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STATE UNIVERSITY SYSTEM OF FLORIDA  
BOARD OF GOVERNORS  
CONFERENCE CALL  
TALLAHASSEE, FL  
February 24, 2022

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and its Committees are accessible at <http://www.flbog.edu/>.*

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1. Call to Order

On February 24, 2022, Vice Chair Eric Silagy convened the meeting at 11:00 a.m. with the following members present and answering roll call: Tim Cerio; Patricia Frost; Ed Haddock; Nastassia Janvier; Ken Jones; Darlene Jordan; Alan Levine; Charles Lydecker; William Self; and Kent Stermon.

2. Minutes of the Board Meeting

Mr. Lydecker moved approval of the minutes held on January 5, 2022 on the Consent Agenda. Ms. Frost seconded the motion, and the members concurred unanimously.

3. Chair's Report to the Board of Governors

Vice Chair Silagy thanked everyone for joining and gave a brief update on the status of legislative session. He reported the main focus has been on budget negotiations, but there are a number of bills that impact education. The executive search bills have passed the Senate and all House Committees, and currently is in Messages for the House floor. House Bill 7051 on postsecondary education has one more committee stop in the House and the Senate Bill 7044 is in the last Senate committee today. House Bill 5201, which creates the Student Open Access Resources Grant Program and Repository will be included in the budget conference. He stated the System requested \$280M in recurring funds for performance-based funding and the Senate has recommended \$265M in non-recurring funds, which is consistent with current year funding.

Vice Chair Silagy commented there is currently no money in the budget for preeminence and national ranking or for universities of distinction. On the fixed capital outlay side, there are a number of university projects that are included in the Senate budget and need to be reconciled with the House. He said the House is recommending \$265M in non-recurring lottery funds for performance-based funding, and has included \$59.8M in preeminence and national ranking funding but no money for universities of distinction. He noted there is still time left in the legislative session and for everyone to remain vigilant.

#### 4. Public Comment

No requests for public comment were received.

#### 5. Public Notice of Intent to Amend Board of Governors Regulation 14.001

Vice Chair Silagy stated the next two items stemmed from the Board's approval last month of a Plan to address the significant backlog of university capital needs and to provide a framework to address future needs. He explained the Plan complements the Board's amended Legislative Budget Request, which includes \$800M of dedicated funding to help address the current backlog. He said the two initiatives focus on clear definitions for deferred maintenance and deferred capital replacement and renewal, as well as enhanced requirements for reserves for new construction. He then called on Mr. Lydecker to explain the items.

Mr. Lydecker said the Plan approved at the January 5th meeting called for the adoption of specific definitions for deferred maintenance and other fixed capital outlay terms. To that end, the proposed amendment to Regulation 14.001 will standardize these definitions, helping to clarify the terminology going forward and promote more effective assessment of capital needs for university educational facilities. Mr. Lydecker noted the term "deferred maintenance" was subject to different interpretations across the System and needed greater specificity to make it more uniform and fair.

Mr. Lydecker explained the amendment to the regulation includes new definitions for the terms "critical need", "deferred maintenance and repair", "deferred capital replacement and renewal", "projected maintenance and repair", and "projected capital replacement and renewal". He said a main focus has been on critical need for capital replacement, repair and renewal.

Vice Chair Silagy thanked Mr. Lydecker and Board staff for their work. He stressed the importance of being aligned across the System and for greater clarity moving forward.

Mr. Cerio moved approval of the public notice of intent to amend Board of Governors Regulation 14.001. Mr. Levine seconded the motion, and the members concurred unanimously.

#### 6. Public Notice of Intent to Amend Board of Governors Regulation 14.002

Vice Chair Silagy called on Mr. Lydecker to explain Regulation 14.002. Mr. Lydecker indicated the Plan approved at the January 5th meeting also recommended increasing the statutorily-required 1% reserve on new construction projects. He said new proposed Regulation 14.002 enhances the statutory

requirement by increasing the annual reserve funding on new education and general construction from 1% to 2%, and by providing greater accountability for reserve funds through university board of trustees' oversight. He noted the regulatory reserve requirements bolster efforts to address the future maintenance needs of university educational facilities and reiterated that the focus was on new construction.

Vice Chair Silagy thanked Mr. Lydecker and Board staff for their work on this regulation. He acknowledged that if we continue to ask the legislature for more support, the universities must have a solid plan in place to maintain the assets. With these regulations, there will be a plan upfront to maintain the facilities.

Mr. Jones moved approval of the public notice of intent to adopt Board of Governors Regulation 14.002, New Construction. Mr. Haddock seconded the motion, and the members concurred unanimously.

7. Consideration of Confirmation of Appointment of Interim President for the Florida International University

Vice Chair Silagy called on Mr. Dean Colson, Chair of the FIU Board of Trustees, to present Dr. Kenneth Jessell to the Board for confirmation of his appointment as Interim President of FIU.

Mr. Colson thanked Vice Chair Silagy and the members of the Board. On January 21, 2022, the FIU Board of Trustees unanimously selected Dr. Jessell to serve as Interim President. He said it was his pleasure to submit the formal recommendation to the Board of Governors to confirm Dr. Kenneth Jessell. By way of background, Dr. Jessell has served as FIU's Senior Vice President for Finance and Administration and Chief Financial Officer since 2009. In that position, he was responsible for the management and administration of financial, facility and business service operations of the university. As a member of FIU's senior leadership, he has also been instrumental in supporting the growth of FIU's academic and research excellence. In addition, Dr. Jessell is a professor of finance in the College of Business Administration at FIU.

Mr. Colson said that prior to his time at FIU, Dr. Jessell served as the Senior Vice President for Financial Affairs at Florida Atlantic University. During his 26-year career at FAU, Dr. Jessell served in several key leadership positions. He received a baccalaureate degree in Political Science from Florida State University and also holds a Master of Business Administration Degree and a Doctor of Philosophy Degree in Finance from FSU. Mr. Colson explained the FIU Board of Trustees determined it was in the best interests of FIU's continued success to delegate full presidential powers to Dr. Jessell prior to confirmation by the Board of Governors, as permitted by Board of Governors Regulation 1.001(5) (c). Mr. Colson expressed his full trust in Dr. Jessell's ability to ensure FIU stays on track with its strategic plan, and remains focused on student success, research, and teaching excellence.

On behalf of the FIU Board of Trustees, Mr. Colson requested formal confirmation of Dr. Kenneth Jessell as Interim President of Florida International University by the Board of Governors.

Vice Chair Silagy thanked Mr. Colson and then called on Dr. Jessell for his remarks. Dr. Jessell thanked Vice Chair Silagy, members of the Board, Chair Colson and the FIU Board of Trustees for appointing him as Interim President, and for the confidence and trust they have in him. Dr. Jessell said it was an honor for him to serve the System, the FIU Board of Trustees, students, faculty and staff, and the community as Interim President. Dr. Jessell said he has been serving FIU for the past 13 years as Senior Vice President for Finance and Administration, and served FAU in a variety of faculty positions over a 26-year career.

Dr. Jessell reflected on Chair Lamb's State of the System and noted he too is a product of the State University System with 3 degrees from Florida State University. With his work experience at FIU and FAU, along with his educational background at FSU, he has been part of the State University System for nearly half a century. He is proud to be a part of this System and also proud that Florida is No. 1 in the nation for higher education.

Dr. Jessell said FIU is in an excellent position. The FIU Board of Trustees and the university's dedicated faculty and staff are strongly committed to educating and serving the outstanding students at FIU. He intends to lead by example and stay the course on FIU's Next Horizon 2025 Strategic Plan, which is keenly focused on student success, research excellence, workforce alignment, and community engagement. Dr. Jessell stated the quality of the Strategic Plan is evidenced by FIU's outstanding achievements. FIU broke into the top 100 *U.S. News & World Report* ranking, achieving No. 78 the past year. FIU earned the highest number of SUS Performance-Based Funding points last year with a record 97 point increase. The four-year graduation rate has increased to 60 percent as compared to 19 percent in 2009, and Pell students are graduating at a higher rate than non-Pell students.

Additionally, FIU has achieved over \$236M in research expenditures, which puts it in the top 80 public universities in the country. FIU has become a top ranked university for Social Mobility by *U.S. News & World Report*, No. 1 in Florida, and No. 6 nationally. Dr. Jessell said more achievements are coming and he is truly looking forward to this new opportunity to serve FIU. He thanked Vice Chair Silagy and the Board for their consideration, and said he looks forward to working with all of the other presidents going forward.

Mr. Lydecker thanked Mr. Colson for his guidance through this process and for helping lead FIU to the place that it is at today. Vice Chair Silagy echoed his thanks to Mr. Colson and expressed appreciation for Dr. Jessell's enthusiasm for stepping into this role.

Mr. Levine moved to confirm the appointment of Dr. Kenneth Jessell as the Interim President of the Florida International University. Ms. Frost seconded the motion, and the members concurred unanimously.

8. Concluding Remarks and Adjournment

Vice Chair Silagy announced the next meeting of the Board will be held on March 29-30, 2022 at the University of North Florida. Having no further business, the meeting was adjourned at 11:26 a.m. on February 24, 2022.

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Brian Lamb, Chair

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Vikki Shirley,  
Corporate Secretary