



STATE  
UNIVERSITY  
SYSTEM  
of FLORIDA  
Board of Governors

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April 18, 2017

Mr. J. Dudley Goodlette, Chair  
Florida Gulf Coast University Board of Trustees  
4751 Gulfshore Boulevard, North, PH-5  
Naples, Florida 34103  
[godud@comcast.net](mailto:godud@comcast.net)

Subject: OIGC Report No. 2017-025 Report of Investigation, Florida Gulf Coast University, Corrective Action Plan

Dear Chair Goodlette:

On March 28, 2017, I received OIGC Report No. 2017-025 Report of Investigation, Florida Gulf Coast University from the Board of Governors Inspector General and Director of Compliance. This Whistle-blower investigative report addressed eight allegations levied against FGCU Board of Trustees members related to retaliation, harassment, and violations of laws, regulations, and university policies. Additionally, the report included five ancillary issues.

As you will recall, we received a briefing on this report from the Inspector General at the March 30, 2017, Audit and Compliance Committee meeting. Following that briefing, the Board of Governors passed the following motion:

... to direct the Florida Gulf Coast University Board of Trustees to immediately correct the improper election of the Faculty Board Member as the Vice Chair and for the Chair of the Board to relinquish his position as Chair of the University's Audit Committee.

In accordance with best practices, audit and compliance committees should be designated as autonomous committees to enhance independence and mitigate potential conflicts that may exist within joint committees.

I appreciate your efforts at the April 4, 2017, FGCU Board of Trustees Emergency Conference Call meeting to address this motion by:

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- Accepting the resignation letter from Trustee Shawn Felton from the Vice Chair position of the Board of Trustees;
- Electing Trustee Ken Smith to serve as Vice Chair of the University's Board of Trustees;
- Resigning your position as Chair of the Audit and Compliance Committee; and
- Appointing Trustee Joseph Fogg III to serve as your successor as Chair of the Audit and Compliance Committee.

To ensure the independence of the Audit and Compliance Committee, I understand that you expect to replace Trustee Joseph Fogg III in his capacity as Director on the Board of Directors of the FGCU Financing Corporation. This action, paired with the appointment of a stand-alone Audit and Compliance Committee (rather than a committee of the whole) will ensure an autonomous Audit and Compliance Committee. These actions are consistent with the best practices and recommendations made by Governor Levine in his July 20, 2016, letter to university presidents, Board of Trustees Chairs, and Board of Trustees Audit Committee Chairs and that I emphasized at the March 30, 2017, Board of Governors meeting.

I understand that during the April 11, 2017, FGCU Board of Trustees meeting, you appointed the following members to the stand-alone Audit and Compliance Committee:

- Mr. Kevin Price,
- Mr. J. Leo Montgomery, and
- Ms. Darleen Cors.

I also understand that the Audit and Compliance Committee will take up OIGC Report No. 2017-025 at the May 9, 2017, FGCU Board of Trustees meeting.

I request you submit a written plan of corrective action addressing the recommendations contained in Report No. 2017-025 as well as those expressed by the Board of Governors at their March 30, 2017, meeting. This written plan should be submitted to the Board of Governors, via the Office of Inspector General and Director of Compliance, no later than May 26, 2017. Attached is a template to facilitate your response.

It is important to note that Florida's Whistle-blower's Act provides protections for reporting individuals, including protection of their identity from disclosure.

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If you have questions regarding these requirements, please do not hesitate to contact the Board of Governors Inspector General at [BOGInspectorGeneral@flbog.edu](mailto:BOGInspectorGeneral@flbog.edu) or 850-245-0466.

Sincerely,



Wendy S. Link, Chair  
Board of Governors Audit and Compliance Committee

WSL/jkm

Attachment: FGCU Corrective Action Plan Report of Investigation OIGC No. 2017-025

- c: Thomas G. Kuntz, Chair, Board of Governors
- Marshall Criser III, Chancellor, State University System of Florida Board of Governors
- Vikki Shirley, State University System of Florida Board of Governors General Counsel
- Joseph Fogg III, Chair, Florida Gulf Coast University Board of Trustees Audit and Compliance Committee
- Bill Foster, Interim Chief Audit Executive, Florida Gulf Coast University