

Florida Polytechnic University
Board of Trustees

Board of Trustees Meeting

MEETING MINUTES

Wednesday, May 22, 2019

12:45-2:45 PM

SUN 'n FUN Fly-In, 4175 Medulla Road, Lakeland, FL

I. Call to Order

Chair Don Wilson called the Board of Trustees meeting to order at 12:45 p.m.

II. Roll Call

Kris Wharton called the roll: Chair Don Wilson, Vice Chair Cliff Otto, Trustee Mark Bostick, Trustee Ryan Perez, Trustee Frank Martin, Trustee Henry McCance, Trustee Victoria Astley, Trustee Bob Stork, Trustee Dick Hallion, Trustee Louis Saco, Trustee Adrienne Perry, and Trustee Gary Wendt were present (Quorum).

Staff present: President Randy Avent, Provost Terry Parker, Mr. Mark Mroczkowski, Ms. Gina Delulio, Mr. Rick Maxey, Mrs. Kris Wharton, Mr. David Calhoun, Ms. Kathy Mizereck, Ms. Michele Rush, Mrs. Kim Abels, and Mr. David Blanton were present.

III. Public Comment

There were four requests received for public comment. Dr. Christina Drake addressed the Audit and Compliance Committee Report, and Paul Defino, Dr. Rich Matyi, and Dr. Rob MacCuspie addressed the Governance Committee Report.

IV. Chairman's Remarks

Chair Don Wilson did not make any remarks.

V. Consent Agenda

Chair Don Wilson read the list of items on the consent agenda:

A. Audit & Compliance Committee

1. Approve University Compliance & Ethics Program Plan
2. Approve University Financial Audit FYE 6/30/18
3. Approve Foundation Financial Audit FYE 6/30/18

B. Academic & Student Affairs Committee

1. Approve 2019-20 Faculty Handbook
2. Approve 2020-2021 and 2021-2022 Academic Calendars

- C. Finance & Facilities Committee
 - 1. Approve anticipated Use of University Resources by the Foundation for 2019-20
 - 2. Approve Contract over \$500,000 – Transdev Services, Inc.
 - 3. Approve 2019-2020 University Operating and Capital Budgets
 - 4. Approve 2019-20 Foundation Operating Budget
 - 5. Approve Foundation Board New Appointment: Cindy Alexander
 - 6. Approve Foundation Board Reappointments: Shelley Robinson and Seretha Tinsley

- D. Governance Committee
 - 1. Approve Florida Polytechnic University Foundation Inc.'s revised and amended bylaws

- E. Board of Trustees Meeting Minutes
 - 1. Approve March 13, 2019 Board of Trustees Meeting Minutes

There being no objection, Trustee Bob Stork made a motion to approve the Consent Agenda as presented. Trustee Dick Hallion seconded the motion; a vote was taken and the motion passed unanimously.

VI. President's Remarks

President Randy Avent asked Maggie Mariucci to share information about the new Florida Poly commercial airing on cable channels and digital platforms. Just in the past few days, the commercial has received 25,000 views. Additional videos on the University's academic programs will soon be added to the website.

VII. Faculty Presentation

Dr. Griselle Centeno, Professor, Data Science and Business Analytics and the Director, Health Systems Engineering, gave a presentation on Health and Engineering at Florida Poly. She addressed enhancements to the current Health Informatics concentration, increasing student projects with local and regional industry partners, and adding to health engineering research and entrepreneurship.

VIII. Student Presentation

Taryn Nicole Jones, graduate student at Florida Poly, gave a presentation on her current studies and research projects with the Advanced Mobility Institute (AMI).

IX. Approval of the Statement of Free Expression

Ms. Gina Delulio stated in 2018, the Florida Legislature created the "Campus Free Expression Act," codifying the right to free speech activities. In response, the Board recently adopted a revised regulation FPU-1.007 Campus Free Expression. The governor called on the university presidents to adopt a resolution protecting and promoting the free speech of students on campuses. President Avent, along with the other SUS presidents, signed the *State University System of Florida Statement on Free Expression*. The statement is being presented to the Board for adoption.

Trustee Adrienne Perry made a motion to approve the Statement of Free Expression as presented. Trustee Dick Hallion seconded the motion; a vote was taken and the motion passed unanimously.

X. 2020-2021 Legislative Budget Request

Ms. Kathy Mizereck addressed the \$35.3M cut to the state university system (SUS) this year. However, \$78.9M was given back to specific universities. Four institutions did not have any funding reinstated, including Florida Poly. PECO funding was provided for six institutions in the amount of \$84.2M; Florida Poly received no PECO funding.

Ms. Mizereck stated new strategy will be developed that includes engaging industry, alumni, and other university partners to tell the Florida Poly story. President Avent has meetings scheduled with key legislators, and a retreat with the university's lobbyists in June. Next year's legislative session will be January 14-March 13, 2020.

Trustees engaged in discussion on ensuring a return on investment from our contract lobbyists. They also asked for confirmation that President Avent will meet with legislators to learn why Florida Poly did not receive additional funding.

Ms. Mizereck presented the University's Legislative Budget Request (LBR) for 2020. Florida Poly will request an additional \$2M be added to the institution's operating fund; no funding requests will be made for projects this year.

Trustee Dick Hallion made a motion to approve the Florida Polytechnic University Legislative Budget Request (LBR) for 2020. Trustee Bob Stork seconded the motion; a vote was taken and the motion passed unanimously.

Mr. David Calhoun presented the Fixed Capital Outlay Request. Trustee Henry McCance asked if Florida Poly is still number four on the BOG's priority list for funding completion of the ARC, to which Mr. Calhoun replied in the affirmative.

Trustee Frank Martin made a motion to approve the Fixed Capital Outlay Request as presented. Trustee Dick Hallion seconded the motion; a vote was taken and the motion passed unanimously.

XI. Committee Reports

As the entire Board of Trustees heard the Audit and Compliance, Academic & Student Affairs, and Finance and Facilities Committee meetings, Chair Wilson gained trustee consensus to forego hearing reports from those committees.

A. Governance Committee Report

Governance Committee Vice Chair Lou Saco gave a report on the committee meeting that occurred on May 1, 2019.

1. Foundation Board Bylaws Revisions: the Foundation Board Bylaws were brought to the Committee as the Board of Trustees has to approve any changes to a Direct Support Organization's (DSO) bylaws. A motion was made to recommend approval of the Foundation Board Bylaws revisions to the full Board. The Revised Foundation Bylaws were on today's consent agenda.
2. President's Evaluation: The Committee discussed the reports related to President Avent's evaluation for 2018-19. The Committee recommends the report titled "*Average of Trustees' Ratings of the President with Comments 2018-19*" be approved as the document reflecting

President Avent's evaluation for 2018-19. The report includes a mathematical average of the individual Trustee ratings in each category, with weighted averages of 3.5 or more for exceeds expectation, 2.5 to 3.5 for meets expectations, and less than 2.5 for below expectations. President Avent has "met expectations" on all but one category, and in that one, he "exceeds expectations".

There was a request that the Trustees be provided more frequent periodic updates, perhaps quarterly, throughout the year to assist in the evaluation. The Governance Committee plans to outline how much detail the trustees would like in the updates along with a time frame so as not to burden the President with an unnecessary amount of paperwork which might take him away from his duties. The Committee will also review the annual evaluation survey and consider having more gradience in the scaling, such as a scale of 1-10. These tasks will be added to the committee's work plan.

3. President's Compensation:

- a. Raise in base salary. Prior to the discussion on the President's 2019-2020 compensation, President Avent stated to the Committee that he wanted to waive the 3.5% raise for this year, after which he excused himself from the room. The Committee Chair pointed out that under section 4.2 of the President's Employment Agreement it states "in no event shall the Base Salary increase be less than Three and One-Half Percent (3.5%) of the prior year's Base Salary." Before agreeing to the waiver of the minimum increase, the Committee would recommend obtaining a legally defensible document from the President stating that he is waiving his base salary increase.
- b. Performance compensation. After much discussion, with the President's overall rating being "meets expectation", the Committee recommends a bonus of 12% of the President's current base salary.

The committee also plans to review and update the contract to reflect today's world and today's university prior to the next annual evaluation. The Board may need to consider changing the timing of the next evaluation so it happens prior to the discussion of the next contract renewal.

- c. President's Goals and Objectives. President Avent and the Committee discussed the President's proposed goals and objectives. The Committee recommends approval of the President's 2019-20 Goals and Objectives to the Board of Trustees.

Don Wilson reported on his call with BOG Chairman Ned Lautenbach. Chair Lautenbach spoke highly of Dr. Avent, and on how respected he is within the SUS. Trustee Victoria Astley inquired if the faculty member's evaluation of "the boss" may be a conflict of interest. Ms. Delulio stated she would research this issue and respond back to Trustee Astley at a later time. Other trustees stated that it is the responsibility of trustees to evaluate the president.

Trustee Louis Saco made a motion to approve the report titled, "Average of Trustees' Ratings of the President with Comments 2018-19", as the document reflecting President Avent's evaluation for 2018-19. Trustee Mark Bostick seconded the motion; a vote was taken and the motion passed.

Trustee Lou Saco made a motion to approve a bonus for President Avent in the amount of 12% of the President's current base salary. Trustee Frank Martin seconded the motion. Discussion occurred on the meaning of "meets expectation" and "exceeds expectation". Trustee Mark

Bostick preferred to give President Avent a bonus of 20% of the President's current base salary as the President met all of the expectations set forth by the Board of Trustees. President Avent stated with this year's current budget issues, he prefers to not receive the 20% bonus. A vote was taken and the motion passed with one abstention by Trustee Astley.

Trustee Lou Saco made a motion to approve the President's 2019-2020 Goals and Objectives. Trustee Mark Bostick seconded the motion; a vote was taken and the motion passed unanimously.

B. Executive Committee Report

Chair Wilson reported on the Executive Committee meeting which took place on May 1, 2019. The Executive Committee approved a contract that will allow for the repair/replacement of the IST building's pergolas which were damaged during Hurricane Irma. Trustees inquired as to some of the specifics regarding materials; Mr. Calhoun stated some of the existing pergola materials will be reused and some will be brand new. The university has applied for FEMA aid to cover the remaining funding needed to complete the repair/replace, but there is no guarantee the university will receive this funding. Trustee Stork asked Mr. Calhoun if the university can get a reduction in price if aluminum costs go down. Mr. Calhoun has not asked this question, but will.

XII. Board of Trustees Meeting Calendar

Chair Wilson reviewed upcoming Board of Trustees meetings. The next Board meeting will be held on September 11, 2019.

XIII. Board of Governors' Meetings

Chair Wilson reviewed upcoming Board of Governors' meetings.

XIV. Closing Remarks and Adjournment

With no further comments, the meeting adjourned at 2:30 p.m.