



Full Board Meeting Minutes
Friday, September 25, 2020 – 10:30 a.m.
SPECIAL FULL BOARD - VIRTUAL MEETING

I. Call to Order and Roll Call

Chair Abdol Moabery convened the special full board meeting of the Florida Atlantic University Board of Trustees with the following members participating:

Mr. Brent Burns, Mr. Shaun Davis, Dr. Jeffrey Feingold, Mr. Brad Levine, Ms. Elycia Morris, Ms. Celine Persaud, Mr. Robert Rubin, Mr. Bob Stilley, and Dr. Kevin Wagner

The following university officials participated: Dr. John Kelly, University President, Dr. Bret Danilowicz, VP, Academic Affairs, Mr. David Kian, VP, Legal Affairs, Ms. Stacy Volnick, VP, Administrative Affairs, and Mr. Andrew LaPlant, Board of Trustees Operations.

Roll was taken and a quorum was present.

II. Public Comments

No public comments.

III. Action Items

a. Approval of the FAU 2020-21 Fixed Capital Outlay (FCO) Budget

Ms. Stacy Volnick, VP, Administrative Affairs, presented the item. Ms. Volnick explained that the FCO includes state appropriated and non-state appropriated funds for projects in the following categories: Education & General, Minor Carryforward Projects, Major Carryforward Projects, State Appropriated Projects, and Non-State Appropriated Projects. Ms. Volnick noted that of the \$186.5 million worth of projects on the list, \$176.7 million are major projects that the trustees have been

presented during the capital improvement plan and previously approved. For the remaining \$9.3 million, those are small projects, such as emergency repairs.

Trustee Morris asked if this is where the Fort Lauderdale Tower comes into play or is that a different form of funding. Ms. Volnick said no, these are projects that are underway already. Funding for Fort Lauderdale will come to the board in a different format.

A motion was made and seconded to approve the FAU 2020-21 Fixed Capital Outlay (FCO) Budget. With no further discussion or amendments, the motion passed unanimously.

b. Approval of Fiscal Year 2021-22 Updated Legislative Budget Request

President John Kelly presented the item. In accordance with Board of Governors (BOG) directives, FAU is resubmitting our Universities of Distinction Legislative Budget Request (LBR). FAU's 2021-22 LBR does not contain any substantive changes from the prior year, but the dollar amount requested was reduced due to the global health crisis and its impact on the State of Florida's budget.

The goal continues to be a focus on artificial intelligence and big data analytics. The BOG will seek legislative funding in three distinct categories: performance based funding, preeminent universities, and Universities of Distinction.

Trustee Rubin questioned if there was a specific "ask" in the LBR, as FAU has done in the past. Dr. Kelly said we do not have specific "ask" this year. FAU has done very well the last couple of years, including the Henderson School and Jupiter Science Building, so we are just seeking recurrence of our core funding.

A motion was made and seconded to approve the Fiscal Year 2021-22 Updated Legislative Budget Request. With no further discussion or amendments, the motion passed unanimously.

c. Approval of the Textbook and Instructional Materials Affordability Report

Dr. Bret Danilowicz, Provost, presented the item. Dr. Danilowicz noted that the BOG wants the universities to continually look at decreasing the cost of books to students and a specific requirement that a university must be posting at least 95% of its course required textbooks, 45 days in advance of

the next semester. This report documents the series of ways FAU is continuing to reduce the costs for students. One example is the library, they are ordering books on shelves and they have loaner programs, along with the schools themselves having loaner programs. We are also pushing online education resources. For each of the last four semesters, we have hit the 95% threshold.

Trustee Morris asked if the cost was being spread out with the textbook manufacturer or are we subsidizing the savings. Dr. Danilowicz said it is complicated due to the publishers increasing costs each year. We have been able to negotiate with the university bookstore to have an opt-in plan for students and if the faculty member sign up for it, students get a 40% discount. Trustee Wagner added that the faculty are working hard to develop resources that are less expensive.

Trustee Davis asked if the cost of online books are the same as the hard copy. Dr. Danilowicz said it depends on the text. There can be bundling with other things. The electronic version tends to be cheaper as there is an expiration date to the online version. Trustee Wagner said it is very complicated. There tends to be a subscription model instead of just a straight textbook online.

Trustee Levine asked if they want the trustees to direct them to strongly encourage open source solutions. Dr. Danilowicz answered that just a statement that the trustees support the work the faculty are doing to reduce book costs. Chair Moabery agreed with Trustee Levine that a draft is prepared for the trustees collective review and signature.

A motion was made and seconded to approve the Textbook and Instructional Materials Affordability Report. With no further discussion or amendments, the motion passed unanimously.

d. Approval of Limited Access Status CIP 30.0101 – Harriot L. Wilkes Honors College

Dr. Danilowicz presented the item. Dr. Danilowicz noted this was an academic quirk. This is an item that was already approved as a degree program. The Honors College had a Bachelor of Arts for all their students and are limited access. The majority of students are now in STEM-degree programs, which is why the trustees approved the Bachelor of Science degrees earlier this year. It is proposed that the entire degree program, including the Bachelor of Science degrees, be offered as limited access. This will maintain the integrity of the honors degree program.

A motion was made and seconded to approve the Limited Access Status CIP 30.0101 – Harriot L. Wilkes Honors College. With no further discussion or amendments, the motion passed unanimously.

e. Election of Vice Chair

Chair Moabery said that at the retreat, there were two motions for vice chair. It was agreed upon that it would be deferred until today's meeting. Chair Moabery opened the floor for nominations.

Trustee Davis nominated Trustee Burns for vice chair of the FAU Board of Trustees. Trustee Stilley seconded. Trustee Morris nominated Trustee Rubin for vice chair of the FAU Board of Trustees. Trustee Levine seconded. With no further nominations, Chair Moabery asked both nominees to say a few words in support of their candidacy.

Trustee Burns said he is very supportive of Dr. Kelly and as an alumnus of FAU, he wants the students to have the experience and preparation to succeed. He thinks the big data and science initiatives are exactly what South Florida needs.

Trustee Rubin said it's been a pleasure to serve on this board for over 10 years. He wants to help Dr. Kelly get the strategic plan moving forward even more than it already has. Seeing the Jupiter and Henderson buildings get funded and seeing them to their completion is very exciting.

Chair Moabery opened it to any questions or statements. Trustee Feingold said that being on the board for over 10 years, it's important that someone know the history of the Board and bring it into the future. He endorsed Trustee Rubin and said he would be a phenomenal vice chair. He has helped bring in money from Tallahassee.

Trustee Stilley said this is really difficult. Trustee Rubin has done so much for this university. The issue is we have Chair Moabery and Trustee Rubin are both near the end of their terms as trustees. There is a chance both may not be reappointed, which could leave the Board without a Chair and a Vice Chair. We know Trustee Burns has done a good job and has excellent experience, and his term is not up for a few years. Trustee Stilley therefore recommended voting for him.

A vote was taken. **The vote for vice chair of the FAU Board of Trustees was five for Trustee Burns and five for Trustee Rubin.** Chair Moabery allowed the candidates to talk again in support of their nomination. Before speaking, Trustee Levine asked if they could add another name to the nomination list. Chair Moabery asked Mr. Kian about the vote. Mr. Kian said that he could call for a revote on both of those motions or declare that both motions have failed and open the floor to new motions. Chair Moabery asked Trustee Levine if he wanted to add another name. Trustee Levine replied that he would accept a nomination himself. **Chair Moabery declared the pending nomination motions did not pass. He reopened the floor for nominations for vice chair.**

Trustee Davis nominated Trustee Burns as vice chair of the FAU Board of Trustees. Trustee Stille seconded. Trustee Rubin nominated Trustee Levine for vice chair of the FAU Board of Trustees. Trustee Feingold seconded.

Trustee Burns reiterated that he is thrilled as a former graduate and the beneficiary of the education at FAU. His number one focus is to enabling the students to be prepared for a successful career and life. The strategy that Dr. Kelly and his team have in place addresses the needs of the students and community. Moving forward, he wants to back the strategic plan, work with the BOG and the pillars of excellence.

Trustee Rubin noted that Trustee Levine has a lot of long-standing contacts in Tallahassee. That helps the university. Trustee Feingold said with the budget cuts, we need Trustee Levine. He will help minimize the losses. In losing Rep. Magar from the state legislator, having contacts in the governor's office, will be even more important now. FAU needs someone who can pick up the phone and get things done.

Trustee Davis said when he looked at the numbers for enrollment and where we are headed, we are on the right path. Trustee Burns is a consummate business person. He brings a brand new voice to the table. That is why he supports Trustee Burns.

A vote was taken. **The vote for vice chair of the FAU Board of Trustees was five for Trustee Burns and five for Trustee Levine. The nominations did not pass.**

Chair Moabery said we will have to hold another meeting when we can get another trustee at the meeting. Mr. Kian noted that Trustee Davis will continue serving as vice chair until October 2. After that, the office becomes vacant. Trustee Feingold said he will be in Germany next week and suggested we hold the meeting the week after. Chair Moabery said Andrew will send out a notice to get the date that best works for everyone and we will do everything we can to accommodate all requests. Trustee Stillely thought we should do everything we can to accommodate Trustee Feingold. Chair Moabery agreed, but didn't want to make this a scheduling call.

Before going to Item IV. on the agenda, Chair Moabery ask Ms. Volnick to relay what was addressed during a BOG call this morning. Ms. Volnick said the discussion addressed the Governor's recent call for a bill of rights for college students in cases of suspensions and expulsions. The BOG chair spoke to the universities after speaking with the governor's office. He said to continue operations as they have been. The governor was worried after seeing some aggressive behavior against students across the country by universities, not necessarily ones in Florida, he wanted to set a tone. A note from the BOG chair is that we, as a system, are handling the Covid situation well. The intent is not to suspend students, but to get them to comply and he is pleased with how the universities are handling that. The Florida surgeon general was on the call. He also said the universities are doing a good job. The plans are very thoughtful and the state did not see any post-Labor Day spikes. Chair Moabery thanked Ms. Volnick and added that the surgeon general also said that with the increase in testing, we are not seeing an increase in positive cases. Chair Moabery asked Ms. Volnick to verify that FAU has not expelled any student for anything related to Covid. Ms. Volnick confirmed that was correct. FAU has not expelled any student for violating the rule related to crowds, social events or parties. Trustee Feingold agreed that expelling a student for what he would call, inappropriate behavior, was too extreme. Trustee Feingold added that these are eighteen year olds, first time in college, and sometimes they make a mistake. If you look at the statistics nationally, the hospitalization rate of children or college students is extremely low. To penalize them for that behavior, we should be very fair about it. Let's not doing anything draconian.

IV. Information Items

a. SACSCOC Standard on Governing Board Evaluation

Mr. Kian presented the item. He noted this is an information item. The Southern Association Colleges and Schools, which is our accrediting body, recently imposed a new requirement that the governing boards of universities and colleges undertake biannual self-evaluations. They leave a lot of discretion to boards as to how they will do that. A second requirement for universities that have two oversight boards, such as the State of Florida with the BOG, is that both governing boards do self-evaluations. The BOG went first and developed an internal survey that was administered to the governors. After tabulating the results, they presented the findings at a public meeting. They went over the strengths and areas of improvement for the BOG.

The background materials have a copy of the actual survey that was sent to the BOG members. Mr. Kian asked that the trustees look at each question. Most of the questions would be comparable to the trustees as well. He asked the trustees to send back any feedback, issues that need to be addressed, or questions that need to be added. He also noted it doesn't have to be a survey. It can be a session or moderator, as well. With the financial and physical limitations we have right now, it is suggested we keep it as a survey.

Chair Moabery thought the survey approach was the best way. He wants to meet the needs of SACS, but not to overcomplicate it.

b. Discussion on the Trustee Society

Chair Moabery led the discussion. The trustees approved the trustee society to reflect appreciation of previous and current board members and acknowledging their service to the university. Trustee Stilley added that when he was chair, he, Trustee Feingold, and Trustee Emeritus Sherry Plymale formed an ad-hoc subcommittee to keep in touch with former trustees. Trustee Feingold said he was the chair of the ad-hoc committee. He said the goal was to learn about the former trustees and never forget the board members. He wants to start annual board pictures again and the recognition plaque and a picture of the building for trustees on new buildings. He finds this critical to get this going.

Chair Moabery went over what the current and departing trustees receive. He asked about the invitation to all major events. Ms. Volnick said Andrew LaPlant will work with Heather Kurstin to make sure this is happening. Chair Moabery also asked about major FAU publications. Ms. Volnick

said let's take an inventory of what we consider a major publication and where it's already being done.

Trustee Persaud asked about her predecessor and if he gets the same benefits. Ms. Volnick replied that he will receive the same ones. Trustee Feingold said he wanted a framed board picture installed and suggested that business cards be provided to the trustees. Mr. LaPlant replied that he does check with all new trustees if they want a business card or Owl card. Most don't want it, but they are available to any who do.

Chair Moabery said he would create a checklist going forward to make sure this is adhered to.

V. Adjournment

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