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FLORIDA BOARD OF GOVERNORS
H. MANNING EFFERSON BALLROOM - STUDENT UNION
FLORIDA A & M UNIVERSITY
TALLAHASSEE, FLORIDA
OCTOBER 22, 2003

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The Chair, Carolyn K. Roberts, convened the meeting of the Board of Governors in the H. Manning Efferson Ballroom, Student Union, Florida A & M University, Tallahassee, Florida, at 2:15 p.m., October 22, 2003, with the following members present: John Dasburg, Vice Chairman; Dr. Castell Bryant; Miguel DeGrandy (by telephone); Rolland Heiser; Commissioner Jim Horne; Gerri Moll; Ava Parker; Dr. Howard Rock; Peter Rummell; Patrick Sullivan; John Temple; Steven Uhlfelder; and Dr. Zachariah P. Zachariah (by telephone).

1. Call to Order and Welcome

Mrs. Roberts thanked President Gainous and the staff of Florida A & M University for hosting this meeting of the Board of Governors. She recognized President Gainous.

President Gainous said Dr. Jim Corbin, Chair, FAMU Board of Trustees, could not be present, but had addressed the Board during the Committee meetings that morning. On behalf of the members of the Board of Trustees, and the staff and students at FAMU, Dr. Gainous extended a warm welcome. He thanked the Board for its support of the Universities' "Quality and Access" campaign. He described some of the University activities. He said he was pleased that the School of Pharmacy had recently won a \$6 million grant from NIH; FAMU students were mentoring elementary school students on Tallahassee's south side. He said FAMU continued to experience enrollment growth, and had enrolled approximately 13,090 students this fall. He said the campus was especially busy this week with Homecoming activities.

Mrs. Roberts recognized President Hitt, University of Central Florida, and Chair, State University Presidents Association. She recognized Provost David Colburn, UF. Dr. Colburn said this Board had ratified the UF Trustees' selection of Dr. "Bernie" Machen as the next President of the University of Florida. He said the campus was excited about the new President. He invited the Board to hold its January 22, 2004, meeting at the University; this would be an opportunity for Board members to meet Dr. Machen. He said NIH had just funded two Center of Excellence grants in Genomics at UF.

Mrs. Roberts recognized Representative Frank Attkisson. Representative Attkisson said he was here on behalf of Representative Baker, who was serving with his Reserve Unit in Iraq, to present a resolution recommending that the universities that are offered U.S. flags be encouraged to fly them in the classrooms. Dr. Rock said this was an issue devolved to the University Boards of Trustees. He said he would encourage the universities to engage in this debate; it was inappropriate for this Board to make this decision for them. Mr. Uhlfelder moved that the Board approve the resolution, as

presented. General Heiser seconded the motion. Dr. Bryant clarified that this Board was “encouraging,” not “requiring.” Mrs. Roberts concurred. There were no further comments, and members of the Board concurred, with Dr. Rock voting no. Representative Attkisson thanked the Board, and introduced a group of students who had come to support this resolution.

2. Report, Chair, Board of Governors

Mrs. Roberts said the next meeting of the Board would be held December 3, 2003, in Tallahassee. She said there were many issues facing this Board. She said the Board had a clear role as advocates for the universities, while also holding them accountable. She said she had been pleased to join the University Presidents announcing their “Quality and Access” Campaign, which was a campaign in support of the Budget Request this Board had approved in August. She said she was excited about the potential of the Scripps Research Institute proposal and its impact on the universities. This was an outstanding opportunity. She hoped the Legislature would support the Governor’s request for funds. She noted that the call for the Session had been expanded to include funding for the Matching Gifts Program from unclaimed Lottery money.

She again commended the Trustees at the University of Florida on their successful and outstanding presidential search process. She said the search had demonstrated how the process could work in Florida. She said they had selected a highly qualified candidate in Dr. Machen and she looked forward to meeting him and working with him. She said the Board needed to consider its comprehensive legislative package, for which the Board would lobby as a System, while being respectful of the K-20 system. She thanked Governor Bush for keeping education as a priority.

3. Approval of Minutes of Meeting held September 24, 2003

Mr. Rummell moved that the Board approve the Minutes of the Meeting held September 24, 2003, as written. General Heiser seconded the motion, and members of the Board concurred.

4. Chancellor’s Report

Chancellor Austin echoed the Chair’s remarks about the exciting prospect the Scripps Research Institute proposal represented for the State University System. She said the Governor’s proposal to use unclaimed Lottery dollars for the Matching Gifts Program begins to address the backlog in matching these gifts. Dr. Austin reported that Board members were familiar with the One Florida program, as it related to university admissions. She said One Florida also addressed equity in contracting. The universities were all active in working with certified MBE’s. She said while the numbers were down in PECO projects, the number related to the reduction in PECO funds available for university contracts. She noted that McKinsey and Company was looking at education funding in Florida, in conjunction with the Council of 100.

Dr. Austin introduced Dr. Nancy McKee, the new Vice Chancellor for Education Policy and Research, who would be starting work with the Division on November 17, 2003. She said Nancy had excellent experience with CEPRI and with the Legislature, and that she was pleased to welcome her to the staff.

Dr. Rock commented that the Scripps Research Institute in California worked with just one of the public universities. He said he hoped that Scripps in Florida would provide opportunities for researchers throughout the universities. Dr. Austin assured him that would be the case.

5. Commissioner's Report

Commissioner Horne advised the Board that the State Board had held its meeting the previous day in Orlando. The State Board had considered further accountability measures, the next iteration of raising the bar on school grades, and a report from the Lieutenant Governor on the implementation of Universal Prekindergarten. He advised the Board of the Governor's State of Education address at the Contemporary Hotel in Orlando, as a part of the meeting of the Board of Enterprise Florida, at 9:00 a.m., November 13, 2003. He said the Governor would focus on where we have been in education in Florida and where we are going.

6. Status Reports, Board of Governors Committees

A. Facilities Committee

Ms. Parker reported that there were no items for Board action from the Facilities Committee. The Committee had begun discussions about the process by which the universities submit requests for new facilities which would come to this Board in the Spring 2004. Staff had been asked to review the existing process, and to make recommendations for improving the process.

B. Student Affairs Committee

Dr. Zachariah reported that the Student Affairs Committee had no items to bring to the Board for action. The Committee had continued its discussion of accelerated high school graduation options.

C. Finance Committee

Ms. Moll said the Finance Committee had no items to bring to the Board for action. The Committee had heard a report on the work of the Funding Formula Committee, which faced a daunting task in developing an equitable and adequate funding formula for the universities. Dr. Austin had reviewed the presentation Department staff had made to the House Education Appropriations Committee on the 2004-2005 Legislative Budget Request. In addition, Mr. Tim Jones provided an overview of the 2003-2004 Operating Budget.

D. Performance and Accountability Committee

Mr. Uhlfelder said the Accountability Committee had continued its discussions of accountability measures for the universities. As a result of the Committee discussions, Mr. Uhlfelder said the Committee recommended that the Board ensure accountability at the program level by process audits and establishing a learning profile for each university program. He moved that the Board approve this measure, as recommended. Dr. Rock seconded the motion, and members of the Board concurred.

E. Strategic Planning/Educational Policy Committee

Mr. Dasburg said the Committee had continued its discussion of the proposed Powers and Duties of the Board of Governors, found at Tab 7, of the Agenda. He said during the discussions, the Committee had said that it was clear to the members of the Committee that the Board required additional resources to perform its duties. He said the Powers and Duties were divided, as enumerated in the document. Part 1 described the Board's responsibility to establish the overall mission for the State University System; Part II described the Board's responsibilities with respect to the constituent colleges and universities; Part III described the powers and duties enumerated to the Boards of Trustees of the constituent colleges and universities; and Part IV described the Board's operations. He said the Committee had discussed the need to establish the criteria for the universities' missions, and the need for additional resources to accomplish that task. He said the Chief Education Finance Officer had assured the Committee that he would assist in identifying the needed additional resources.

7. Authorization, Condemnation of Private Property Adjacent to the Campus, FAMU

Chancellor Austin said FAMU sought the Board's authorization to exercise the power of eminent domain, with respect to two separate parcels, as described in the Agenda. The University's Board of Trustees had previously authorized this action.

Mr. Robert Scanlan, Attorney General's Office, said the University had previously acquired property through the exercise of eminent domain; they were sensitive to the owners/tenants in these acquisitions. The University had received appropriations for the land acquisition. Mr. Woodring added that the University was exercising caution, in light of the statutory language requiring approval by the State Board of Education, by bringing this matter to both this Board and the State Board for approval. He said in the review of these requests, this Board was reviewing whether there was approval by the University's Board of Trustees, and whether there had been efforts to acquire the property without using the power of eminent domain. The Agenda materials indicated that the Trustees had approved the action, and that other attempts to acquire the property had not been successful.

Dr. Bryant said that some of the properties seemed to have student tenants. She inquired if the University would work with them so as not to inconvenience them in the middle of the term. Mr. Scanlan said they had worked with the students' schedules, and had also provided funds to assist with any moves.

General Heiser moved that the Board approve the exercise of the right of eminent domain by the Board of Trustees of Florida A&M University to acquire fee simple title in the Board of Trustees of the Internal Improvement Trust Fund of all the properties, as described in the Agenda; and, further, to authorize the Board of Trustees at Florida A & M University to accomplish the acquisition, as described, through negotiation or condemnation, including authority to prepare and execute all necessary parcel-specific condemnation resolutions, as presented. Ms. Moll seconded the motion, and members of the Board concurred unanimously.

8. Consideration, Requests for New Academic Programs

Dr. LeMon described the process for submitting new degree program requests for Board approval. He said the process included external reviews and site visits.

A. Implementation Authorization, Ph.D., Biomedical Sciences, FSU

Dr. LeMon said the proposed Ph.D. in Biomedical Sciences was a key requirement in Florida State University's effort to achieve full accreditation for its medical school, created by the Legislature in 2000.

Dr. Larry Abele, Provost, Florida State University, explained the interdisciplinary program, noting that faculty both inside and outside of the College of Medicine would be involved. Ms. Parker inquired about the costs. Dr. Abele said the start-up costs were expensive. The \$564,502 identified in the Agenda for the first year covered the costs of two faculty members, one staff member, one laboratory technician, and OPS money for stipend support.

Mr. Rummell said it was difficult for him to judge these program requests as the Board had no criteria by which to judge them. He said he was unclear as to the proper role for this Board. He said he was tempted to inquire whether these were decisions which should be made now rather than later. In light of budget concerns, he said he could argue that the Board was only digging deeper holes with these decisions. Mrs. Roberts noted that these program requests would, in the future, be reviewed by the Educational Policy Committee.

Dr. Rock noted that certain decisions were crucial. He said this program was critical to the new FSU College of Medicine and the Board should do no damage to the efforts already underway at the College. Dr. Abele added that the University was seeking no additional funds; there were sufficient external funds for the next five years.

Mr. Dasburg said he had voted against a doctoral program proposed by the University of Central Florida, in July. He said, in this case, the College of Medicine is in place; the program area is a program for the future and needed for the long term. The program is consistent with the State's current investments. He said he would support this request. He said it would become more comfortable for this Board to support these requests as the Board identifies better goals. Some programs will fit clearly with the goals; others may not be so obvious.

Ms. Moll said it would be helpful to include information in the Board materials about similar programs already in place at other universities. Dr. Bryant added that the program requests should demonstrate why they are clearly needed.

Ms. Parker inquired about collaboration with other universities in planning for this program. Dr. Abele responded that the program was intensive and laboratory-based; students need to be on site. The Ph.D. Nursing program with UF is less lab-based.

Mr. Sullivan moved that the Board authorize implementation for a Ph.D. in Biomedical Sciences, CIP 50.1608, at Florida State University, as presented. Dr. Rock seconded the motion, and members of the Board concurred.

B. Implementation Authorization, Ph.D., Biomedical Engineering, FIU

Dr. LeMon said this program in Biomedical Engineering was listed in the 1998-2003 Master Plan. The program supports FIU's plan for increasing its offerings in health-related disciplines, and will provide a foundation for further development of health-related and medical programs at FIU.

Dr. Mark Rosenberg, Provost, FIU, said FIU's vision for itself was to be a top, urban, public university, with expertise in the areas of health, international affairs, and environment. He said with the Scripps Research Institute coming to South Florida, this program would be in line with the emerging life sciences corridor for Southeast Florida. He described the five areas of specialization for graduates of the program. He noted that Dade County was the tenth largest area in the country for biomedical research and medical devices. He said the faculty would work closely with industry; the University already had a \$10 million endowment for the program.

Mr. Dasburg moved that the Board authorize the implementation of a Ph.D. in Biomedical Engineering, CIP 14.0501, at Florida International University, as presented. Ms. Moll seconded the motion, and members of the Board concurred.

C. Implementation Authorization, Ph.D., Nursing, FIU

Dr. LeMon said the University had presented a strong case for this program, particularly the need for new Ph.D. qualified faculty to increase the capacity of Florida's undergraduate nursing programs, which are turning away more qualified students than they are able to admit.

Mr. Temple inquired why the costs per student were shown as going up in the fifth year. Dr. LeMon responded that equipment costs were phased in over a period of years.

Dr. Rock advised the Board that when this program was approved by the FIU Trustees, applause from enthusiastic supporters filled the auditorium. Representative Meek had also indicated his support. Dr. Bryant said she was pleased that the focus of the program was on teaching.

Ms. Parker said she felt it was the responsibility of this Board to address duplication. She noted that this was the sixth of these doctoral programs, three in the same geographic area. Dr. Rosenberg said that was correct. He noted that two programs in the area were at private institutions where the costs to students were steep. He said these programs were not an option for many students, which gave him confidence in the demand for this program at FIU. He said the \$197,416 in costs for the first year were to pay for new faculty. In addition, the University has sought partnerships with local hospitals.

Dr. Bryant moved that the Board authorize the implementation of the Ph.D. in Nursing, CIP 50.1608, at Florida International University, as presented. Dr. Rock seconded the motion, and members of the Board concurred.

9. Consideration, Powers and Duties of the Board of Governors

Mr. Dasburg said many Board members had participated in the discussions of the Board's Powers and Duties document during the meeting of the Strategic Planning Committee. He said the Committee had adopted the document, as presented in the Agenda, with several amendments. In Part 1.11, the Committee answered the question posed in Part 1.12, by adding "or remove." Part 1.11 states, "Select or remove, with the advice and consent of the Commissioner of Education, the Chancellor of Colleges and Universities." In Part IV, 4. enumerating possible rules governing attendance was deleted, with the sense of the Board that it was at the discretion of the Chair to deal with member attendance, as she deemed appropriate. He said that Counsel, Daniel Woodring, had noted that the Board's previous devolution of authority to the University Boards of Trustees could circumscribe this Board's inclusion of "selection criteria" for presidential selection processes, but that the Committee had recommended that the statement remain in the document.

He moved that the Board adopt the Powers and Duties of the Board of Governors, as presented and amended. Mr. Temple seconded the motion, and members of the Board concurred unanimously.

Mrs. Roberts expressed her thanks to Mr. Dasburg for leading his Committee to this excellent document. She noted that the Committee had begun its work with a blank piece of paper at its meeting in Miami, September 17, 2003, just a month ago.

10. Discussion, University Funding Formula

Chancellor Austin said it was important to achieve stable funding for the universities. She said from initial discussions of the Funding Formula Committee on September 30, 2003, the basic foundations for the formula should be that it should be mission driven, equitable, simple to understand, flexible, and rely on easily obtainable data. The Committee included representatives of all the universities. The Committee had met again on October 20, 2003, and had a healthy discussion of the issues. She said Board members had received a summary of the recommendations from the universities. She reported that she had appointed an "ad hoc technical committee" to develop possible models, and that she hoped to bring recommendations to the Board for its consideration on December 3, 2003. She noted that the current formula was always a fall-back position.

Mr. Dasburg inquired whether the Chancellor was confident that she had equivalent costs from all the universities and that they were being compared in like ways. He said he wanted to be sure they were working from a good base. Dr. Austin said the universities used standard reporting requirements, but there were differences in the allocations. Mr. Dasburg said the University Boards would need to be satisfied that the formula used is a fair one. Mr. Monteleone said that even though there are standard reporting requirements there might be differences in the applications by the universities. Mr. Uhlfelder cautioned that some universities were located in more expensive places.

11. Presentation, University Tuition Policy

Mr. Tim Jones gave a presentation on tuition and fees, comparing Florida's university tuition policies with those of other states. He also described the various fees charged to students.

Mr. Dasburg said he had received a paper on "Transforming education in Florida." He said he was disturbed to learn that over 130,000 high school seniors are unable to pass the FCAT. He said it was not good news that Florida ranked 37th among the states in the number of its residents holding a college degree.

Dr. Bryant said there were other issues to be considered, as well as appropriate tuition policy, including financial aid and scholarship opportunities. Mr. Dasburg said best practices might indicate that the governing board sets tuition. Dr. Rock noted that the Texas Legislature had recently given the decision on tuition to the higher education governing board. Mrs. Roberts said this was a sensitive issue, on which there were

many opinions. She said the Legislature might welcome a position taken by this Board after thoughtful consideration of all the issues embedded with tuition.

Ms. Parker said she would be interested to know whether other states had programs similar to Bright Futures, which were affected by decisions to increase tuition. Chancellor Austin said the purpose of the Bright Futures Scholarships had been to keep the brightest students in Florida. She noted that the Legislature had begun discussions of ways to adjust the program given the numbers of students eligible for these scholarships. Dr. Rock noted that in the current tight budget environment in several states, they had made the decision to drop their pre-paid tuition programs. Mr. Sullivan noted that students were paying several local fees, in addition to tuition.

Chancellor Austin noted that there were a number of decision points. Questions included who should be responsible for setting tuition, the Board or the Legislature; the impact of tuition decisions on other programs, e.g., Bright Futures and Pre-paid Program; and tuition options. Dr. Rock said he would be interested to know about state grants-in-aid in those states that charge high university tuition. Mr. Sullivan reminded the Board that the statute previously provided for fee committees, to include student members, to recommend areas where increased fees should be directed. Mrs. Roberts said she was sure these discussions would continue as this Board developed its tuition recommendations. There were no further comments.

12. Adjournment

Having no further business, the Chair adjourned the regular meeting of the Florida Board of Governors at 4:30 p.m., October 22, 2003.

Carolyn K. Roberts,
Chair

Mary-Anne Bestebreurtje,
Corporate Secretary