



# Board of Trustees Meeting Minutes

**BOT approved 11.15.2022**

**Wednesday, September 28, 2022  
8:30 AM – 12:00 PM**

**Florida Polytechnic University  
Virtual via WebEx**

I. Call to Order

Chair Cliff Otto called the meeting to order at 8:30 a.m.

II. Roll Call

Kris Wharton called the roll: Chair Cliff Otto, Vice Chair Beth Kigel, Trustee Susan LeFrancois, Trustee Melia Rodriguez, Trustee Narendra Kini, Trustee Laine Powell, Trustee Mark Bostick, Trustee Lyn Stanfield, Trustee Bob Stork, and Trustee Gary Wendt were present (Quorum).

Staff present: President Randy Avent, Provost Terry Parker, Dr. Allen Bottorff, Kathy Bowman, David Blanton, Mike Dieckmann, Alex Landback, Melaine Schmitz, and Kristen Wharton were present.

III. Public Comment

There were no requests received for public comment.

IV. Chairman's Remarks

Chair Otto declined to make remarks and moved forward to the Board of Trustees Work Plan.

V. Board of Trustees Work Plan FY23

**\*Action Required\***

Chair Otto stated each year the Board of Trustees reviews and, if needed, amends their annual work plan. Trustees reviewed the annual work plan for fiscal year 2023 which was updated to ensure that it accurately reflects the work done in each of the Board's quarterly meetings. No trustee comments were made.

**Trustee Narendra Kini made a motion to approve the Board of Trustees Work Plan for fiscal year 2023. Trustee Beth Kigel seconded the motion; a vote was taken, and the motion passed unanimously.**

VI. President's Remarks

President Randy Avent declined to make remarks at this time, saving them for his later presentations.

VII. Utility Easement with Duke Energy Florida, LLC

**\*Action Required\***

Chair Otto stated this item was reviewed and approved in the Finance and Facilities Committee; however, according to the Board's Bylaws, Section 5.6, the sale or other disposition of real property in the Board of Trustees' name is a matter reserved for the full Board.

Alex Landback introduced outside Counsel Deborah Ruster from Peterson & Myers who represented the University on this matter for the past two-and-a-half years.

Landback stated Duke Energy is installing high voltage transmission lines between Auburndale and Kathleen. The original route crossed the northern edge of Florida Poly's campus, between IST and I-4; however, Duke Energy agreed to move the proposed route away from main campus. The new route requires a 65' wide

easement across the entire length of an undeveloped parcel owned by the Florida Polytechnic University Board of Trustees. The affected parcel is reclaimed phosphate land which is unsuitable for significant development and any future use is limited to recreational/agricultural uses.

A map of the realigned transmission line was reviewed as well as a detailed look at the easement compared to the proposed transmission line. Both Florida Poly and Duke Energy were able to negotiate a settlement agreement and Duke Energy will purchase the easement at a fair market value of \$99,500. This settlement is contingent upon the formal approval of the Florida Polytechnic University Board of Trustees.

**Trustee Bob Stork made a motion to approve the Utility Easement with Duke Energy, LLC. Trustee Gary Wendt seconded the motion; a vote was taken, and the motion passed unanimously.**

#### VIII. Consent Agenda

Chair Otto read the following list of items to be approved on the consent agenda:

##### A. Finance & Facilities Committee

1. Approve the Finance and Facilities Committee Charter
2. Approve the FY23 University Carryforward Spending Plan and Fixed Capital Outlay Budget
3. Approve amendment to the Campus Master Plan to include student housing to be sited on University property located immediately west of Residence Halls I & II, east of the parcels located on the pond edge
4. Approve Florida Equity Report FY22
5. Approve Foundation Board Reappointments:
  - a. Phillipa Greenberg
  - b. Jack Harrell III
  - c. Joshua McCoy
  - d. Ivette O'Doski
  - e. Blake Paul
  - f. Donna Slyster

Approve Foundation Board Appointments:

- a. Kristen Lowers
- b. Madison Yonash

##### B. Academic & Student Affairs Committee

1. Approve the Academic & Student Affairs Committee Charter
2. Approve the 2021 Annual Textbook and Instructional Materials Affordability Report
3. Approve the continuation of the Out-of-State Fee Waiver for the next four years of incoming undergraduate cohorts

##### C. Strategic Planning Committee

1. Approve the Strategic Planning Committee Charter

##### D. Governance, Audit and Compliance Committee

1. Approve the Governance, Audit, and Compliance Committee Charter
2. Approve the UAC Risk Assessment & Audit Plan – FYE 23
3. Approve the UAC Compliance & Ethics Program Plan – FYE 23
4. Approve the Performance Based Funding Audit Scope & Objectives – 2022 Audit
5. Approve Regulation FPU-1.0041 Prohibition of Discrimination in University Training or Instruction
6. Approve Regulation FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures
7. Approve Regulation FPU-6.005 Sick Leave
8. Approve Regulation FPU-1.0125 Fraud Prevention and Detection
9. Approve Policy FPU-6.0032P University Employee Bonus Plan
10. Approve the Trustee evaluation instrument titled "President's Annual Review" to be used for the evaluation of the President's performance for fiscal year ending 2022

##### E. Board of Trustees

1. Approve the May 24, 2022, Board of Trustees Workshop Minutes
2. Approve the May 24, 2022, Board of Trustees Meeting Minutes

**As each of the consent agenda items comes before the Board with unanimous approval from the respective Committees, there is no need for a second. A vote was taken, and the motion passed unanimously.**

## IX. Legislative and Board of Governors' Initiatives

President Avent reviewed three bills passed by the state Legislature and two initiatives out of the Board of Governors this year which require University action.

### A. SB7044: Postsecondary Education

There are six elements to this bill. Of the six, Florida Poly has either completed or is mostly complete with four: textbook and instructional materials affordability and transparency; statewide course numbering; proposed changes to tuition and fees must be distributed; and proposed changes to fees must be approved by at least nine affirmative BOT votes. The two elements which require further work include the transition to a new accrediting agency, and a post-tenure review.

President Avent stated the SUS presidents agreed to move to the same accrediting agency, and all agree that Higher Learning Commission (HLC) is the agency that best fits everyone's need. Florida Poly will be the first university in the system to launch this process and will hire an Accreditation Manager to support this effort. The University must submit a letter to the Department of Education (DoE) to request permission to change accreditors.

While Florida Poly does not have faculty tenure, the current six-year faculty contract does not meet their requirement; therefore, the University will be required to develop a five-year post-tenure review and a new Collective Bargaining Agreement (CBA).

Trustee Beth Kigel inquired if either of these two items impact the University budget. President Avent responded in the affirmative.

Trustee Lyn Stanfield expressed surprise the DoE only allows for a change in accreditors if its voluntary on the part of the institution. She inquired if staff at the state level were aware of this potential complication. President Avent stated when this Bill was created, President Trump had allowed universities to select their own accrediting agency. The DoE edict is fairly recent. As the Florida SUS is the first system in the nation to go through this process, the University is fielding this one step at a time.

### B. HB233: Intellectual Freedom

This Bill required the Board of Governors to conduct a survey to assess intellectual freedom and viewpoint diversity and Florida's state universities. The BOG completed this task.

### C. HB7: Individual Freedom

President Avent reviewed the three elements of this Bill. All three elements have been completed, two of which were completed by Board of Trustees' vote at this meeting.

### D. Academic and Workforce Alignment

President Avent reviewed the ten directives from the BOG on workforce alignment. Florida Poly staff completed five of the directives, with two ongoing, and three not completed.

### E. Civil Discourse Initiative

There are six elements the universities must complete as they commit to open-minded civil discourse. Regarding the endorsement of the Statement of Free Expression, Trustee Susan LeFrancois stated the Faculty Senates throughout the state discussed providing a unified response; once she receives a final draft, she will present it to Florida Poly's Faculty Senate for review and approval. Trustee Melia Rodriguez stated the Student Government Association (SGA) endorsed the statement with one recommendation: if there is open, unregulated freedom of speech, it could encourage hate speech and, subsequently, generate a fear of speaking out due to potential retaliation.

**Trustee Beth Kigel made a motion to endorse the State University System of Florida Statement of Free Expression. Trustee Lyn Stanfield seconded the motion; a vote was taken, and the motion passed unanimously.**

President Avent continued by reviewing the final three elements, which include the Board's thorough review

of current student orientation programs, codes of conduct, and employee policies, and the directive for Board Chairs to discuss the campus free speech climate during the presidential evaluation and contract renewal cycle.

Trustee Narendra Kini inquired if a neo-Nazi group wishes to express their views and recruit students as long as its peaceful and non-harassing, they will be allowed to do so. President Avent responded in the affirmative, as long as there is no violence or disparagement. Trustee Kini asked if the president or trustees are required to attend one of their events if invited. Melaine Schmiz stated there is no obligation to attend.

**Trustee Narendra Kini made a motion to approve the Florida Polytechnic University Civil Discourse Report. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.**

Trustee Kini inquired if there is a mechanism for trustees to give outcome-based feedback to the BOG regarding the impact these regulations have on administration. Trustees can share concerns with the President; however, only the Chair and President can share concerns directly with the BOG. Trustee Kini also asked if a mentor from the BOG is assigned to each university to help it navigate through the various new requirements. Both Chair Otto and President Avent expressed a favorable response to this suggestion.

## X. Committee Reports

### A. Academic & Student Affairs Committee

Trustee Kini provided a report on the Committee's activities, including their recommendation for approval of the Annual Textbook and Instructional Materials Affordability Report, and the extension of the existing out of state fee waiver of \$410 per credit hour for another four years. The Committee also reviewed the content of Student Orientation and the Student Code of Conduct.

### B. Finance and Facilities Committee

Trustee Kigel presented the activities of the Finance and Facilities Committee which included reports on the University's annual financial report for FY22, contracts over \$1M, campus construction, development of student housing, and the University Foundation. The Committee unanimously recommended Board approval of the following: FY23 University Carryforward Spending Plan and Fixed Capital Outlay Budget; Utility Easement with Duke Energy Florida, LLC; Campus Master Plan Amendment - Student Housing - Residence Hall III; 2022 Florida Polytechnic University Equity Report; and Foundation Board Appointments/Reappointments.

### C. Governance, Audit, and Compliance Committee

Trustee Laine Powell reported the Committee's activities including recommendation for approval of the ten items that were approved on today's consent agenda. She noted the instrument to evaluate the president will now include an additional section for the president to be evaluated on Diversity, Equity, and Inclusion. Trustee Powell also reviewed David Blanton's audit reports which included the Foundation Financial Controls Review. In this Review, there were two DSO findings, one of which has been rectified and the second which Blanton will provide a follow up report when the corrective action is in place. Last, President Avent presented his FYE22 Accomplishments to the Committee.

Trustee Wendt commended Blanton for his work, however, Trustee Wendt expressed concern at only having one auditor in the Institution.

### D. Strategic Planning Committee

Trustee Wendt presented the Committee's activities which included receiving a charge from the Board Chair and reviewing a proposed schedule for completing the 2023-2028 Strategic Plan by the September 2023 Board meeting. They also discussed key differentiating factors, peer institutional types and how Florida Poly ranks among them, and a proposed map to move from "emerging engineering" school to "elite undergraduate engineering" and "emerging research university." Finally, the Committee reviewed the University's existing mission and vision statements. There were no recommended changes to the mission statement; however, there was discussion on changing the existing vision statement to "Florida Poly will be a leader in building Florida's technology-based economy."

## XI. Strategic Planning 2023-2028: Discussion of Future Trends

President Avent reviewed the function of the Strategic Planning Committee and how it will report to the full Board. He then reviewed trends and pressures in Higher Education that included changing demographics, choice and flexibility, competitive landscape, educational value, and student success.

In regard to early career adult learners, Trustee Powell asked if Florida Poly is considering how instruction is being delivered or if any courses are being adjusted to accommodate early career adult learners. She also inquired if the University is tracking any data on what careers adult learners are pursuing. President Avent replied the University has not focused on adult learners, but on traditional FTIC and transfers; however, these adult learners may be more interested in graduate school. Provost Parker stated the addition of a pathway for such a student to earn a high-quality master's degree in ten months may attract this demographic.

Trustee Stanfield inquired if administration has considered how industry wants to grow and retain their own talent and if Florida Poly could provide specific programming to help aid those efforts. President Avent responded affirmatively. The University needs to determine if it has a competitive advantage in pursuing that track.

Trustee Powell asked what percentage of Florida Poly's students fall into early career adult learners. President Avent stated he will find that information and send that out to the trustees.

Trustee Kigel asked if interest in engineering degrees is low because of the required in-person lab courses. President Avent responded the increase in interest in computer science is larger because the learning can be done online at a smaller price point. They discussed the possibility of using augmented reality to enhance the engineering curricular experience.

President Avent stated Florida Poly continues a strong focus on student success measures like retention and graduation rates; however, there is a balance needed between improving metrics to obtain Performance Based Funding (PBF) and producing high-quality, reliable graduates that meet employers' needs. Trustee Bob Stork affirmed President Avent's approach to not sacrifice quality. Trustee Powell affirmed having the right balance between supporting students and challenging them is important, as well as ensuring students are aware of the available resources to help them succeed.

Trustee Kini reflected how application of curriculum content is emphasized more today than retention of content. He asked how prepared Florida Poly is for the rapidly changing environment within companies today. He also inquired the feasibility to engage seniors and ask what the arbitrage is between what they have learned in the classroom versus what they have experienced in industry, which, in turn, informs Administration on curriculum and programming. Provost Parker replied ABET requires the University to poll alumni on how much their education intersects with their work. Trustee Kini asked if it is time for strategic industry input on what skill sets are missing in Florida Poly's graduates. President Avent stated this is the role of the Curriculum Advisory Board.

President Avent reviewed the proposed schedule for completing the new Strategic Plan by September 2023.

Trustee Wendt inquired how the Board will focus on the things that need to be accomplished in such a brief period of time. President Avent stated a majority of the work will be conducted internally and presented to the Strategic Planning Committee, which will then assist in honing the positioning statements, priorities, processes, and metrics over the course of the coming year. Trustee Wendt also stated the need to determine how big the University will grow.

## XII. Board of Trustees Meeting Schedule

Chair Otto reminded trustees the next scheduled meeting and Board retreat will be in person on November 15 and 16.

## XIII. Board of Governors Meeting Schedule

Chair Otto shared the next Board of Governors meeting will be held at the University of South Florida (USF), Tampa on November 9-10, 2022. He encouraged trustees to attend the Annual Trustee Summit on November 9.

## XIV. Closing Remarks and Adjournment

President Avent stated a virtual full Board meeting will be scheduled in October to approve the student housing system expansion.

With no further business to discuss the meeting adjourned at 11:18 a.m.