

INDEX OF MINUTES
BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA
UNIVERSITY OF SOUTH FLORIDA
TRADITIONS HALL, GIBBONS ALUMNI CENTER
TAMPA, FLORIDA
JANUARY 28, 2010

<u>ITEM</u>	<u>PAGE</u>
1. Call to Order; Chair’s Report; Introduction of President Eric J. Barron, FSU.....	1
2. Approval of Minutes of the Meetings of the Board of Governors held September 24, 2009, and November 12, 2009; Minutes of the Meetings of the Board of Governors held by Telephone Conference Call on October 22, 2009, and December 10, 2009; and Minutes, Board of Governors Foundation, Inc., held December 10, 2009.....	3
3. Chancellor’s Report.....	3
4. Consent Agenda, Final Approval, BOG Regulations Noticed for Repeal in December: BOG Regulation 5.900, State University System General Personnel Policy; and BOG Regulation 12.001, Florida Solar Energy Center.....	4
5. Action Items/Status Reports, Board Committees:	
A. Budget, Finance and Business Operations Committee	
1. Approve, Amended 2010-11 Operating Legislative Budget Requests: State University System and Board General Office.....	4
2. Proposed Legislation, Public Private Partnerships.....	5
3. Approve, Tuition Differential Report and 2010 Tuition Differential Timeline.....	5
B. Facilities and Real Estate Committee	
1. Approve, Amended 2010-11 Fixed Capital Outlay Legislative Budget Request	6
2. Authorize Release of Funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the Florida Atlantic University Board of Trustees and the Town of Davie.....	6

3.	Approve Resolution of the Board of Governors Authorizing the Issuance by the Florida Atlantic University Financing Corporation of Debt to Finance the Construction of a Student Residence Facility, Boca Raton Campus, FAU.....	6
C.	Student Affairs and Campus Life Committee.....	7
D.	Audit and Compliance Committee.....	8
E.	Strategic Planning and Academic and System Oversight Committee	
1.	Approval, State University System of Florida 2009 Annual Report.....	8
2.	Approval, Request for Limited Access status, B.S., Sustainability and the Built Environment, UF....	9
3.	Final Approval, Regulations Previously Noticed: BOG Regulation 6.002, Admission of Undergraduate First-Time-in-College, Degree-Seeking Freshmen; BOG Regulation 6.004, Transfer Students - Undergraduate; and Repeal, BOG Regulation 6.005, Acceptance of College Credit by Examination.....	9
4.	Approval, Notice of Intent to Amend BOG Regulation 7.005, Residency for Tuition Purposes.....	10
F.	Trustee Nomination and Board Procedures Committee.....	10
6.	Miscellaneous Comments.....	10
7.	Concluding Remarks and Adjournment.....	11

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The Chair, Sheila M. McDevitt, convened the meeting of the Board of Governors, State University System of Florida, in Traditions Hall, Gibbons Alumni Center, University of South Florida, Tampa, Florida, January 28, 2010, at 11:40 a.m., with the following members present: Ava Parker, Vice Chair; John Barnes; Ann Duncan; Charlie Edwards; Dr. Stanley Marshall; Frank Martin; Tico Perez; Commissioner Eric Smith; Dr. Judith Solano; Gus Stavros; John Temple; Norman Tripp; and Dr. Zach Zachariah.

1. Call to Order; Chair's Report; Introduction of President Eric J. Barron, FSU

Ms. McDevitt expressed her thanks to Board members and Presidents for their participation in the meeting. She also thanked President Judy Genshaft and her team at USF for their hospitality. She recognized several Trustee Board Chairs in the audience: Ms. Nancy Blosser, FAU; Mr. Jim Smith, FSU; and Mr. Rick Walsh, UCF.

She said that the previous month, the Florida State University Board of Trustees had concluded a successful search for a new President. She said they had found a very talented scientist with stellar academic credentials. She said she was very excited about this selection. She noted that among his many talents, Dr. Barron was also a formidable fund-raiser. As a fellow graduate of FSU, Chair McDevitt extended a very special welcome to Dr. Eric J. Barron. She said she looked forward to meeting him and to working with him as a member of the State University System. She recognized Dr. Larry Abele, Provost, to describe the search process.

Dr. Abele said the FSU Board had conducted its Presidential Search during the last six months of 2009. He said Mr. Jim Smith, Chair of the FSU Board, had served as Chair of the search. He said in July, the Board had hired a search consultant, John Hicks with the firm, Academic Search. He said the Search Committee had included 19 members, with representatives from the faculty, student body, alumni and other interested constituencies. He said the qualifications the Committee had identified for the position had been posted to the FSU website. He noted that the website had attracted almost 700 posts. He said the Chair had provided weekly updates on the status of the search. He reported that the consultant had met with dozens of potential candidates. The Search Committee met and reviewed the candidates and narrowed the list to the top three individuals, who were invited for interviews in December. The Search Committee recommended Dr. Eric J. Barron as the next President of FSU to the

members of FSU's Board of Trustees. Dr. Barron made a second visit to Tallahassee when the FSU Board selected him as the fourteenth President of FSU.

Ms. McDevitt recognized Mr. Smith. She commented that Mr. Smith had served the State of Florida in numerous capacities, including service as the state's Attorney General and Secretary of State. She noted that they had also been personal friends for over 40 years.

Mr. Smith thanked Ms. McDevitt. He said that as members of this Board got to know Dr. Barron, they would agree with the FSU Board of Trustees that they had "hit a home run" with the selection of Dr. Barron. He said Dr. Barron had earned his bachelor's degree in geology from Florida State, with honors, in 1973, and his master's and doctoral degrees, both in oceanography, from the University of Miami. He said he had most recently served as the director of the National Center for Atmospheric Research, in Boulder, Colorado, since 2008. He said that Dr. Barron had also served as dean of the Jackson School of Geosciences at the University of Texas in Austin, and had spent 20 years at Pennsylvania State University, where he had served as a professor of geosciences, director of the Earth System Science Center, director of the EMS Environment Institute, and dean of the College of Earth and Mineral Sciences.

Mr. Smith said that Dr. Barron had received many national awards as a scholar, researcher and distinguished lecturer, had published extensively, and had been editor or a member of the editorial boards of numerous academic journals. He noted that under President T.K. Wetherell's leadership, FSU had emerged as a top research university. He said that Dr. Barron had outstanding administrative skills which were an excellent fit for FSU. Mr. Smith said that during this search, he had found that many university scholars and administrators felt very strongly about the excellence of FSU. He said he was confident Dr. Barron would make a great President of Florida State University.

Ms. McDevitt welcomed Dr. Barron. Dr. Barron thanked the members of the Board for their warm welcome. He said that he truly believed in public education and that universities were central to the creation of innovation. He said innovation drove economies and societal well-being. He said that universities also had a moral obligation to their students as citizens. He said it was never clearer to him that education was an investment in the future. He said he remained committed to maintaining an affordable education for students. He said he knew the universities would succeed if everyone worked together. He said the universities had the opportunity to learn from each other and there were important benefits from this interaction. He said the universities were full partners in the success of all of education. He said he looked forward to hosting the March meeting of the Board in Tallahassee.

Mr. Perez moved that the Board accept Dr. Abele's report and welcome Dr. Eric J. Barron as the fourteenth President of FSU. Mr. Stavros seconded the motion, and members of the Board concurred.

Ms. McDevitt thanked President Wetherell for his service. She commented that Dr. Wetherell had been a delightful challenge for members of this Board. She said he had been a long-serving public servant, as a member and as Speaker of the House and as President of Tallahassee Community College. She said he had done much to advance the quality and standing of Florida State University. She also extended her thanks for the leadership and service of Mr. Smith. Ms. McDevitt noted that members of the Board had signed a Resolution recognizing the service of Dr. Wetherell which would be sent to him.

2. Approval of Minutes of the Meetings of the Board of Governors held September 24, 2009, and November 12, 2009; Minutes of the Meetings of the Board of Governors held by Telephone Conference Call on October 22, 2009, and December 10, 2009; and Minutes, Board of Governors Foundation, Inc., held December 10, 2009

Mr. Tripp moved that the Board approve the Minutes of the Meetings of the Board of Governors held September 24, 2009, and November 12, 2009; Minutes of the Meetings of the Board of Governors held by Telephone Conference Call on October 22, 2009, and December 10, 2009; and Minutes of the Meeting of the Board of Governors Foundation, Inc., held December 10, 2009, as presented. Mr. Perez seconded the motion, and members of the Board concurred.

3. Chancellor's Report

Chancellor Brogan noted that the tragedy in Haiti was truly monumental. He said he had convened a conference call with SUS personnel and with representatives of the private universities in Florida to begin to coordinate their response to the earthquake. He commented that an instantaneous response without a plan would cause more harm. He said he knew the universities were compelled to want to help. He said that the federal government had indicated that the first response should be a federal response, with centralized responsibility. He said SUS personnel were doing an inventory of all available resources, including the medical schools, the faculty and students in many relevant disciplines, e.g., nursing, counseling, engineering. He said the universities could also raise a great deal of money for the relief efforts. He noted that many of the universities had already been involved in Haiti for several decades, but that it was now important to respond in an orchestrated and planned way.

Chancellor Brogan noted that the agenda included the proposed timeline for the consideration of the tuition differential proposals. He said this would be the first time the universities would go through the full process under the new statutory provisions

for implementing the tuition differential. He recommended that the universities become familiar with the statute and the new requirements and begin the conversations about tuition now. He said it was important to begin the conversations early. He said it was his sense that the House and Senate would not set a base tuition this year, so the discussions at the universities could follow the entire range up to the 15 percent increase.

He said the universities had been invited to participate in the 2010 Census. He said parents needed to remember their students away at college. He noted that there were opportunities for additional seats in Congress and for additional funding. He said it was important to get this right.

4. Consent Agenda, Final Approval, BOG Regulations Noticed for Repeal in December: BOG Regulation 5.900, State University System General Personnel Policy; and BOG Regulation 12.001, Florida Solar Energy Center

Mr. Perez moved that the Board approve the repeal of BOG Regulation 5.900, State University System General Personnel Policy, and the repeal of BOG Regulation 12.001, Florida Solar Energy Center, noticed for repeal in December, as presented. Ms. Parker seconded the motion, and members of the Board concurred.

5. Action Items/Status Reports, Board Committees:

- A. Budget, Finance and Business Operations Committee

Mr. Perez reported that the Budget, Finance and Business Operations Committee had considered the following items and was presenting them to the Board for final action.

1. Approve, Amended 2010-11 Operating Legislative Budget Requests: State University System and Board General Office

Mr. Perez noted that the Board had approved a "slimmed down" budget in September which had included medical education, major gifts, a request for plant operations and maintenance, and federal stimulus funds. He said Governor Crist had now proposed an additional \$100 million for the State University System, as a part of his "New Florida Initiative."

Mr. Perez moved that the Board approve the 2010-2011 operating Legislative Budget Request for the State University System and the Board General Office, with the additional \$100 million, as presented and amended, and authorize the Chancellor

to make technical changes as necessary. Ms. Duncan seconded the motion, and members of the Board concurred.

2. Proposed Legislation, Public Private Partnerships

Mr. Perez said the Committee had discussed several legislative changes to provide additional flexibility to allow the universities greater access to utilize public private partnerships, while maintaining accountability for the use of these funds.

Mr. Temple moved that the Board authorize staff to proceed with seeking legislative approval for the proposed amendments, as presented. Mr. Stavros seconded the motion, and members of the Board concurred.

3. Approve, Tuition Differential Report and 2010 Tuition Differential Timeline

Mr. Perez noted that the Tuition Differential Report had been amended to reflect clarification from FSU on the intended uses of tuition differential revenue. Mr. Perez moved that the Board approve the Tuition Differential Report, as transmitted to the Governor and Legislature, and as further amended. Mr. Tripp seconded the motion, and members of the Board concurred.

Chancellor Brogan noted that the agenda included the timeline for the submission of tuition differential fee proposals. He encouraged the universities to engage the students in these discussions now and not wait until the end of Spring. He said the Board would be able to give a more careful review to these proposals than it had done in the first rushed implementation of the tuition differential the previous year.

B. Facilities and Real Estate Committee

Ms. Parker reported that the Facilities and Real Estate Committee had considered the following items and was presenting them to the Board for final action. Ms. Parker said she was concerned about funding for Courtelis projects and that the universities should be vigilant in supporting funding for these projects. She said that as a result of the discussions regarding the FAU Student Residence project, she had asked staff to provide further clarification and guidelines to define "functional relationship," as this was unclear.

1. Approve, Amended 2010-11 Fixed Capital Outlay Legislative Budget Request

Ms. Parker said she was pleased to see additional funds in the first year, but that there were reductions in funding for the second and third years. She commented that maintenance costs were funded across the System.

Commissioner Smith moved that the Board approve the 2010-2011 State University System Fixed Capital Outlay Legislative Budget Request, as amended, and authorize the Chancellor to make revisions to the Request, as necessary. Mr. Tripp seconded the motion, 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 the Florida Atlantic University Board of Trustees and the Town of Davie

Mr. Tripp moved that the Board authorize the Department of Education to release the remaining unencumbered balance of the Concurrency Trust Fund, estimated at \$2,200,000, to the Town of Davie as partial payment of the \$2,432,912 negotiated in the Campus Development Agreement between the Florida Atlantic University Board of Trustees and the Town of Davie, as presented. He noted that the balance of the Campus Development Agreement payment would be mitigated by FAU. Mr. Edwards seconded the motion, and members of the Board concurred.

3. Approve Resolution of the Board of Governors Authorizing the Issuance by the Florida Atlantic University Financing Corporation of Debt to Finance the Construction of a Student Residence Facility, Boca Raton Campus, FAU

Ms. Parker said the Committee had a lengthy discussion on this item. She noted that members of the Board had a revised agenda item. She said during its discussion of the Debt Resolution, the Committee had recommended removing language regarding the University's proposed football stadium in the Findings, in paragraph (1)(F). As amended, she said the Committee had recommended that the paragraph state, as follows: "After appropriate review and analysis, the Board of Governors determines that the facilities being financed, including capital infrastructure such as water, sewer, road and electric utility

improvements related to Innovation Village which are being financed with a portion of the proceeds of the Debt, are functionally related to the housing revenues being used to secure such Debt.”

Commissioner Smith moved that the Board adopt the resolution approving the issuance of fixed rate debt by the Florida Atlantic University Financing Corporation, in an amount not to exceed \$140 million for the purpose of financing a Student Residence Facility on the main campus of Florida Atlantic University, paying interest during construction and providing payment for infrastructure related to the development of Innovation Village, as presented. He noted that the Board had been requested to approve an exception to the Board’s Debt Management Guidelines, in accordance with the provision for such exceptions in the Guidelines, to provide for a junior and subordinate lien on the housing system revenues from the existing housing system. Mr. Perez seconded the motion.

Mr. Perez explained that in its deliberations, the Committee had supported the total amount of the fixed rate debt; that none of the funds would be used to support a football stadium until FAU had presented a proposal for a football stadium; and that the Committee was neither supporting nor denying a football stadium, but that that was a separate decision for the Board at a subsequent meeting. Ms. Parker added that the Committee had supported the use of funds to support the infrastructure needed by Innovation Village, and that the Committee had not approved a new football stadium by this action.

Ms. McDevitt noted that the Committee had discussed this item at length. She inquired whether President Pritchett wanted to provide additional explanation. Dr. Pritchett said he did not need to provide further information. He added that FAU concurred in the proposed Board action.

Ms. McDevitt said the Board was being very cautious and trying not to create a precedent by this action. There were no further comments, and members of the Board concurred.

C. Student Affairs and Campus Life Committee

Ms. Duncan reported that the Student Affairs and Campus Life Committee had continued its discussions concerning excessive alcohol

usage on campus. She said the Committee had begun discussions of proposed legislation authorizing local options regarding alcohol usage, but had not passed a resolution of the Committee. She said they continued to work to assemble a stronger coalition of stakeholders, to include the League of Cities and the Florida Association of Counties. She said they continued to seek solutions to this ongoing concern. Chancellor Brogan said it was important to have a coordinated effort and to tie together those with interests on this issue.

Ms. Duncan reported that the Committee had heard a status report on the work of the SUS Student Health Insurance Task Force. She said the final report would be presented at the March meeting. She noted that consistent with the work seeking efficiencies and shared services, the Task Force was discussing leveraging the purchasing power of students across the System in lowering the costs of policies. She said they were exploring a number of alternatives.

Mr. Barnes thanked the Committee for addressing the issue of “drink specials.” He commented that Dr. Ehasz was passionate in her service to students and he thanked her for her work and for the work of Dr. Telles-Irvin, as well.

D. Audit and Compliance Committee

Mr. Tripp reported that the Audit and Compliance Committee had reviewed Audit Committee and Office of Inspector General Work Plans and compliance activities. He said Mr. Derry Harper had also reviewed the activities of his office. He said there were no items for Board action.

E. Strategic Planning and Academic and System Oversight Committee

Mr. Martin reported that the Strategic Planning and Academic and System Oversight Committee had considered the following items and was presenting them to the Board for final action.

1. Approval, State University System of Florida 2009 Annual Report

Mr. Martin moved that the Board approve the State University System of Florida 2009 Annual Report, for submission to the Governor and the Legislature, with technical amendments, as necessary. Mr. Edwards seconded the motion, and members of the Board concurred.

Mr. Martin commended all the university and Board staff members for their work. Ms. McDevitt said this was the first effort at reporting all this data. She said it was an excellent report. She noted that this was the first step in consolidating all the Board's reporting requirements in one report. She said legislators had said they were amenable to such a consolidation, with a February reporting date. She noted that the process next year should be less painful, with this first report as a template. She extended thanks to all the university staff members for their efforts, and gave special kudos to Dr. Minear who had shepherded this process for several years and through several name changes. She said the Board and the universities could be proud of this accountability report.

2. Approval, Request for Limited Access status, B.S., Sustainability and the Built Environment, UF

Mr. Martin said the Committee had reviewed this request. He said the limited access request was because of limited design studio space for students. He moved that the Board approve the request for Limited Access status for the Bachelor of Science, Sustainability and the Built Environment, UF, CIP Code 30.9995, as presented. Dr. Marshall seconded the motion, and members of the Board concurred.

3. Final Approval, Regulations Previously Noticed: BOG Regulation 6.002, Admission of Undergraduate First-Time-in-College, Degree-Seeking Freshmen; BOG Regulation 6.004, Transfer Students - Undergraduate; and Repeal, BOG Regulation 6.005, Acceptance of College Credit by Examination

Mr. Martin said the Committee had reviewed for final approval, several BOG regulations which had been previously noticed. He moved that the Board approve BOG Regulation 6.002, Admission of Undergraduate First-Time-in-College, Degree-Seeking Freshmen; and BOG Regulation 6.004, Transfer Students - Undergraduate; and the repeal of BOG Regulation 6.005, Acceptance of College Credit by Examination, as presented. Mr. Tripp seconded the motion, and members of the Board concurred.

4. Approval, Notice of Intent to Amend BOG Regulation 7.005, Residency for Tuition Purposes

Mr. Martin said there had been significant changes made to the residency statute during the 2009 legislative session, necessitating changes to the BOG Regulation on residency.

Mr. Martin moved that the Board approve the Notice of Intent to Amend BOG Regulation 7.005, Residency for Tuition Purposes, as presented, for publication on the Board of Governors web site, pursuant to the Board's regulation development procedure. Dr. Marshall seconded the motion, and members of the Board concurred.

F. Trustee Nomination and Board Procedures Committee

Dr. Zachariah said that after the Trustee Nominating Committee had completed the appointment of 21 new university trustees last October, one of the trustees selected for the University of West Florida Board had submitted a letter of resignation. He said the Committee needed to open a new search to fill that vacancy. He said the application period would open on Monday, February 1, for 30 days, as required by the Board's Trustee Selection Policy, and would close at the end of the business day, March 2, 2010.

He said he would then ask the "team" for UWF, Governors Ann Duncan and Norm Tripp, to work with the Corporate Secretary to review the applications and to bring their recommendations for the review of the Committee. He anticipated that this could be completed at the March Board meeting.

6. Miscellaneous Comments

Mr. Edwards noted that in addition to recognizing President Wetherell, and the former FSU President and current Board member, Dr. Stanley Marshall, the Board should also recognize FSU's "third" president in the room, Provost Larry Abele. Dr. Barron said he objected to the good-bye message, as he hoped Dr. Abele would remain. He said he was recognized nationally for his scholarship and academic administration.

Ms. Duncan inquired whether the Chancellor would have regular conference calls during Session. Chancellor Brogan said he was putting together a bill-tracking process. He said it was his plan to make the best case for the State University System this Session.

Ms. McDevitt commented on the joint meeting of the State Board of Education and this Board held November 12, 2009, at The Scripps Research Institute. Chancellor Brogan said there were plans to hold another joint meeting in March. He said he had met with both Board Chairs, Ms. McDevitt and Mr. T. Willard Fair, and the working group, which was addressing several tasks including: 1) workforce questions and what skills were needed in Florida; 2) what were the best policies to assure access to higher education; and 3) creating a statewide inventory of degree opportunities. He said they were working to develop a need-based roadmap for higher education, including the State University System, the state colleges, the community colleges and the independent schools.

Commissioner Smith said the meeting of the Board Chairs had been productive. He said this effort would lead ultimately to the connection of post-secondary education and the economic future of Florida. Ms. McDevitt said this planning and collaboration would enhance the economic viability of the state.

7. Concluding Remarks and Adjournment

Ms. McDevitt said she wanted to reiterate how pleased and excited she was with the Governor's commitment to the New Florida Initiative. She said this would give the universities the opportunity for predictable funding and would complement the flexibility obtained with differential tuition. She added that with the development of university missions, this positioned the universities to be the economic engines for 2010 and beyond. She noted that Florida would always have tourists, but that Florida also needed to take advantage of the high quality of its universities and their research. She noted that over the past year, the Board had learned about the business clusters developing around university research. She said the universities also needed to train their students to support the new industries coming to Florida.

Ms. McDevitt said the first big step was to garner legislative support for the New Florida Initiative, and for all to march together to get this passed by the Legislature. She noted that the previous year, the System had worked together and had achieved the best results ever by doing so. She said she hoped the System would work together on the entire SUS legislative agenda.

She noted that the Governor had also announced his appointments to this Board at the conclusion of his press conference. She said it had been a pleasure to serve as a member of this Board and a great honor. She said members of the Board had become close friends these past seven years. She said she was sorry she would not be able to serve the remainder of her term as Board Chair, but that she would be available if the Board members needed her assistance. She said she hoped she had added value as a Board member, and that she was proud of having served on this Board of Governors.

Ms. McDevitt reported that the February 18, 2010, meeting would be held by telephone conference call. She said the Board would elect a new Chair and Vice Chair at that time. She said that under current Board policies, the terms of office had the potential to be inconsistent with a member's appointment as a member of this Board. She asked that staff review this policy and bring back recommendations for Board consideration.

Ms. Parker said that the Board had made huge strides during Ms. McDevitt's tenure as Chair. She said that Ms. McDevitt had a commitment to getting things right. She commented on the passage of the legislation giving the universities the ability to charge differential tuition and the Agreement with the Florida Pre-paid Board which would provide additional predictability for participants. She said under her leadership, the Board had appointed 21 new University Trustees in a thoughtful and deliberative process. She commented that Ms. McDevitt had worked last Session with a "President in Residence" while the Board conducted its search and selection of a new chancellor. She commented that the Board had held its first meeting with the State Board of Education, and that the relationship continued.

Ms. Parker said that gaining additional residencies in Florida had been a priority for Ms. McDevitt since the Board's approval of new medical schools in March 2006. She had led a group of Floridians to Washington to meet with members of the Florida delegation, and others, to stress the need for additional residencies. She noted that the visits had effected the health care discussions.

Ms. Parker said that Ms. McDevitt had been quietly promoting the idea for the New Florida Initiative for many months. She said that she had also visited all the campuses in the System as she began her tenure to become familiar with the activities of each university. Ms. Parker noted that the Board had created, revised and deleted approximately 100 BOG Regulations during this time, putting in place a regulatory structure for this Board.

On behalf of all the members, Ms. Parker thanked Ms. McDevitt for her leadership and service.

Chancellor Brogan advised the Board that the meeting of February 18, 2010, would also be a demonstration by the Cisco Systems Corporation of its "telepresence" capability. He said there were six sites around the state where Board members could experience this exciting new conferencing technology. He said the Corporate Secretary would be advising members of the sites. The Board members viewed a short video about this new conference technology.

Dr. Zachariah thanked members of the Board. He said this had been a great opportunity and he had made some great friends on this Board. He said the University Presidents were a dedicated and hard-working group of individuals. He expressed his

appreciation to the Board staff for their good work. He said he was confident Chancellor Brogan would experience great success as Chancellor. He said he was sure the new members would serve the State University System well. He said it had been a great honor to serve as a member of this Board.

Having no further business, the Chair adjourned the meeting of the Board of Governors, State University System of Florida, at 2:20 p.m., January 28, 2010.

Sheila M. McDevitt,
Chair

Mary-Anne Bestebreurtje,
Corporate Secretary