



**Full Board Meeting Minutes  
Tuesday, September 26, 2023  
Virtual Meeting**

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**I. Roll Call**

Chair Brad Levine convened the full board meeting of the Florida Atlantic University Board of Trustees with the following members participating:

Mr. Piero Bussani, Ms. Dalia Calvillo, Mr. Daniel Cane, Mr. Shaun Davis, Dr. Kimberly Dunn, Mr. Earnie Ellison, Mr. Robert Flippo, Mrs. Elycia Morris, Mrs. Sherry Murphy, Mr. Pablo Paez, and Mrs. Linda Stoch.

The following university officials participated: Dr. Stacy Volnick, University President; Mr. David Kian, VP Legal Affairs, and Mr. Andrew LaPlant, Board of Trustees Operations.

**Roll was taken and a quorum was present.**

**II. Public Comments**

Chair Levine asked Mr. Andrew LaPlant, Board of Trustees Operations, if there were any public comments. Mr. LaPlant said there were two members of the public to give comments, including Mr. Maurice Plough, and Dr. Howard Weiner.

**IV. Action Items**

**a. Approval of August 15, 2023 Board of Trustees Meeting Minutes**

Chair Levine asked for a motion to approve the minutes as written. **A motion was made and seconded to approve the August 15, 2023 Board of Trustees Meeting Minutes. With no further discussion or amendments, the motion passed unanimously.**

**b. Approval of the Florida Atlantic University 2023-24 Fixed Capital Outlay (FCO) Budget**

Mr. Jayson Iroff, VP Financial Affairs & Chief Financial Officer, presented the report. Mr. Iroff said the FCO totals \$240.9 million. Some projects included are the Student Union Renovation, two AD Henderson construction projects, the College of Dentistry, and university-wide deferred maintenance needs. The balance of the capital plan utilizes E&G, carryforward funds, and non-appropriated funds totaling \$32.5 million to be used for small capital projects and construction of the Wallach Jewish and Holocaust Studies. **A motion was made and seconded to approve the Florida Atlantic University 2023-24 Fixed Capital Outlay Budget.** Trustee Davis asked if there were any areas that the board needs to be concerned with in approving this FCO budget. Mr. Iroff replied no areas he is aware of. **With no further discussion or amendments, the motion passed unanimously.**

**c. Approval of the 2023-24 Carry Forward Spending Plan**

Mr. Iroff presented the item. Mr. Iroff said the E&G Carryforward Spending Plan totaled \$120,293,902. **There was a motion and a second to approve the 2023-24 Carry Forward Spending Plan and authorize the president in consultation with the chair of the Board of Trustees to make adjustments to the spending plan as needed that are consistent with applicable laws, regulations, university policy, and within the available resources of the spending plan.** Trustee Davis asked if we were working with the Board of Governors (BOG) on this. Mr. Iroff replied yes. **With no further discussion or amendments, the motion passed unanimously.**

**d. Modification of Article 23 of the 2022-2025 FAU BOT/UFF Collective Bargaining Agreement**

Mr. David Kian, VP Legal Affairs & General Counsel, presented the item. Mr. Kian said that in the 2023 State of Florida legislative session, the legislature passed and Governor DeSantis signed an allocation for teacher salary increases. That results in a new salary schedule for permanent FAUS faculty on the Grandfathered Salary Schedule of \$54,500 and a new starting salary for non-permanent FAUS faculty of \$49,500. **There was a motion and a second to approve the Modification of Article 23 of the 2022-2025 FAU BOT/UFF Collective Bargaining Agreement.** Trustee Ellison asked if these changes were recurring. Mr. Kian replied yes, these are the new base salaries. **With no further discussion or amendments, the motion passed unanimously.**

**e. Approve the Ratification of the 2023-2026 FAU BOT/PBA Collective Bargaining Agreement**

Mr. Kian presented the item. Mr. Kian summarized some of the changes of the proposed new three-year agreement. Among other things, it modifies the probation period for new officers, the nondiscrimination definition to comport with current law, grievance procedures, internal investigations, personnel records, on-call assignments and court appearances, leave and holiday time, learning opportunities, conflict of interest and outside employment provisions, take-home vehicle & travel expenses, and wages. It increases the starting salary for newly hired officers to \$68,000 to stay competitive within the market. President Stacy Volnick thanked everyone involved in making this happen. **There was a motion and a second to approve Ratification of the 2023-2026 FAU BOT/PBA Collective Bargaining Agreement.** Trustee Cane thanked the team who worked on this contract. Trustee Ellison asked if they require body cameras. President Volnick replied yes. **With no further discussion or amendments, the motion passed unanimously.**

**f. Approval of Self-Supporting and Market Tuition Rate College-Credit Programs Annual Report**

Provost Russ Ivy presented the item. Provost Ivy said that this is outside of the E&G model that most of our students are under. This is a self-supporting program report that offers market rate college-credit programs. FAU is required once a year to send a report to the board. **There was a motion and a second to approve the Self-Supporting and Market Tuition Rate College-Credit Programs Annual Report.** Trustee Paez asked if the university was looking at more programs to offer or to stay consistent with what they have. Provost Ivy replied the deans are always looking at new offerings, as long as they make sense. **With no further discussion or amendments, the motion passed unanimously.**

**V. BOT Member Comments**

Trustee Calvillo reviewed some of the initiatives that Student Government (SG) are doing. There is a 10% off for students, faculty and staff on Brightline. Lots of new students joining SG. Trustee Dunn expressed thanks to the university community for their support. She noted that the faculty senate meeting on September 18 passed a motion recommending that the Board of Trustees explore with the

Board of Governors the possibility of extending the presidential appointment of Dr. Volnick. She said most of the faculty were happy with the search and the finalists selected and do not presuppose its outcome, but there is sentiment that the uncertainty and negative press associated with the prolonged pause in the search is detrimental to FAU. One area of concern is the inability to fill the many of the interim positions throughout the university. During the open forum, faculty senators relayed their appreciation and support of the job Stacy Volnick is doing. This support is consistent with the letters we have received throughout the search. Trustee Dunn asked that the Board of Trustees explore with the Board of Governors whether an adjustment could be made to the presidential process to extend a multi-year contract to Stacy Volnick to serve as our next president. Chair Levine said exploring is a reasonable thing.

Trustee Dunn also noted that eight of our eleven peer state university boards call for a vote when there is a vacancy to a board chair position. To align our Board Procedures with this best practice, **Trustee Dunn made a motion to move to suspend the requirement of notice for an amendment of the Operating Procedures, to allow for an immediate motion to amend the procedures for filling a permanent vacancy in the Chair. Trustee Davis seconded the motion.** Trustee Cane asked if this was a motion to suspend the notice requirement. Chair Levine replied yes. **With no further discussion or amendments, the motion passed 11-1, with Trustee Stoch opposed.**

**Trustee Dunn made a second motion to amend Section 4.3 of the Operating Procedures governing Permanent Vacancies in Chair. Trustee Dunn moved to delete the first sentence of Section 4.3 -- which reads "A permanent vacancy of the Chair shall be filled by the Vice Chair for the remainder of the term." -- and replace that sentence with the following two sentences: "A permanent vacancy of the Chair shall be filled for the remainder of the term by a majority vote of the members of the Board as the first action item at a meeting to occur within seven calendar days after the vacancy occurs. If a meeting of the Board was not previously scheduled to occur within the time required, the Corporate Secretary shall schedule a Special Meeting of the Board in accordance with Section 6.3 to conduct the required election within seven calendar days after the vacancy occurs."** Trustee Davis seconded the motion. Chair Levine asked who the corporate secretary is. Mr. Kian replied that it is the president of the university. Trustee Bussani asked Trustee Dunn to confirm if eight of our eleven peer state universities proceed in the manner proposed, so that this change would align us with the overwhelming majority of our fellow institutions. Trustee

Dunn replied yes. Trustee Paez said he doesn't necessarily oppose what is being proposed, but best practices would put this noticed on the agenda for a thorough discussion at the next Board meeting. Trustee Cane said there is precedent for this, noting that the second vice chair position was eliminated through an amendment to the bylaws that was not a noticed agenda item. **With no further discussion or amendments, the motion passed 10-2, with Trustees Paez and Stoch opposing.**

Trustee Flippo said the level of energy at the FAU football game is great to see, and it is extending across the campus. Trustee Bussani echoed Trustee Flippo's comments and looking forward to basketball season. He also thanked the members of the public who commented and to President Volnick and her team for acting in the best interests of the University. Trustee Ellison is more impressed with the university with each college and department he meets with. Trustee Davis said we are on the trajectory we need to be on, despite the bumps in the road. Trustee Cane thanked Trustee Calvillo for her leadership in SG. He also encouraged trustees to go to other sports including club sports. The students love when trustees come to their events. Trustee Cane concluded by noting that the university is thriving and the faculty, students and community are listening to us on our board calls. It's important for everyone to know we are here to represent the students in their best interests, even if democracy is messy sometimes. Trustee Paez congratulated the FAU faculty & staff on the US News World Rankings. Chair Levine noted we are up to #112 in the rankings.

## **VII. Adjournment**

**A motion to adjourn was made, seconded, and passed unanimously, and the meeting was adjourned.**