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BY TELEPHONE CONFERENCE CALL
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The Chair, Sheila M. McDevitt, convened the meeting of the Board of Governors by telephone conference call, from Tallahassee, at 9:10 a.m., December 10, 2009, with the following members present: Ava Parker, Vice Chair; John Barnes; John Dasburg; Ann Duncan; Dr. Stanley Marshall; Frank Martin; Tico Perez; Carolyn K. Roberts; Commissioner Eric Smith; Dr. Judith Solano; Gus Stavros; John Temple; Norm Tripp; and Dr. Zach Zachariah.

1. Call to Order and Chair's Report

Ms. McDevitt thanked the Board members for their participation. She said this would be a brief meeting to take action on several items. She extended best wishes to all for the holidays.

Ms. McDevitt congratulated the FSU Board of Trustees for the successful conclusion of their presidential search. She said that Dr. Eric J. Barron had an impressive resumé and outstanding academic credentials. She said she had exchanged email greetings and looked forward to speaking with him. She noted that he was also a successful fundraiser.

Ms. McDevitt also congratulated the four universities whose football teams had been invited to bowl games, UF, FSU, USF and UCF. She commented that USF would be playing in Toronto, in the International Bowl.

Ms. McDevitt reported on the trip to Washington, D.C., to meet with members of Congress to discuss increasing the number of medical residencies in Florida. She said the group included Chancellor Brogan, Senator Peadar Kirby, Dr. John Rock (FIU College of Medicine), Dr. Steven Klasko (USF College of Medicine), Dr. Alma Little (FSU College of Medicine), Bruce Rueben (President of the Florida Hospital Association), Dr. Ana Viamonte Ros (State Surgeon General), Kathleen Daly (FSU), and Rick Maxey (BOG). She said they had many good one-on-one meetings with members of the Florida Delegation and others. She said many were grateful to have a better understanding about the low numbers of residencies in Florida as a result of the visit. She said they had also talked about the importance of residencies as a part of the foundation of health care. She said the House bill would reallocate unused residencies by using a new

allocation procedure. She noted that there was new recognition that the federal government was not the only party determining residencies, but that states, private sources and hospitals also supported additional residencies. She said that they also emphasized that Florida was the third largest Medicare state.

Ms. McDevitt reported on the Joint Workshop with the State Board of Education at The Scripps Research Institute on November 12, 2009. She said she would be meeting with Chair Fair the following week in Tallahassee to discuss the issues identified for additional review.

She said she would be meeting with the lobbyists in January to craft the Board's legislative agenda for the 2010 Session. She noted that in her numerous meetings with Legislators, they had expressed interest in the whole area of shared services. She said it was also important to hold the line on approval of new programs until there was a better understanding of funding. She said she continued to be interested in further efficiencies in academic programs.

2. Recommendation to fill Trustee Vacancy, USF

Dr. Zachariah said the Trustee Nominating and Board Procedures Committee had met earlier in the week to consider applicants for a vacancy on the USF Board of Trustees which was the result of the early resignation of Mr. Jan Smith. He said the Committee had heard from Chair McDevitt and from Mr. Stavros who had reviewed the applications and had interviewed the applicants. He reported that the Committee had recommended Ms. Sherrill M. Tomasino to fill the unexpired term of Mr. Jan Smith, for the term ending January 6, 2011.

Mr. Barnes moved that the Board accept the recommendation of the Committee and approve the appointment of Ms. Sherrill M. Tomasino to fill the unexpired term of Mr. Jan Smith, for the term ending January 6, 2011. Ms. Duncan seconded the motion. Members of the Board concurred.

Dr. Zachariah noted that Ms. Tomasino would have to submit a letter of resignation from her current seat in order to fill this appointment, effective immediately.

3. Chancellor's Report

Chancellor Brogan congratulated FAMU on its reaccreditation by SACS for another 10 years. He noted that UNF's accreditation had also been reaffirmed by SACS.

Chancellor Brogan said that he had taken the direction provided by the State Board and this Board at the Joint Workshop and was working with Commissioner Smith to further develop the issues. He said he would provide an update before the

end of the year. He said he believed they should develop a vision for the needs of higher education, and develop the process for the articulation and coordination of all delivery systems, public and private, to achieve that vision. He said there were common points both Boards could support, such as increasing the number of high school and college graduates. He said the meeting of the Board Chairs would give them an opportunity to scrutinize the proposed work plans. He said he had recommended another joint meeting of the two Boards at the beginning of the Legislative Session, which would give them an opportunity to meet with Legislators as well. Commissioner Smith concurred and said they were making progress on the work plans.

Chancellor Brogan said Legislators had been in Tallahassee for the Special Session on rail. He noted that other committees had also been meeting and that he, Chancellor Holcombe and President Bense had made presentations to the House Education Policy Council and to the Senate Higher Education Appropriations Committee regarding greater strategic planning of higher education in Florida that included all sectors and the business community.

Chancellor Brogan complimented the work of Mrs. Roberts and her team in completing the report on medical education funding. He said they had determined a number, \$57,500, which represented the rock bottom of state funds per-student base-level funding. He said there had never before been a recommendation of a specific figure of the required state contribution to fund medical education.

Chancellor Brogan said the Board had presented a "skinny" Legislative Budget Request earlier in the fall, representing the System's basic funding needs, including replacement of federal stimulus funds, plant operations and maintenance. The request was about \$350 million over current funding. He said, however, that this was not the total request the SUS would present. He said that by January he intended to bring an amended LBR which would include the "New Florida" initiative, a multi-year, flexible funding approach which he and the Chair had been discussing with the Governor, House members and Senators, as well as with members of the Council of 100 and the Florida Chamber. He said this would be the first year of a multi-year, flexible and predictable funding model, allowing the universities to demonstrate their achievement on the priority metrics.

He noted that the BOG Regulation the Board had approved on November 12, 2009, put in place an accountability system. He said the universities were also working on university work plans, looking at where they were and where they wanted to be in future years. He said the accountability metrics would allow the universities to demonstrate how they were using resources and the results they were achieving.

Chancellor Brogan congratulated the FSU Board of Trustees on the selection of Dr. Eric Barron as their next President. He said he had received a call from the FSU

Board Chairman, Jim Smith, to discuss the role for FSU in the SUS. He said Dr. Barron brought outstanding credentials and would be an excellent President.

Chancellor Brogan advised the Board members that he continued to work with the Governor's Office on the appointment of trustees, but that he could not provide any specific information as to when these appointments would be made.

He reported that he had spent Monday, December 14, 2009, at the Kennedy Space Center talking about higher education and space/aerospace in Florida. He said the 50 years of space history in Florida was not to be taken for granted, and should now be re-emphasized for its economic development opportunities.

He thanked Chair McDevitt for her efforts in Washington, D.C. He said she had been the impetus for the trip. He said he was convinced that the trip had resulted in the amendment to the healthcare legislation that had added 15,000 new residencies across the country. He said it was likely that this issue would never have surfaced without their visits with key House members and Senators. He commented that many Members were now discussing inserting residencies in other ways.

4. Update, Shared Services

Ms. Duncan provided an update on Shared Services. She said that at the June meeting, Bill Merck from UCF had highlighted several areas of success, including the successful award of a contract for Builders Risk Insurance which could be used on a systemwide basis by any institution. She noted that a few institutions had taken advantage of this contract. She said they would continue to monitor this program to see what the actual savings would be.

She said that recently, the focus of Shared Services had been in the area of university procurement. There had been an initial conference call with university purchasing directors in September. She said the universities' purchasing directors had been sharing best practices. She noted that they actively participated in regional and national consortiums that allowed them to achieve significant cost savings. She said the agenda materials included examples of existing contracts, which provided for shared or joint procurement of products or services. She noted that these were quite extensive, and showed that the universities had been focused on procurement savings. She said that they had considered over 30 areas for potential savings, and had selected a few key areas to work on, e.g., a system contract with Microsoft; media buying; academic book vendors; and multi-media equipment.

Ms. Duncan said she also wanted to bring to the Board's attention the cooperative work that was being done by the library automation entities in all of the education sectors and the Department of State. She said the Florida Legislature had directed the Department of Education to work with the university system's Florida Center for Library Automation, the College Center for Library Automation, public

schools' SUNLINK, and the Department of State's Florida Electronic Library to develop recommendations for four specific issues. She said the report had been submitted to the Governor and Legislature on December 1, and had been posted to the Board's website as well.

She reviewed the issues. She said the report demonstrated that universities, colleges and public libraries already participated in a catalog that could search all of their holdings at once, and that K-12 schools could participate at a minimum annual cost. She said the report noted that state universities and colleges worked closely with each other and with the federally funded Florida Electronic Library to maximize the licensing of electronic resources. She said the report recommended creating a consortium of these entities, bringing in K-12 and public libraries, to develop plans and processes for leveraging funds for licensing eResources and to seek new models to expand cross-sector access.

She explained that another issue was to consolidate automated, on-line library services and systems when this consolidation could maximize efficiencies, reduce costs and increase collaboration. She noted that the university provosts and library directors strongly supported this recommendation. She said they emphasized the need for careful thought and planning when considering efforts to consolidate information technology resources. She noted that the report documented that technology and software changes were underway nationally that would drastically impact the future of library automation, so the time was right for Florida libraries to work together to assess their needs and plan new ways to cooperate in the process of acquiring new systems, services and software. She said the recommendation was that the Legislature formally charge a cross-sector group to determine a vision and develop a strategic plan for the future of libraries and to provide funding for a consultant to assist the project..

She said the fourth directive in proviso was to establish a statewide approach and process for contracting with providers of library services and products and securing statewide membership in library organizations. She said the report indicated that the Department of Management Services currently had a state term contract for certain library materials, and recommended that the contract be expanded to include services from library cataloging utilities and other providers of library services and that the Department continue activity begun in exploring statewide membership in library-related membership organizations.

Ms. Duncan noted that the Department of Education had recommended that the report be Phase I, with Phase II being the more careful thought and planning that was needed before moving forward with consolidation. She commended the entities who had participated for seeking to provide library services in the most cost-efficient manner possible. She also commended Commissioner Smith and the Department for the 500 pages of documentation compiled and reviewed for this report.

Mr. Stavros said he had been a purchasing agent for 10 years. He said he knew how much could be saved by sharing and looking for efficiencies. Ms. Duncan said that Florida TaxWatch was also interested in efficiencies and shared services.

Ms. McDevitt inquired whether the group had calculated the dollar value of the savings. She suggested that these might be significant.

5. Final Report, Medical Education Funding Workgroup

Ms. McDevitt commended and thanked Mrs. Roberts and President Machen for their leadership of the Medical Education Funding Workgroup. She said this report was the result of their commitment and hard work. She also thanked Dr. LeMon and staff members. She said this was complicated because all the medical schools in Florida had distinct missions and a mix of different programs. There was also a considerable difference between the established schools and those that had just admitted their first class of students.

President Machen said it was important for the state to step in to keep the universities from being in a constant state of friction about medical education funding. He said proviso language had directed the Board to “develop a funding methodology for a consistent base level of state support on a per-student basis for each 4-year Doctor of Medicine degree program offered by a state university.” He said that this was fundamental, that there should be a base level of state support for each university offering the degree.

Dr. LeMon said the Workgroup had been unanimous in making this recommendation. He said they had been working on this project since August 2008. He said they had been charged with three tasks. He said the first was to recommend a set of outcome measures for M.D. programs, such as better reporting on M.D. graduates, e.g., where and in what specialty were Florida medical graduates doing residencies. He said the second and third tasks were more difficult. He said the second task was to determine a per-student base level of state funding, without consideration of any specific school distinctions. He said the figure they had determined, \$57,500, had not been previously analyzed and defended as the Workgroup had done here. He said the figure was based on the best national information they could find.

He said the third task had been to determine a uniform reporting procedure for consistent annual reporting of expenditures for the 4-year M.D. degree programs. He said the agenda included a proposed template. He said this had been difficult because initial appropriations to the new programs were made as lump sums. He said the summary showed expenditures on non-M.D. degree programs and non-M.D. supplemental costs. He said the summary was based on funded enrollment, and at the expected headcount for schools still growing. He said the summary also showed the standardized state expenditures per M.D. student. He noted that UF and USF were at

the low end; at FSU, the expenditures were the highest. He said this expense was explained by the distributive model of medical education at FSU, with clinical sites located around the state. He said these supplemental costs were explained in Appendix D. He commented that the expenditures per medical student at UCF and FIU were comparable, noting that the state expenditures at these two schools were very close to the recommended figure.

Mrs. Roberts moved that the Board approve the report and the recommendations from the Medical Education Funding Workgroup. Dr. Zachariah seconded the motion.

Dr. Zachariah inquired whether the other schools had training costs similar to FSU's costs. Dr. Larry Abele responded that the schools with an affiliation with a teaching hospital already had the infrastructure in place to deal with clinical training costs. He said that FSU was responsible for supporting the total infrastructure costs, as well as the faculty costs, at the several clinical sites where FSU was training its third and fourth year students, in Pensacola, Orlando, Sarasota, Tallahassee, Ft. Pierce and Daytona. He added that FSU did not have a large practice plan to support medical education. He explained that the infrastructure costs included costs of the buildings, the administrative staff, third party billing, and grounds maintenance. He said they were paying these costs at each of the training sites. He noted that some of the small communities being served by this training did not have local hospitals.

President Machen noted that this distributed model medical school did not include a university hospital. He said these decentralized training sites were more costly than training at a centralized location. He noted that UF's Faculty Practice Plan provided support to the medical faculty.

Mr. Tripp inquired whether the Board should account for these varying medical training methods differently. He noted that FSU was providing certain social services at the outlying sites. He said that while these costs were included in "medical education," they should perhaps be looked at differently. Ms. McDevitt agreed that this was something the Board might want to discuss further.

Mr. Perez said that the report was excellent. He said that Appendix B, showing the expenditures at each of the medical schools, showed very disparate costs at the state's medical schools. He said he recognized that the medical schools represented different models of medical education. He said he still had a problem with a number that focused solely on the state expenditures, and the attention that number would focus on the disparate costs. He suggested that the report might be slightly amended to add further explanation. He said there might be an explanation in the Underlying Assumptions that each medical school had a unique mission, that the costs to educate students would vary. He said there might also be an explanation that other funding sources were going to the medical program which the universities were contributing to medical education, such as practice plan money.

He suggested adding an additional "assumption" on p. 6 of the report (p. 14 of the Agenda), as follows: "Per proviso direction, the recommendation in this report is for a minimum, base-level of state support. The data in this report do not include sources of funding available to M.D. programs other than state funding, nor do they capture total funding expended on M.D. programs. Accordingly, comparisons across institutions can be made only with regard to state dollar expenditures and cannot be construed as indicating that one program is "more efficient" than another, since total expenditures for all institutions are not included."

Ms. McDevitt said that addition would be useful, given the unique missions of the schools. Mrs. Roberts said these issues had been discussed and that an earlier draft had included that type of clarification. She said she did not have a problem with the clarification, and accepted the additional language.

Dr. LeMon said these distinctions were identified on pages 9-10 of the report, clarifying why it was difficult to determine a number that would be appropriate to all the programs. He said the language proposed by Mr. Perez was a good explanation. He said that staff from OPPAGA and the Legislature had participated in the work. He said it was important to clarify the other sources of funding. President Machen agreed.

Dr. Zachariah said it was also appropriate to inquire whether the state could continue to afford this distributive model. He inquired whether any of the infrastructure dollars was used to pay the salaries of the doctors. Dr. Abele said it was used for salaries, plant operation and maintenance, and other administrative costs.

Ms. McDevitt said adopting the report was a starting point for discussions with the Legislature. Mr. Tripp said that it was important to recognize the differences in the numbers among the universities, that there were also services being offered that were outside the scope of the usual university budget.

Mr. Perez called the question. Members of the Board adopted the report, as amended.

6. Final Approval, BOG Regulations: BOG Regulation 6.011, Student Ombudsman; BOG Regulation 6.014, Student Governments; BOG Regulation 6.017, Criteria for Awarding the Baccalaureate Degree; BOG Regulation 7.001, Tuition and Associated Fees; BOG Regulation 7.003, Fees, Fines and Penalties; BOG Regulation 7.008, Waiver of Tuition and Fees; and BOG Regulation 21.111, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans

Ms. McDevitt said these Regulations had been approved for Notice in September. There had been no amendments suggested during the comment period.

Mr. Perez moved that the Board approve BOG Regulations, as presented: BOG Regulation 6.011, Student Ombudsman; BOG Regulation 6.014, Student Governments; BOG Regulation 6.017, Criteria for Awarding the Baccalaureate Degree; BOG Regulation 7.001, Tuition and Associated Fees; BOG Regulation 7.003, Fees, Fines and Penalties; BOG Regulation 7.008, Waiver of Tuition and Fees; and BOG Regulation 21.111, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans. Mrs. Roberts seconded the motion, and members of the Board concurred.

7. Final Approval, Repeal of BOG Regulation 21.213, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans

Ms. McDevitt said this Regulation had been approved for notice in August 2009. There were no amendments suggested during the comment period. She noted that this Regulation would be superseded by BOG Regulation 21.111, just approved.

Mr. Tripp moved that the Board approve the repeal of BOG Regulation 21.213, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans, as presented. Mrs. Roberts seconded the motion, and members of the Board concurred.

8. Approve Notice of Intent to Amend BOG Regulation 6.004, Admission of Undergraduate, Degree-seeking Transfer Students

Dr. Minear explained that this Regulation was approved for notice at the September 24, 2009, Board meeting. She said concerns raised by the Florida College System involved substantive changes to assure alignment of requirements across universities, community colleges and state colleges. She said the Board's General Counsel had recommended that the revised Regulation be re-noticed because of the significant changes.

Mr. Perez moved that the Board approve the Notice of Intent to Amend BOG Regulation 6.004, Admission of Undergraduate, Degree-seeking Transfer Students, as presented, for posting to the website, pursuant to the Board's Regulation Development Procedure. Mr. Temple seconded the motion, and members of the Board concurred.

9. Approve Notice of Intent to Repeal BOG Regulations: BOG Regulation 5.900, State University System General Personnel Policy; BOG Regulation 6.005, Acceptance of College Credit by Examination; and BOG Regulation 12.001, Florida Solar Energy Center

Ms. McDevitt said the Regulations proposed for repeal were either obsolete because of references to the Board of Regents or had been superseded by previously adopted Regulations.

Dr. Marshall moved that the Board approve the Notice of Intent to Repeal BOG Regulations: BOG Regulation 5.900, State University System General Personnel Policy; BOG Regulation 6.005, Acceptance of College Credit by Examination; and BOG Regulation 12.001, Florida Solar Energy Center as presented, for posting to the website, pursuant to the Board's Regulation Development Procedure. Mr. Stavros seconded the motion, and members of the Board concurred.

10. Approval, Articulation Coordinating Committee Credit-By-Examination Equivalencies

Mr. Dasburg moved that the Board approve the Articulation Coordinating Committee's recommended Credit-by-Exam Equivalencies, effective no later than May 1, 2010, as presented. Mr. Stavros seconded the motion, and members of the Board concurred.

11. Approve Resolution authorizing the issuance of Debt by the University of South Florida Financing Corporation to finance the construction of a Student Athletic District/Sports Complex, Main Campus, USF

Ms. Duncan moved that the Board adopt the Resolution approving the issuance of fixed rate debt by the University of South Florida Financing Corporation, in an amount not to exceed \$23.5 million for the purpose of financing a Student Athletic District/Sports Complex on the main campus of the University of South Florida, as presented. She noted that Board staff and staff of the Division of Bond Finance had reviewed the resolution and all supporting documentation. Based on that review, it appeared that the proposed financing was in compliance with Florida Statutes governing the issuance of university debt and the Board's debt management guidelines. Mr. Stavros seconded the motion, and members of the Board concurred.

12. Approve Resolution authorizing Florida Atlantic University to Implement a Guaranteed Energy Performance Program, Boca Raton Campus

Mrs. Roberts moved that the Board authorize the implementation by Florida Atlantic University of a Guaranteed Energy Performance Program in an amount not to

exceed \$1,008,653, as presented. Ms. Duncan seconded the motion, and members of the Board concurred.

13. Authorize Release of Funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between Florida Atlantic University Board of Trustees and the City of Boca Raton

Mr. Barnes moved that the Board approve the allocation and authorize the Department of Education to release funds in the amount of \$7,955,918 to the City of Boca Raton as full payment negotiated in the Campus Development Agreement between the Florida Atlantic University Board of Trustees and the City of Boca Raton, contingent upon execution, as presented. Mrs. Roberts seconded the motion, and members of the Board concurred.

Chancellor Brogan explained that this was one of the last payments from the funds held in the Trust Fund. He said he would work with the Legislature to figure out how to handle concurrency issues going forward. Mr. Kinsley said the Trust Fund had been primarily funded from the local option fuels tax which had been re-directed to DOT.

14. Authorize naming of the Off-Grid Zero Emissions Building to the "Kirby W. Kemper Off-Grid Zero Emissions Building" on the campus of Florida State University

Mr. Perez moved that the Board authorize the name change of the Florida State University Off-Grid Zero Emissions Building to the "Kirby W. Kemper Off-Grid Zero Emissions Building," as presented. Mrs. Roberts seconded the motion, and members of the Board concurred.

Ms. McDevitt congratulated Dr. Kemper. She said he had been a distinguished physics faculty member at FSU for over 40 years, and the Vice President for Research since 2003.

15. Concluding Remarks and Adjournment

Ms. McDevitt said at the January Board meeting, the Board would address its amended Legislative Budget Request and its legislative agenda. She said she did not know whether the Governor would have made appointments regarding the Board members whose terms expired on January 6, 2010, but that it was her understanding that members continued to serve until their successors were appointed.

Mr. Barnes advised the members of the Board that the FSA had now agreed on new management. He said he believed the student governments around the System were now more comfortable with the new management. He said that all the institutions

were now participating in conversations, although all had not yet returned to the Association as members.

There were no further comments. Having no further business, the Chair adjourned the conference call meeting of the Board of Governors at 10:25 a.m., December 10, 2009.

Sheila M. McDevitt,
Chair

Mary-Anne Bestebreurtje,
Corporate Secretary