vice Presidents Curtis Bullock and John Crowley
University Student Housing
North Lake Village, Phase IV

The University Foundation has approved the construction of Phase IV of North Lake Village, the student housing project. Phase IV will consist of an additional cluster of buildings on the present site, providing an additional 288 beds. The new phase is scheduled to open Fall Term, 2003.

The new construction will be funded through the issuance of $8,000,000 in tax-exempt certificates of participation similar to the funding of the first three phases. The foundation has approved proceeding with negotiations for the issuance of the certificates. Certificates may be issued for the amount required for the new construction, or optionally for the amount necessary to retire the previous certificates and consolidate the entire debt associated with all the phases. This decision will be deferred until it is determined whether the terms for acquiring new debt favor refinancing. At this time the debt may also be restructured to achieve a more favorable mix of fixed and variable interest rates.

The foundation has authorized the Vice President for Administrative Services to negotiate with the current design-build team to build Phase IV. The current team was chosen by a public selection process and that process allows for use of the same team on this Phase IV. The present developer and architect have worked on all three phases of North Lake Village. The construction firm has built Phase II and III. Each successive phase of the project has been delivered at less cost per unit, and it is expected that the use of the current team will achieve further cost reductions.

The schedule is as follows:

- Approval by Florida Board of Education: Dec. 2001
- Sale of additional Certificates of Participation: Jan-Feb 2002
- Completion of contracts with developer, architect, contractor: Mar 2002
- Completion of permits: Jul 2002
- Begin construction: Aug 2002
- Complete construction: Jul 2003
- Occupancy: Aug 2003
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: Board of Trustees’ Liability Insurance

PROPOSED BOARD ACTION

No action recommended.

BACKGROUND INFORMATION

At its September meeting, the Board of Trustees asked legal staff to review whether a liability insurance policy is needed for the Board. Staff will make a recommendation that no such policy is needed, based on the fact that members of the Board are considered officers of the University and as such, their activities in performing the duties of the office are protected under the state’s sovereign immunity.

Supporting Documentation Included: Board of Trustees’ Liability Insurance

Committee Review: Finance & Administration Committee of the Board

Prepared by: Board Attorney Guy Whitesman, and Duncan McBride, Office of Vice President for Administrative Services

Submitted by: Vice President Curtis Bullock
Board Liability Insurance Information

Members of the Board of Trustees are considered officers of the university and consequently their activities in performing the duties of their office are protected under the state's sovereign immunity.

FS 768.28(9)(a) No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

As established in FS 768.28, sovereign immunity is waived only to the limit of the insurance provided from the State of Florida Risk Management Trust Fund (FS284.30).

Further, the practices and procedures of Board of Trustees state that FGCU shall indemnify and hold harmless each member of the board from any claims that arise from their service.

The protection of sovereign immunity and the Department of Risk Management, and the coverage provided by Florida Risk Management Trust Fund provide a formidable defense against any claim that may be brought against the university or its officers. We suggest that additional insurance will not be cost-effective, and recommend that no further action is necessary at the present time.

We will continue to evaluate the university's position, and if the relevant statutes are revised we will alert the board to the need to review the issue.
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: University President’s Employment Package

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

A summary of FGCU President Bill Merwin’s employment information is provided, including initial appointment terms; salary and benefits; previous and current (statutory) job descriptions, and professional background/experience.

Supporting Documentation Included: President’s Employment Package

Committee Review: N/A

Prepared by: Susan Evans, Office of the President

Submitted by: President Bill Merwin
Employment Information

President William C. Merwin
Florida Gulf Coast University

As of October 5, 2001

I. Initial Appointment Date and Classification
II. Position Description at Time of Hire
III. Current Position Responsibilities as Statutorily Defined
IV. Compensation Terms

I. Initial Appointment Date and Classification:

• September 16, 1999.
• Classification of Professor with Administrative Appointment as University President.

II. Position Description at Time of Hire:

Responsible to the Chancellor of the State University System.

Serves as Chief Executive Officer of a State University.

Responsible for developing and formulating plans and programs and for providing overall direction to the administration of the university within the authority delegated by the Board of Regents.

Responsible for developing and administering university budgets.

Responsible for planning and initiating programs concerning organizational, operational and academic functions of the university and for overseeing their execution.

Responsible for negotiating with administrative officials and representatives of business, community and civic groups to promote the educational, research, and public service objectives and policies of the university.

 Represents the university on state and national councils and committees on matters related to the overall function of the university, particularly as they affect the State of Florida.

Makes presentations to internal and external groups of the academic community.
Minimum Qualifications: Demonstrated, successful academic or administrative experience consistent with university guidelines. Incumbent may be required to hold faculty rank in order to be eligible for appointment to this administrative title. If faculty rank is required, must possess qualifications appropriate to the rank to which assigned.

III. Current Position Responsibilities as Statutorily Defined:

229.0082 University presidents; powers and duties.--The president is the chief executive officer of the university, shall be corporate secretary of the state university board of trustees, and is responsible for the operation and administration of the university. Each university president shall:

1. Recommend the adoption of rules, as appropriate, to the state university board of trustees to implement provisions of law governing the operation and administration of the university, which shall include the specific powers and duties enumerated in this section. Such rules shall be consistent with the mission of the university and the rules and policies of the Florida Board of Education.

2. Prepare a budget request and an operating budget for approval by the university board of trustees.

3. Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, within law and rules of the Florida Board of Education and in accordance with rules or policies approved by the university board of trustees.

4. Govern admissions, subject to law and rules or policies of the university board of trustees and the Florida Board of Education.

5. Approve, execute, and administer contracts for and on behalf of the university board of trustees for the acquisition of commodities, goods, equipment, services, leases of real and personal property, and planning and construction to be rendered to or by the university, provided such contracts are within law and guidelines of the Florida Board of Education and in conformance with policies of the university board of trustees, and are for the implementation of approved programs of the university.

6. Act for the university board of trustees as custodian of all university property. The authority vested in the university president under this subsection includes the authority to prioritize the use of university space, property, equipment, and resources and the authority to impose charges for the use of those items.

7. Establish the internal academic calendar of the university within general guidelines of the Florida Board of Education.
(8) Administer the university's program of intercollegiate athletics.

(9) Recommend to the board of trustees the establishment and termination of undergraduate and master's-level degree programs within the approved role and scope of the university.

(10) Award degrees.

(11) Recommend to the board of trustees a schedule of tuition and fees to be charged by the university, within law and rules of the Florida Board of Education.

(12) Organize the university to efficiently and effectively achieve the goals of the university.

(13) Review periodically the operations of the university in order to determine how effectively and efficiently the university is being administered and whether it is meeting the goals of its strategic plan adopted by the Florida Board of Education.

(14) Enter into agreements for student exchange programs which involve students at the university and students in other institutions of higher learning.

(15) Approve the internal procedures of student government organizations and provide purchasing, contracting, and budgetary review processes for these organizations.

(16) Ensure compliance with federal and state laws, regulations, and other requirements that are applicable to the university.

(17) Maintain all data and information pertaining to the operation of the university, and report on the attainment by the university of institutional and statewide performance accountability goals.

(18) Adjust property records and dispose of state-owned tangible personal property in the university’s custody in accordance with procedures established by the university board of trustees. Notwithstanding the provisions of s. 273.055(5), all moneys received from the disposition of state-owned tangible personal property shall be retained by the university and disbursed for the acquisition of tangible personal property and for all necessary operating expenditures. The university shall maintain records of the accounts into which such moneys are deposited.

History.--s. 15, ch. 2001-170.
IV. **Compensation Terms:**

- *Annual salary* amount at time of hire (September 16, 1999) was $176,000.
- *Increased annual salary* amount instituted by former Chancellor Adam Herbert on February 28, 2001 and made retroactive effective October 1, 2000: $180,200.
- Standard contracts for Florida’s state university presidents include the following:
  - University Foundation provides an *annuity* equal to 12% of the president’s salary.
  - University Foundation provides the president with up to $4,000 for *spousal travel*.
  - University Foundation provides the president with *housing* at a cost to him of $100 per month.
- Additional benefits provided by the FGCU Foundation include:
  - Use of an *automobile*, which was a gift from an anonymous donor for this purpose. Annually, the value of using the car for personal use is calculated by the University Controller’s Office and is reported to the State Comptroller for inclusion on the president’s W-2 for tax purpose.
  - A $25,000 *discretionary account* from the Foundation’s operating budget.
- *Insurance coverage* is as follows:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Employee Cost</th>
<th>University Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health (family)</td>
<td>$116.20</td>
<td>$391.60</td>
</tr>
<tr>
<td>Life (1.5x Salary)</td>
<td>$9.04</td>
<td>$30.90</td>
</tr>
<tr>
<td>Supplemental</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospitalization</td>
<td>$55.60</td>
<td>$0.00</td>
</tr>
<tr>
<td>Cancer policy</td>
<td>$27.50</td>
<td>$0.00</td>
</tr>
<tr>
<td>Long Term Disability</td>
<td>$52.50</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
- *Vacation and sick leave* is as follows:
  - President accrues 6.77 hours of annual leave and 4 hours of sick leave on a bi-weekly basis. This amounts to 22 days of annual leave and 13 days of sick leave earned per calendar year.
- *Retirement* information is as follows:
  - The president is in the Senior Management class of the Florida Retirement System (FRS). The University’s state-defined contribution rate for the current fiscal year is 9.28%. There are no employee contributions to the FRS.
CURRICULUM VITAE

POSITIONS HELD:

President, Florida Gulf Coast University - Fort Myers, Florida –September, 1999 - Present

President, Salisbury State University - Salisbury, Maryland 1996 – September, 1999

President, State University of New York College at Potsdam 1989 - 1996

President, Montana State University - Northern 1985 - 1989

Provost/Vice President for Academic Affairs, University of North Florida, Jacksonville, Florida- 1981 - 1985

Associate Vice President for Academic Affairs, University of North Florida - 1978 - 1981

Department Chairman - Curriculum & Instruction, University of North Florida - 1975 - 1978

Professor- Social Science Education, University of North Florida - 1973 - 1975

Instructor Social Science Education, University of Georgia, Athens, Georgia - 1971 - 1972

Assistant/Associate Professor Education, University of Wisconsin, La Crosse, Wisconsin - 1968 - 1973

EDUCATION:

Doctorate - University of Georgia
Major - History/Social Science Education - 1972

Fulbright Scholars Program - Sophia University, Tokyo, Japan - 1966
Japanese History - Culture/Language

Masters - University of Wisconsin - La Crosse/Madison
Major - History

Bachelors - University of Wisconsin - La Crosse
Major - History/Social Studies
Minors - Biology/ Speech Education

PERSONAL:

Married - Dr. Debra L. Merwin
Honors: Teacher of the Year 1967
First runner-up - University Professor of the Year 1973
Fulbright Scholarship (Japan) 1966
Listed in 55th edition of Marquis Who’s Who in America
Phi Kappa Phi
PUBLICATIONS

Books:


Merwin, William C., Donald O. Schneider and Lester D. Stephens, Developing Competency in Teaching Secondary Social Studies (Columbus, Ohio: Charles Merrill Publishing Company, 1974).


Periodicals and Others:

Merwin, William C., June F. O’Neill, Anthony Giardina, Ram L. Chugh, The Rural Services Institutes Network as a strategy for Assisting Rural Communities in New York State, published in proceedings from the International Conference on Issues Affecting Rural Communities hosted by Rural Education Research & Development Center of James Cook University, held at Townsville, Queensland, Australia, June 10-15, 1994


Merwin, William C., “Right to be Wrong?” The SUNY Student Voice, a publication of the Student Assembly of the State University of New York, March/April, 1993, p.1.


Merwin, William C., and R. Templeton, “Performance of Pre-Service Teachers Trained in a Field-Based Methods Course,” Experimental Field Experience Program, ATE Monograph Series, 1978 (Spring).


William C. Merwin - p.3

Periodicals (continued) -


CIVIC AND PROFESSIONAL ACTIVITIES

2001 - Vice President, Florida Association of Colleges and Universities

1999 - Chairman, March of Dimes Fund Drive, Lee County
      Board Member, Foundation for Lee County Schools
      Board Member, Foundation for Collier County Schools
      Board Member, Community Foundation of Naples
      Board Member, United Way of Lee County
      Member, Horizon Council, Smart Growth Committee,

1998 - Eastern Shore Association of Colleges

1997 - Greater Salisbury Committee

1996 - American Association State Colleges and Universities
      Think-Tank Group - Emerging Issues in Higher Education

1995 - American Association of State Colleges & Universities (AASCU) - Nominating Committee (elected)

1994 - State University of New York Council of Presidents

1994 - Board of Directors, Adirondack North Country Alliance (ANCA)

1993 - Board of Directors, Augsbury Institute


1992 - Chairman, American Association of State Colleges and Universities (AASCU) Economic and Community Development

1991 - Chairman, St. Lawrence Aquarium and Ecological Center Advancement Committee

1991 - Board of Trustees, Association of Colleges/Universities of the State of New York (ACUSNY)

1991 & 1995 - President, Associated Colleges of St. Lawrence Valley (St. Lawrence University, Clarkson University, Canton University and SUNY Potsdam)

1991 - President, Music Theatre North Advisory Council

1990 - Board of Directors, Canton-Potsdam Hospital Foundation Board

1990 - President, Board of Directors, Center for International Trade Technology Education and Communication (CITTEC)
1989 - Board of Directors, Clarkson University Development Corp.
1989 - President, Board of Directors, Northern Advanced Technology Corporation (NATCO)
1987 - Governor’s Task Force on Superconducting Super Collider
1987 - Northern Montana Hospital- Board of Trustees, Havre
1986 - First Bank--Havre - Board of Directors, Montana
1986 - Havre Area Chamber of Commerce - Board of Directors, Montana
1984 - Rotary, Havre, Montana
1982-84 - Jacksonville Health Education Programs - Board of Trustees
1978-80 - Volunteer Jacksonville - Board of Directors
1969-72 - University of Wisconsin/La Crosse Foundation- Board of Directors
SUBJECT: Corporate Seal (As Revised)

PROPOSED BOARD ACTION

Approve revised corporate seal.

BACKGROUND INFORMATION

A proposed corporate seal was presented to the Florida Gulf Coast University Board of Trustees at its September meeting, with two versions – one in black and white for embossing technical specifications, and one in color for formal uses of the seal. A request was made to incorporate a graphic depiction representing a student-centered university, and revised artwork is provided for consideration.

The official seal of Florida Gulf Coast University incorporates a triangle displaying the University’s fundamental commitment to encourage and support the pursuit of knowledge, truth and wisdom. Dominating the center of the triangle is the University’s magnificent symbol, the eagle. The natural scene of trees on the horizon with prominent sunrays forming the background represents the University’s commitment to ecological sustainability. The mortarboard with tassel on the right symbolizes the University’s student-centered priority. In the year 1991 the Florida Legislature established Florida Gulf Coast University.

Use of the official University seal is reserved for official documents such as diplomas and other official certificates.

The official seal in its splendid colors of emerald green and cobalt blue with gold and white accent colors may be displayed on the podium at formal occasions such as graduation, convocation and inaugural ceremonies. Only the president or his designee may approve its use at University public occasions and in publications or electronic presentations.

(Continued)
Supporting Documentation Included: (1) Black and white version for embossing, and (2) Color version for formal uses.

Committee Review: Finance & Administration Committee of the Board

Prepared by: Audrea Anderson, Office of Vice President for University Advancement

Submitted by: Vice President John Crowley
SUBJECT: Legislative Request Items

PROPOSED BOARD ACTION

Approve requests to the legislature for actions related to capital outlay.

BACKGROUND INFORMATION

The Florida Gulf Coast University Foundation Board of Directors is requesting legislative authorization for revenue bonding to construct Phase V of student housing.

Florida Gulf Coast University is requesting authority to place items on the Alec P. Courtelis Facility Enhancement Challenge Grant Program List for funding by the 2002 legislature.

Florida Gulf Coast University is requesting authorization for operating funds for the non-state funded aquatic facility being built on the campus.

Authority for these actions rests with the Florida Legislature, which will consider these requests during the 2002 legislative session.

Supporting Documentation Included: Legislative Request Items

Committee Review: Finance & Administration Committee of the Board

Prepared by: Duncan McBride, Office of Vice President for Administrative Services

Submitted by: Vice Presidents Curtis Bullock and John Crowley
Legislative Request Items

The Florida Gulf Coast University Foundation requests bonding authority from the legislature in order to construct Phase V of North Lake Village, the student housing project. Phase V will consist of an additional cluster of buildings on the present site, providing approximately 288 additional beds. The new phase is scheduled to open when demand exceeds the number of beds contained in Phases I through IV. The new construction will be funded through the issuance of up to $9,000,000 in tax-exempt certificates of participation similar to the funding of the first four phases.

The University requests authority to place the Health Education Center, and the Botanical Garden Laboratory on the Alec P. Courtelis Facility Enhancement Challenge Grant Program List for matching by the 2002 legislature when donor funding is achieved. These projects are on the University's five-year PECO list as required. The Health Education Center is a classroom and demonstration laboratory, which will function as an outreach and education facility for K-12 students and citizens in the Southwest Florida area. The Botanical Garden Laboratory is a classroom and laboratory facility designed to provide information to citizens and to foster research into medicinal uses of native plants.

The University is requesting operating funding for the Aquatic Center from the 2002 legislature. Lee County provided funding for construction of the Aquatic Center. Since the facility is not being constructed with state funds, FGCU is requesting operating funds for the facility.
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: Minutes of September 20 & 21, 2001 Meeting of the Florida Gulf Coast University Board of Trustees

PROPOSED BOARD ACTION

Approve minutes.

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees met for the first time in orientation and meeting session on September 20 & 21, 2001. Minutes of the meeting were kept, as required by Florida law.

Supporting Documentation Included: Minutes of September 20 & 21, 2001 Meeting

Committee Review: N/A

Prepared by: Barbara Krell, Office of the President

Submitted by: President Bill Merwin
President William C. Merwin convened the orientation meeting of the University Board of Trustees in the Sprint Room of the Whitaker Building on the Florida Gulf Coast University Campus at 8:30 a.m., September 20, 2001 with the following members present:

Brian Cobb  
Larry Hart  
Renee Lee  
Bernard Lester  
David Lucas  
Scott Lutgert  
Gerri Moll  
Harry Moon  
Edward A. Morton  
Jerry Starkey  
Linda Taylor  
Michael Villalobos  
Magali Solimono

Members of the staff present were:

William C. Merwin, President  
Dr. James Koch, Consultant  
Susan Evans, Special Assistant to the President  
Brad Bartel, Provost  
Curtis Bullock, Vice President, Administrative Services  
John Crowley, Vice President, Advancement  
Tom Healy, University Lobbyist/Executive Director Alliance for Educational Leaders

1. Welcome & Introductions – Bill Merwin, FGCU President

President Merwin recognized that this is indeed an historic occasion. This is the first meeting of the Florida Gulf Coast University Board of Trustees. He welcomed everyone and said that he is looking forward to working with each Board Member.
President Merwin stated that America has had a difficult time during the past ten days. It has been a time of tragedy and a time for patriotism. We had an event on our campus that was misguided, and though, unintentional turned out very wrong. He further stated that this institution is obliged to support and defend the Constitution of the United States and we continue to do that. There has not been, nor will there ever be, a policy which would in any way abrogate the Constitution of the United States and most particularly freedom of speech. President Merwin reported that he spoke to the Director of the Library and she is most apologetic about this matter. She submitted a formal apology and we have been involved in a damage control mode for a number of hours now. President Merwin stated that he came back to campus and held a press conference.

President Merwin stated that as a campus, we came together and sang, and grieved together at an event held last week because of the terrorists attacks in New York and Washington DC. President Merwin spoke with most members of the Board of Trustees either directly or indirectly. President Merwin asked that a Resolution be adopted by this Board of Trustees that speaks to the issue of patriotism and righteous values. He apologized that this celebratory occasion was started on such a somber note.

President Merwin reported that when the Board of Regents sunset on July 1st, the Florida Board of Education (FBOE) was created by Statute Senate Bill 1162. They created eleven Boards of Trustees with twelve members who were appointed by the Governor and will be ratified by the Senate at the first meeting of the year. The Statute also created a Council of Educational Improvement and Research. This is a successor organization to the Post Secondary Education Commission. Those three bodies in turn have latticework of bureaucracies and administrations that go with the huge task ahead of revising the School Code which is approximately 900 pages.

President Merwin stated the authority of the Board of Trustees is expected to grow, but it will require legislation to do so. There are certain elements that are within the Bill that provide direct authority to the Board. He stated that there are many others that are out there, which will require some amount of lobbying through the State Legislature to devolve those authorities previously held by the Board of Regents to this body. President Merwin stated that for our Board to become the flexible, nimble, and responsive organization that is expected, we would need those additional authorities moved forward. He stated that as he looks at all that has happened, perhaps the best thing of all of this change is that it has returned to the student—a student-centered seamless kindergarten through graduate school program. It places a great deal of responsibility at the local level with us—this institution. It will work because it focuses on our students. He stated that as President of this institution since arriving a couple of years ago and recognizing that this is his 17th year of being a university president, every day of his life he thinks of students. He stated that
whatever policies, practices and rules are put into place, our guiding lights should always be how would this affect the students of this institution? Shortly behind that is this community in Southwest Florida—how can we best serve the citizens of Southwest Florida?

President Merwin reported that he pulled together the Superintendents of Schools of the five counties, Lee, Collier, Charlotte, Hendry, Glades, the Presidents of Edison Community College, International College, Barry University, Walden Institute, and IFAS and suggested to them that we should form an Alliance for all these education leaders. He said that we needed to do something that could be called seamless and reported that today that organization is moving along beautifully and becoming a model throughout the State.

President Merwin introduced Dr. Tom Healy, the Executive Director of the Alliance of Educational Leaders. He and Pat Riley have brought us together to look at workforce needs. Our future is dependent upon the workforce and the economy of Southwest Florida’s need to diversify itself over the next few years. This institution will be a leader in keeping that course. President Merwin stated that having that Alliance in place to assist in areas such as teacher shortages would address those kinds of issues.

President Merwin reported that we are still in a start up mode. We are in our fifth year as an institution and Dr. McTarnaghan did a wonderful job in getting the institution up and running in a very short period of time. We have a superb faculty, staff and he believes the Trustees, will be very pleased with what you are being delivered upon your arrival. There is a great opportunity during a start up—we don’t have baggage that older institutions have. There is not a great, long, tradition of 150 years of “this is how we always did it” and there are some downsides to that too. We saw some of those in the last couple of years—we are still making up policies, procedures and rules as we go along. He reported he thinks we are nimble; there is an opportunity for us to become the real leader in the State. He would like our institution viewed as one mothers and fathers want to send their kids to for a good, solid, baccalaureate education. At the same time we can provide graduate studies which will improve the workforce in our area. President Merwin has a single vision for the institution. That vision is that we become the school of choice to fulfill that kind of promise. He pointed out that the Board would have a number of responsibilities—focus on the mission of the institution and the Strategic Plan. For the last few years, the institution has put a draft in place awaiting the Board of Trustees’ arrival. The Board of Trustees will have plenty of input into that Plan and the Trustees will help frame the mission of this institution.

President Merwin stated that his job would change drastically as he now has a new boss as of the first of July and the Trustees are it. He did not believe the faculty and staff’s day-to-day lives would be affected by the change of Board of Regents to a Board of Trustees, but his life would. He now reports directly to
the Board and the Trustees have an obligation to hire, support and remove a president. He asked Dr. Koch, our consultant, to talk about the responsibilities and obligations that type of position has. President Merwin reported that another responsibility of the Board is to provide resources, financial and spiritual ones on days such as yesterday. The Board has the authority to approve new programs and to delete other programs that are not necessarily functioning well. More importantly, the Board assures accountability by holding the President accountable and the President holds his staff accountable. He stated that in a future meeting he would address what some of those measures of accountability will be.

President Merwin said that he is confident that our Board of Trustees at Florida Gulf Coast University will provide a great benefit to our students of today and tomorrow. At this time President Merwin introduced each member of the Board of Trustees beginning with Gerri Moll.

Trustee Gerri Moll stated that she joined the Foundation Board in 1997, has been involved in the University for quite a few years, and also was part of the Presidential Search Committee that found and selected Bill Merwin to lead this university a few years ago. She is pleased to be here.

Trustee Edward Morton introduced himself as the former Chairman of the FGCU Foundation and like Trustee Moll, has been affiliated with the University right from the beginning. He also chaired the selection of our Athletic Director and a variety of other programs on campus. He is a native to South Florida and spent three years on active duty as a Captain in the United States Military from 1969 to 1972.

Trustee Linda Taylor reported she has been involved in the University since its inception as a founding member of the Foundation Board and served as chairperson of the Foundation. She was the founding chairperson of the Golden Apple Teacher Recognition Program, the Foundation for Lee County Public Schools and also was a Trustee at Edison Community College. She has had a great deal of experience with education as a teacher with a minor in business and has put together several public/private business partnerships. She lives in the Ft. Myers area and feels it is a real honor and privilege to be part of this University and part of this historic event.

Trustee Bernard Lester stated that he is very pleased to be with this Board of Trustees and has been involved with the University from inception. One of the things in following up President Merwin’s remarks, is that the community has shown exceptional support for this University from the very beginning and without that we probably would not have been located here because there were other competing areas of the State that wanted the 10th University. The community showed support because they were interested in a program that was going to benefit not only the students, and place those students in the community,
but they saw their opportunity to be involved in how those students are trained and how they could work very closely with the University on various projects. He is very certain that the University has met that intent from the very beginning and he looks forward to being part of this Board as we develop those policies.

Trustee Brian Cobb introduced himself as a newcomer as far as FGCU is concerned and his background is in the broadcast business. He specializes in mergers and acquisitions of radio and television stations and also owns some. He has been heavily involved in the Naples Education and Children Foundation. He is excited to be here and plans to listen and learn from the information provided at this meeting.

Trustee David Lucas introduced himself as a resident of Ft. Myers since 1984 and is very pleased to be a part of this University. As a company and individually, he has supported FGCU through the golf tournament, which has been a significant fundraiser for the University. He is looking forward to learning about the system and any opportunities.

Trustee Larry Hart stated that he was born and raised in Lee County and spent the last twenty-two years in law enforcement and the last six years as Chief of Police for the City of Ft. Myers. He had decided to retire recently and is here to work with the University to assure that the students are our priority and that we continue to provide a high quality of education and support our president. He would like to assure that community needs are met and provide support for our students, and staff as well.

Trustee Harry Moon stated that he has been in the healthcare business for a good while and one of the great joys of his life has been the development and building of programs for institutions that will have lasting benefits. He feels this dovetails well with what we are working on here, to have Florida Gulf Coast University fulfill its destiny and its greatness and be a resource to this community. He also asked to take a moment to compliment President Merwin on his handling of the recent situation on campus. He feels greatness comes from overcoming adversity and we are fortunate to have a leader such as Bill Merwin in this capacity. He looks forward to working with all Board Members with great enthusiasm.

Trustee Scott Lutgert introduced himself as someone who has lived in the Naples area since 1970, moving from Chicago after receiving an MBA from the University of Chicago. He is a former math teacher which he enjoyed and his family has been in business in Southwest Florida for a number of years. His family has been a great supporter of education in the areas of Golden Apple and this University as well as other charities. He is happy to lend his time to help this institution.
Trustee Magali Solimano is the only elected member of this Board. She is from Pensacola, Florida and is a junior with a major in finance. Magali was elected Student Body President in May.

Trustee Renee Lee stated that she is the attorney for Charlotte County and is actually the only Charlotte County representative on this Board. She plans to fight long and hard for what Charlotte County wants. Education has always been an important factor for her, and she has remained involved in mentoring students, serving on advisory boards and serving as an adjunct professor at universities. She feels this Board has a responsibility to provide the best education we can to students and a healthy workforce for employers in the future. She looks forward to working with the others to accomplish this.

Trustee Jerry Starkey introduced himself as the CEO of WCI Communities and lives in Ft. Myers. His company employs approximately 4,000 throughout the State with about a fourth of those locally. He has had the pleasure of hiring many of the graduates and students that attend the University here. He is very happy to be a part of the Board. He believes those who have preceded the Board of Trustees have done an excellent job and we have a fine institution for our community. He looks forward to being part of it as we move forward.

Trustee Michael Villalobos stated he is a thirty year resident of Ft. Myers, raised and educated here and currently the President of the Hispanic Chamber of Commerce. They have worked this year with the University student population and staff. He and Dr. Healy will be traveling to the Dominican Republic in 4-5 days for a trade mission. He reiterated the sentiments of other Board members that this is an historic opportunity and he is very proud and thankful that he has the opportunity to be part of this.

2. **Election of Board of Trustees Chair & Vice Chair**

President Merwin stated that he is very pleased to be working with each member of this Board of Trustees. He moved to the business of election of the Chair and Vice Chair. He will then turn the gavel over to the Chair and we will proceed with the orientation session.

Acting as Chair, President Merwin introduced a motion of nomination. Trustee Moon stated that he would voice the name of Scott Lutgert as Chairman for discussion. President Merwin stated that the name of Scott Lutgert has been introduced as Chair of the Florida Gulf Coast University Board of Trustees. Trustee Hart seconded that motion. President Merwin asked for other nominations. Seeing no other nominations from the floor, President Merwin asked for a vote. Motion carried unanimously.
Chairman Lutgert stated that he is honored to serve as the Chairman of the Board of Trustees, takes that responsibility very seriously, that he appreciates the confidence. He would like the group to know that he hopes we will have a Board which allows participation from everyone and respects diverse opinions and feelings. He stated that once we make a decision he hopes we will move on for the best of the University.

Chairman Lutgert announced that the next order of business is the election of the Vice Chair of the Board of Trustees. Trustee Villalobos nominated Linda Taylor as Vice Chair. The motion was seconded by Trustee Lee. Seeing no other nominations, Chairman Lutgert called for the vote and motion carried unanimously.

Vice Chairman Taylor stated she takes this office very seriously and looks forward to working with Scott, the rest of the Board, and Bill to develop a world-class University here at Florida Gulf Coast University.

Chairman Lutgert requested a moment of silence for the victims of the recent tragedies and those involved in the rescue efforts.

Chairman Lutgert requested that President Merwin present a Resolution to address the recent incident on campus related to patriotism and then give Board members the opportunity to comment regarding this matter.

President Merwin stated that he asked the staff to develop a Resolution for consideration by the Board as follows:
A Resolution of
The Florida Gulf Coast University Board of Trustees

WHEREAS, the Florida Gulf Coast University Board of Trustees recognizes that Florida Gulf Coast University is an institution of higher learning proud to be located in the United States of America; and

WHEREAS, Florida Gulf Coast University is dedicated to the democratic ideals that are at the very foundation of our great nation; and

WHEREAS, the United States and its citizens have suffered at the hands of terrorists whose September 11 actions on American soil were unsuccessfully aimed at undermining our freedom and democracy; and

WHEREAS, Americans have exhibited extraordinary unity and patriotism in the face of this adversity; and

WHEREAS, Florida Gulf Coast University trustees, students, administration, faculty and staff applaud the patriotic and heroic actions displayed by Americans far and wide;

NOW, THEREFORE BE IT RESOLVED that the Florida Gulf Coast University Board of Trustees expresses its complete support and highest regard for the patriotism that characterizes the United States, and affirms the University’s commitment to democratic ideals that are the envy of nations throughout the world. The spirit of America is strong and flourishing on the University campus in unity with all others who stand tall for this great country we call home.


SIGNED: ____________________________________________
Chair
The Florida Gulf Coast University Board of Trustees

Trustee Lee moved to approve the Resolution. Trustee Moll seconded the motion. Trustee Morton stated that it is his hope that this incident has brought to light an issue that difference of opinion must not only be tolerated, but must be encouraged on the University campus and that means conservative points of view should not be vilified or held in any more or less esteem. He feels that this Country needs to begin reevaluating this era of political correctness in which we try not to run the risk of offending foreign
students as opposed to chilling the ability of someone’s right to express their own personal opinion. He feels that we must understand the fundamental principles that this Republic came from and it is not based upon a concept that is taken lightly by many of us.

Chairman Lutgert echoed Trustee Morton’s comments and said that he hoped we would not get to the point where we don’t stand for anything and certainly we do. Trustee Lee shared that she did receive a letter from Representative Lindsay Harrington regarding this incident and would like to enter this into the minutes (Appendix A).

President Merwin acknowledged that he had responded to the letter and noted that Representative Harrington was calling to our attention our responsibility as a University to respond as patriots as well as educated citizens. He has received over 400 emails and other forms of communication in the last 24 hours and has responded to each one. He has supplied copies of his blanket statement for all Trustees and appended a copy of the employee’s official apology.

Chairman Lutgert called for the vote and the motion carried unanimously.

Chairman Lutgert reiterated the historic opportunity this meeting has, and that one of the most significant things is that we now have across the State, local input and control for the University and this will give community members an opportunity for input. In particular, he feels we will now have more student participation through the Board of Trustees and our efforts should be toward the benefit of students. Mr. Lutgert then turned the program over to President Merwin.

3. President’s Report

President Merwin reported that the PowerPoint presentation he would display was designed to describe our institution briefly and historically and help the Board understand where we are today and a synopsis of where he thinks we ought to be going. He stated that Susan Evans would work with him on this presentation. President Merwin introduced Susan as the Liaison to the Board of Trustees and Special Assistant to the President and Board members should feel free to call upon her for assistance. (Appendix B)

Trustee Morton stated that the enrollment of FGCU has risen significantly and he believes that is attributable to the management of this institution that he has witnessed in the past twelve months. He feels the University has made an incredible effort to try and get the message of this institution out to the young people in this community.

Chairman Lutgert asked what was the current FTE enrollment? Dr. Bartel estimated 2400 FTE. He also asked which disciplines in Graduate enrollment had increased significantly. Provost Bartel stipulated that the 80% figure refers to the newly admitted student increase. There is a great surge in the College of Education and the College of
Business which is nearly at capacity. Health Professions has added some new programs that have seen increases as well. Provost Bartel stated that graduate students comprise approximately 20% of our total. President Merwin continued with the PowerPoint presentation to its conclusion.

Chairman Lutgert stated President Merwin’s progress here has been incredible and the focus on the School of Choice and quality education is to be commended. He also announced a ten-minute break at this point in the meeting.

Chairman Lutgert asked for introductions from members of the audience. After introductions Chairman Lutgert turned the meeting over to President Merwin for the introduction of our next speaker.

4. Trustee Orientation: “Authority and Responsibilities of Trustees” - Dr. James Koch

President Merwin introduced Dr. James Koch, President Emeritus of Old Dominion University where he served as President for eleven years. Prior to that time Dr. Koch served as President of the University of Montana which is where their paths crossed in the late 1980’s. He is a graduate of Northwest University and holds a Ph.D. in the field of economics. He has vast experience which includes a Vice Presidency for Academic Affairs, a Dean for the College of Arts and Sciences at Ball State University, and University of Rhode Island. Dr. Koch has worked with Boards of Trustees which is President Merwin’s reason for bringing him here today. He and Dr. James Fisher wrote a book about The President and The Board and its relationship. He has written extensively in this area. He had a strong relationship with the business community while serving at Old Dominion University. He was recognized as one of the more entrepreneurial university presidents in the country and always had a way of advancing the business community’s cause, while at the same time, advancing the causes of the university.

Dr. Koch addressed the Board of Trustees. His presentation is outlined in Appendix C. After the presentation, President Merwin asked for comments or questions from the Trustees for Dr. Koch.

Chairman Lutgert asked for questions or comments from Board members. Trustee Morton asked if it would be helpful to have a job description of the President in order to have a frame of reference that would guide Board members. Dr. Koch stated that a job description would be helpful with the caveat that it is an unpredictable job as shown by the last few days’ events, and that the job description must be broad enough to include the unanticipated.

President Merwin stated that there is currently a job description which is included in Statute, and that at the next meeting he will include a way of evaluating with some specific benchmarks and performance criteria. The Board will also receive a copy of the President’s compensation package in time for the next Board meeting.
Chairman Lutgert asked for clarification from Dr. Koch regarding his caution to Board Members related to candid evaluations not surfacing in public and the Sunshine Law and he asked how this would work. Dr. Koch stated that Florida is an exception to the rule because of the Sunshine Law. Clearly the Board should never come close to violating the law, however, it is unlikely that it is possible to have a candid evaluation in this circumstance. The really candid kind of evaluation could happen one on one when each member of the Board sits down with the President.

Trustee Cobb asked if it was possible to relay information to the Chair related to evaluation of the President. Dr. Koch stated that to his understanding that would be a violation of the Sunshine Law. Mr. Cobb then asked Dr. Koch if he felt there should be an Executive Committee. Dr. Koch said that he felt there should be an Executive Committee but this should not be in lieu of the Board. An Executive Committee is helpful to act between meetings of the full Board, recognizing that the entire Board will approve these actions at their next regular meeting. Dr. Koch advocated an Executive Committee comprised of Board officers and Committee chairs. He felt it should meet only as necessary. Dr. Koch stated that he recommends that Board members meet with each other frequently, but the meetings must be announced.

Susan Evans stated that if any items are discussed in-between meetings there must be a notice within reasonable time and that currently we use the University web site to notice the meetings. Board members should notify Susan Evans so that meetings can be noticed on the web.

Trustee Lester asked Dr. Koch for his recommendation on how the Committees should function. He asked if they should meet at the same time as the Board or would they be prior to the general Board meeting? Dr. Koch stated that large institutions have committees that meet weeks before Board meetings. Dr. Koch suggested the first day of the Board meetings could include committee meetings and then the Board as a whole would accept reports from the Committee.

Trustee Morton stated that the By-Laws of Corporation would lay out the road map to follow. Dr. Koch stated that it is important to have a set of guidelines that might not be called By-Laws which outline how the Board does business.

Chairman Lutgert stated that it would be important to place in the Practices and Procedures an amendment procedure by a simple majority because we are a new Board and as time goes on we will be learning about what we want to do.

President Merwin stated that the President’s staff sent out Practices and Procedures through the Transition Subcommittee and then under separate cover, Board members received a set of By-Laws. These were from a group that we have worked with in Coral Gables and they suggested an Executive Committee. Another consultant who wants the Board’s business sent these By-Laws and the Board has some choices to make. President Merwin is leaving this open for the Board’s decision.
President Merwin asked Dr. Koch for his opinion related to hearing from the public on issues germane to the agenda. He feels there needs to be some sort of procedure and that it needs to have a place on the agenda. Dr. Koch recommended the Board adopt a policy that charges the President with ensuring that the Board hears from a wide variety of individuals from campus and community. The Provost should be bringing in individuals from various academic programs to get a feel of what is going on. For other individuals who wish to address the Board, they should do that through the President. It is the President’s duty to schedule those individuals and if he decides he will not allow someone to speak, then this is something that should be discussed with the Chair of the Board.

Trustee Lee stated that she has experienced many of the matters discussed in Dr. Koch’s presentation. She would like to know how problems are corrected and by whom. Dr. Koch stated that the Board Chair should address these matters.

President Merwin asked Dr. Healy to address why the Transition Subcommittee did not recommend the formation of an Executive Committee at this time. Dr. Healy stated that because Board members are so close geographically, we could always get a majority of this Board together. It was felt by the group that it would be best for the Board to operate as a whole. President Merwin indicated that the way the committees are set up the committees would meet as a whole, and the Chairman would turn it over to the Chair of the Academic Student Committee. Then the Finance and Administrative Committee would do their business.

Trustee Taylor asked how you prevent Board members from taking a special interest and directing staff members outside the President. Dr. Koch stated that it must be stressed to every Board member that regardless of their responsibility they should be taking a University-wide view of things, secondly the Committee should understand that they are making a recommendation to the entire Board, and thirdly, it is inappropriate for a Board Chair to be in direct contact with an individual Vice President. A Board Chair or Committee Chair should be working through the President. President Merwin stated that he does plan to designate his Vice Presidents as staff liaisons to each Committee.

Trustee Morton asked whether we should or should not have a general counsel. He has read the State Statutes regarding indemnification and he would like to know if anything with respect to indemnification should or should not be included in the Practices and Procedures. Trustee Morton also wished to discuss the Board of Trustee’s relationship with the FGCU Foundation. Dr. Koch stated that legal representation for the Board is important. President Merwin acknowledged that every University in the System has legal counsel except FGCU. He indicated that the attorney assigned to us through a local firm, Mr. Whitesman, would be here this afternoon. President Merwin reported that he has requested funds for a full time attorney through the Secretary of Education and that matter has been taken under advisement. Mr. Whitesman will address indemnification.
Board members thanked Dr. Koch for his presentation. President Merwin announced that lunch would be served for Board members and the President’s immediate staff. Trustee photographs will be taken and then a tour of campus will be provided. Trustees should convene again at 2:10 p.m.

5. FGCU Board of Trustees – Discussion/Action Items:

Chairman Lutgert asked that the items designated for discussion at 3:30 p.m. be addressed now because Trustee Villalobos must leave early. Seeing no objection, Trustee Lutgert asked for discussion to begin on:

A. Discussion and Approval of Board Practices and Procedures

Trustee Cobb asked whether the Board would like to convene an Executive Committee. Chairman Lutgert felt that there should be an amendment procedure that would allow Trustees to amend these procedures by simple majority vote. Trustee Villalobos asked whether these should be submitted as By-Laws, Practices and Procedures or both with a general form of By-Laws or use this document as our By-Laws.

Chairman Lutgert introduced Guy Whitesman. Mr. Whitesman reported that the idea of stating explicitly that these may be amended by majority vote of the Trustees is a great idea. As far as adopting By-Laws, what Mr. Whitesman would suggest is to hold off on doing that and mark these as “interim” because the Board of Education will be making pronouncements from now and through its existence which will have an effect on Boards of Trustees for all universities and we may want to give ourselves some time to see what those pronouncements will be. A lot of what the Board of Regents has done has already transferred over to the Board of Education and it becomes their responsibility. The Statute indicates they have to make recommendations after the transition and further regulations and Statutory changes by January 1, 2002. What Mr. Whitesman would like is that at each meeting, we monitor what is going on at the Board of Education and how other Boards of Trustees are reacting. Mr. Whitesman stated that we are a body corporate which under state law means that we were automatically body corporate when the law went into effect. These practices and procedures are practically the same thing as By-Laws. Mr. Whitesman said he looked at this as an ongoing process and would give it six months to see how the Board of Education is going to effect what we are doing here before we spend a lot of time trying to finalize our constitution. These initial Practices and Procedures designed by the University staff are based on the Statute and what we have to do. They are subject to the Board of Education Policy, and we have a duty as a Board to look after the University now and to be flexible at the beginning.
Mr. Whitesman stated if the Board members wished to call these Interim By-Laws, it would not have any effect legally.

Chairman Lutgert stated that no matter what these are called, we must maintain flexibility and modify these on a frequent basis. Secondly, he stated that if there is anything substantive that is not in the document, the Board should deal with that matter. Trustee Morton stated that he would like something in the Policies and Procedures which addresses indemnification immediately. Mr. Whitesman stated that the Board of Trustees has the authority to indemnify and hold harmless its members and so you may adopt a resolution to that effect. He reported that the Board also has the ability to purchase D & O insurance. Mr. Whitesman’s suggestion is that today the Board resolve to indemnify and hold yourselves harmless for all matters except criminal behavior and intentional malfeasance to the fullest extent allowed by law and that the Board consider requesting the University and its staff to explore the availability of directors and officers insurance with other units, for example Mr. Bullock indicated that the FGCU Foundation has insurance and we may be able to add this Board. Mr. Whitesman noted that the other possibility might be an interlocal agreement with the other Boards of Trustees if that might bring costs savings.

Trustee Morton moved that we adopt Counsel’s language for indemnification of the Board. Motion was seconded by Trustee Villalobos.

Trustee Moon asked where we stand in terms of sovereign immunity. Mr. Whitesman reported that we are a State agency and sovereign immunity would cover our actions. Mr. Whitesman believes that at most state agencies and universities the State Risk Management Self Insurance Program will handle 90% of those kinds of things. It is not unusual for Boards like ours to consider D & O insurance.

Trustee Lee stated that there were some exceptions made to the indemnification and it was limited to criminal activity and malfeasance. Mr. Whitesman stated that we would not want to use public funds to defend a Board member who actually conducted criminal activity or intentionally created a problem. Mr. Whitesman recommends a very broad indemnification until he is able to present a couple of alternatives and maybe send those ahead of time for the October meeting. Trustee Lutgert called the question. Motion carried unanimously.

Trustee Morton asked what the counsel’s opinion is related to the efficacy of a general purpose business resolution which empowers the Chairman and President to conduct business on behalf of the Corporation. Chairman Lutgert stated that there is substantial statutory regulation that governs the power and duties both for the President, the Board of Trustees, the Chair and Vice Chair. Trustee Morton asked what is the efficacy of having the Assistant Secretary,
Susan Evans, execute documents. Mr. Whitesman responded that by Statute the University President has the authority to approve, execute and administer contracts on behalf of the University Board of Trustees and does not believe it is necessary to take any other action.

Chairman Lutgert suggested that the staff and Mr. Whitesman put together a summary of items that relate to the duties and powers of the Board of Trustees for the next Board of Trustees meeting.

President Merwin stated that he plans to seek approval by the Board of each contract that comes through. He referred to the recent Naples Center contract which is currently being done through the Foundation, but it appears that there may be some advantage to that contract going through the State and Vice President Bullock will provide a resolution at the next meeting on that matter. It is President Merwin’s understanding that in the meantime he has the authority to conduct the transaction.

Trustee Morton acknowledged that the purpose of his comments was to make that authority of the President unequivocal. He wanted to have the matters that the Chair would be doing clearly articulated. Chairman Lutgert agreed that it would be helpful to have this information supplied at the next meeting. Trustee Lee agreed that once the Board approves any and all documents that are related to a transaction, it should be able to be signed by the President. President Merwin indicated that it would also be important that the Board officially approve the appointment of the President at the next meeting. Along with that, President Merwin would share performance instruments and benchmark indicators on ways in which the Board could evaluate the President. He will also share the compensation package of the President at the next meeting.

Mr. Whitesman indicated that in Statute 229.008(5) it does delegate the power to the President that is vested in the Board. Chairman Lutgert agreed with President Merwin that since the Board is responsible to hire and evaluate the President it would be appropriate for us to review and affirm this situation. Chairman Lutgert suggested that The Board move item 3. Public Input to later in the normal meeting and put that after New Business.

Dr. Healy asked Board members to turn to page 3., where it says “Appearance Before the Board” “everyone will be granted a reasonable opportunity to be heard on the agenda items.” The idea for this is that if someone wants to speak on agenda item 4, the Chair would recognize him or her before the Board takes a vote. Dr. Healy advised that if someone wants to address an item that is not on the agenda, they would make a request under page 4 “a person desiring to appear before the Committee shall make such a request to the President” and they would make that request to President and
the President would decide if that is an issue that needs to be addressed at the end of the Board meeting or at the next Board meeting.

Trustee Villalobos pointed out that this is listed as a separate item and when we have agenda items we will have public input. He feels that any item this Board will decide upon, the Board should give the public reasonable opportunity to speak on the agenda item.

Chairman Lutgert agreed with this and said there needs to be clarification on this and that public input on each agenda item is absolutely appropriate. Chairman Lutgert felt that public input could be placed between items 7 & 8 prior to the remarks. President Merwin indicated that staff would develop a procedure for public input. Trustee Lee moved to amend the agenda to place public input between items 7 & 8 seconded by Trustee Moll. Motion carried unanimously.

Trustee Villalobos made a motion that an amendment procedure of a simple majority of the members present which has a quorum be added to the Practices and Procedures. Seconded by Trustee Starkey. Motion carried unanimously.

Trustee Lee asked that on page 2, item G. (1) it indicates “that the Board may use telephone conference calls and other communication and media technology to conduct Board business in the same manner as if the proceeding was held in person” Trustee Lee asked how we comply with the Sunshine Law when conference calls are used. Mr. Whitesman answered that the mechanism would be the same and we would need to make public facilities available for the public to attend. He said that it does not excuse us from following the Sunshine rules. Mr. Whitesman stated that this section allows a Board meeting by teleconference but does not allow a Board member to attend by teleconference. He stated that if the Board approve a member’s attendance by telephone conference at the very beginning of the meeting, it would be possible to do so.

Chairman Lutgert outlined the committee structure of the Board of Trustees. He reported that there are two committees of the Board, and as Chairman, he is responsible for the appointment of the chairs of the committees and also for the members of each committee. Mr. Lutgert asked that Board members let him know or Trustee Taylor know which committee you have interest in, and they will make those assignments.

Trustee Solimano referred to committee descriptions and responsibilities on page 3, Section 5. (B), Academic/Student Affairs Committee, “shall review and recommend for consideration by the Board, policies related to academic functions of the University, she moved to add “between academic and functions “and student” since the Committee is Academic and Student Affairs
Committee. Motion was seconded by Trustee Lee. Motion carried unanimously.

Trustee Lucas asked if there should be separate committee meetings on separate days. He wondered if committees would be constrained by the full Board attendance. Trustee Cobb felt that initially the Board could see how this works and then decide later if this approach is working. Chairman Lutgert felt that the full Board is actually the Executive Committee and we should keep this structure in the foreseeable future. Trustee Lester stated that if the committees are split in two with six members each, those members would become more adept in what is going on in that area and would report back to the Board. Otherwise he feels all of the Board members will be on both committees. Trustee Starkey felt that there is merit to having two separate committees from the beginning even if there is full discussion allowed at the meeting but all of the committee’s business is not likely to be conducted in the time allotted here and the committees most likely will need to notice interim meetings between Board meetings.

Chairman Lutgert stated that procedures actually allow for Committee Chairs to call the Chair and give notice of the meeting so that the interaction between Board members is in the Sunshine. Trustee Moll stated that she would like to see us tighten up the agenda and enable the Board to get down to a one-day meeting.

President Merwin answered Trustee Cobb’s concern that using the former Board of Regents’ model, on a whole, only the committee members participated in the committee meetings, but the advantage was that all the staff was there and he believed that a sense of community eventually developed and nothing was secret. He felt it would be good to see this model in operation for a while and then change it if it does not work for this Board.

President Merwin outlined potential agenda items for the next agenda to include By-Laws; there will be three or four programs that will need to be proposed. That will be the work of the Academic Student Affairs committee. Also, the signing of a lease agreement for the Naples Center, performance standards for evaluation of the University President, and the information for confirmation of the President will be other items. President Merwin has asked that Curtis Bullock give a complete description of the fiduciary operation of the institution and Dr. Koch will go through his workshop with the Board on these matters.

Trustee Taylor asked if the President has a contract and does the Board need to assume that contract. President Merwin stated that by Statute the Board already has affirmed that contract through Statute 1116. Trustee Cobb
asked if at some point the Board should review the statutory responsibilities and affirm them. Trustee Lutgert stated that the Board would adopt some benchmark standards for the performance of the President in addition to reviewing his contract and his compensation. He felt there ought to be some accountability standards that the Board reviews to evaluate his performance. President Merwin stated that the staff is preparing this material now and will make certain the Board receives this before the next Board meeting.

Trustee Moon asked if there is any reason that the Board should not affirm or reaffirm the President’s appointment today. Chairman Lutgert responded that there was no reason this could not be done at this meeting. Trustee Moon moved to reaffirm President Merwin’s appointment. Seconded by Trustee Moll. Motion carried unanimously. Mr. Whitesman requested that the minutes reflect that the Board affirmed the appointment of President Merwin rather than approved a contract it has not studied.

Chairman Lutgert requested that the Board hold committee meetings in conjunction with the full Board and after the Board has had some experience with that method, we can see if a change needs to be made to separate meeting dates.

Trustee Hart asked that as we prepare the final Interim Practices and Procedures document, he hopes the it will be uniform with State Statute so we are not going back and forth. Mr. Whitesman stated that it would be easy to intersperse the statutory basis for what is in the document.

Trustee Taylor asked if a Compensation Committee would be comprised by the full Board. Chairman Lutgert stated that at the moment that would fall under the Administrative/Finance Committee.

Trustee Villalobos asked when the committee chairs and members would be appointed. Chairman Lutgert announced that he would like to do that prior to the next meeting and would like everyone’s preference of which committee you have interest in for committee appointment. Mr. Whitesman asked that Susan Evans receive the calls related to committee interest.

Trustee Moll moved to approve the Interim Practices and Procedures as amended. Motion was seconded by Brian Cobb. Trustee Morton stipulated that this is a work in progress and will be amended in due course. Motion carried unanimously.

B. Discussion and Approval of Meeting Schedule (Appendix D)

President Merwin stated that the University calendars have been cleared for these dates including his own and the room has been secured for this purpose which is one advantage of approving this list. Chairman Lutgert said
that he hoped to be able to get these meetings down to one full day. Trustee Lee noted that she does have some potential conflicts with some of these dates. Chairman Lutgert stated that three consecutive meetings missed are not acceptable and the Chair must write a letter to the Governor. Trustee Lee asked if there are excused absences. Mr. Whitesman said that if there is a way to know ahead of time that a member is able to attend by telephone, then the Chair and staff can check to see if it’s possible to accommodate attendance by conference call.

Trustee Lucas moved that the Board accept the proposed meeting schedule. Motion was seconded by Trustee Lee. Mr. Whitesman recommended that a procedure be established with regard to the attendance of meetings by conference call with known schedule conflicts. Motion carried unanimously.

C. Discussion of Board Committees

Chairman Lutgert announced that there was no approval needed on this item, just discussion.

D. Discussion and Approval of University Seal

Chairman Lutgert asked Trustees to review the copy of the proposed University Seal. Trustee Moll moved that the Board approve the University Seal as proposed. Motion was seconded by Trustee Lee. Trustee Lee asked whether the Seal should reflect Ft. Myers, Florida and is there a school motto.

Audrea Anderson, Associate Vice President for Advancement answered that the Seal was formed through the use of the date the University was established, and the words, Knowledge, Truth, and Wisdom, those words came directly from the vision and mission statement of the University. Ms. Anderson also responded that the staff attempted to include elements that would reflect a general statement about the University’s emphasis on the environment. She also mentioned that if we put Ft. Myers on the Seal, we would not reflect our entire service district which includes five counties.

Trustee Taylor reflected on President Merwin’s comments that we should keep our University student centered and she thinks we have an opportunity by creating a brand new seal that could emphasize somewhere in the seal that we are student centered. Trustee Taylor did not see any reflection of this on the proposed seal. Ms. Anderson will take that particular recommendation to the artist and ask for a mortarboard silhouette. Motion was tabled.

E. New Business (Agenda Items for October Meeting)
Chairman Lutgert asked for any new business items and any items for the next meeting. President Merwin looked again to the Legislative Session, which begins in January this year because of redistricting, and there are three programs which need approval. The Board of Regents approved the programs but the staff wanted the Trustees to review and approve these programs as well. President Merwin reported that the budget and fiduciary responsibilities of the Board would also be part of the next agenda. He will also have a copy of the President’s job description and compensation package. Dr. Healy will dovetail Mr. Bullock’s report with information regarding the procedures in Tallahassee for budget approval and discuss the role of the Trustees in this budget procedure process.

Trustee Solimano asked that the review and approval of student fees be added to the October agenda. The fees can then be presented to the Legislature in January.

Trustee Starkey referred to regular reports that the Board will want to review, particularly the reports related to enrollment and employment demographics as well as the academic distribution. Trustee Morton agreed that the Board would need a “scorecard” of sorts with several touchstones that would be helpful as a tool for the Board’s use. President Merwin mentioned that staff is working on this idea and will have this type of report on a quarterly basis.

Trustee Villalobos asked for discussion at the next meeting about the Foundation and its role with the Board of Trustees. Vice President Crowley stated that he will be addressing this item in his presentation tomorrow morning and he will be making suggestions at the October meeting about the official relationship between the Board of Trustees and the FGCU Foundation Board.

Trustee Villalobos asked that Board members receive the SACS audit accomplished two years ago. President Merwin will assure that Board members receive a summary on the SACS report. Trustee Villalobos thanked the Board members and stated he needed to leave the meeting at this point due to a prior commitment.

Trustee Solimano stated that under the powers of Statute 229 one of the powers of the Board is to review the student judicial process. Trustee Solimano asked that at the next meeting committee appointments be made to begin this process and the committee composition include one-half students. Chairman Lutgert agreed that this would be placed on the next agenda.

Trustee Taylor asked if President Merwin will cover the Florida Board of Education update and President Merwin agreed he would cover this item in his report.
Trustee Cobb asked that Trustee Solimano provide the names for this committee appointment.

Trustee Moon asked for clarification of this Board’s relationship to other State Boards and the Florida Board of Education. Chairman Lutgert responded that it is the Board’s intention to invite Mr. Handy and Secretary Horne to the next meeting if at all possible for an interaction on this subject.

6. Florida’s Ethics, and Sunshine Law Requirements

Chairman Lutgert turned the meeting over to President Merwin to introduce Mr. Guy Whitesman and Ms. Susan Evans to report on the Sunshine Law, conflicts of interest and the legal implications for the Board.

Susan Evans reported that the University has a procedure for public records requests. They are sent to her as the custodian of the records and she reviews those requests to determine what is legally permissible to release. There are some exceptions related to students, and the Foundation Board’s identity of donors is protected. In terms of public records for this Board, the meetings are open and the minutes are a requirement of the Sunshine Law and those will be available to the press. Susan stated that public records’ requests can come from any member of the community. She stated that open meetings include any discussion between two members of the Board of Trustees.

In terms of media relations, Susan referred to Dr. Koch’s recommendation for a communication policy of the Board and she stated that the current procedure allows for her to speak to the press on the President’s behalf. The Board may wish to consider a policy that delineates that responsibility to their Chair. Susan will continue to email Board members alerting them to any situations on the horizon or report on current events so that Trustees are not surprised. She cautioned Board members not to say anything to a reporter that you would not mind reading as a headline the next day. Board members should realize that reporters would always attend meetings. There is nothing wrong with a Board member delaying a response to a reporter until they are able to study the question posed.

Susan Evans referred to three areas in Statute, Chapter 112 that is for Public Officers and the Board received their financial disclosure forms after they were appointed. Included are copies of the forms (Appendix E) that the Commission on Ethics uses. These are the three that Susan finds are used most often. If Board members have any concerns regarding conflicts of interest, please contact Mr. Whitesman. Susan stated that as public officers, Board members have the responsibility not to accept gifts that would help members make decisions that come before the Board. Gift forms are to be filed quarterly and staff will send these to Board members.
Susan reported that the law does allow for each Board member to meet with the President separately regarding his annual evaluation. There does need to be a public meeting and proceeding where the evaluation is taken up. The Board cannot delegate one person to complete the President’s evaluation. Social occasions are possible, but no discussions can be held that relate to matters that will come before this Board in the foreseeable future. Susan reported that emails and correspondence are all subject to Sunshine Law. The President is not considered as a Trustee and individual conversations can be considered out of the Sunshine. Also, any document stamped “draft” is still subject to Sunshine Law and can be reviewed by the media as communication that has been shared. Some limited access records include faculty evaluations, sexual harassment, and student records while staff evaluations are open to the public.

Guy Whitesman recommended Board members review the Government in the Sunshine Manual and Board members will recognize that all meetings are open to the public and cannot be conducted in private.

7. **Government Relations – Dr. Tom Healy**

Dr. Tom Healy outlined the various functions of the Government Relations Office (Appendix F).

8. **University Ombudsman and Equal Opportunity**

Dr. Charles McKinney reviewed the functions of the Office of Educational Services and Equal Opportunity & Diversity Programs (Appendix G)

9. **Inspector General – Linda Ciprich**


10. **Intercollegiate Athletics – Carl McAloose, Director of Athletics**

Mr. McAloose described the area of athletics and its relationship to the campus community (Appendix G).

Chairman Lutgert thanked everyone for their reports and reminded everyone that we will reconvene Friday morning at 8:30 a.m.

4:30 p.m. Adjourn
Friday, September 21

8:30 a.m. Meeting reconvened. Chairman Lutgert asked to add a time for public comment before adjournment. There was no objection to this request.

11. Academic Affairs Division – Dr. Brad Bartel, Provost & Vice President of Academic Affairs

President Merwin introduced Provost Brad Bartel and Dr. Bartel reviewed a PowerPoint presentation outlining the areas and activities related to the Academic Affairs Division (Appendix I).

Chairman Lutgert offered a 10-minute break and indicated the meeting will reconvene at 10:30 a.m.

Chairman Lutgert referred to Trustee Morton’s comments in earlier session related to the formation of a ROTC Program at FGCU and an annual Patriotism Celebration on campus. Trustee Morton moved that the Board request that President Merwin and staff conduct a feasibility study to determine the ability to form an ROTC Program at FGCU and within that spirit, at some time during the academic year, include a celebration which could highlight the principles of its veterans. The motion was seconded by Trustee Lee. Motion carried unanimously. President Merwin stated he would be happy to follow through on both items included in this motion.

12. Administrative Services Division – Curtis Bullock, Vice President For Administrative Services

President Merwin introduced Vice President for Administrative Services, Mr. Curtis Bullock. Mr. Bullock made a PowerPoint presentation outlining the major functions in the Administrative Services area (Appendix J).
13. University Advancement Division – John Crowley, Vice President
   For University Advancement

President Merwin introduced Mr. John Crowley, Vice President for
Advancement. Mr. Crowley outlined the areas of the FGCU Foundation Board and
University Advancement (Appendix K).

14. Public Comment

Chairman Lutgert asked for if there are any individuals in the audience who
would like to make comments he asked that their comments be kept to three minutes.
There were no comments from the public.

15. Chair’s Closing Remarks, Adjourn and Lunch

Chairman Lutgert asked for President Merwin’s comments. President Merwin
encouraged Board members to attend The Alliance Summit on October 10, 8:30 a.m. at
the Three Oaks Center. This meeting is an important event and Board members will get
information related to this important event.

Chairman Lutgert stated that he had the privilege to talk with students yesterday
and he was impressed with their vitality and this opportunity gave him the ability to see
that the future of this country is in good hands. He also complimented President Merwin
and staff for the great job done and this will make the Board’s job easier. He also has
great confidence in the Board of Trustees’ ability to work as a team to continue to
improve this University and make a very good University a great University. He is
honored to be serving with all the Trustees and he is looking forward to his work with
each and every one of them. The next meeting is October 25 and 26, 2001. Please give
Susan Evans or Chairman Lutgert preferences for Committee assignments. Seeing no
further business the meeting was adjourned at 12:05 p.m., Friday, September 21, 2001.
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APPENDIX

A. Letter From Lindsay M. Harrington, Representative, District 72
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L. Administrative Services
Florida Gulf Coast University Board of Trustees
October 25 & 26, 2001

SUBJECT: Board’s “Interim Practices & Procedures” (As Amended)

PROPOSED BOARD ACTION

Approve.

BACKGROUND INFORMATION

A motion was passed at the Board’s September 20 & 21, 2001 meeting to adopt the “Interim Practices & Procedures” as amended, which included the addition of applicable statutory references. Procedures for public comment at Board meetings has been developed and inserted into the “Interim Practices and Procedures,” thus necessitating approval of the document. Also, a communications policy, as requested, has been developed and inserted.

Supporting Documentation Included: “Interim Practices and Procedures” (As Amended)

Committee Review: FGCU Transition Task Force (Created Initial Document, and Reviewed Amended Version)

Prepared by: Board Attorney Guy Whitesman

Submitted by: President Bill Merwin
I. Officers.

A. The corporate officers of the Board of Trustees ("the Board") of Florida Gulf Coast University ("FGCU" or "the University") are the Chair and the Vice-Chair. The Chair and Vice-Chair are elected from the appointed members at its first regularly scheduled meeting after July 1. The Chair shall serve for two (2) years and may be re-elected to serve one (1) additional consecutive term. Officers may be removed at any time by the affirmative vote of a majority of the members of the Board.

[§ 229.008(4), Fla. Stat. (2001). “Each board of trustees shall select its chair and vice-chair from the appointed members at its first regular meeting after July 1. The chair shall serve for 2 years and may be reselected for one additional consecutive term.”]

B. The Chair appoints the members of and serves as an ex officio voting member of all committees of the Board.

[§ 229.008(4), Fla. Stat.(2001). “The duties of the chair shall include presiding at all meetings of the board, calling special meetings of the board, attesting to the actions of the board, and notifying the Governor in writing whenever a board member fails to attend three consecutive regular board meetings in any fiscal year, which failure may be grounds for removal.”]

C. The Vice-Chair performs the duties of the Chair with full authority during the absence or disability of the Chair.

[§ 229.008(4), Fla. Stat.(2001). “The duty of the vice chair is to act as chair during the absence or disability of the chair.”]

D. The University President ("President") serves as the Corporate Secretary of the Board. The President shall be responsible to the Board for all operations of the University and for setting the agenda for meetings of the Board in consultation with the Chair.

[§ 229.0082, Fla. Stat.(2001). “The president is the chief executive officer of the university, shall be corporate secretary of the state university board of trustees, and is responsible for the operation and administration of the university.”]

[§ 229.008(5), Fla. Stat.(2001). “The university president shall serve as executive officer and corporate secretary of the board of trustees and shall be responsible to the board for all operations of the university and for setting the agenda for meetings of the board in consultation with the chair.”]
II. Meetings.

A. Regular Meetings -- At the annual meeting, the Board shall establish a schedule of meetings for the ensuing year which shall provide for a minimum of four regular meetings; at least one scheduled in each quarter of the fiscal year (July 1 - June 30).

B. Annual Meeting -- The annual meeting shall be the first regular meeting scheduled in the fiscal year.

C. Special Meetings -- The Board will meet in special meetings, including hearings and workshops, at a time and place designated by the Chair.

D. Emergency Meetings -- An emergency meeting of the Board may be called by the Chair of the Board upon no less than twenty-four (24) hours notice whenever, in the opinion of the Chair, an issue requires immediate Board action. Whenever such emergency meeting is called, the Chair will notify the President. The Corporate Secretary will immediately serve either verbal or written notice upon each member of the Board, stating the date, hour and place of the meeting and the purpose for which the meeting has been called. No other business will be transacted at the meeting unless additional emergency matters are agreed to by a majority of those Board members in attendance. The minutes of each emergency meeting will show the manner and method by which notice of such emergency meeting was given to each member of the Board.

E. Meetings of the Board are open to the public and all official acts, other than those exempted by Florida Statutes, shall be taken at public meetings. The schedule of meetings shall be available on the University's website at http://www.fgcu.edu.

F. Notice of Meetings

1. Notice of regular meetings, committee meetings, and special meetings of the Board will be given not less than seven (7) days before the event and will include a statement of the general subject matter to be considered.

2. Whenever an emergency meeting is scheduled to be held, the Corporate Secretary will notify with a press release all media outlets in the five (5) county FGCU service area, including the time, date, place, and purpose of the meeting.

3. Notwithstanding anything in these Practices and Procedures to the contrary, all such notice matters shall meet the requirements of Florida law regarding public meetings and public records.

G. Meetings by Means of Telephone Conference Calls and other Communications Media Technology
1. The Board may use telephone conference calls and other communications media technology to conduct Board business in the same manner as if the proceeding were held in person.

2. To attend a meeting of the Board by telephone conference or other means of communications media technology, the member shall provide the President a written request to attend the board meeting by telephone conference or other means of communications media technology at least thirty (30) days in advance. A member may attend a meeting by telephone conference or other means of communications media technology provided that the member can hear and speak to all other members (allowing for simultaneous transmission). Participation by a member by telephone conference or other means of communications media technology shall constitute attendance in person at the meeting.

3. The Board may participate in and hold a meeting of which all members participating in the meeting can hear and speak to each other (allowing for simultaneous transmission) provided that thirty (30) days notice is given to the President. Participation in such meeting shall constitute attendance in person at the meeting. The notice of any meeting which is to be conducted by means of communication media technology, will state where and how members of the public may gain access to the meeting and such notice shall meet the requirements of paragraph II. F. above.

H. Quorum -- A majority of the members of the Board must be present and voting to constitute a quorum for the transaction of business. No business will be transacted without an affirmative vote of the majority of the members of the Board present at a meeting where a quorum of the Board is present.

I. Parliamentary rules -- The most recent edition of “Roberts Rules of Order” will be followed in conducting the meetings of the Board, unless otherwise provided by the Board.

III. Agenda.

A. Recommendations to the Board, included in the agenda, are presented by the President and include all matters of business or concern to the Board which have not been specifically delegated to the President. In consultation with the Chair, the President will assemble the items received with sufficient time to prepare the agenda in advance of each meeting and provide a copy of the agenda to each member of the Board at least seven (7) days prior to the meeting. If additional items or supporting documentation become available, a supplemental agenda will be provided at least two (2) days prior to the meeting.
B. The agenda for the Board meetings shall be:

1. Opening Remarks by the Chair
2. President's Report
3. Special Reports
4. Academic/Student Affairs Committee (Includes Public Input)
5. Administration & Finance Committee (Includes Public Input)
6. Consent Agenda
7. Action Items
8. Old Business
9. New Business
10. Public Comment
11. Closing Remarks by the Chair

C. Upon approval of the Chair, Board committees may bring additional items not included on the published agenda to the full Board meeting.

D. The Board may also consider agenda items, not included in the published agenda, that are emergencies. The agenda item will include a statement of the nature of the emergency requiring Board action. Information relating to an emergency item will be distributed to the Board prior to or at the beginning of the meeting.

IV. Appearances before the Board.

A. The Board will afford to each individual and representatives of groups a reasonable opportunity to be heard on any agenda item being considered by the Board. Public input will be accepted by the Board immediately following committee deliberation on each item and before the committee votes. An individual or representatives of groups may be heard on any specific agenda item being considered by the Board by completing a request form and submitting it to the Board Liaison at any time prior to the Board meeting. The request form will include the individual’s name, address, and agenda item to be addressed. Speaker’s comments will be subject to a three (3) minute maximum time limitation. Speakers shall confine their remarks only to the agenda item being addressed. If it appears that there are more speakers desiring to speak than may be accommodated, the Board may reduce the maximum amount of time allowed each speaker, or limit the number of speakers that may address an agenda item or topic. In order to proceed with the essential business of the Board in an orderly manner, any speaker who attempts to disrupt a Board meeting will be subject to appropriate action (including removal) pursuant to law.

B. An individual or group representative who desires to speak during the period of public comment or submit an item on the Board’s agenda concerning a subject within the Board’s jurisdiction must submit a written request to the President, 10501 FGCU Blvd., Fort Myers, FL, 33965-
6565. The written requests must state the individual’s name, address, the item that they would like the Board to consider placing on the agenda, and the reasons thereof. Requests received later than twenty-one (21) days before the meeting may be deferred to the next meeting. The President in consultation with the Chair will determine whether the item will be heard and when the item will be heard. The Board may decline to hear any matter determined by it to be outside its jurisdiction.

V. Committees.

A. The Administration & Finance Committee shall review and recommend for consideration by the Board policies related to the administrative functions of the University. The Chair of the Board shall appoint no more than six (6) members to the Administration & Finance Committee and designate one (1) to serve as the Committee Chair. The Vice President of Administrative Services shall serve as a non-voting ex officio member of the Administration & Finance Committee.

B. The Academic/Student Affairs Committee shall review and recommend for consideration by the Board policies related to the academic functions of the University. The Chair of the Board shall appoint no more than six (6) members to the Academic/Student Affairs Committee and designate one (1) to serve as the Committee Chair. The Provost shall serve as a non-voting ex officio member of the Academic/Student Affairs Committee.

C. The Chair of the Board may establish additional ad hoc committees as deemed necessary for the orderly conduct of the business of the Board.

D. Authority -- Committee action is reported as a recommendation for consideration and action by the Board. If the Board, however, authorizes a committee to act on a matter referred to it, the Chair of the committee reports the action taken to the Board at its next scheduled meeting.

VI. Meetings.

A. Any committee of the Board may meet upon call of its Chair to carry out its duties and responsibilities. Meetings shall be noticed under the procedures established for the University Board of Trustees.

B. Quorum -- A majority of the members of a committee must be present and voting to constitute a quorum for the transaction of business.

C. Persons desiring to appear before a committee of the Board shall make such written request to the Board Liaison, Florida Gulf Coast University, 10501 FGCU Blvd., Fort Myers, FL, 33965-6565 following the procedure specified for Board meetings in paragraph IV. A. above.

D. Persons desiring to place an new item before a committee shall make such a written request to the President, Florida Gulf Coast University,
VII. Communications Policy.

A. Communication with Board -- It is the policy of the Board that there shall be a useful exchange of information between the Board and the various constituencies served by the University. The purpose of this policy is to enable the Board to make informed judgments in taking actions that affect the governance of the University. To this end, the University President, as chief executive officer, is charged with the responsibility of maintaining communication between the Board and the various University constituencies, including students, faculty, staff, alumni and others, as appropriate.

B. The University President is expected to inform the Board in an accurate and timely fashion of the views of various University constituencies and to apprise and educate the Board concerning significant issues, opportunities, achievements, and concerns that have or will confront the University and those constituencies. To aid in that process, the University President is encouraged to invite other members of the University community to attend and participate in meetings of the Board or its committees. The University President, in choosing representatives of constituencies to participate in meetings, may select representatives from existing support organizations now serving the University, such as: Faculty Senate, Student Government Association, Staff Advisory Council, Alumni Association, and the Florida Gulf Coast University Foundation. In addition, when relevant and appropriate, the University President may, from time to time, arrange for other informed students, faculty, staff, alumni, benefactors, and interested parties to present views to the Board or its committees.

C. Spokesperson for the Board -- The Board's designated spokesperson shall be its duly elected chair, or if delegated by the chair, its vice chair. Individual Board member may speak as such to the public and media, but speaking for the Board is the responsibility of the chair.

D. Any public records requests made of the Board are to be directed to the University President or his designee, in accordance with Florida's statutorily-defined terms and provisions related to records of public entities. The University President or his designee will inform the Board of any such request, and provide copies of responses as applicable.

VIII. Miscellaneous Provisions.

A. Amendments -- These practices and procedures may be altered, amended, or repealed by the affirmative vote of a majority of the Board members voting in any regular or special meeting having a quorum.
B. **Indemnification** -- FGCU shall indemnify, defend, and hold harmless each member of the Board of and from any and all claims, demands, civil or criminal actions, rights, defenses, counterclaims, proceedings, administrative actions, agreements, contracts, covenants, accounts, offsets, attorneys' fees, costs, damages, liabilities, losses, expenses, suits, debts, judgments, awards, duties, or obligations, of any nature whatsoever, at law or in equity (collectively referred to as “Claims”), that arise from or relate in any way to his or her position on the Board, or any act undertaken or omitted in connection with his or her service as a member of the Board. At the direction of the Board, FGCU may procure and may maintain, at FGCU’s expense, adequate insurance coverage, including separate Directors and Officers (“D&O”) coverage, for the defense and payment of any such Claims.

[§ 229.008(8), Fla. Stat. (2001). “Whenever any civil action has been brought against any member of a university board of trustees or employee for any act or omission arising out of and in the course if the performance of his or her duties and responsibilities, the university board of trustees may defray all costs of defending such action, including reasonable attorney’s fees and expenses, together with the costs of appeal, and may save harmless and protect such person from any financial loss resulting from the lawful performance of his or her duties and responsibilities. Claims based on such actions or omissions may, in the discretion of the university board of trustees, be settled prior to or after the filing of suit thereon. The board of trustees may arrange and pay for the premium for appropriate insurance to cover all such losses and expenses.”]  

**Note:** The italicized language is for informational purposes only, and not a part of the Practices and Procedures.
SUBJECT: University President’s Accountability

PROPOSED BOARD ACTION

Information only.

BACKGROUND INFORMATION

Performance accountability information for President Bill Merwin is provided, in the following documents:

- **July 1999 – June 2000.** Letter of January 25, 2001 to Chancellor Adam Herbert (This is a summary of performance accountability for President Merwin to cover the period July 1999 through June 2000. NOTE: As indicated in the letter, President Merwin arrived at FGCU in September 1999.)
- **July 2001 – June 2002.** During the Board meeting, the president will make a presentation on current year performance goals.


Committee Review: N/A

Prepared by: Susan Evans, Office of the President

Submitted by: President Bill Merwin
January 25, 2001

Chancellor Adam Herbert  
State University System of Florida  
325 West Gaines Street  
Tallahassee, FL 32399-1950

Dear Adam:

With my understanding that the presidential evaluation period is to cover July 1, 1999 to June 30, 2000, I respectfully request an exemption from the evaluation format given the fact that I did not begin as president of Florida Gulf Coast University until September 1999. Also, the University’s young age of less than four years does not provide sufficient data to establish reliable trends for measurement. Further, percentages do not always adequately portray the University’s profile, given the comparatively low numbers on which they are based.

I am pleased to have led a team of faculty and staff to accomplish a number of objectives during the 18 months I have been at FGCU, and I share these with you to demonstrate the University’s positive development.

Enrollment
FGCU was “front-end” funded on recommendation of the Board of Regents by the Florida Legislature at a funding level commensurate with 3,000 full time equivalent students. This “front-end” funding was necessary in order to establish a minimum level of academic programming and support service for our early students, regardless of how many enrolled in the initial years.

The University has seen tremendous growth in the past year, which was the first academic year after a recruiting cycle that included notice of our 1999 accreditation award from the Southern Association of Colleges and Schools. From fall 1999 semester to the fall 2000 semester, FGCU experienced an enrollment increase of 13%. And, from spring 2000 semester to spring 2001 semester, we had an enrollment increase of 16%. These numbers are based on a current student headcount of 3,637 students, and we expect this trend to continue.

It is also important to note that FGCU’s First-Time-in-College (FTIC) student population is growing at a healthy rate. For fall 1999, FGCU had 301 FTIC students, which represented 23.6% of our new students. For fall 2000, we had 476 FTICs, representing 31.5% of new students. This trend toward greater numbers of FTIC augurs well for building sustained enrollment growth for the institution.

Graduation and Retention Rates
FGCU has not been open long enough to have either four-year AA-transfer or six-year FTIC graduation and retention rates.
Ethnicity and Diversity
Again, percentages are deceptive as an indicator due to our institution’s small size. However, since arriving at FGCU, I have made ethnic and diversity programs a significant part of my presidency. During this time, all managers have been expected to institutionalize diversity objectives by adding diversity goals and expectations to each supervisor’s job description, and these are considered as criteria for performance evaluation. Also, we approved the establishment of a dissertation fellowship program designed to attract to campus minority ABD graduate students to teach part time each semester for one year while completing the degree, with the opportunity for possible future employment. And, each dean and director is developing educational equity plans designed to hold accountable for diversity each hiring official.

Degrees Awarded
We now have 1,064 individuals who have earned FGCU degrees, which includes baccalaureate and master’s degrees.

Private Contributions
Support for the state’s newest university continues to be very strong. The FGCU Foundation has total assets of $50 million, and during 1999-2000, private contributions totaled $6.1 million. Also, during that same time, planned gifts in the amount of $2.9 million were finalized. During 1999-2000, four new Eminent Scholar Endowed Chairs were established, bringing the University’s total to seven Eminent Scholar Endowed Chairs and two Endowed Professorships.

Endowed scholarships from the FGCU Foundation provided support to more than 240 students during the past year, and the academic mission of each of the University’s colleges was strengthened by more than $600,000 provided them during 1999-2000 by private gifts to the Foundation.

Responsiveness to Data Requests
FGCU is committed to meeting reporting due dates in a timely fashion. During the past year, the University’s data administrator has developed internal procedures for collecting data and responding. In the cases where responses were provided late, these were almost all late by one to four days. In a couple of situations, late reports were filed because outside expert auditing staff was necessary due to the fact that FGCU has only one person on staff to handle all auditing functions. When files were to be submitted past the due date, FGCU’s data administrator communicated with Board of Regents staff to make sure delays would not impact their scheduled reporting obligations. And, in April 2000, a staff position was dedicated to assist the data administrator with accurate and timely collection and reporting. R.L. Townsend & Associates, a firm that specializes in construction auditing, has been hired to conduct FGCU’s construction audit and other audits as needed in order to supplement our small audit staffing at this time.
Contracts and Grants
FGCU is experiencing tremendous growth in its external contract and grant awards for research and sponsored programs. For 1997-98, FGCU generated $3 million. In 1998-99, the amount was $3.5 million, and for 1999-2000, total contract and grant awards received was $5.2 million. Research at FGCU enriches faculty teaching and also the classroom experience of our students, and it is expected to continue to increase each year, particularly with the advent of a new research park recently established by FGCU and its business and economic development partners in Southwest Florida.

Additional Accomplishments
Prior to my arrival in September 1999 as FGCU’s president, I had the opportunity to address the institution’s students, faculty and staff in August 1999 at convocation ceremonies. At that time, I announced 16 goals and made commitments to attain them as the University’s president. One year later, August 2000, I provided a “report card” to my constituents – FGCU’s students, faculty, staff, academic advisory committee members, FGCU Foundation board, and community members – and this document reflects the extraordinary momentum that marks this young University. I have provided here the results of that progress report.

Summary

1 – Strategic Plan 9 – Academic Needs Assessment
2 – Enrollment Growth 10 – Marketing
3 – Distance Learning/Technology 11 – Funding
4 – Campus Community 12 – Relationship with ECC
5 – Diversity 13 – Director of Athletics
6 – Environment 14 – Student Housing
7 – Civic Engagement/Service Learning 15 – Governance
8 – Provost 16 – Alliance of Educational Leaders

Commitment #1 – Strategic Plan: Launch a strategic planning process that includes as a new president’s benefit the opportunity to meet the students, faculty, staff and community supporters of FGCU.

Action: Beginning in October 2000, the president met with 45 FGCU departments and groups, plus more than 50 external organizations, to discuss a vision and priorities for FGCU’s strategic plan. This highly participative process garnered outstanding feedback, which was incorporated into the strategic plan. Specific action plans are being developed now, with final completion of the plan slated for December. (UPDATE NOTE: The Strategic Plan has been completed.)

Commitment #2 – Enrollment Growth: Emphasize enrollment growth for the young institution.

Action: During the last year, enrollment increased 14%. Applications increased
40 percent overall, with a 48 percent increase for First-Time-In-College (FTIC) students. Also, a new position was created for an Associate Vice President for Enrollment Management to maximize recruitment and retention, and Dr. James Lynch was hired to fill this important position. (UPDATE NOTE: Enrollment increased 13% from fall 1999 semester to fall 2000 semester, and 16% from spring 2000 semester to spring 2001 semester.)

**Commitment #3 – Distance Learning/Technology:** Continue to build on FGCU’s distance learning mission, and the utilization of technology in the higher education arena.

**Action:** This segment of the University’s offerings has continued to grow, with nearly 25 percent of our current students accessing higher education through distance learning. Also, FGCU now has more than 65 courses on the World Wide Web, and this includes several whole degree programs.

**Commitment #4 – Campus Community:** Develop a greater sense of campus community.

**Action:** Important traditions have been established which contribute to a more cohesive, dynamic campus community of students, faculty and staff. We now have a monthly President’s Forum, December commencement, fall semester welcome-back convocation, alma mater and mace.

**Commitment #5 - Diversity:** Implement programs to increase diversity.

**Action:** Diversity expectations are now a part of each supervisor’s job description and annual performance evaluation. We also have implemented a “Target of Opportunity” program to provide incentives for employing professionals from under-represented groups, and we’ve instituted a fellowship program for All-But-Dissertation (ABD) minority students to teach part-time at FGCU while completing the requirements for the Ph.D., with the opportunity for possible employment. We embraced the “Talented 20 Program” in the governor’s One Florida Initiative, and we are working aggressively to recruit additional minorities to FGCU.

**Commitment #6 - Environment:** Embrace and build on FGCU’s leadership role in environmental sustainability.

**Action:** A President’s Environmental Advisory Task Force was appointed to review and make recommendations on FGCU’s environmental operations, and its environmental academic degree program’s opportunities to be recognized as a program of national distinction. The task force worked assiduously as charged and issued a comprehensive report. We will build on the task force’s recommendations by establishing an ongoing Environmental Stewardship Council.
Commitment #7 – Civic Engagement & Service Learning: Develop links between FGCU’s service learning mission and a commitment to furthering ethical responsibility and civic engagement.

**Action:** The University’s existing, successful service learning program was enhanced by the addition of several new programs during the past year, including:

- the Eagle’s Wing Mentoring Program for students in need of individualized support;
- Wings of Hope environmental service program in partnership with the Jane Goodall Institute;
- 400 students in our Styles and Ways of Learning course for freshmen will volunteer time in local K-12 classes;
- expanded Learning Resource Services mentoring program using student peer mentors and local retirees as mentors for FGCU students, and
- fundraising to create an Uncommon Friends Eminent Scholar Chair of Ethics, which will be the centerpiece of an FGCU Center for Ethics.

During 1999-2000, 697 FGCU students contributed a total of 33,971 service learning hours.

Commitment #8 - Provost: Select a Provost and Vice President for Academic Affairs.

**Action:** Dr. Brad Bartel was selected from a nationally competitive pool of candidates for this critical position.

Commitment #9 – Academic Needs Assessment: Conduct an Academic Needs Assessment for Southwest Florida.

**Action:** FGCU hired a nationally recognized firm to perform a regional academic needs assessment, and the findings were shared with Southwest Florida’s K-12 superintendents, as well as the presidents of the public and independent colleges and universities operating in Southwest Florida. Regional cooperation with an emphasis on student need was emphasized.

Commitment #10 - Marketing: Develop a University marketing function and program to position FGCU as the “university of choice.”

**Action:** A new position for an Associate Vice President for Community Relations and Marketing was created to develop a marketing program for the University, and Audrea Anderson was hired to serve in this important marketing and outreach role. Also, a marketing study was commissioned, and its results are guiding the development of a formalized marketing program and plan for the University.
Commitment #11 - Funding: Secure state and private resources to advance the growth and development of our young institution, now beginning its fourth year.

Action: We worked closely with the Board of Regents staff, regents, legislators, and friends of the University to attain the following funds during the past year:

- State funding of $18 million was obtained to construct a teaching gymnasium and a student union, as well as to plan a major expansion of the library and construction of Building 5;
- The FGCU Foundation raised more than $6 million during the past year;
- Four new Eminent Scholar Endowed Chairs were established during the past year, for a University total of seven endowed chairs, and
- Our faculty’s sponsored research activity increased significantly from $3.5 million in 1998-1999 to $5.2 million in 1999-2000.

Commitment #12 – Relationship with ECC: Improve the relationship of Florida Gulf Coast University and Edison Community College, for greater service to the students and citizens of Southwest Florida.

Action: Edison College President Ken Walker and I committed to work together as colleagues on behalf of our institutions, and the results have been well received by the citizens of Southwest Florida. During the past spring and summer semesters, the University offered 16 FGCU courses on Edison’s campuses, and nine are being held there fall 2000.

Commitment #13 – Director of Athletics: Hire a Director of University Athletics to lead FGCU’s intercollegiate athletics program, with an emphasis on the student in student-athlete.

Action: A competitive national search concluded with the hiring of Carl McAloose as athletic director. His commitment to developing students’ full potential – including academics, athletics and citizenship – was just one of the compelling reasons for his hire.

Commitment #14 – Student Housing: Seek housing opportunities to address the needs of FGCU students.

Action: The FGCU Foundation financed and built Phase II of student housing during the past year, and its completion along with the first phase provided total capacity for 500 students. With a strong occupancy rate, we have now initiated Phase III, which when completed in August 2001 will provide capacity for an additional 280 students.

Commitment #15 - Governance: Develop governance and communications vehicles that provide representative, shared and ongoing opportunities for cohesive operations.
**Action:** The following groups were created during the past year, and play an integral role at FGCU:

- President’s Cabinet;
- President’s Advisory Council (PAC);
- Staff Advisory Council (SAC)

These groups, along with the leadership of the Deans Council, Faculty Senate, and Student Government Association, are providing the momentum and communication necessary to achieve the institution’s objectives.

**Commitment #16 - Alliance:** Develop a consortium of area schools to foster a seamless web for students from the pre-kindergarten through university graduate levels.

**Action:** The Alliance of Educational Leaders was formed, with its board of directors comprised of Southwest Florida’s K-12 school superintendents and also the presidents of the public and independent colleges and universities. Alliance priorities include teacher training; critical teacher shortages; school readiness, and workforce development to bridge the business and education communities. The organization is functioning as a national model of regional cooperation which focuses on enhancing the quality of education, increasing opportunity for students, promoting higher graduation rates, and increasing the level of job placements for graduates within Southwest Florida. (UPDATE NOTE: Dr. Tom Healy was hired effective February 2001 to serve as the Alliance’s executive director, and also have responsibility for FGCU’s government relations programs at the state and federal levels.)

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Adam, I hope the information provided gives a sense of the accomplishments that have been made since I had the good opportunity to come to Florida Gulf Coast University as its president. Certainly, the challenges we face as a three-year-old institution are different than those of more established universities, but I am committed to leading FGCU in a manner that realizes our finest academic potential, serves our region and state in ways that benefit the citizenry, and most of all, offers higher education opportunities to students. It is a joy to work with students, faculty, staff and community supporters who share this vision and who daily inspire me as we take Florida Gulf Coast University to its next level of development.

Sincerely,

William C. Merwin
President
Florida Gulf Coast University
Report on Results for 2000-01 Goals
(July 1, 2000 – June 30, 2001)

- **Enrollment Growth:** Increase FTE from 1,772 to 1,952, representing a 12 percent increase.
  **RESULT:**
  The 12% increase meets our stated goal for FTE increase.

- **Enrollment Management/Marketing:** Initiate a comprehensive enrollment management and marketing program to include publication of a “family” of FGCU literature, and geo-demographic analyses of specified enrollment targets.
  **RESULT:**
  Implementation of an efficient prospect management system using software to ensure immediate and personalized responses to undergraduate and graduate prospects.

- Creation of effective recruiting contact plans that included a combination of face-to-face, e-mail, telephone, and letter-generated contacts with prospects.

- Design and development of a family of promotional publications: an undergraduate viewbook, a graduate studies viewbook, and six yield brochures –transfer, multicultural, international, deciding, parents, and financial aid.

- Creation of an Enrollment Service website, creating a “storefront” to conduct one-stop shopping.

- Formulation of a high school mentoring program aimed at connecting FGCU students with targeted high school students.

- **Increase Number of Graduates:** Increase the number of students graduating from 355 to 450, representing an increase of 22 percent.
  **RESULT:**
  Accomplished (571).

- **Funding Support:**
  - Secure $6 million in sponsored research funds, representing a 15 percent increase.
RESULT: Generated $6.2 million in new research and sponsored program awards, representing a 20% increase. Also, the number of new proposals submitted increased from 118 to 141, representing an approximate 25% increase. (Tom Roberts)

Secure $8 million in private contributions/gifts, representing a 15 percent increase, including for the following:

- $1 million in private funds to initiate a Center for Civic Engagement, in association with student service learning and volunteering.
  RESULT: Proposal written, discussion with potential donors underway.

- $600,000 over two years to launch a Center of Excellence in biological sciences.
  RESULT: Proposal written, discussion with potential donors underway.

- $5 million for an Estero Bay Marine Science program. RESULT: Proposal written, discussion with potential donors underway.

- $1 million in private funds for a Welcome/Admissions Center. RESULT: Funding completed.

OVERALL RESULT: $12 million.

- Access: Improve accessibility for non-traditional students by launching expanded weekend course scheduling on Fridays and Saturdays.
  RESULT: Established the FGCU After-Hours program for evening, weekend, and virtual courses and programs. Resulted in an increase to 790 classes within these categories offered during 2000-2001, an increase of approximately 7%.

- Academic/Community Outreach: Initiate a Renaissance Academy (continuing education center for retirees) with 100 enrollees from the University’s five-county service region.
  RESULT:
The Renaissance Academy was started very successfully in January 2001 with a membership of 125 paying members.

- **Research Park:** Secure land and associated infrastructure funding for a research, development, business and technology park near the FGCU campus.
  
  **RESULT:**
  
  20 acres of land was committed by Alico, Inc. to FGCU for research park use. The land was recently sold to a new owner, who has committed to the University president that he will honor Alico’s commitment.

- **Distance Learning:** Increase the number of Internet-based courses from 65 to 75.
  
  **RESULT:**
  
  Distance learning course generation exceeded goals set by Academic Affairs.

- **Athletics:** Initiate men’s and women’s intercollegiate athletic tennis and golf.
  
  **RESULT:**
  
  Programs at the competitive level were started in men’s and women’s tennis and golf. Teams performed well for a first-year program, with men’s golf team ranked as high as #4 in the country, and women’s team ranked as high as #7 in the country. Student-athletes topped goal of 3.0 GPA by achieving an average 3.2 GPA. Athletics Department operated within its allocated budget, and it developed good relations with local, regional and national media.

- **Coordination with Edison Community College (ECC):** Improve FGCU’s relationship with ECC by increasing the number of FGCU courses offered on ECC’s campuses.
  
  **RESULT:**
  
  FGCU joined the ECC University Center, with our Criminal Justice baccalaureate program.

- **Alliance of Educational Leaders:**
  
  o Establish a workforce development program bringing together area educational institutions and businesses/industry through a regional outreach, through external funding support.
  
  o Create and implement an interactive Internet site proving a matrix of educational offerings in the five-county region, for assistance with area workforce development initiatives.

  **RESULT:**
  
  Alliance Summits were held to bring together workforce and economic development representatives – and the education community – throughout Southwest Florida. The interactive Internet site of educational offerings was developed, and will be operational within the next couple of months.
- **Education Governance Reorganization:** Develop a campus plan to implement anticipated legislative changes to education governance for all levels of education.

  **RESULT:**
  The University president appointed a transition task force charged with reviewing, considering and recommending policies, procedures, operations and other functions for the University’s newly-named Board of Trustees.