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STATE UNIVERSITY SYSTEM OF FLORIDA
FLORIDA A & M UNIVERSITY
GRAND BALLROOM, STUDENT UNION
TALLAHASSEE, FLORIDA
JANUARY 29, 2009

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January 23, 2009

MINUTES
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The Chair, Sheila M. McDevitt, convened the meeting of the Board of Governors, State University System of Florida, in the Grand Ballroom, Student Union, Florida A & M University, Tallahassee, Florida, at 12:30 p.m., January 29, 2009, with the following members present: Ann Duncan; Charlie Edwards; Dr. Stanley Marshall; Frank Martin; Arthur "AJ" Meyer; Tico Perez; Carolyn K. Roberts; Commissioner Eric Smith; Gus Stavros; Norm Tripp; and Dr. Zach Zachariah. Ava Parker, Vice Chair, and Dr. Judith Solano participated by telephone.

1. Call to Order; Recognition: Chancellor Mark Rosenberg

Ms. McDevitt expressed her thanks to President Ammons and the staff of Florida A & M University for their hospitality in hosting this meeting. President Ammons said he was happy to welcome his colleagues to the FAMU campus.

Ms. McDevitt said she appreciated the participation of the members and the University Presidents in the meeting. She said she was working hard to make the meetings meaningful. She commented that this was the last meeting before the start of the Legislative Session on March 3. She said she hoped the universities could all move together during Session. She noted that the Board had agreed on its legislative priorities in November. She said the Board had stood with the Governor at the time he announced his tuition initiatives. She said Senator Pruitt and Representative Weatherford would introduce the differential tuition bills early in the Session. She said it would send a good signal if this legislation was passed early in the Session. She said other priorities were to mitigate budget cuts in base funding and cover the increases in utility costs.

She said the Board had also committed to finding funds for the medical schools at UF and USF, as well as completing the major funding of the new medical schools at UCF and FIU. She noted that the new schools were at an important juncture for their accreditation; it was critical that the state show its funding support. She said each University needed \$10 million from the state this year. She said when the Board had approved the new medical schools, the Board had stated that this action would not be to the detriment of the existing schools. The Board needed to fulfill that commitment.

She said both UF and USF had expanded enrollment in their medical schools at the request of this Board and had taken budget cuts the past two years. Medical education funding was the top priority for UF and USF.

Ms. McDevitt said the Board had also adopted, as a priority, the request for \$1.8 million for New College, for academic and administrative support costs resulting from the separation from USF. She said this was a significant sum for New College and the Board should continue to fund properly this "jewel" in the SUS crown. Lastly, the Board had committed to seeking as much as possible in matching funds. She said this was important to donors to the SUS.

Ms. McDevitt said she had been in Tallahassee for the recent Special Session, but decisions about the budget were made before the start of the Session. She said she had spent her time talking about the next state budget, and about the needs to fund higher education and the medical schools. She said Legislators were beginning to discuss raising revenues, and were thinking about other revenue sources to fund medical education. She said she had also spent time talking about the stature of the SUS, which was the result of the money already invested in the System. She said the Board members, University Presidents, and University staff would all be working together on all these priorities.

She reported that she had also had the opportunity to meet Legislators and discuss the proposed differential tuition bill. She said the sponsors were happy with the bill. She said they were discouraging any amendments to the bill, as these might put the bill at risk. She said she was hopeful that the bill would pass; it could be amended in future years. She commented that this bill represented a tremendous step forward, and she was very appreciative. She said the bill proposed setting aside 30 percent of the revenue for need-based financial aid. This would help students who were not presently receiving financial aid. She said this was an initiative on which all should remain united.

Chair McDevitt noted that the universities had now absorbed about \$290 million in budget cuts the past two years, a loss of 12 percent of state funds to the universities. She said the Legislature seemed to recognize that the universities were struggling, and were discussing other possible revenue sources.

Ms. McDevitt reported that the Federal Economic Stimulus Package had passed the House. She said the bill included a number of provisions that would be potentially favorable for students, families and institutions. Of interest to higher education were proposals to increase the Pell Grant; creating a new tax credit for the cost of tuition, fees and course materials; providing \$6 billion in funding for grants to modernize, renovate and repair campus academic facilities; and providing about \$7 billion in additional funding for increases in basic research and expanding biomedical research. She said there might be other provisions that might prove helpful to the SUS.

She congratulated the University of Florida on the National Championship victory by its football team over the University of Oklahoma. She said a number of football programs from the SUS had played in bowl games over the holidays.

Chair McDevitt said that at the November meeting, Chancellor Rosenberg had announced that he was stepping down. She said there had been a nice reception the previous evening to recognize Dr. Rosenberg's service. She added her thanks. She said the Board had found him in the Provost's seat at FIU, and had asked him for his help in this role for a while. At that time, three years ago, the Board was on wobbly legs. She said Dr. Rosenberg had helped the Board through some of the hardest times. She said that even though he was a political scientist, he had no idea about the challenges he would face in Tallahassee.

She noted that under the leadership of Mr. Dasburg and the assistance of the Pappas Consulting Group, the Board had adopted Forward by Design, which set the course for a number of the Board's strategic initiatives. She said the Board was working on the development of compacts with the universities and on a number of accountability requirements. She said that Chancellor Rosenberg had been strategically involved in these projects and was very savvy about partnerships for the Board of Governors. He had fostered relationships with the Council of 100 and the Florida Chamber of Commerce, whose leaders recognized the value of higher education to the economic health of the state, and were key supporters during the 2008 Session.

She said the Board had adopted Debt Management Guidelines for the System, assuring the Division of Bond Finance that the Board was a sound fiscal manager for the universities. Most importantly, she said that Dr. Rosenberg had kept the students, and their needs, as his most important priority. She said for all of these accomplishments, she and the members of this Board, thanked him.

Ms. McDevitt read the following Resolution:

WHEREAS, Mark B. Rosenberg has provided dedicated and effective service to the State University System of Florida as the first Chancellor formally selected by the Board of Governors, from December 2, 2005, to February 13, 2009; and

WHEREAS, Dr. Rosenberg, through his enduring commitment to the students and to the eleven universities in the SUS, has been the pivot person for the System advancing its priorities in the Legislature and throughout the state, carrying these burdens with dignity and steadfastness; and

WHEREAS, Dr. Rosenberg, recognizing the need for a strategic vision of the State University System, worked with key Board members and consultants to

provide the roadmap through Forward by Design!, which remains the basis for the Board's strategic initiatives in system structure, access to the baccalaureate degree, and workforce and economic development, ever cognizant that a strong University System is key to the continued success and well-being of the State of Florida; and

WHEREAS, during his tenure as Chancellor, facing the challenges of difficult economic times and budget reductions, Dr. Rosenberg has always been grounded by doing that which was in the best interests of the State University System; and

WHEREAS, to all his activities as Chancellor of the Board of Governors, Dr. Rosenberg has brought his dedication and unswerving commitment to students, assuring excellence and quality in public higher education in Florida; now therefore

BE IT RESOLVED that the members of the Board of Governors, meeting in the Grand Ballroom, Florida A & M University, in Tallahassee, on this twenty-ninth day of January, 2009, do hereby commend Mark B. Rosenberg for his commitment to the Board of Governors and to the State University System, and do wish him success and happiness in all future endeavors; and

BE IT FURTHER RESOLVED that the resolution be presented to Dr. Rosenberg as a small token of the Board's appreciation and thanks.

Members of the Board concurred unanimously in the Resolution. Ms. McDevitt also presented Dr. Rosenberg with a plaque. Members of the Board, the University Presidents and those in the audience stood and applauded Chancellor Rosenberg.

Dr. Rosenberg thanked the Board members for their commitment to public service and to the students in the SUS. He said as of January 2009, this Board marked its sixth anniversary; a number of Board members had served since the initial meeting. He thanked them for their determination to honor the will of 2.8 million voters who voted for this Board of Governors in 2002. He commented that Mrs. Roberts, a founding member of this Board, had never missed a meeting.

Dr. Rosenberg thanked Governor Crist for his intent to work with the Board on tuition and need-based financial aid. He also thanked Dean Colson for his continuing commitment to this System. He thanked the business leadership, the Florida Chamber, the Council of 100 and Associated Industries, for their partnership. He said he was counting on the Legislature, particularly on Senator Pruitt and Rep. Weatherford, for their courageous and important leadership on behalf of the State University System. He said the Strategic Plan had identified the need for appropriate and predictable funding. He said this legislation was a start on that path.

He said the SUS had suffered \$290 million in budget cuts the past two years; the Board Office had taken a six percent cut this year, \$331,000 and three positions. He said that since 2007, the Office had lost 12 positions and \$1.2 million, an 18 percent reduction. He thanked members of the staff for their commitment to serve the Board and the students.

Dr. Rosenberg said he had met with the Provosts the previous day, and had discussed the possibility of additional cuts of 10 percent. He said he knew this meant the amputation of some programs. He said this also meant denying timely graduation and diminishing the quality of the product. He said these cuts would take a heavy toll.

Dr. Rosenberg said there were many good things happening on the campuses, even with the difficulties. He noted that the Federal stimulus package would provide short-term assistance. He said he had had an incredible opportunity to work with students in laying the foundation for a System that could serve the state and students well. He said he had always advised students to keep their focus on quality education and on quality universities.

Dr. Rosenberg reported on a recent survey of freshmen nationally. These freshmen were born in 1990. A record 43 percent nationally reported that financial aid was very important to choosing a college; nearly half expected to work to meet college expenses; they were politically active; and the percentages of freshmen who consumed alcoholic beverages was the lowest in 43 years of data collection.

Dr. Rosenberg noted that the Strategic Planning Committee had been advised that in 2005, an estimated 22,000 resident undergraduates in the SUS left \$24 million in Pell grants untapped. He said this was a shared responsibility of high school advisers and university financial aid advisers, but it was important to get this critical funding. He said the more that was done for the students today, the better the state would be in the future.

He thanked Ms. McDevitt, Mrs. Roberts and Ms. Parker, for their leadership and commitment. He thanked them for the reception the previous evening. He thanked the staff for its professionalism and determination to do the work. He thanked Ms. Bestebreurtje for her lifetime commitment. He thanked President Delaney for stepping in to assist, knowing that there was extra work, as a result, for his Board, Provost and UNF staff. He said there were a lot of people in the capital and throughout the state who cared about the students in the SUS. He said it had been a privilege and a blessing to have served as chancellor.

Dr. Solano said she was sorry to be present by phone, but pneumonia was keeping her away. She said the faculty also had a resolution honoring Chancellor

Rosenberg. She said the faculty viewed Dr. Rosenberg as someone who was willing to work with them.

Ms. McDevitt noted that as a part of the tuition legislation, it was important to have implementing regulations in place. She said the bill gave the universities the opportunity to price programs differently. This could be utilized as a way to look at competitive programs.

2. Approval of Minutes of the Meeting of the Board of Governors held November 20, 2008; and Minutes of the Meeting of the Board of Governors Foundation, Inc., held November 20, 2008

Mr. Perez moved that the Board approve the Minutes of the Meeting of the Board of Governors held November 20, 2008, as presented. Mrs. Roberts seconded the motion, and members of the Board concurred. Mr. Perez moved that the Board approve the Minutes of the Meeting of the Board of Governors Foundation, Inc., held November 20, 2008, as presented. Mr. Martin seconded the motion, and members of the Board concurred.

3. Focus on the SUS: Bio-security Challenges posed by Invasive Species, FAMU

Dr. Ammons introduced Dr. Moses Kairo, Director, Center for Biological Control, in the College of Engineering Sciences Technology and Agriculture, FAMU. He said the Center had been active for nine years and was involved in applied research. He said Dr. Kairo's focus of study was the growing threat from "alien species" introduced through the global transport of agricultural products. He said Dr. Kairo had come to the University three years ago; his resumé included 24 peer-reviewed publications and six books.

Dr. Kairo said the serious threats from invasive species have recently become much better known. He said invasive species were species introduced into an ecosystem where they did not occur naturally and where this introduction caused or was likely to cause harm, such as Melaleuca and the Asian Tiger Mosquito. He commented that all ecosystems were threatened and that these had economic impacts on the nation of \$120 billion annually, on the state of \$179 million annually, and on the local economy, such as Citrus canker of \$600 million, 1995-2004.

He said Florida was highly vulnerable to this threat. Globalization presented opportunities for invasive species. Florida was a strategic location for plants coming into the country through the Port of Miami. Florida's climate allowed any problem to thrive. He said the work of the Center partnered with other research agencies, including the U.S. Department of Agriculture. He said the Center's 2006 Strategic Plan identified its work in research, in developing human capital and in outreach. The areas of focus were on Invasive Species, International Crop Management, and Bio-diversity. He explained the focus of the work on Invasive Species was on prevention, early

detection, management and recovery. He described the work being done on offshore pest mitigation with the Passionvine Mealybug, identified by the USDA as high risk when entering the U.S. He described prevention and the critical training provided to U.S. trade partners. He noted that early detection minimized the spread of invasive species and that biologically-based mitigation tactics controlled the spread of disease. He summarized the work of the Center noting that bio-security risks posed by invasive species were a major challenge which had to be addressed. He said the Center for Biological Control had established strategic partnerships which capitalized on its competitive strengths to deliver significant outputs in three areas of the University's land grant mission, research, training and outreach.

Ms. McDevitt inquired about the Center's successes. Dr. Kairo said work with the cactus moth prevented its movement. As a result of offshore work a year ago and a scare in California, he said agricultural workers already had the knowledge to deal with that pest.

Mrs. Roberts said she was interested in the land grant mission of both FAMU and UF. President Ammons said the universities had some joint initiatives. Dr. Rosenberg commented that about 85 percent of non-native plants, such as ornamental plants, came into the U.S. through the Port of Miami.

Ms. McDevitt thanked Dr. Kairo for his presentation.

4. Update: Shared Services

Ms. McDevitt said that at the August Board meeting she had asked Ms. Duncan and Mr. Rick Walsh, Chair, UCF Board of Trustees, to chair a group to review best practices on shared services. Ms. Duncan said the effort was not about centralization and "one size fits all," but rather an attempt to examine shared services, identify best practices, and encourage universities to adopt them so there would be some uniformity, efficiency, and potential cost savings. She said the universities should not get lost on ideas that would not work in all instances. She said there was a workgroup made up of representatives of several universities and they had identified three initiatives for immediate implementation. These initiatives included: Sustainability/Energy Management; Builders Risk Management; and Office Supplies. She said the agenda included a list of other shared services ideas that had been developed. Mr. Walsh added that he hoped the universities could leverage these best practices. He thanked the staff from all the universities for the suggestions.

Ms. McDevitt said Builders Risk Management was a good issue for shared service. She said money could be saved through wraps where there was potential for spending lots of money. Mr. Edwards noted that the Board had previously heard about some of these shared services already in place. He inquired how much money had been saved by these shared projects. Mr. Meyer said many of the universities were involved

in significant recycling efforts. Mr. Walsh said the universities could engage in shared activities which would generate savings. He said this should not be viewed as a branding threat.

5. Report, Presidential Work Group on Financial Aid

President Ammons said that Chancellor Rosenberg had established a task force to review and recommend ways to address the financial aid challenges that might be linked to tuition. He said three University Presidents were named to this task force and he thanked Presidents Hitt and Maidique for their participation. He said other members were from FSU, Provost Abele and Ms. Anne Blankenship; from FAMU, Mr. Roland Gaines, Ms. Marcia Boyd, and Ms. Rosalind Fuse-Hall; and from the BOG Office, Dr. Dan Cohen-Vogel.

Dr. Ammons said the task force worked with financial aid directors to assist with a comprehensive overview of areas that influenced and impacted financial aid. They found that each campus held its own definition of "need" for distributing "need-based" financial aid. This prevented consistent and reliable comparisons. He said a subgroup worked with the financial aid directors and Board staff to establish a common definition of "need" which would be used for data collection purposes only. He said the task force recommended the use of Pell Grant eligibility as a consistent minimum basis for determining "need" for collecting any financial assistance information from SUS campuses.

Dr. Ammons said the proposed differential tuition bill directed that 30 percent of the tuition increase be used to address needy students. Most assumed that this would protect low income students. He said that research showed that students with family incomes at or below \$40,000 and Pell eligible would have much of their needs offset by state and federal programs. He said the Board had learned that despite their eligibility for assistance, a significant number of students, an estimated 22,000 of resident undergraduates, did not submit the Free Application for Federal Student Aid forms. He said an estimated \$24 million in aid was left unclaimed. He said the second recommendation of the task force was to create a communication strategy that encouraged more students and their families to apply early and annually for financial assistance.

He said the task force had also reviewed the status of non-Pell eligible students. He said the brightest students, especially those who were not Pell eligible, received assistance from state-initiated programs or merit-based campus funding. He said that there were nearly 37,000 undergraduates in the SUS from low- and middle-income families, with incomes between \$40,000 and \$80,000, who did not receive federal or state need-based financial aid or did not receive Bright Futures aid. He said this group represented the core of the student population and was especially sensitive to increases in tuition. He said this group of students represented nearly half of the unmet financial

need. He said it was consistent with the access initiative that the Legislature should take heed of this group of students, whose needs were not addressed by other programs. He said the task force encouraged the Legislature to provide additional funds for state funding for these “core” students and families sensitive to tuition increases who were non-Pell eligible.

Ms. McDevitt said she had suspected the financial sensitivity of this “core” population. She said she appreciated the findings of the task force. Mrs. Roberts inquired whether there was any way for students to be approved for aid quickly if their family situation changed mid-year. President Ammons said the parents submitted income tax information annually. He said that FAMU was able to provide some assistance from institutional funds. Provost Glover, UF, said that UF encouraged students experiencing some financial disaster to advise the financial aid office. He said the student’s “need” package could be adjusted. Mrs. Roberts inquired if students were aware of this possibility. Dr. Glover said the University was trying to find students experiencing these difficulties.

Provost Wilcox said USF had a program, “Don’t Stop, Don’t Drop,” which bridges the Foundation, the Financial Aid Office, and the University Ombudsman to assist students. He noted an increased use of food stamps by USF students.

Mr. Stavros inquired whether Florida was ranked 42nd in the U.S. in providing financial aid. Chancellor Rosenberg said Florida did not rank well nationally in affordability. He noted that Florida was on a negative trend line in need-based aid, but was strong in merit-based aid.

6. Consent Agenda:

- A. Final Approval, BOG Regulations Approved for Notice in November: Regulation 6.017, Criteria for Awarding the Baccalaureate Degree; Regulation 3.006, Accreditation; Regulation 3.004, Honorary Degrees; Regulation 3.009, Student Financial Aid; Regulation 6.009, Admission of International Students to SUS Institutions; Regulation 6.010, Student Affairs Administration; Regulation 6.0115, Observance of Religious Holidays; Regulation 6.018, Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and for Graduation by Students with Disabilities; and Regulation 10.004, Educational Research Centers for Child Development

Mr. Perez said this group of BOG Regulations, addressing degrees and miscellaneous student affairs issues, had been approved for notice by the Board at the November 20, 2008, meeting. There were no changes suggested to these proposed BOG regulations during the notice period. He moved that the Board approve the BOG Regulations, as follows:

Regulation 6.017, Criteria for Awarding the Baccalaureate Degree; Regulation 3.006, Accreditation; Regulation 3.004, Honorary Degrees; Regulation 3.009, Student Financial Aid; Regulation 6.009, Admission of International Students to SUS Institutions; Regulation 6.010, Student Affairs Administration; Regulation 6.0115, Observance of Religious Holidays; Regulation 6.018, Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and for Graduation by Students with Disabilities; and Regulation 10.004, Educational Research Centers for Child Development. Dr. Zachariah seconded the motion, and members of the Board concurred.

- B. Repeal, BOG Regulation 6.022, Veteran's Benefits – Inmate Students, Approved for Notice in November

Mrs. Roberts moved that the Board approve the repeal of BOG Regulation 6.022, Veteran's Benefits – Inmate Students, as approved for notice at the November 20, 2008, Board meeting. Dr. Zachariah seconded the motion, and members of the Board concurred

7. Action Items/Status Reports, Board Committees:

- A. Chancellor Search Committee

Mrs. Roberts reported that the Chancellor Search Committee had met in Tampa on January 22, 2009, for the purpose of interviewing three executive search firms interested in working with the Committee. She said the Committee had selected R. William Funk and Associates. She said the firm met the Committee's need; the firm also presented the least expensive fee. Mrs. Roberts said she would keep the Board informed about the search process

- B. Trustee Nomination and Board Procedures Committee;
Approval, Notice of Intent, BOG Regulation 1.001, University Board of Trustees Powers and Duties

Dr. Zachariah said the Committee had met earlier in the day. He reported that the Committee had discussed its Work Plan and had decided to hold a workshop at the March Board meeting to discuss how to proceed with the selection process for the 22 University Trustees to be selected by this Board prior to January 6, 2010.

He said the Committee had discussed several amendments to BOG Regulation 1.001, which had also been discussed at the November 20, 2008, Board meeting. Dr. Zachariah moved that the Board approve the

Notice of Intent to promulgate BOG Regulation 1.001, University Board of Trustees Powers and Duties, as presented and amended, for posting to the website, pursuant to the Board's Regulation Development Procedure. Mr. Perez seconded the motion, and members of the Board concurred.

C. Strategic Planning and Academic and System Oversight Committee

1. Approve Proposals for New Degree Programs, Approved by the Committee in November:

- Ph.D., Geosciences, FAU;
- Doctor of Nursing Practice, FSU;
- Ph.D., History, USF;
- Ph.D., Government, USF; and
- Ph.D., Sociology, USF.

Mr. Martin said the Strategic Planning and Academic and System Structure Committee had reviewed these program proposals at the November 20, 2008, Board meeting, and had recommended Board approval of all five of these programs.

Mr. Martin moved that the Board approve the following programs for implementation, as presented: the Ph.D., Geosciences, FAU, CIP Code 40.0699; the Doctor of Nursing Practice, FSU, CIP Code 51.1601; the Ph.D., History, USF, CIP Code 54.0101; the Ph.D., Government, USF, CIP Code 45.1001; and the Ph.D., Sociology, USF, CIP Code 45.1101. Mr. Perez seconded the motion, and members of the Board concurred.

2. Approve, Proposal for New Degree Program, Doctor of Pharmacy, Pharm.D., USF

Mr. Martin reported that the Committee had earlier had a lengthy discussion of the proposal for a Doctor of Pharmacy program at USF. He said this proposal had also been discussed by the Academic Programs Project Team by a telephone conference call on January 21, 2009. He said the University had revised its budget projections to clarify funding sources and had revised its implementation schedule to align with the timeline suggested by the Accreditation Council for Pharmacy Education. He said President Genshaft had written a letter explaining USF's proposed funding for this program. The letter is included as a part of the Minutes.

Mr. Martin said Chair McDevitt had previously recommended to the Board a two-step process for consideration of program proposals. He commented that USF had a timing issue because of the requirement for legislative approval during the upcoming Session. He reported that the Committee had approved a motion to waive the two-step process and had recommended that the full Board consider approval of the proposed Pharm.D. at this meeting.

Mr. Martin moved that the Board approve the Doctor of Pharmacy, USF, CIP Code 51.2001, as presented. Mr. Perez seconded the motion, and members of the Board concurred.

3. Approve, Termination, Ph.D., Industrial and Systems Engineering, FIU, Approved by the Committee in November

Mr. Martin moved that the Board approve the termination of the Ph.D., Industrial and Systems Engineering, FIU, CIP Code 14.2701, as presented. Mrs. Roberts seconded the motion, and members of the Board concurred.

4. Approve, Annual Report: Florida 21st Century Technology, Research, and Scholarship Enhancement Act Programs

Ms. Duncan moved that the Board approve the Florida 21st Century Technology, Research, and Scholarship Enhancement Act Programs Annual Report, as presented. Mr. Perez seconded the motion, and members of the Board concurred.

5. Approve, Limited Access Status, B.A., Graphic Design, USF

Ms. Duncan moved that the Board approve the request for Limited Access status for the Bachelor of Fine Arts in Graphic Design, USF, CIP Code 50.0409, as presented. Mr. Tripp seconded the motion, and members of the Board concurred.

- D. Student Affairs and Campus Life Committee;
Approve, Notice of Intent, BOG Regulation 8.003, Textbook Adoption

Ms. Duncan said the Committee had reviewed the proposed BOG Regulation 8.003, Textbook Adoption, relating to the selection of textbooks that would result in decreased costs to students. She said the Committee had found this to be a good approach to reducing textbook costs. She moved that the Board approve the Notice of Intent to promulgate BOG

Regulation 8.003, Textbook Adoption, as presented, for posting to the website, pursuant to the Board's Regulation Development Procedure. Mr. Perez seconded the motion, and members of the Board concurred.

E. Facilities and Real Estate Committee

1. Approve, 2009-2010 SUS Fixed Capital Outlay Legislative Budget Request

Mr. Perez moved that the Board approve the 2009-2010 SUS Fixed Capital Outlay Legislative Budget Request, as amended. Further, he moved that the Board authorize the President in Residence, John Delaney, State University System of Florida, to make technical adjustments to the 2009-2010 SUS Fixed Capital Outlay Legislative Budget Request, as required. Mr. Tripp seconded both motions, and members of the Board concurred.

2. Authorize Release of Funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between FGCU Board of Trustees and Lee County

Mr. Martin moved that the Board approve the allocation and authorize the Department of Education to release funds in the amount of \$9,705,893 to Lee County, Florida, as full payment negotiated in the Campus Development Agreement between the Florida Gulf Coast University Board of Trustees and Lee County. He noted that the parties had signed the Campus Development Agreement consistent with this action. Mr. Tripp seconded the motion, and members of the Board concurred.

3. Authorize Release of Funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the UWF Board of Trustees and Escambia County

Ms. Duncan moved that the Board approve the allocation and authorize the Department of Education to release funds in the amount of \$1,479,734 to Escambia County, Florida, as full payment negotiated in the Campus Development Agreement between the University of West Florida Board of Trustees and Escambia County, contingent upon execution. Mr. Tripp seconded the motion, and members of the Board concurred.

- F. Authorize Release of Funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the FSU Board of Trustees and Leon County

Ms. Duncan moved that the Board approve the allocation and authorize the Department of Education to release funds in the amount of \$6,278,791 to the City of Tallahassee as full payment negotiated in the Campus Development Agreement between The Florida State University Board of Trustees and the City of Tallahassee, contingent upon execution. Mr. Martin seconded the motion, and members of the Board concurred.

- G. Approve, Notice of Intent, BOG Regulation 17.001, Lease Authority

Mr. Perez said the Committee had reviewed the proposed BOG Regulation 17.001, Lease Authority. He said the genesis for this Regulation was the review of the former Board of Regents Rule Chapter 6C-17 on Leasing. He said the proposed regulation included provisions relevant to a leasing program in the new governance structure.

Mr. Martin moved that the Board approve the Notice of Intent to amend and renumber the former BOR Chapter 6C-17 regulations, and promulgate BOG Regulation 17.001, Lease Authority, as presented, for posting to the website, pursuant to the Board's Regulation Development Procedure. Mr. Tripp seconded the motion, and members of the Board concurred.

- F. Audit and Compliance Committee

Mr. Tripp reported that the Audit and Compliance Committee had met the previous day. He reported that the Committee had recognized, with appreciation, the contributions of Ms. Lynn Pappas, who had served as Vice Chair of the Audit and Compliance Committee and as Chair of the Task Force on FAMU Finance and Operational Control Issues. He said he had suggested to the Board Chair the appointment of Mr. Temple as the new Vice Chair of the Committee because of his extensive experience.

Mr. Tripp said the Committee had heard from its Inspector General, Derry Harper, an overview of the work done by the Task Force on FAMU Finance and Operational Control Issues emphasizing how the Task Force achieved its primary goal of demonstrating the Board's commitment to accountability by assisting Florida A & M University

restore public trust. He expressed the Board's appreciation to the members of the Task Force for their fine work.

He said that President Ammons had presented an update on Florida A & M's Corrective Action Plan. He had reported that the University had substantially completed the six items the Task Force and its consultant, Accretive Solutions, had concluded needed improvement. He said President Ammons had expressed his appreciation for the work of the Task Force, in particular the positive impact the Report had in supporting the University's case in obtaining removal of the probationary status imposed by SACS. He had noted that in the recent Auditor General's Operational Audit Report, the number of findings was reduced from 35 to seven.

Mr. Tripp reported that the Committee had considered a final draft of the Audit and Compliance Committee Charter. He said he appreciated the comments and suggestions from University General Counsels and the State University Audit Council. He said the Charter had been thoroughly discussed with Chairs of the Audit Committees of the local university boards. He said the Committee had recommended the Charter to the full Board for its consideration and approval at the March Board meeting. He noted that the Committee was also discussing a Charter for the Office of the Inspector General and Compliance. He said this would be presented to the full Board in June.

Mr. Tripp said the Committee had received and approved the Audit and Compliance Committee Work Plan, which would serve as the blueprint for the Committee's work in 2009.

8. Concluding Remarks and Adjournment

Ms. McDevitt thanked the Board members for their participation. She asked that a resolution be prepared thanking Ms. Pappas for her fine service. She said she personally appreciated her attention to detail and her thoughtful and visionary approach to Board and System policy issues. She noted that the Board would meet next by telephone conference call on February 26, 2009.

Having no further business, the Chair adjourned the meeting of the Board of Governors, State University System of Florida, at 2:05 p.m., January 29, 2009.

Sheila M. McDevitt,
Chair

Mary-Anne Bestebreurtje,
Corporate Secretary