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FLORIDA BOARD OF GOVERNORS
BALLROOM, REITZ UNION
UNIVERSITY OF FLORIDA
GAINESVILLE, FLORIDA
JANUARY 22, 2004

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The Chair, Carolyn K. Roberts, convened the meeting of the Board of Governors in the Ballroom, Reitz Union, University of Florida, Gainesville, Florida, at 2:00 p.m., January 22, 2004, with the following members present: John Dasburg, Vice Chairman; Pam Bilbrey; Dr. Castell Bryant; Miguel DeGrandy; Rolland Heiser; Commissioner Jim Horne; Sheila McDevitt; Lynn Pappas; Ava Parker; Dr. Howard Rock; Peter Rummell; Clayton Solomon; John Temple; Steven Uhlfelder; and Dr. Zachariah P. Zachariah.

1. Call to Order

Mrs. Roberts thanked Board members for their attendance through another long day of meetings. She recognized the new President of the University of Florida, Dr. Bernie Machen, and thanked him for serving as the Board's host for this meeting. Dr. Machen said he looked forward to working with the Board members as they worked to create a top-rated university system.

Mrs. Roberts recognized Representative Ed Jennings, who represented both the University of Florida and Ocala, in the Legislature. Rep. Jennings thanked Mrs. Roberts and welcomed the members of the Board to "Gator Country" and to his alma mater. He said he had addressed the Board in September 2003 on the subject of using race in admissions to enhance diversity at the universities. He said as Legislators prepared for Session 2004, they knew that the Bright Futures Scholarship Program should be reviewed. He said Legislators recognized that the promise to students already in college and high school should be kept, but that new criteria should be adopted for students now in the eighth grade. He said Legislators were considering setting a specific dollar figure for the scholarship and making it a program recognizing true academic achievement.

Rep. Jennings said he and the Chair had discussed university admissions and he commended the extraordinary efforts at the University of Florida in creating a diverse student body. He suggested, however, that universities should also be allowed to use race as a factor in the admissions process as an additional way to achieve a diverse campus. He noted that President Fred Gainous and the Chairman of FAMU's Board of Trustees, Dr. Jim Corbin, were in the audience. He acknowledged the important role of FAMU in providing opportunities for a quality postsecondary education to African American students. He said that under the leadership of this Board, FAMU would continue to thrive. Mrs. Roberts thanked Rep. Jennings for his remarks, noting that he was a strong advocate for the universities in the Legislature.

Dr. Rock inquired about the likelihood of legislative enactment of changes in the Bright Futures program and of giving tuition flexibility to the University Boards of

Trustees. Rep. Jennings said he did not see Bright Futures becoming a need-based program, and any changes to the program criteria would need to be long-range and applicable to students entering the universities in five years.

2. Approval of Minutes of Meeting held December 3, 2003

Ms. Bilbrey moved that the Board approve the Minutes of the Meeting held December 3, 2003, as written. Mr. Dasburg seconded the motion, and members of the Board concurred.

3. Chair's Report

Mrs. Roberts welcomed two new members to the Board of Governors, Ms. Lynn Pappas, an attorney from Jacksonville, and Ms. Sheila McDevitt, Senior Vice President and General Counsel with TECO Energy, Tampa. She thanked the Governor for these excellent appointments. She also welcomed Mr. Clayton Solomon, Chair of the Florida Student Association and President of Student Government at FIU.

Mrs. Roberts said the Board had now been in existence for one year. She said the Board had come a long way in a year; it was now engaged in the serious work of creating a strong governance system for Florida's public universities. She said the Board had many goals for the universities in the coming Legislative Session, but the most important goal was to achieve appropriate funding for the University System. In addition, the Board needed to adopt appropriate accountability measures for the universities. She said Governor Bush had announced his 2004-2005 budget recommendations earlier in the week. She thanked him for his excellent recommendations, noting that she was most appreciative of the \$60 million he had recommended for university enrollment growth, and the \$10 million for targeted critical needs. She said she was optimistic about the Session. She invited the Presidents to offer remarks.

President Maidique said FIU was pleased with the Governor's budget recommendations, including the recommendations to fund enrollment growth. He said this sent an excellent signal to the Legislature. He said FIU had recently been selected in a national competition by the Compton Foundation, which funds entrepreneurial initiatives; the University planned to spend \$3 million to build a new Center for Entrepreneurship. He also announced a new Vice President for Research, Dr. George Staumbaek. He reported to the Board that FIU had spent the past seven years developing a feasibility plan for a new medical school; he hoped to bring a proposal to the Board this Spring.

President Genshaft said she too was pleased with the Governor's budget. She also commended the Chancellor on the new university funding formula which treated all the universities fairly. She commented that the universities were working together to build a stronger funding base for the universities, noting the role of the universities in the economic development of the State.

President Merwin likewise expressed his appreciation for the Governor's budget recommendations. He urged the Board to continue to support funding for the Courtelis Enhancement Trust Fund, as wealthy donors were motivated to give by the State matching opportunities. President Brogan said that FAU was growing and changing. He thanked the staff for its work in developing a formula that was suitable for all the universities, that was equitable and honest, and that recognized the diversity within the SUS. He said that FAU was working with the medical faculty at UM, as they developed their partnership in programs in medical education.

Mrs. Roberts also recognized the Provosts in attendance, from UF, FSU, UCF, UWF, FIU and FAMU. She thanked them for all they did for students and faculty at the universities.

4. Chancellor's Report

Chancellor Austin said Board members had received copies of the Governor's 2004-2005 State Budget Recommendations. She reviewed some of the specific recommendations included for the universities. As a part of the recommendations, the Governor had included four policies that required action by the Board of Governors. The Targeted Incentive Program, for \$10 million, required this Board to develop policies with the University Boards of Trustees on the criteria for eligibility and receipt of these targeted funds, as specified. A second policy would authorize the University Boards to establish Block Tuition policies, after review and approval by this Board. A third policy would establish university billing statements which would clearly identify the amount of state support for each student's education. A fourth policy would require the University Boards to establish policies which require students who are in excess of the number of hours needed to graduate by more than 10 percent or who are not enrolled as degree-seeking to pay the out-of-state fee per credit hour.

Mrs. Roberts said that as to these four policies, it would be appropriate to ask the University Boards for their recommendations as to how they would implement these policies. Mr. Temple moved that this Board approve the policies, as presented. General Heiser seconded the motion.

Mr. Uhlfelder said he supported the proposed policies, particularly the proposal for block tuition. The policy on excess credit hours might encourage students to graduate faster. Mr. Solomon spoke in opposition to the excess credit hours policy, noting that students seeking multiple degrees would be discouraged, or would be penalized for changing majors. Mrs. Roberts suggested that the Board ask the University Boards for their recommendations as to the implementation of these proposed policies on their campuses. Dr. Rock clarified that the Board was asking for recommendations to be made back to this Board. Mrs. Roberts concurred. Dr. Rock added that he was concerned that the policies not discourage students from the university experience by charging the high out-of-state fees. Dr. Bryant suggested that the policy calling for charging higher fees for excess credit hours was already in place for certain financial aid programs.

Mr. Woodring clarified that the motion before the Board was to approve these policies, and request that the University Boards bring back to the Board recommendations on the implementation of these policies. The policies brought forward by the universities would then be approved by this Board. Mrs. Roberts said the university policies might include exceptions. Mr. Uhlfelder said the Board was supporting the Governor's efforts in having these policies approved by the Legislature. Mr. Dasburg added that once these policies became law, the universities would have no flexibility in implementation. The opportunity for flexibility in the policies was before they were adopted into law.

Mr. DeGrandy offered an amendment to the motion, that the Board indicate/express its intent to support these policies, but also ask for a sense from the University Boards of Trustees of concerns in their implementation. He so moved. Mr. Dasburg seconded the motion. Commissioner Horne said the Board could formally approve these policies at the March meeting and still act prior to the Legislature. The Board approved the motion to amend the main motion.

Mr. DeGrandy explained his amended motion. He said this Board was indicating to the University Boards of Trustees that it intended to endorse and recommend these policies which had been included in the Governor's Budget Recommendations, and that it sought from the University Boards any issues or concerns they had in implementing these policies. This Board could then consider whether to incorporate these concerns in its recommendations.

Dr. Rock spoke against the motion, commenting that these policies would freeze out senior citizens from taking courses and would have a dampening effect on students exploring different majors. Mr. Uhlfelder disagreed. Florida students pay a very low tuition, and if they have already completed 120 credit hours, they have likely already met the requirements for a degree. He said it was perfectly reasonable to ask students to pay more given the limited seats available at the universities. Dr. Bryant said she felt the policies were not that unusual, that they were doable and should be explored. She added that the universities could recommend different scenarios and that their policies would prescribe when these would be applied.

There were no further comments. Members of the Board concurred in the motion, as amended, with Dr. Rock and Mr. Solomon voting no.

Dr. Austin continued her report. She said she had distributed copies of her presentations to the Senate Appropriations Education Subcommittee and to the House Education Appropriations Subcommittee. She said that in honor of Black History Month, Ms. Julia Johnson, a member of the State Board of Education, would host the Florida Alliance for African-American Educators Conference in Tallahassee. That evening, February 2, 2004, Governor Bush would host a reception at the Governor's Mansion recognizing student essay winners.

5. Commissioner's Report

Commissioner Horne said he was extremely proud of the gains in reading made by fourth graders in Florida, the only state showing such reading improvements as measured by the National Assessment of Educational Progress. He said these improvements at the elementary level would ultimately result in more high school graduates being prepared for college.

6. Consideration, Governor's Recommended Tuition Increase

Mrs. Roberts said the Governor had recommended tuition increases of 7.5 percent for resident undergraduate students, and 12.5 percent for out-of-state and all other students in his Budget. She inquired about the position this Board should take on the proposed increases.

Ms. Parker noted that previously, the budget had given the University Trustees some measure of tuition discretion. She said she felt a certain trepidation in recommending straight across-the-board increases, which removed any Trustee discretion. Mr. Uhlfelder noted that the funds raised by the proposed tuition increases were tied to the whole budget package. Dr. Rock noted that in his presentation to the Board in December, the Presidents sought to give the Trustees some discretion over tuition. Commissioner Horne said while he liked the "up to (a certain percent) increase," he concurred in the proposed recommendation. Mrs. Roberts said that the key was to protect the new revenues recommended in the budget. Mr. Uhlfelder suggested that universities that did not charge the recommended increases might not receive as much of the new revenue.

Dr. Bryant said that tuition in Florida was so low; this tuition increase was not going to be so enormous that it would bring Florida university tuition equal to tuition in other states. She said while she was uncomfortable requiring additional tuition costs, in the big picture this increase would not put Florida in the arena of the highest tuition states. Mr. Rummell commented that Florida would have to raise in-state tuition by 14 percent a year for the next five years to get to the national average. Mrs. Roberts added that tuition only accounted for three percent of the total cost of education.

Mr. Dasburg agreed that imposing mandatory tuition increases was inconsistent with the concept of devolution. He would submit, however, that while inconsistent, it was also part of the total package and he would not recommend "unbuttoning" this important part from the whole. Mr. Dasburg moved that the Board approve the tuition increases, as proposed in the Governor's Budget; Mr. Temple seconded the motion.

Dr. Rock said he had difficulty with the out-of-state tuition recommendation. He recommended that the Board approve the in-state increase and leave the out-of-state increase to the option of the University Boards.

Provost Rosenberg said that FIU was now at the tipping point with out-of-state tuition. He said a significant increase would have a negative impact on the University's

competitiveness in attracting students from outside Florida. Dr. Colburn said UF supported the proposed increases.

Dr. Bryant noted that this Board served as the Florida Board of Governors. If this Board approved an increase in tuition for Floridians, it should certainly raise the tuition on students coming from outside Florida.

There were no further comments. Members of the Board concurred in the proposed tuition increases, with Dr. Rock and Mr. Solomon voting no.

7. Consideration, Legislative Agenda, 2004 Session

Mrs. Roberts said at the December meeting, the Board had directed the Chancellor and her staff to bring recommendations for the Board's 2004 legislative agenda. She asked Dr. McKee to review the issues.

Dr. McKee said the current School Code had been codified prior to the approval of the Constitutional Amendment creating the Board of Governors. As a result, the statutes now included numerous references requiring approval by the State Board of Education for matters clearly relating to the universities. These references needed to be revised to reflect approval by the Board of Governors. She said the authority was clear in some sections, e.g., approval of doctoral programs and the cycle for program reviews. There were other sections, however, where the lines of authority were less clear, e.g., in areas of articulation with community college programs and with common course numbering. These areas required coordination between the two Boards. She said staff would be working in the next few weeks to review all the relevant statutory sections to be sure all issues were captured correctly.

Dr. McKee said the agenda included the enumeration of the issues to be considered as part of the Board's legislative package. Many of the issues had been identified by the University Presidents. She described each of the proposed issues affecting the universities or the Board of Governors. She said all of these would be reviewed further as staff developed legislation clarifying and codifying the role and responsibilities of the Board of Governors.

Mrs. Roberts said these were brought forward for information; no Board action was required.

8. Consideration, Implementation Authorization, Ph.D., Conservation Biology, UCF

Dr. LeMon said the University of Central Florida had been planning the proposed Ph.D. in Conservation Biology for a long time. The program would produce scientists capable of doing independent research in Conservation Biology, but also scientists who could work within the broader arena of environmental politics, law and economics. This program is particularly appropriate in Florida, an environmentally sensitive state. Costs for the program compare favorably with costs for other programs in the Life Sciences; by the fifth year, 53 percent of the funding for the program is expected to be from

contracts and grants. He noted that there were no other Conservation Biology programs, per se, in Florida.

Dr. Terry Hickey, Provost, first thanked the Board for its support of the Governor's excellent budget recommendations. He said UCF had planned for this new program for several years. Faculty hired for the program had won teaching awards and the program considered regional priorities. He distributed a brochure that described the seven-county effort in Central Florida focused on the economic vitality of the area. Faculty research would provide research opportunities for undergraduate students.

Dr. Beth Stevens, Vice President, Disney's Animal Kingdom, said she had now been with Disney for eight years; there were now 13 Ph.D.s involved with Disney's conservation and science program. She said she was very excited about the partnership with this program and the opportunity to make good science accessible to decision-makers. She described the benefits Disney would derive from this partnership, including recruitment and retention of staff and the opportunity for research partnerships with a major research university. She said there were six Fellows with academic affiliations at UCF funded by Disney. She commented that the Florida Agency for Workforce Innovation estimated a need in Central Florida for 300 Ph.D.s in the Life Sciences.

Dr. Ross Hinkle, Kennedy Space Center, spoke on behalf of the Dyanamec Corporation which had been in the conservation business for over 30 years. He said the company was already an employer of UCF bachelors and masters students, and he said there was a great need for this new program. He said he had been a partner in the conversations about the program and he was pleased that the program integrates science and science applications. He said he expected to hire graduates of this Ph.D. program. He commented that Florida was one of the top five states in employing conservation biologists and environmental scientists; two of his staff members were already enrolled in the program.

Mr. Dasburg moved that the Board authorize the implementation of a Ph.D. in Conservation Biology, CIP 26.1307, at the University of Central Florida, as presented. Dr. Bryant seconded the motion, and members of the Board concurred unanimously.

9. Discussion, Recommendations from the Funding Formula Committee

Chancellor Austin said the Funding Formula Committee had begun its deliberations in September, in response to one of the goals of the Board, to recommend a new funding formula for the System. The charge to the committee was to develop a funding formula that provides for the different missions and programs at the universities and, at the same time, achieves adequate and stable funding for the universities. She said that all the universities were represented on the Committee, which had set up a Technical Advisory Group to assist them. She said Ms. Anne Blankenship would present the Committee's recommendations.

Ms. Blankenship reviewed the foundations for building the model. She explained that the committee had reviewed a variety of funding models and was recommending a

model which was enrollment driven and generated faculty and staff positions. She described the rationale for choosing the model, noting that it focused on meeting the needs of students by generating resources to meet student demand; it was easy to adjust individual components; it avoids funding future needs based on inadequate prior funding; it provides for funding needs for incremental enrollment growth; and it provides an equitable level of resources to similar institutions to provide similar activities or services, based on the number of additional students to be served. She said they had not yet agreed on new "group names" by which to group the universities, but there was agreement that new "group names" were needed. She described the component factors in the model, and how each one was used to calculate funding needs. She said that the Advisory Group recommended that the Legislature pay 75 percent of the cost of the enrollment growth portion of the model.

Dr. Austin said the Funding Formula Committee had adopted these recommendations the previous Friday. The Advisory Group did not assign institutions to groups; they had agreed that the groups should be renamed and that they should not be named using numbers. The components to fund New College had not yet been resolved. Funding New College would be different because of its size. There was not yet a determination of the faculty and staff salary rate to be used. She said the faculty salary data was still to be submitted.

Dr. Bryant inquired about the legislative mandate on performance based funding, and accountability measures. The Chancellor said these issues were not addressed in the formula. Dr. Bryant said the Board had discussed graduation rates and "persistence" during the Strategic Planning Committee meeting. The Board recognized that these would have to be enhanced for the universities to meet the Board's plan to increase the number of baccalaureate degrees awarded.

Ms. Blankenship said while the universities prepared their budget requests by the components she had described, there was no requirement to expend the funds by component. She suggested that if the total were not "rich enough," the components could be enriched.

Ms. Pappas inquired whether the formula included any testing mechanism. Ms. Blankenship remarked that salary was a very large piece of the formula, and that piece was still missing. She said the group had not agreed whether to use an institution-average salary or the systemwide salary average. Ms. Bilbrey inquired whether this model was used in other states. Ms. Blankenship said the group had selected the best pieces from several models. Ms. Bilbrey inquired about the major issues of dissent. Ms. Blankenship said the major outstanding issues were on which institutions should be in which groups and the determination of salary. She added that the group had engaged in healthy debate on many of the issues within the formula and had generally reached consensus early in the discussions. She said that all were supportive of the approach.

General Heiser extended his compliments on an excellent product. Dr. Rock asked how this was different from the current practice. Ms. Blankenship said the current model was expenditure-based, what you spent determined what you got. The

proposed model was based on a set of components, some of which were new. She noted that some components did use base funding, some were expenditure based and some were enrollment driven. She said the group expected to bring the final recommendations to the Board in March. Mrs. Roberts asked that future presentations on the Formula be included in the agenda materials.

President Genshaft remarked that this was a fair and equitable funding formula, mission-driven for all the institutions in the System. She said that groupings for the universities could be chosen from the groups already identified by the Carnegie Foundation for the Advancement of Teaching, or the groups used by SACS in university accreditation. She suggested that the universities should be grouped using a mission-driven approach. She said that the model to be used to address enrollment growth could be used to benefit schools across-the-board. The proposed formula was certainly better than what was in place. President Brogan concurred, particularly since the model took part-time students into consideration, as well as FAU's "distributed campus."

10. Consent Agenda Items

- A. Approve Allocations of Funds from the University Concurrency Trust Fund to Update University Campus Master Plans in accordance with Florida Statutes

Mr. Dasburg moved that the Board approve the allocations and authorize the Deputy Commissioner/Chief Operating and Education Financial Officer to release funds in the amount of \$3,595,000 to the universities in accordance with the allocations, as presented, to defray the cost incurred in updating their campus master plans to meet 2005 statutory requirements. Each university's receipt of the recommended allocation is contingent upon adoption by its local Board of Trustees of its 2000 campus master plan update. Dr. Zachariah seconded the motion, and members of the Board concurred.

- B. Consideration of Amended 2004-2005 Fixed Capital Outlay Legislative Budget Request

Mr. Dasburg moved that the Board approve the amended portions of the 2004-2005 SUS Fixed Capital Outlay Legislative Budget Request, including the 2004-2005 Alec P. Courtelis Facility Enhancement Challenge Grant Program Project List; the Request for Legislative Approval for the State University System to Construct Facilities which are to be Financed or Partially Financed through the Issuance of Revenue Bonds; and the Request for Legislative Approval for the Financing and Acquisition of Facilities by Direct Support Organizations of the State University System; as presented. Dr. Zachariah seconded the motion, and members of the Board concurred.

11. Presentation, Accountability in Engineering Programs

Mrs. Roberts welcomed Dean Pramod Khargonekar, UF College of Engineering. She said the Board had invited Dean Khargonekar to address the issue of outcomes assessment in engineering programs. Dean Khargonekar described engineering education, the admissions process, and the structure of the curriculum. He said engineering programs are accredited by the Accreditation Board for Engineering and Technology (ABET). In 2000, ABET changed from a "bean counting" approach to an outcomes oriented approach. The Dean described how engineering students were continuously measured and the specific program outcomes every engineering graduate must demonstrate. Further, every student has an advisor and the College must retain a student portfolio of every graduate showing that the student met all the requirements specified by ABET criteria. The College is required to provide this proof in order to maintain its accreditation. The College receives both industry feedback and alumni feedback.

Mr. Dasburg thanked Dean Khargonekar for his excellent presentation. He said it was clear that assessments were being done and that engineering courses were designed with specific outcomes. He noted that the Board's discussions about standardized tests raised questions about the results from such tests. He observed that there were also significant costs to be incurred. From the presentation, he said he could not imagine what would be gained by giving engineering graduates a CLAST type of exam.

Dr. Rock concurred. He added that all the faculty throughout the universities cared a great deal about their work. He thanked the Dean for his excellent remarks.

12. Status Reports, Board Committees

A. Strategic Planning/Educational Policy

Mr. Dasburg reported that the Strategic Planning Committee had agreed on the strategic targets for the University System. He said the next step was to begin to develop consensus with the universities, the State Board of Education, and Legislators on these targets. That process begins. No further Board action is needed.

B. Performance and Accountability

Mr. Uhlfelder reported that the Accountability Committee had adopted a number of accountability measures. The recommendations were consistent with the work on accountability being done by the State Board of Education. He said the issue of learning assessment was still outstanding. Mrs. Roberts had appointed a subcommittee, including Dr. Bryant, Commissioner Horne, Mrs. Roberts, Dr. Rock, and Mr. Uhlfelder, to create an RFP for a pilot project on university learning assessments, which might be similar or better than the CLAST test. He moved that the

Board adopt the accountability measures, as recommended. Mr. Dasburg seconded the motion, and members of the Board concurred.

C. Audit

Mr. DeGrandy reported that the Audit Committee had two items on its agenda. The first item was an update from Florida A & M University on its Action Plans to improve its Business Procedures. Both President Gainous and Dr. Corbin, Chair, FAMU Board of Trustees, made presentations. Both reported that the University was making excellent progress; the financial issues were being resolved to the satisfaction of the State's Chief Financial Officer and the Department of Education. Mr. DeGrandy noted that the process worked. There was a breakdown; the Board of Governors made an impact on the process, with the University's Trustees. During its meetings, the Committee had learned that funds were neither missing, nor misappropriated; there had been an accounting error. Funds reported to have been misappropriated had been spent correctly.

Mr. DeGrandy said what had been important in the process was that because of the interaction and this Board's participation in the discussions of the University's Action Plans, a great deal of information had been provided and the University was back on track. He said that whether this Board might have chosen other Action Plans was not the issue. It was important that this Board heard that real plans were being developed and implemented. He said the Chair of the University Board had assured this Board that this was an evolving process. The University had embarked on good first steps, and had not reached the end of the road. He noted that the Committee had asked tough questions at the December meeting. He said that while he had not been satisfied with the status of the corrective measures in December, he had been particularly satisfied with the presentations made to the Committee today. The University had made significant progress since then. He requested that the President and Chair provide a further progress report at the Board's April meeting, and report on the steps of the Action Plans that were resolved by that time.

As a second item, the Committee had heard from Mr. Paul Robell, Executive Director, UF Foundation, on the theft of Foundation funds. He said that this case involved criminal behavior which was not present in the FAMU case. As there were civil liabilities involved, some information could not be discussed publicly. He said the individual involved had been arrested and the matter was being addressed very seriously. He said it was not appropriate, at this time, to set a time for this Board's review of this incident, but that he hoped the Board would receive a more thorough report on the criminal and civil status of this case at the March meeting.

Finally, Mr. DeGrandy said the Committee would hear reports from President Maidique and the Chair of the FIU Board, Mr. Henriquez, on the FIU Hemispheric Center for Environmental Technology at the March meeting. He said FIU needed to present an Action Plan which had received the prior review of the FIU Board. He said the Committee needed to be cognizant of treating all the universities similarly in these reviews. No further Board action was needed.

13. Adjournment

Having no further business, the Chair adjourned the regular meeting of the Florida Board of Governors at 4:45 p.m., January 22, 2004.

Carolyn K. Roberts,
Chair

Mary-Anne Bestebreurtje,
Corporate Secretary