



Meeting Minutes

Wednesday, May 10, 2006, 10:00 am

Chairwoman Sherry Plymale convened the meeting of the Florida Atlantic University Board of Trustees (BOT) at 10:04 a.m. with the following members present:

Scott Adams, Bill Bryant, David Feder, Armand Grossman, Rajendra Gupta, Lalita Janke, Roy Levow, Bob Stilley, and George Zoley. Trustee Norman Tripp participated by phone.

The following University officials participated:

Frank T. Brogan, President; John Pritchett, Provost; Ken Jessell, Vice President for Financial Affairs; Jennifer O'Flannery, Chief of Staff; and David Kian, General Counsel participated by phone.

I. Call to Order

Chair Sherry Plymale convened the Full Board Meeting at 10:04 a.m.

II. Approval of the meeting minutes.

A motion was made and seconded to approve the minutes of the March 15, 2006 Board Meeting. **Motion passed unanimously.**

III. Chairman's Report

Trustee Sherry Plymale congratulated the board members who were confirmed by the senate. They were: Nancy Blosser, William Bryant, David Feder, Rajendra Gupta, Lalita Janke, Robert Stilley and Norman Tripp. The BOT chairs met with the Governor Bush in March. The main topics were PECO and matching funds for major gifts. This meeting followed a meeting with the SUS Presidents, the BOT Chairs, the Chancellor and the BOG Chair with the main topics of that meeting being the Governance Bill (which did not pass) and the BOG's intention to conduct a summer comprehensive study of higher education across the state to be chaired by Ann Duncan.

In April Trustees Sherry Plymale and Norman Tripp along with Jennifer O'Flannery attended the Association of Governing Boards (AGB) seminar in Orlando. Workshops that they attended included Board Self Assessment and Board Development, as well as panel discussions on important higher education issues across the country. Dr. O'Flannery is instituting a more technological way of getting board meeting information out. Trustee Plymale discussed economic development opportunities across the region inclusive of economic development councils and economic development boards extending information to FAU as they try to bring new business into Florida. She thanked President Brogan and the Vice Presidents for taking

advantage of those invitations educating prospective business and the local influence makers of the region.

Trustee Plymale gave a brief overview of the session. She thanked the board members for using their personal political capital on behalf of FAU. She also thanked Tom Barlow and President Brogan for their foresight and strategic thinking laying out and working our legislative priorities. Trustee Plymale expressed the importance of carefully evaluating our budget allocations of this year because it is how we spend them this year that will dictate the allocations we get next year. She mentioned that the world of PECO has changed. In the past we developed a list and worked our projects up the list as money became available, and that is no longer the case. Between now and when the Governor has the opportunity to veto items his office will ask and scrutinize things including PECO. Trustee Plymale discussed the changing landscape. She stated that FAU needs to develop better relationships with both the Governor and their staff. Next year there will be new leadership in the House, Senate, and the Governor's office, which will require careful considerations and observations on our part as we develop our strategies to achieve our goals.

IV. Academic and Student Affairs Committee

AS: A-1. Trustee Scott Adams introduced Dr. John Pritchett to present recommendations for approval of tenure. Dr. Pritchett stated that there were 18 recommendations for approval of tenure status, 16 are for faculty who have been employed at for a period of time and have gone through their third year review process and have met the standards for tenure. Two of the 18 recommendations are approval for tenure on hire, these are individuals who have established tenure and distinguished records at another university and in order to attract them to FAU and offer of tenure had to be put on the table. Dr. Pritchett mentioned that Diane Alperin, the Associate Provost for Academic Personnel, was available to answer any questions. Trustee Adams asked if Dr. Pritchett to touch on the changes that were made to the process this year. Dr. Pritchett stated that as a result of the process last year a series of tenure and promotion workshops were established allowing the expectations of the individual faculty be clearly defined. This year's process was enhanced even further by including an appeal process for individuals who did not receive a favorable recommendation. The Associate Provost and Dr. Pritchett met with the candidates that did not qualify and gave them in detail what must be accomplished to receive favorable recommendation. Some of the candidates were referred to the Central Tenure and Promotion Committee. As a result of this appeal process, some the initial recommendations have been reversed. Trustee Adams made a motion to recommend approval of tenure for the faculty positively recommended by the President. The motion was seconded. **The motion passed unanimously.**

AS: A-2. Dr. Pritchett discussed the Program Reviews for the Social Science programs in the Dorothy F. Schmidt College of Arts & Letters and all programs in the College of Education. In October 2002, the FAU Board of Trustees approved a new plan for the process of the annual program performance review. That process was implemented and every academic program is reviewed annually. Every seventh year it is required that specified program reviews are sent to Tallahassee. Those reviews must first be approved by the BOT. Trustee Adams made a motion to approve Program Reviews of the Social Science Programs in the Dorothy F. Schmidt College of Arts and Letters. The motion was seconded. **The motion passed unanimously.** Trustee

Adams made a motion to approve all programs in the College of Education. The motion was seconded. **The motion passed unanimously.**

AS: A-3. Dr. Pritchett discussed the recommendations for the revisions to the Student Code of Conduct. Approximately six months ago, Dr. Emmanuel Newsome, the Vice President of Student Affairs, brought recommendations for revisions to student code of conduct. After a review of national documents and what current trends are, it was found that the some of the terminology in the existing Student Code of Conduct was not up to date. Trustee Adams made a motion for the approval of revision to FAU Regulation 4.007: Student Code of Conduct. The motion was seconded. **The motion passed unanimously.**

AS: A-4. Dr. Pritchett briefly gave the background information on the request for approval of the repeal of academic services. Prior administrative rules were adopted by the University at a time when rule revision required approval from both the Board of Regents and the State Board of Education. These rules, now regulations were not revised to reflect changes in the existing governing statutes, state university system (BOG) regulations, or University policies. Selected regulations are now out dated and the subject matter and procedures therein are addressed in the existing statute, BOG regulation or University policies. The selected regulations address admissions requirements, grade changes, course repetition, degree requirements, enrollment priorities and limitations. Trustee Roy Levow added that this was an important item that needed to be addressed. Trustee Adams made a motion for the approval of repeal of academic regulations. The motion was seconded. **The motion passed unanimously.**

AS: I-1. Dr. Pritchett presented a PowerPoint update on annual enrollments, degree requirements and student diversity. Dr. Pritchett presented three years of data for spring enrollment. There was a slight increase from 18, 777 in 2005 to 18,789 in 2006 spring undergraduate enrollment. There was a slight increase from 3,214 in 2005 to 3,247 in 2006 graduate enrollment. There was a gradual decline in unclassified student enrollment, particularly high school dual enrolled and education courses. The high school dual enrollment is down 216 from 307, a spike in enrollment last year. The education courses enrollment are down 881 from 1,013. The education courses are taken primarily by K-12 teachers coming back for certification. It is estimated that many of the students were affected by the hurricanes and chose to defer the certification until the following school year. From data reflecting the 2003-04, 2004-05, and 2005-06 there has been an increase in the degrees projected and degrees awarded at the undergraduate level in both in the targeted and non targeted areas. As of the spring quarter not including the spring graduation rates, there was 54% of the projections as far as the targeted undergraduates and 66% of the projections as far as non targeted undergraduates. At the end of the fall semester last year we were at 70% of the targeted projections this year we are at 57% of the targeted projections. This decrease was targeted into the College of Education, specifically with two specific programs:

- Masters Degree in Reading Education – this is a two year cohort program. Students enter in the program and must remain in the program for two years until they graduate. This is a cyclical program.
- Masters Degree in Foundations of Education – this program is supported by a grant from the Palm Beach County School District. The grant provided for the graduation of a large

number of students. The grant expired and was renewed. There was an increase number in students entering the program. The grant has again expired and is currently in the process of getting renewed. This number is also going to cycle depending on whether or not the grant is in place.

Trustee Zoley asked the question regarding correlation to education and the economy. Dr. Pritchett responded that in times of strong economy, graduate degree enrollment drops because graduates who have received their bachelor's degree are compensated very well in the workforce.

Dr. Pritchett continued presentation with the actual and projected degrees awarded slide. Trustee Plymale asked the question of how FAU's enrollment growth comparing to other state universities of Florida. Dr. Pritchett responded that FAU is in the same position as most other Florida universities. Most Florida universities have capped their enrollment. Two years ago FAU was in a very strong growth mode. The Board of Governors has ceased funding enrollment growth and set enrollment standards very high. FAU was not able to put any money into academic programs for enrollment growth due to small allocations from the state. Trustee Plymale asked if FAU was turning down students. Dr. Michael Armstrong responded that the university is turning down students, and can provide number on denials. The main issue with first time in college students, with the Board's direction, has changed the policy regarding admitting students who required remedial efforts. There has also been a slight decrease in applications for FDIC for the coming fall related to a decrease of enrollment in the local school system. Trustee Plymale requested the information of incoming applications to the amount of applications denied as well as FAU's growth compared to other universities. President Brogan stated that the BOG has made a policy statement that they will not support any enrollment growth funding beyond the set target. The BOG did not recommend the full funding of those targeted measures. The BOG recommended the full funding of the targeted measures, they only funded 65 percent. Instead of receiving \$5.1 million, FAU received \$3.996 million for 419 FTE. Trustee Plymale asked if FAU was going to grow to 419 FTE. Dr. Pritchett stated that 419 FTE was the goal for the 2006-07. If the goal is not met FAU would not receive the full level of tuition revenue. If FAU exceeds the numbers targeted, then FAU takes in additional tuition revenue. The BOG will not fund over enrollment, which causes a \$6 million shortage. Trustee Bryant asked what happens to students who are denied. Dr. Armstrong responded that the university gives options to students who are denied. FAU is also working closely with neighboring community colleges. Trustee Bryant asked if the state provide money for the community college for these students. President Brogan stated that the community colleges are facing some of the same challenges. Students that fall in this category are students who probably came very close to being accepted at a university. From the community college viewpoint these students would be great two plus two students. Community colleges are finding that they do not have enough placement slots. Trustee Bryant asked which student is the priority; the student that is remedial or the student that narrowly missing enrollment at the university. President Brogan stated that the community colleges are open access. Trustee Grossman asked how many students apply each year, what percentages are accepted, and how many actually attend FAU. Dr. Armstrong stated that FAU is accepting approximately 60-65% of those who apply for FTIC, of those the yield rate has been approximately 50%. As the university starts attracting better prepared students, the yield rate will go down.

Dr. Pritchett continued the presentation with enrolled status at FAU. Over the past three years there has been about a 10% increase in full-time FTIC. The total undergraduate enrollment has stayed constant. Graduate enrollment is at approximately 40% full-time and 60% part-time.

Dr. Pritchett reviewed the diversity demographics of 2006. FAU's demographics closely resemble that of the community. Trustee Bryant requested to see what diversity demographics for faculty. Dr. Pritchett stated that FAU does not recruit faculty from surrounding areas, rather recruitment is done nationally. The availability of faculty in various areas is taken into account. There is a special committee that is working on this issue. Trustee Bryant stated that he would like to see progression in faculty and staff as it relates to the demographics of the student body. Trustee Norman Tripp added to Trustee Bryant's statement, and referred to report from Stanford University called "Building on Excellence". This was a guide to recruiting and retaining an excellent and diverse faculty at Stanford University. Trustee Tripp recommended that as the strategic plan is complete, FAU needs to embark on a measure to build a statement that will guide FAU in the future to enhance diversity of faculty. Trustee Plymale stated that a committee that was created under the Audit and Finance Committee is working on a report in regards to diversity. Trustee Bryant responded that there needs to be a systemic diversity report inclusive of age, race, and gender. Trustee Tripp asked that the Stanford report be sent to all trustees. Trustee Plymale asked for Trustee Bryant to work with her regarding where this diversity issue belongs. Trustee Levow noted that a lot of the diversity information is available online in the University Fact Book. A report is being generated by the Sub-Committee on Diversity regarding the diversity demographics.

V. Audit and Finance Committee

AF: A-1. Trustee Tripp asked Trustee Plymale to present the request of approval if increase in materials and supplies fees. Florida Statute provides to the Board of Trustees authority to set materials and supplies fees. These fees apply only to students who enroll in the specific course for which fees have been approved. Fees are noted in the schedule of classes to inform students prior to registration. Trustee Plymale made a motion for the request for approval of the increase in materials and supplies fees. The motion was seconded. **The motion passed unanimously.**

AF: A-2. Dr. Glenn Thomas was called up to answer any questions regarding the increase for fees at the Karen A. Slattery Education Research Center for Child Development. This recommendation is to increase all fees across the board by 5% in 2006-07 to provide staff salary increases, lower child group sizes as required by the state and accreditation, and to initiate a contingency for facility repair and emergency situations. Trustee Plymale made a motion for the request for increase in fees at the Karen A. Slattery Education Research Center for Child Development. The motion was seconded. **The motion passed unanimously.**

AF: I-1. Dr. Ken Jessell gave a review of the 3rd quarter status of 2005-06 Operating Budgets. To keep the BOT fully aware of the financial condition of the University, quarterly reports on the University's operating budget is presented. The report presents a year to date expenditure for each of the budgetary components of the University:

- Educational and General Budget

It is anticipated that the student fee budget will be adjusted downward by \$1.5 million, primarily due to a decline in out of state enrollment. One of the key issues in the legislative process was an adjustment, when a University receives fewer out of state enrollment there would be offsetting general revenue to accommodate it. Summer and fall out of state enrollments are being monitored, the expenditure budget has been adjusted down to accommodate reduction in enrollment.

- **Auxiliary Enterprises Budget**

The expenditures to date for 2005-06 are slightly higher than the percentage spent in the prior year. Revenues and expenditures are believed to be on target with projections. Trustee Tripp asked Dr. Jessell to explain where the \$4.5 million is coming from to cover emergency repairs. Dr. Jessell explained that emergency repairs are a result of damages due to hurricanes over the past two years. Hurricane relief was approved, but the last hours of the session the funds were moved elsewhere. To minimize the drain on cash flow, only essential repairs are being made. A report is being sent to the BOG to reflect how much money in damage incurred, how much money received from the Florida Risk Management Fund, and how much money was received from FEMA.

- **Sponsored Research/Grants and Contracts Budget**

Total expenditures to date are above last year's expenditures by \$3,091,430, an increase of approximately 11%. Cash expenditures have exceeded cash receipts by \$1.9 million, which has been covered by available cash balances in the Grants and Contracts budget. Revenues and expenditures for Sponsored Research through the end of the year should be approximately \$6 million dollars less than budgeted.

- **Financial Aid**

The amount of expenditures to date for 2005-05 are slightly less than the percentage spent in the prior year. Actual cash expenditures are over revenues by \$717,851, which is being covered by available cash balances. Revenue and expenditures are believed to be on target with projections.

Dr. Jessell stated that the athletics local operating budget, student government-student activities operating budget, and concessions operating budget are in great shape. It is not anticipated to have any deviations from revenues and expenditures.

Trustee Plymale asked that BOT members make note that the meetings their will be two Audit and Finance Committee meeting for June 7 and June 14.

VI. Strategic Planning Committee

SP: A-1. Trustee Levow presented committee recommendations in Trustee Nancy Blosser's absence. Dr. Thomas is available to answer questions regarding the agreement with the School Board of Palm Beach County for the creation of an elementary school on FAU Pine Jog Property. Trustee Levow made a motion for the approval of a resolution that the proposed use of the Pine Jog Property is consistent with the "such other public purposes" language of the TIIF Quit Claim Deed. The motion was seconded. **The motion passed unanimously.**

SP: A-2. Trustee Levow made a motion for the approval of the Cooperative Agreement and Ground Lease with the Palm Beach County School Board for the creation of an elementary school and environmental education center on the FAU Pine Jog Property. The motion was seconded. **The motion passed unanimously.**

President Brogan acknowledged representatives from Palm Beach County School Board. Dr. Thomas introduced Joe Sanchez, Christen Garrison, and Blair Littlejohn.

SP: A-3. Trustee Levow discussed the Approval of the Interim Funding and Reimbursement Agreement with St. Lucie County School Board. Trustee Levow acknowledged the completed site plan added in the backup and noted the site acreage is reduced from 50 acres to 33 acres. With the acreage reductions there was concern that the site would be able to accommodate the K-12 complex. President Brogan introduced Dan Harold, the general counsel for St. Lucie County School Board. Trustee Bob Stilley asked why was the site acreage reduced. Dr. Thomas explained that both parties decided it was in their best interest to reduce the acreage. The school district is using impact fee credits to purchase the land. The school board does not want to incur any additional costs. President Brogan commented that the BOT will see a number of additional actions required to be taken on this project. Trustee Plymale commented that students will begin attending in August 2008. Trustee Adams asked if the acreage is enough space to handle athletic fields. Dr. Thomas stated that there is a baseball, softball and multipurpose field. There is also 100 acres that have been granted to the city for athletic purposes. Trustee Levow recognized Mr. Thomas who is available to answer questions regarding the recommendations. Trustee Levow made a motion for the approval of an Interim Funding and Reimbursement Agreement with the St. Lucie County School Board for the development of Phase I (grades K-8) of a university charter lab school in the Tradition Community. The motion was seconded. **The motion passed unanimously.**

SP: A-4 through A-6. Dr. Levow presented the approval of three amendments to FAU land lease (Scripps) for MacArthur Campus. In adopting these tasks, language that authorizes the President to make necessary changes that don't substantially change the documents should be added. This may be necessary due to ongoing negotiations with the Cabinet and the county to keep FAU's agreement consistent with the other parties involved. Trustee Plymale stated that she and President Brogan will be attending the Cabinet meeting on Tuesday, May 16, 2006. Trustee Levow made a motion for:

- A-4. the approval of Amendment No. 3 to Lease No. 4189 between FAU and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.
- A-5. the approval of the Sublease Agreement between FAU and the Scripps Research Institute, a California non-profit public benefit corporation.
- A-6. the approval of First Amendment to Temporary Facility Funding Agreements between Palm Beach County, FAU, and the Scripps Research Institute. Authorize the President to execute the documents in substantially similar form provided that no

modifications are made to the documents that are materially adverse to FAU's interests under the document.

The motion was seconded. **The motion passed unanimously.**

SP: I-1. Trustee Levow presented the proposed master plan amendment for the Boca Raton Campus. Three major changes of short-term interest:

- Placement of the FAU/BRCH
- Relocation of the Alumni Center
- Relocation of the Wellness Center

President Brogan mentioned that there was a major presentation of the entire Boca Raton Master Plan with changes affixed for the BOT at the committee meeting. Unless there were any specific questions or any additional information, in lieu of repeating the information the item will be moved. Mr. Tom Donaudy was available to answer questions.

VII. Adjustment to Agenda. My FAU: Hoot Recordings

Dr. Michael Zager gave a presentation of My FAU: Hoot Recordings. The program was started in 2002; it is part of the Department of Music. Students in the program take regular music curriculum courses. If they are interested in the commercial music they can major in the commercial music program under one of these three tracks:

- Creative Tract is for students interested in becoming producers, composers or anything creative.
- Technology Tract if for students interested in becoming music engineers as well as producers.
- Business tract is for students interested in becoming executives in the entertainment business as record company executives, publishing executives, etc.

In addition to the commercial music program major there is a minor in the program. Currently there are 90 majors and 40 minors and the program has just completed its fourth year. Dr. Zager acknowledged the support of Mr. Hank Stern to the program through the Henry and Ellie Stern Computer Music Lab as well as a donation of \$117,000 to the program. During the year there are commercial music forums where people in the industry are invited to meet with students and master classes are given. There is also a Master of Arts with a concentration in commercial music for students mainly interested in becoming composers. There is also a joint venture with the College of Arts and Science and the College of Business a program called Master of Science in Music Business Administration. The proposal has gone through the university and passed the United Faculty Senate, and hopes to go before BOT in June to be passed, and implemented in the fall. Dr. Zager received the Fulbright Senior Specialist Grant to attend Payap University in Thailand to help them emulate FAU's commercial recording program. The program has grown to where internships are provided to students in the Hoot Recording. Dr. Zager discussed record releases from Hoot Recordings: Palm Beach Pops, Dr. Heather Coltman, and The People Upstairs. Hoot Recording also recorded the storytelling CD (history of FAU) as well as the on hold recordings for the university. Dr. Zager thanked the administration for support and Dean

Covino. President Brogan acknowledged Dr. Zager, stating that he is the “heart and soul” of this project.

VIII. President’s Report

President Brogan discussed the spring 2006 commencement, 2400 students were eligible for graduation and 1800 walked. Three BOT members attended, Sherry Plymale, Robert Stilley al with Roy Levow who serves as University Marshall. Patricia McKay, of Office Depot, was acknowledged as the recipient of The Distinguished Alumni Award.

Dr. Lemanski and President Brogan went to Washington, DC to promote a number of the federal earmarked projects that are being supported by members of Congress that will ultimately come to FAU if successful. FAU hosted an alumni event at the Florida House that was attended by 30 alumni from the Washington, DC area. FAU has received its recertification of NCAA programs for the next six years.

President Brogan gave an update of the BRCH and efforts to consummate a deal to reconstruct the teaching hospital. FAU General Counsel, David Kian is working with the General Counsel from BRCH to resolve a handful of issues and come back to the BOT to begin the next round of actions and discussions. Mr. Kian stated that a final draft of the lease at the early June committee meetings.

President Brogan spoke on the Hometown Tour project. A profile of FAU was put together along with an overview of where FAU is and where it hopes to go in the future. This project was put together to let the regional sets of local government know that FAU is a good neighbor and to highlight alums working in the area. The first tour was held at the Port St. Lucie City Council on April 24.

President Brogan discussed the Student Government contested election for President and Vice President. Dr. Levow swore in the Governor who in turn swore in the other members of the Cabinet. The Governor of the Boca Raton Student Government Association is according to the line off succession appropriate to represent the student government until the contesting is completed. President Brogan advised members maintain civil tones, work on behalf of student body, and remember that FAU has a constitution and bylaws.

Dr. Eric Shaw was introduced as the President of the Faculty Senate and will subsequently follow Dr. Levow on the Board of Trustees.

IX. Old Business

Trustee Plymale reminded board members that copies of the legislative report were in their back-up. The Audit and Finance Committee will meet on June 7. All of the Committees will meet on June 14. June 28th is the videoconference BOT meeting. Trustee Plymale acknowledged Dan Wilson and expressed appreciation for his service on the board.

President Brogan thanked everyone for their hard work during the legislative process.

X. New Business

XI. Member Comments

Trustee Levow gave recognition to Chief Bill Ferrell and the FAU Police. Trustee Levow brought to the attention of the BOT an article on frontpagemag.com associated with David Horowitz titled "An Annual Hate Fest". The article was regarding a meeting held by the Muslim student population on FAU's campus. President Brogan responded that because FAU hosts activities for various groups does not mean the FAU's name should be associated with these groups or activities. No group or individual will be allowed on any FAU campus if it creates a safety problem.

Meeting Adjourned 12:50 pm.