



Item: PC: A-M

**PERSONNEL AND COMPENSATION COMMITTEE**

**Thursday, April 19, 2012**

**SUBJECT: ROLL CALL AND APPROVAL OF THE DRAFT MINUTES OF THE OCTOBER 19, 2011 PERSONNEL AND COMPENSATION COMMITTEE MEETING.**

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**PROPOSED COMMITTEE RECOMMENDATION**

Initiate roll call to document member participation, ensure quorum and approve the minutes of the October 19, 2011 Personnel and Compensation Committee meeting.

**COMMITTEE MEMBERS**

Mr. David Feder, Chair	_____
Mr. Anthony Barbar (ex-officio)	_____
Mrs. Sherry Plymale	_____
Mr. Robert Rubin	_____
Mr. Robert Stilley (ex-officio)	_____

**PARTICIPATING BOT MEMBERS**

Dr. Jeffrey Feingold	_____
Dr. Angela Graham-West	_____
Mr. Ayden Maher	_____
Dr. William McDaniel	_____
Mr. Abdol Moabery	_____
Mr. Paul Tanner	_____
Dr. Julius "Butch" Teske	_____
Mr. Thomas Workman	_____



**DRAFT MINUTES**  
**PERSONNEL AND COMPENSATION COMMITTEE**  
**Wednesday, October 19, 2011**

**PC: A-M. Roll Call.**

Mr. David Feder, Chair of the Board of Trustees (BOT) Personnel and Compensation Committee, convened this meeting at 10:05 a.m. Roll call commenced with the following Committee members, in addition to Mr. Feder, participating: Mr. Robert Stille (ex-officio), Mr. Anthony Barbar (ex-officio), Mrs. Sherry Plymale, and Mr. Robert Rubin.

Other Trustees attending the meeting included: Dr. Jeffrey Feingold, Dr. Angela Graham-West, Mr. Ayden Maher, Dr. William McDaniel, Mr. Abdol Moabery, Mr. Paul Tanner and Mr. Thomas Workman.

The following University officials participated: Dr. Mary Jane Saunders, University President; Mr. Dennis Crudele, Senior Vice President for Financial Affairs; and, Mr. David Kian, Senior Vice President for Strategic Relations and General Counsel.

**PC: A-1. Request for Approval of Amendments to FAU Regulation 5.010, Anti-Discrimination and Anti-Harassment.**

Mr. Kian advised that this Regulation sets forth the University's commitment to an environment free from unlawful discrimination or harassment based upon membership in legally protected classes. Mr. Kian explained that the United States Department of Education recently issued a national "Dear Colleague" letter that offered new guidance on the implementation of Title IX of the Federal Education Amendments of 1972. The proposed amendments to Regulation 5.010 conform the Regulation to the requirements of the new guidance letter.

Mr. Kian also explained that the proposed amendments expand the list of protected classes under Regulation 5.010 to include sexual orientation, and clarify that disparate treatment on the basis of a non-legally protected class, otherwise protected by the Regulation, will not constitute discrimination or harassment if required by federal or state law.

A question arose about how the University conducts internal investigations of allegations of sexual harassment. Mr. Kian responded that such investigations were typically conducted by the University Office of Equal Opportunity Programs, which worked closely with the

Provost's Office, Human Resources, or the Division of Student Affairs, depending on the nature of the allegations. The University's investigation procedures also provide an opportunity for appeals of any adverse findings or actions. These processes functioned well to advance an environment free from unlawful harassment while simultaneously protecting the rights of persons accused of inappropriate conduct.

With no further questions, a motion was made and seconded to recommend to the Board of Trustees approval of the request to amend FAU Regulation 5.010 as presented. **The motion passed unanimously.**

With no further questions or other discussion items put forth, a motion was made and seconded to adjourn this meeting. **The motion passed unanimously. The meeting was adjourned at 10:28 a.m.**