



Item: IV.

WEDNESDAY, JUNE 23, 2010

SUBJECT: APPROVAL OF MINUTES

PROPOSED BOARD ACTION

Approve the minutes for the May 26, 2010, meeting.

BACKGROUND INFORMATION

N/A

IMPLEMENTATION PLAN/DATE

N/A.

FISCAL IMPLICATIONS

N/A.

Supporting Documentation: **Listed Minutes**

Presented by: Mary Mertz, BOT Liaison

Phone: 561-297-3450



Meeting Minutes
Wednesday, May 26, 2010 – 9:30 a.m.
Boca Raton Campus – ADM 305
777 Glades Road
Boca Raton, FL 33431

Chairwoman Nancy Blosser convened the full board meeting of the Florida Atlantic University Board of Trustees at with the following members participating:

Trustees: Robert Stilley, Anthony Barbar, David Feder, Armand Grossman, Rajendra Gupta, Timothy Lenz, Ayden Maher, Robert Rubin and Thomas Workman.

The following university officials attended:

Dr. John Pritchett, Interim President, Mr. David Kian, Senior Vice President of Strategic Relations & General Counsel; Ms. Mary Mertz, BOT Liaison; Mr. Dennis Crudele, Interim Senior Vice President for Finance and Administration; Dr. Joyanne Stephens, Vice President and Associate Provost for Regional Campuses; and Dr. Charles Brown, Senior Vice President of Student Affairs.

I. Call to Order and Roll Call

Chairwoman Nancy Blosser convened the full board meeting.

II. Chair's Report

Trustee Blosser provided an update on the recent events that have taken place within the university community. On May 5, 2010, the Honors Hall of Fame Recipient and Distinguished Award Reception took place with over 200 people in attendance to honor and pay respect to those being honored. During this prestigious ceremony, Mr. Jeremy Murphy was inducted into the Hall of Fame. Mr. Murphy, who received his Bachelor's Degree from Florida Atlantic University in 1998, currently holds the position of Vice President of Communication for CBS. Trustee Anthony Barbar was also honored as a distinguished alumnus.

Trustee Blosser thanked Trustees Sherry Plymale, Armand Grossman, Anthony Barbar and Timothy Lenz for the valuable roles they each executed towards the success of the Commencement Ceremonies which took place on May 6 and May 7, 2010.

Trustee Blosser thanked the following individuals for their relentless efforts towards the approval and signing of the Medical School Legislation by Governor Charlie Crist on May 15, 2010: Mr. David Mann, Chancellor Frank Brogan, Mr. Adam Hasner and Mr. Joe Negron. A letter of gratitude has been drafted to thank Governor Crist for his support and approval of the Medical School program.

Trustee Blosser made reference to the issue of PECO funding and speculations that have surfaced on the possibility of veto from the Governor. She has assured that the importance of this issue has been presented to the Governor and that she believes the PECO funding to widen Florida Atlantic Boulevard will be provided.

Trustee Blosser also reminded the Board members to complete and submit their Florida Commission on Ethics disclosure forms to prevent fines from being accrued and an internal audit. This issue is of top priority as it is mandated for members of the BOT.

Trustee Blosser discussed her participation in a webinar designed by the Association of Governing Boards along with David Kian and Mary Mertz in preparation for the transition process that Dr. Mary Jane Saunders will soon experience. Along the same preparations, Trustee Blosser informed the Board of the preparations through visits that Dr. Saunders and Dr. Newkome were taking part in to transition smoothly into the role of the sixth President of Florida Atlantic University. This preparation phase also included her presence at various university events such as but not limited to the luncheon with University Donors, Presidential Executive Retreat and her visits to several of the regional FAU campuses.

Trustee Blosser also reminded the Board of the Welcome Breakfast that will take place on June 7th to welcome Dr. Saunders into her new position. Trustee Blosser stated that she will also ask the Board of Governors for ratification of the Dr. Saunders' appointment to University President. Trustee Blosser stated that she has appointed Trustee Sherry Plymale as the Chair of the Inauguration Committee and she will be responsible for overseeing that the events highlight the academic achievement of the faculty and students. The Inauguration Ceremony is scheduled to take place on October 29, 2010 and will be in conjunction with Homecoming Week in an effort to maximize participation while maintaining minimal expenses.

Trustee Blosser thanked Dr. John Pritchett for the excellent work and dedication that he fulfilled as Interim President. Dr. Pritchett was presented with a BOT Resolution and offered immense gratitude for his continued dedication to the University as Interim President as well as Provost.

III. President's Report

Dr. John Pritchett thanked the Board of Trustees for their support and the opportunity to serve as Interim President. He also extended a special thank you and appreciation for the dedication that Chairwoman Blosser, Mr. David Kian and Dr. Michael Friedland offered through the phases of establishing the medical program at the university. He stated that while there has been much progress, accreditation with the LCME is still pending and the program remains a work in progress. Dr. Pritchett also thanked Mr. Dennis Crudele and Mr. David Kian for their hard work and tireless effort towards the Stadium project. Dr. Pritchett said that he has enjoyed the wonderful years with the university and will continue to provide full support and dedication to the mission.

IV. Approval of Minutes

There was a motion to approve the March 3, 2010 and the March 24, 2010 meetings by Trustee Robert Stillely. The motion was seconded by Trustee Robert Rubin. The motion passed unanimously.

V. Consent Agenda

Trustee Blosser removed Item V.c., "Joint Strategic Planning Committee/ Committee on Academic and Student Affairs," and placed on the Action Agenda. The motion for approval of the consent agenda was made by Trustee Bryant and seconded. Motion was cleared unanimously.

VI. Action Agenda

Trustee Barbar presented on behalf of the Strategic Planning Committee the item **SPAS: A-1: Approval of the Naming of the New Athletics Tickets/ Administrative Building and Certain Minor Elements of the Proposed Football Stadium.** Trustee Barbar stated that as discussed in the last meeting of the Strategic Planning Committee / Committee on Academic and Student Affairs, the new Athletic Ticket Administration office will be renamed the Wally Sanger Owl Club Center. The motion to approve was made by Trustee Gupta and seconded. Motion passed unanimously.

Trustee Barbar also presented the item **SPAS: A-2: Approval to Rededicate the Link Building as the "Edwin A. Link Building" on the Harbor Branch Oceanographic Institute Campus.** Trustee Barbar stated that this is to honor Mr. Edwin A. Link and it is recommended approval. The motion was made and seconded. With no further discussion the motion carried.

Trustee Blosser presented to the Board item VI.a., **Approval of Dr. Mary Jane Saunders President's Employment Agreement.** On May 11, 2010 the Personnel and Compensation

Committee discussed in detail and unanimously approved the Employment Agreement as agreed upon by Dr. Saunders and the Committee. The Personnel and Compensation Committee was established for the purposes of reviewing, completing comparative analyses of, and recommending approval of employment agreements such as this. Trustee Blosser provided a highlight of the details of Dr. Saunders' agreement and offered to provide supplemental information as needed. Dr. Saunders' agreement is for a five year contract, with her starting date as June 7, 2010. The contract entails a \$345,000 salary with a fifteen percent deferred compensation package. With a combined breakdown of the contract agreement and the fifteen percent deferred compensation package, the compensation would total \$396,750. This contract will also include an annual bonus of up to \$50,000 which will be determined on the Board's satisfaction with goal completion of annual goals set by the President and the Board Chair. Dr. Saunders' has agreed as outlined in her contract to maintain residence in the Baldwin House and to have for her use an automobile which can be replaced every three years. Dr. Saunders will also be entitled to a tenured faculty appointment after completion of her term as President. In conjunction with the tenured faculty appointment, she will be offered a one year sabbatical period prior to assuming the faculty position.

Trustee Blosser has discussed and been reassured by Mr. Randy Talbot that the Foundation will be able to meet the provisions of the Contract as stated. The Foundation will be the source of supplemental compensation that cannot be funded through the Educational and Grants account. Dr. Saunders has generously offered a \$50,000 donation to be set up as a challenge for scholarship donors. Trustee Blosser expressed the Board's appreciation for Dr. Saunders' generosity.

Trustee Gupta inquired as to whether or not Dr. Saunders would be paid during her one year sabbatical period. Trustee Blosser indicated that she would in fact receive ninety percent of her annual salary. Mr. David Kian also provided the legal support for this detail of her contract to the Trustee's satisfaction.

With no further discussion, a motion to approve was made by Trustee Barbar and seconded by Trustee Gupta. The motion passed unanimously.

VII. Old Business

There was no old business.

VIII. New Business

There was no new business.

IX. BOT Member Comments

Trustees Timothy Lenz, Anthony Barbar, Robert Stilley, Thomas Workman, Rajendra Gupta and William Bryant thanked Dr. Pritchett for his hard work and dedication as Interim President. The Trustees also extended a special thank you to Chairwoman Blosser for her leadership during the transitional period that the University was facing. Trustee Armand Grossman offered congratulations to the seventeen students of FAU High School that participated in the commencement ceremony. He also offered congratulations to the FAU Baseball team on their championship games as well as to John McCormick, Sun Belt Coach of the Year and FIU's short stop, Greg Wittels, who is tied at second place on his forty-first consecutive game. Trustee Grossman also offered a special thank you to each and every student, alumni and faculty member that has served in the Armed Forces as we prepare for Memorial Day.

Trustee Ayden Maher also introduced himself to the Board and thanked Dr. Pritchett for his visibility during Student Government events. Trustee Maher also discussed the one million dollar donation that was made by Student Government, \$850,000 of which was donated by the Treasure Coast campuses' legislative body towards the FAU Stadium project. As per discussions with Craig Angelos, Student Government will be issued a suite within the Stadium as well as a designated area for tailgating and other events that will promote a more traditional campus life.

X. Public Comments

Trustee Blosser offered an opportunity for members of the public to address the Board as needed and welcomed Mr. Joe Kaufman to voice his concerns. Mr. Joe Kaufman stated allegations of physical assault by Professor Alhalabi on the 11th day of March, 2010 during an event in Tallahassee, Florida. Mr. Kaufman inquired about the process in which disciplinary action is taken against individuals within the university that do not abide to the laws. Mr. Kaufman stated that the alleged assault was a result of several written articles that Mr. Kaufman has written that have labeled Professor Alhalabi as a convicted terrorist. Mr. Kaufman asked of the Board, "What has been done? What actions will be taken against this individual?"

Dr. John Pritchett stated that the Provost's Office is aware of the matter being presented. He stated that if circumstances warrant, action will be taken as necessary. Mr. David Kian stated that the university is waiting on the judicial process in Tallahassee to conclude. Trustee Rubin inquired as to whether or not the professor would remain employed if he is in fact found to be guilty of the alleged charge. Mr. Kian responded that a decision on the appropriate course of action would be determined once a verdict has been reached. He also stated that there is not an automatic termination provision in place for the violation of a provision of law. The professor by constitutional rights is granted due process and is therefore innocent until he is proven guilty.

Ms. Ana Fernandez addressed the Board on an issue that she had written to the Board about in the preceding weeks. Ms. Fernandez's concerns are in regards to the alleged mistreatment and harassment of a group of Young Americans for Freedom students who wished to freely speak on

the Boca Raton campus on the issue of Liberalism but were prohibited. Ms. Fernandez inquired of the protocols that the Board had in place that guaranteed situations like such surrounding the Young Americans for Freedom do not repeat. Ms. Fernandez also inquired about obtaining a list of university donors. She stated that it was her belief that under the Freedom of Information Act, she is entitled to this information. Ms. Fernandez also stated that, in agreement with Mr. Kaufman, Professor Alhalbi should not be permitted to teach at the university. Mr. Kian replied that Professor Alhalabi did not have these allegations against him prior to the start of his teaching career at FAU. Furthermore, Professor Alhalabi was not convicted of the alleged crime of selling military weapons to Syrians; he had entered into a consent agreement resolving an administrative matter the United States Department of Commerce. Ms. Fernandez inquired again about the Board's plan of action on the matter and was informed by Mr. Kian that the Board of Trustees is not the deciding administrators on employee agreements. Faculty member employment agreements are the responsibility of the Provost's Office as well as that of the respective departments. Mr. Kian assured Ms. Fernandez that the university is following proper proceedings and if warranted, appropriate action would be taken.

Trustee Blosser reminded the Board members of the aforementioned dates of interest to the Board and a reminder of the upcoming BOT Retreat scheduled to take place on September 21 and 22, 2010.

XI. Adjournment

A motion to adjourn the meeting was made by Trustee Bryant and was seconded. The motion cleared unanimously and the May 26, 2010 full board meeting of the Board of Trustees adjourned.