

Governance Committee

Wednesday, September 8, 2021
3:30 – 5:00 PM

Florida Polytechnic University
WEBEX TELECONFERENCE MEETING

Dial in: 1-415-655-0001 | Access code: 161 452 5022#

MEMBERS

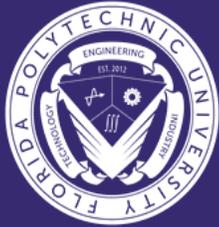
Mark Bostick, Chair
Dr. Narendra Kini

Bob Stork, Vice Chair

Dr. Earl Sasser

AGENDA

- | | |
|---|-------------------------------------|
| I. Call to Order | Mark Bostick, Chair |
| II. Roll Call | Sherri Pavlik |
| III. Public Comment | Mark Bostick, Chair |
| IV. Approval of the April 26, 2021 Minutes
Action Required | Mark Bostick, Chair |
| V. 2020-22 Governance Committee Work Plan Review
Action Required | Mark Bostick, Chair |
| VI. Policies
Action Required | Gina DeIulio, VP
General Counsel |
| A. Policy on President's Authority to Execute Change
Orders and Purchase FF&E related to the ARC Project | |
| VII. Regulations
Action Required | Gina DeIulio, VP
General Counsel |
| A. FPU-2.004 Admission of Undergraduate Transfer
 Students | |
| B. FPU-3.006 Student Code of Conduct | |
| VIII. BOT Resolution on Powers and Duties of the President | Gina DeIulio, VP
General Counsel |
| IX. President's Annual Review – Trustee Evaluation
Instrument
Action Required | Mark Bostick, Chair |
| X. President's FYE 21 Accomplishments | President Randy Avent |
| XI. Closing Remarks and Adjournment | Mark Bostick, Chair |



Governance Committee Meeting

DRAFT MEETING MINUTES

**April 26, 2021
10:45 AM – 11:45 AM**

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Committee Chair Mark Bostick called the Governance Committee meeting to order at 10:45 a.m.

II. Roll Call

Sherri Pavlik called the roll: Committee Chair Mark Bostick, Committee Vice Chair Bob Stork, Trustee Narendra Kini, and Trustee Earl Sasser were present (Quorum)

Other Trustees present: Trustee Ala' J Alnaser, Trustee Gary Wendt

Staff present: President Randy Avent, Ms. Gina DeIulio, Provost Terry Parker, Dr. Tom Dvorske, Mr. David Blanton, Mr. Rick Maxey, Ms. Melaine Schmiz, Mr. David Brunell, Mr. Alex Landback, Mrs. Kris Wharton, Ms. Kim Abels, Ms. Michele Rush, and Ms. Sherri Pavlik

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Narendra Kini made a motion to approve the February 10, 2021 minutes. Vice Chair Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

V. 2020-2022 Governance Committee Work Plan Review

There were no changes to the work plan at this time.

VI. Regulations

Regulation FPU-5.003 Textbook and Instructional Materials Selection and Affordability

Ms. Gina DeIulio presented an overview of the regulation which establishes the selection procedures that are used by Universities to support efforts to minimize the cost of textbook and instructional materials. There was one change made to the regulation to make it consistent with the Board of Governors Regulation of the same topic. The change was to add consideration of opt-out provisions when analyzing cost saving measures.

The Notice of Proposed Revised Regulation was posted on the University's website on March 30, 2021. No comments were received during the review and comment period.

Trustee Earl Sasser made a motion to recommend adoption of the revised Regulation FPU-5.003 Textbook and Instructional Materials Selection and Affordability to the Board of Trustees. Trustee Narendra Kini seconded the motion; a vote was taken, and the motion passed unanimously.

Regulation FPU-5.005 Academic Integrity

Ms. DeIulio presented an overview of the regulation which provides the University's statement on Academic Integrity and provides examples of violations along with processes and sanctions for addressing employee and student violations or alleged violations. She stated that this regulation had been substantially revised and rewritten to indicate that the entire University community is responsible for Academic Integrity and to update the procedures to be followed when there are allegations of violations.

The Notice of Proposed Revised Regulation was posted on the University's website on April 2, 2021. No comments were received during the review and comment period.

Tom Dvorske explained that the Academic Integrity regulation is standard at most universities and its primary focus is that the university does not tolerate cheating, plagiarizing, or any variety of undermining the integrity of the curriculum or course work.

Vice Chair Bob Stork made a motion to recommend adoption of the revised Regulation FPU-5.005 Academic Integrity to the Board of Trustees. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

Regulation FPU-8.001 Procurement

Ms. DeIulio stated this regulation is being revised to be in line with some changes made to the Board of Governors procurement regulation. The major changes made encourage the use of shared initiatives and require that documents justifying use of piggybacking be maintained.

The Notice of Proposed Revised Regulation was posted on the University's website on March 30, 2021. No comments were received during the review and comment period.

Trustee Earl Sasser made a motion to recommend adoption of the revised Regulation FPU-8.001 Procurement to the Board of Trustees. Trustee Narendra Kini seconded the motion; a vote was taken, and the motion passed unanimously.

VII. Policies

FPU-1.001AP Policy Creation and Development Process: Academic Policies

Ms. DeIulio stated this policy sets out the process for policy creation and development for all academic policies. Its revision includes many of the same changes made to the sister policy related to non-academic policy creation which was recently approved by the Board. The major changes clarify the process for involving Stakeholders, clarify the repeal process, provide an expedited process for making technical changes, provide a process for adopting Emergency Policies, and revise the corresponding template form.

Trustee Earl Sasser made a motion to recommend approval of the revised Policy FPU-1.001AP Policy Creation and Development Process: Academic Policies to the Board of Trustees. Vice Chair Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

VIII. President's Goals 2021-22

President Avent presented his operational goals for FYE22. He started with an overview of the Balanced Scorecard used to implement the strategic plan and reviewed the four layers of the scorecard. The scorecard assisted in determining his goals for FYE22.

FYE22 goals will continue with Admissions, Student Progression, Student Experience, University Advancement, and Right People. In addition, focus will also include Curriculum Quality (undergraduate and graduate programs); Diversity, Equity & Inclusion; and Efficient Administration.

President Avent discussed the Outcome Metrics which compared the accountability metrics for FY21, peers, SUS average, and the goals for FY22. He also noted there are concerns related to Covid in the Accountability Report, specifically around the declining academic progress rate, which will be discussed in more detail during the Academic & Student Affairs Committee meeting.

Trustee Narendra Kini inquired about President Avent's opinion on which outcome he felt was the most important one, and which area of focus he was most concerned about. In response, President Avent stated that Student Progression is the most important outcome. It is the one area the University needs to have a strong focus on as it revolves around retention and graduation rates. He feels strongly that the University cannot do well in Performance Based Funding without Student Progression.

President Avent shared the FYE22 Budget Summary and explained how this summary was developed by having departments align their budgets with his goals. The outcome shows Academic Operations and University Operations, which are similar in size, representing half of the budget. The other half of the budget comes from the nine goals. He pointed out that due to big-ticket items, Efficient Administration has the largest budget. The next largest budgets, Admissions and Student Experience, are necessary to grow the University, classes, and quality, and to make the campus a better place for students by having more offerings and support to help with student retention and graduation rate. Using this process will allow for better tracking of the goals and, if budget cuts are required, focus can be on projects versus departments.

President Avent continued the presentation concentrating on each goal with example initiatives of items that need to be done within each to attain them.

Trustee Kini asked which goal President Avent is personally focusing on. In response President Avent stated there is always a concern about University Funding, but Student Progression is his personal focus.

There were no further comments or questions for the president.

Trustee Earl Sasser made a motion to recommend approval of the President's Goals for 2021-22 to the Board of Trustees. Vice Chair Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

IX. Closing Remarks and Adjournment

With no further business to discuss, the meeting adjourned at 11:32 a.m.

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: Governance Committee Work Plan 2021-2022

Proposed Committee Action

Recommend approval of the updated Committee Work Plan for 2021-2022 fiscal year.

Background Information

After an internal review of content and timing of presentations, the Committee's Work Plan has been updated to better reflect the University's workflow and the Board of Governor's deadlines.

Supporting Documentation: Draft revised Governance Committee Work Plan 2021-2022

Prepared by: Gina DeIulio, VP & General Counsel



Committee Work Plan

Governance Committee Work Plan 2020-2022

SEPTEMBER

- [Governmental Relations Legislative Advocacy Plan](#)
- [Review Governance Committee Charter review \(review every two years – due September 2022\)](#)
- [Board self-evaluation 2023 \(every 5 years\)](#)
- [Review President’s employment agreement \(periodically\)](#)
- [Make recommendation on trustee evaluation instrument to be used for President’s annual review](#)

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NOVEMBER

- [Board training needs](#)
- [Make R](#)ecommendations to the Board on President’s evaluation outcome and compensation [changes](#)
- [Make R](#)ecommendation to Board on renewal of President’s employment agreement [and any necessary changes to the agreement](#)

FEBRUARY

- [Review Board Bylaws review 2021 \(review every 3 years – due 2022\)](#)
- [Discuss nominations for Board Chair and Vice Chair nomination process 2022 \(every 2 years – due February 2022\)](#)
- [Oversee Board self-assessment \(every 5 years – due February 2023\)](#)

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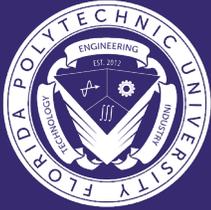
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MAY

- [Make R](#)ecommendation to Board on President’s proposed goals [for FY+1](#)
- [Discuss Board training needs](#)
- [Make recommendation on nominations for Board Chair and Vice Chair \(every two years – due May 2022\)](#)

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Committee Work Plan

Governance Committee Work Plan 2021-2022

SEPTEMBER

- Review Governance Committee Charter (review every two years – due September 2022)
- Make recommendation on trustee evaluation instrument to be used for President's annual review

NOVEMBER

- Make recommendations to the Board on President's evaluation outcome and compensation changes
- Make recommendation to Board on renewal of President's employment agreement and any necessary changes to the agreement

FEBRUARY

- Review Board Bylaws (review every 3 years – due 2022)
- Discuss nominations for Board Chair and Vice Chair (every 2 years - due February 2022)
- Oversee Board self-assessment (every 5 years – due February 2023)

MAY

- Make recommendation to Board on President's proposed goals for FY+1
- Discuss Board training needs
- Make recommendation on nominations for Board Chair and Vice Chair (every two years – due May 2022)

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: President's Authority to Execute Change Orders and Purchase Agreements related to FF&E for the ARC Project

Proposed Committee Action

Recommend the approval of Board Policy on President's Authority to Execute Change Orders and Purchasing Agreements related to FF&E for the ARC Project to the Board of Trustees.

Background Information

Pursuant to the existing Board resolution on the powers and duties of the President, the President has the following authority as relates to approving and executing construction change orders and approving and executing purchasing agreements:

1. For construction change orders, the President has the authority to approve and execute change orders in an amount up to \$100,000. If the change order exceeds \$100,000, the President is required to get the approval of the Finance & Facilities Committee prior to executing the change order.
2. For purchasing agreements for goods and services, the President has the authority to approve and execute agreements in an amount of up to \$500,000. If the agreement's value exceeds \$500,000, the agreement must be approved by the Board prior to execution.

Since funding for the Academic Research Center (ARC) project was delayed and the amount of additional funding was unknown until recently, most of the furnishings, fixtures and equipment for the ARC were not purchased. In order to meet the targeted dates for completion of the ARC, staff is asking that the President be given additional authority to approve change orders or purchasing agreements with only the approval of the Board Chair or the Finance & Facilities Chair being required when the value exceeds his existing authority.

The proposed policy would allow for the increase in the President's authority to approve and execute the change orders and purchasing agreements that exceed his current authority provided he obtain the approval of the Board Chair or the Finance & Facilities Chair. Such authority would be limited so that the amount spent on such change orders and agreements could not cause the total cost of the project to exceed the amount budgeted for the project. In addition, the change orders exceeding \$100,000 in value and the purchasing agreements exceeding \$500,000 would be promptly reported to the Finance & Facilities Committee and the Board of Trustees at a subsequent meeting.

Supporting Documentation:

- **Draft Policy on President's Authority to Execute Change Orders and Purchase Agreements related to FF&E for the ARC Project**

Prepared by: Gina DeIulio, VP and General Counsel

Florida Polytechnic University Board of Trustees

Policy on President's Authority to Execute Change Orders and Purchase Agreements related to FF&E for the ARC Project

Applicability

This policy applies only to change orders and purchasing agreements related to providing furniture, fixtures and equipment (FF&E) for the Applied Research Center project in order to expedite the work in progress. To the extent this policy conflicts with BOT resolution 2017-003 on Powers and Duties of the President, this policy shall control.

Purpose

The purpose of the policy is to:

1. authorize the President to **approve and execute change orders** related to the Applied Research Center project in the name of the Board in order to expedite the work in progress on the project. If the change order is \$100,000 or more, the President will get the approval of the Board Chair or Finance & Facilities Committee Chair prior to executing the change order.

The President is not required to get the Finance & Facilities Committee or Board's approval of such change orders- even if the total value of the change order is \$100,000 or more. The President will later report any such change orders that exceed \$100,000 to the Finance & Facilities Committee and the Board.

2. authorize the President to **approve and enter into purchasing agreements for furnishings, fixtures and equipment** for the Applied Research Center project. If an agreement has a total value of \$500,000 or more, the President will get the approval of the Board Chair or Finance & Facilities Committee Chair prior to executing the agreement.

The President is not required to get the Finance & Facilities Committee's or Board's approval of such agreements prior to execution- even if the total value of an agreement is \$500,000 or more. The President will later report any such agreements that exceed \$500,000 in value to the Finance & Facilities Committee and the Board.

Limit on Authority: The sum total cost of all such change orders and purchase agreements may not cause the total cost of the Applied Research Center project to exceed the Board approved budget for the project.

Adopted by the Florida Polytechnic University Board of Trustees on **September __, 2021**.

Chair's signature: _____

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: FPU-2.004 Admission of Undergraduate Transfer Students

Proposed Committee Action

Recommend the approval of the revised regulation FPU-2.004 Admission of Undergraduate Transfer Students to the Board of Trustees.

Background Information

FPU-2.004 Admission of Undergraduate Transfer Students is being revised to conform to the changes in the BOG Regulation **6.004 Admission of Undergraduate, Degree-Seeking Transfer Students**. The BOG regulation provides that only transfer students with less than 30 transferable credit hours must provide a high school transcript and board scores. The University's existing regulation required all applicants to meet the same requirements as first time in college students, which include the requirement to provide a high school transcript and board scores. Language was added to the University's regulation to provide that applicants with 30 or more transferable credit hours would only be required to satisfy the requirements as stated in the BOG regulation. The revisions do not change any academic standard requirements and are consistent with other SUS institutions' policies.

The Notice of Proposed Revised Regulation was posted on the University's website on August 10, 2021. No comments were received during the review and comment period.

Supporting Documentation:

1. Draft revised regulation FPU-2.004 Admission of Undergraduate Transfer Students
2. BOG Regulation 6.004 Admission of Undergraduate, Degree-seeking Transfer Students

Prepared by: Melaine Schmiz, Assistant General Counsel

THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

FPU-2.004 Admission of Undergraduate Transfer Students.

(1) Minimum Eligibility Requirements. The minimum eligibility requirements for transfer students seeking admission to undergraduate degree programs at Florida Polytechnic University are as provided in the Florida Board of Governors regulation 6.004 Admission of Undergraduate, Degree-Seeking Transfer Students. However, applicants who satisfy the Board of Governors' minimum requirements are not automatically guaranteed admission to the University as the University reserves the right to require more stringent admissions requirements.

(2) Related Regulations and Policies. The admission of transfer students is subject to the applicable regulations on admissions found in Chapter 6 of the Florida Board of Governors regulations, Chapter 2 of Florida Polytechnic University's regulations, and the Florida Polytechnic University's admission policies.

(3) Selection Criteria. The University's admission decisions for transfer students are determined on a selective basis within curricular, space, enrollment and fiscal limitations. The selection process may include, but is not limited to, such factors as the applicant's grades, test scores, pattern of courses completed, class rank, educational objectives, past conduct, academic recommendations, personal recommendations and achievements. The University will give a preference for admission in any term to those applicants whose credentials indicate the greatest promise of academic success while enrolled at the University.

(4) AA Degree Graduates. The admission of Florida public postsecondary institutions' Associate of Arts (AA) degree graduates is also governed by the Articulation Agreement between the state universities and the Florida College System institutions; such graduates shall receive priority for admission over out-of-state transfer students.

(5) Non-AA Degree Graduates. Undergraduate transfer applicants who have not earned the Associate of Arts degree from a Florida public postsecondary institution must meet the general admission requirements of the University and satisfy the requirements contained in the Board of Governors regulation 6.004, which includes, but is not limited to, the following requirements:

(a) Applicants applying for admission with fewer than 30 transferable credit hours as determined by the University at the freshman or sophomore levels must satisfy-meet the same minimum admission requirements as first time in college students (see regulation FPU-2.003 and Board of Governors regulation 6.002.)

(b) Applicants with 30 or more transferrable credit hours must have successfully completed (C or higher) at least one English Composition course and one college level mathematics course that consists of three (3) semester credit hours.

~~(c)~~ Applicants must be in good standing and eligible to return to the last postsecondary institution they attended.

~~(d)~~ Applicants must have a grade point average of at least 2.0 on a 4.0 point system for all college level course work attempted.

~~(e)~~ Applicants whose native language is not English are required to meet the requirements of FPU-6.009.

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(6) Academic Transcripts. Undergraduate transfer applicants must submit a complete official academic transcript from each postsecondary institution attended, as well as a complete official academic transcript of all secondary work, when applicable. Each transcript must list all courses for which the applicant was enrolled each term, the status in each course at the end of the term, all grades and credits awarded, and a statement explaining the grading policy of the institution. Each transcript should also specify any college credits the applicant earned through accelerated mechanisms.

(7) Exceptions to Admission Standards. Exceptions to the admission standards may be made on an individual basis when, in the judgment of the University's admissions committee, a student can reasonably be expected to complete satisfactory academic work at the University in the program to which admission is sought.

Authority: BOG Regulations 1.001 and 6.004.

History–New: 1.2.14, revised

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DRAFT

6.004 Admission of Undergraduate, Degree-Seeking Transfer Students

(1) This regulation outlines minimum eligibility requirements for transfer students seeking admission to an undergraduate degree program in the State University System (SUS). Individual institutions may choose to establish more stringent admission requirements for students not admitted under paragraph three (3) of this regulation.

(2) All Undergraduate Transfer Students.

- (a) For the purposes of this regulation, undergraduate transfer students are defined as students who have earned twelve (12) or more semester hours of transferable college credit since receiving a standard high school diploma or its equivalent.
- (b) Eligibility for admission to the SUS does not guarantee admission to the specific institution or degree program to which admission is sought.
- (c) Each university board of trustees shall develop regulations governing the admission of undergraduate transfer students that comport with the requirements outlined in Board of Governors regulations. Such regulations may allow for exceptions to be made on an individual basis when a student, in the judgment of an appropriate university committee, can reasonably be expected to perform satisfactory academic work in the institution and program to which admission is sought.
- (d) Each university shall require undergraduate transfer applicants to submit or authorize transmission of a complete official academic transcript from each postsecondary institution attended, as well as a complete official academic transcript of all secondary work, when applicable. Each transcript shall list all courses for which the student was enrolled each term, the status in each course at the end of the term, all grades and credits awarded, and a statement explaining the grading policy of the institution. Each transcript should also specify any college credits the student earned through accelerated mechanisms.
- (e) Each undergraduate transfer student admitted to the SUS is expected to demonstrate competency of foreign language or American Sign Language equivalent to the second high school level or higher (Spanish 2, Haitian Creole 2, etc). Students transferring to a state university without meeting the foreign language admissions requirement in high school may meet the requirement by successfully completing a postsecondary foreign language or American Sign Language elementary 2 course demonstrating equivalent foreign language competency on the basis of scores determined by the *Articulation Coordinating Committee (ACC) Credit-By-Exam Equivalencies*, as adopted by the Board of Governors; or demonstrating equivalent foreign language or American Sign Language competency through other means approved by the university. A limited number of undergraduate transfer students not meeting this foreign language requirement may be admitted; however, these students must fulfill the foreign language requirement prior to completion of the baccalaureate degree.

- (f) Any undergraduate transfer student with a disability shall be eligible for reasonable substitution or modification of any requirement for admission pursuant to Board Regulation 6.018.
- (g) In addition to meeting university requirements, undergraduate transfer applicants must meet the following minimum requirements:
 1. Be in good standing and eligible to return to the last postsecondary institution attended as a degree-seeking student, and
 2. Have a grade point average of at least 2.00 on a 4.00 system on all college-level academic courses attempted.

(3) Associate in Arts (AA) Degree Graduates from Florida College System Institutions and SUS Universities.

- (a) An AA graduate from a Florida public postsecondary institution shall receive priority for admission to a state university over out-of-state transfer students. Recruitment materials, catalogs, orientation programs, and student handbooks provided to freshman enrollees and transfer students at state universities shall include an explanation of this provision.
- (b) Within curriculum, space, and fiscal limitations, admission to the upper division of one of the state universities shall be granted to an AA graduate of a Florida public postsecondary institution, provided the AA degree has been awarded based on the following:
 1. Completion of sixty (60) semester hours of college credit courses in an established program of study, exclusive of courses not accepted in the state university system, and including a general education core curriculum of thirty-six (36) semester hours of college credit in communication, mathematics, social sciences, humanities, and natural sciences with the remaining twenty-four (24) semester hours consisting of appropriate common program prerequisite courses and electives.
 2. Achievement of a cumulative grade point average of at least 2.0 in all courses attempted, and in all courses taken at the institution awarding the degree, provided that only the final grade received in courses repeated by the student shall be used in computing the average. The grade of "D" shall transfer and count toward the associate and baccalaureate degrees in the same way as "D" grades obtained by native students. The 60 hours that comprise a completed AA degree shall be accepted in total upon transfer to an upper division program. Subsequent admission to a limited access degree program, as defined in Board Regulation 8.013, may require a higher overall grade point average than 2.0.
 3. Completion of requirements for English and mathematics courses as adopted by the Board of Governors and the State Board of Education.
- (c) The AA degree is the primary basis for admission of transfer students from Florida College System institutions to upper division study in a state university. Every AA graduate from the Florida College System shall be granted admission

to an upper division program consistent with the Articulation Agreement between the Board of Governors and the State Board of Education.

(4) Other Transfer Students.

- (a) *Transfers with less than 30 transferrable semester hours* - In addition to meeting the general requirements described in subparagraph (2) above, undergraduate transfer students seeking admission to the lower division of a state university with less than 30 transferrable semester hours as determined by the university must satisfy the same admission requirements as first-time- in-college (FTIC) freshmen as specified in Board Regulation 6.002. However, a university may admit lower-level transfer students not meeting FTIC freshman requirements on a limited basis, pursuant to university policy, if the student, in the judgment of an appropriate university committee, can reasonably be expected to complete satisfactory academic work in the institution and program to which admission is sought.
- (b) *Transfers with 30 or more but less than 60 transferrable semester hours* - In addition to meeting the general requirements described in subparagraph (2) above, students must have successfully completed (C or higher) at least one English Composition course and one college level mathematics course that consists of three (3) semester credit hours. High school transcripts may be required to demonstrate completion of the foreign language admission requirement. Students not meeting these requirements must meet the requirements for transfer students with less than 30 transferrable semester hours.
- (c) Except for students in articulated Associate in Science and Associate in Applied Science to Bachelor in Science degree programs approved by the Board of Governors, transfer applicants for admission to the upper division of a university are expected to have completed at least 60 semester hours of transferable credit in college-level academic courses.

(5) A transfer student from a Florida postsecondary public institution who is admitted to a university pursuant to this regulation shall be entitled to pursue a degree in accordance with the degree requirements afforded native students as outlined in the university catalog that was in effect for the academic year in which the transfer student was initially enrolled as a freshman at his or her prior postsecondary institution, provided the student has maintained continuous enrollment as defined by the receiving university.

Authority: Section 7(d), Art. IX, Fla. Const., History-Formerly 6C-2.44, 6C-2.45, and 6C-6.04, 11-18-70, Amended 7-6-72, 12-17-74, 8-1-84, 8-11-85, 4-20-87, 1-6-88, 10-19-88, 1-23-90, 1-7-91, 9-15-91, 11-9-92, 11-27-95, Amended and Renumbered as 6.004 01-28-10, Amended 11-21-13. Amended 01-21-16.

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: FPU-3.006 Student Code of Conduct

Proposed Committee Action

Recommend the approval of the revised regulation FPU-3.006 Student Code of Conduct to the Board of Trustees.

Background Information

An emergency regulation was approved by the Board effective July 1, 2021 to comply with amendments to section 1006.60, Florida Statutes, enacted during the 2021 legislative session. This allowed the University time to amend the regulation using the normal procedure. The proposed regulation makes the same revisions to the regulation that the emergency regulation, currently in effect, made. These revisions include:

- Updating time frames for notices to charged students and the content of the notices;
- Adding a provision that the student's advisor may participate in certain portions of a Formal Hearing;
- Clarifying that the hearing body is impartial; and
- Clarifying that a charged student is presumed to **not** have violated the Student Code of Conduct.

The Notice of Proposed Revised Regulation was posted on the University's website on August 10, 2021. No comments were received during the review and comment period.

Supporting Documentation: Draft revised regulation FPU-3.006 Student Code of Conduct

Prepared by: Melaine Schmiz, Assistant General Counsel

THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

FPU-3.006 Student Code of Conduct

(1) Introduction

- (a) **Community Values.** The Student Code of Conduct is designed to promote responsible behavior for all students consistent with the values and welfare of the Florida Polytechnic University (“University”) community. It exists to define the behavioral rights and responsibilities of University students and student organizations. The Student Code of Conduct fosters and enhances the academic mission of the University as well as protects the rights of all University students, faculty, and staff.
- (b) **Applicability.** The Student Code of Conduct applies to the conduct of any student or student organization that occurs: on University property; at University or student-sponsored activities; and at locations where a University course or program is being conducted, including foreign locations such as study abroad and exchange programs. It also applies to off-campus conduct and online conduct that adversely affects the University community and/or the pursuit of its objectives.

(2) Authority

- (a) The Florida Polytechnic University Board of Trustees is charged with the responsibility and authority for creating a Student Conduct Review Process. Authority for the Student Conduct Review Process rests with the University President or designee (“President”).
- (b) Student organizations are also regulated under this authority.

(3) Definitions

- (a) **Responding Party.** Any student or student organization that has been charged with violating the Student Code of Conduct.
- (b) **Advisor.** The person chosen by the Responding party who may assist and/or accompany the Responding party throughout the Student Conduct Review Process.
- (c) **Business Day.** Monday through Friday from 8 am to 5 pm, excluding University holidays.
- (d) **Reporting Party.** A person that believes that he or she has been a victim of a student’s misconduct or any person who submits an allegation that a student violated the Student Code of Conduct.
- (e) **Sanction.** Outcome(s) imposed on the Responsible.
- (f) **Faculty Member.** Any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
- (g) **Good Standing.** A conduct status describing a student who does not have pending charges under the Student Code of Conduct or incomplete misconduct Sanctions.
- (h) **Hearing Body.** Any impartial person or persons appointed by the Vice Provost of Student Affairs or designee to conduct hearings to determine whether the Responding party has violated the Student Code of Conduct and impose Sanctions. This includes a Hearing Officer or Hearing Panel.
- (i) **May.** The term “may” is used in the permissive sense.
- (j) **Policy.** Any written policies, regulations, or rules of the University as found in, but not limited to, the Student Code of Conduct; University Policies, Regulation and Rules webpage; the Student Handbook; Housing Policies and Rules, and the Undergraduate and the Graduate Catalogs.

- (k) **Preponderance of the Evidence.** Information considered as a whole that indicates the facts sought to be proved are more likely than not. This is the burden of proof that must be met in a determination of responsible or not responsible.
 - (l) **Representative.** An Office of Student ~~Development~~ Affairs employee designated by the Vice Provost of Student Affairs to fulfill specified duties under the Student Conduct Review Process.
 - (m) **Responsible.** A student or student organization that has been found to have violated the Student Code of Conduct by a preponderance of the evidence.
 - (n) **Student.**
 - (i) Persons taking courses at the University (full-time or part-time) in undergraduate, graduate, or professional studies;
 - (ii) Persons who withdraw from the University after allegedly violating the Student Code of Conduct;
 - (iii) Persons who were previously enrolled but are not officially enrolled for a particular term and have a continuing relationship with the University; or
 - (iv) Persons who have been notified of their acceptance for admission to the University.
 - (o) **Student Organization.** A registered student organization as described in FPU- 3.002 Student Government and Student Organizations.
 - (p) **University Community.** Includes any University officer, employee, student, applicant, visitor, agent, vendor, or contractor.
 - (q) **University Official.** Includes any person employed by the University that is performing assigned administrative or professional responsibilities.
 - (r) **University Property.** Property owned or controlled by the University.
 - (s) **Witness.** A person who has relevant information to help a decision maker determine whether or not an alleged violation of the Student Code of Conduct has taken place.
- (4) Student Rights In the Student Conduct Review Process.** The student has the right to:
- (a) **A presumption that a violation of the Student Code of Conduct has not occurred.**
 - ~~(a)~~(b) Be free from self-incrimination. However, the rights and rules of evidence or procedure in a civil or criminal proceeding do not apply to the Student Conduct Review Process.
 - ~~(b)~~(c) Be informed of and receive just and unbiased treatment under the Policies of the University, in its courses, in its residential life, and in its extracurricular activities;
 - ~~(e)~~(d) Be informed of decisions impacting their status, advancement, or exercise of University benefits, and have the opportunity to appeal, through a defined process and framework, those decisions in accordance with the procedures prescribed in this Student Code of Conduct;
 - ~~(d)~~(e) Have past behavior considered only when related to the charge(s);
 - ~~(e)~~(f) Privacy, including the confidentiality of education records according to the Federal Family Educational Rights and Privacy Act of 1974 (FERPA);
 - ~~(f)~~(g) Adequate notice of charges and a fair and impartial hearing under the Student Code of Conduct;
 - ~~(g)~~(h) Be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures by the University; and
 - ~~(h)~~(i) Ready access to established University Policies.

- (5) **Student Responsibilities.** The student has the responsibility to:
- (a) Observe and comply with all University Policies and local, state, and federal laws;
 - (b) Respect the rights and privacy of others;
 - (c) Accept the Sanctions imposed due to one's actions;
 - (d) Maintain high standards of academic integrity and honor in all work submitted; and
 - (e) Conduct oneself in a manner that does not infringe upon the rights of other members of the University community.
- (6) **Misconduct.** Any student or student organization found to have committed or to have attempted to commit the following misconduct is subject to Sanctions in accordance with this Student Code of Conduct.
- (a) **Acts of Dishonesty**, including but not limited to the following:
 - (i) **Cheating, plagiarism**, or other forms of academic dishonesty as defined in University Regulation FPU-5.005 Academic Integrity.
 - (ii) **Furnishing false information** to any University official, faculty member, or office.
 - (iii) **Forgery, alteration, or misuse** of any University document, record, or instrument of identification.
 - (b) **Disruption or obstruction** of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions, on or off campus, or of other authorized non-University activities when the conduct occurs on University property.
 - (c) **Physical abuse, verbal abuse, threats, intimidation, harassment, stalking, coercion**, and/or other conduct that threatens or endangers the health or safety of any person, group, or animal that is not of a sexual nature, including bullying. Bullying is repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and such conduct is not protected by freedom of expression.
 - (d) **Sexual misconduct** as defined in University Policies.
 - (e) **Attempted or actual theft** of and/or **damage to property**, including intellectual property, of the University or property of a member of the University community or other personal or public property, on or off campus.
 - (f) **Hazing**, means any action or situation, which occurs on or off University property, that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation, admission into, affiliation with, or the perpetuation or furtherance of a tradition or ritual of any University student organization or group whether or not officially recognized by the University. Hazing includes, but is not limited to, pressuring or coercing the student into violating state or federal law; any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance; or other forced physical activity that could adversely affect the physical health or safety of the student; or any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.
 - (g) **Failure to comply with directions** of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to such persons

when requested to do so.

- (h) **Unauthorized possession, duplication or use of keys** to any University property or unauthorized entry into or use of University property.
- (i) **Violation of any University Policy.**
- (j) **Violation of any federal state, or local law.**
- (k) **Use, possession, manufacturing, selling or distribution of marijuana, heroin, narcotics, or other controlled substances**, except as expressly permitted by law. This includes the misuse of prescription drugs, paraphernalia used for drugs (e.g. bong, glass pipes, etc.) and the un-prescribed use, inhalation, or ingestion of a substance (e.g. nitrous oxide, glue, paint, etc.) that could alter a person's mental state.
- (l) **Use, consumption, possession, manufacturing, selling or distribution of alcoholic beverages** (except as expressly permitted by University Policies), paraphernalia used for consumption of alcohol (e.g. kegs, bong, etc.) or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
- (m) Attending class, an Organizational meeting or other University event that is specific for an educational purpose while under the influence of the substances listed in sections (k) and (l)
- (n) **Control or operation of any vehicle**, including non-motorized vehicles, **while impaired** by alcohol or another substance.
- (o) **Illegal or unauthorized possession of firearms, explosives, weapons, or dangerous chemicals** on University property or use of any such item, even if legally possessed, in a manner that harms or threatens others.
- (p) Soliciting, facilitating, or participating in any **illegal gambling**, bookmaking or illegal betting whether through a bookmaker, a parlay card, a pool or any other method of organized gambling.
- (q) Causing or attempting to cause a **fire or explosion; falsely reporting a fire, explosion, or an explosive device; tampering with fire safety equipment; or failure to evacuate** University buildings during a fire alarm.
- (r) **Unauthorized posting of commercial advertising** or engaging in **commercial activity** as described in University Policies.
- (s) **Participation in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations** of the University and/or infringes on the rights of other members of the University community; or leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
- (t) **Obstruction of the free flow of pedestrian or vehicular traffic** on University property or at University sponsored or supervised functions.
- (u) **Conduct that is disorderly, lewd, or indecent; breach of peace**; or aiding, abetting, or procuring another person to breach the peace on University property or at functions the University or members of the University community have sponsored or participated in.
 - (i) **Disorderly Conduct** includes, but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on University property without his or her prior knowledge, or without his or her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

- (v) **Theft or other abuse of computer facilities and resources**, including but not limited to:
 - (i) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.
 - (i) Unauthorized transfer of a file.
 - (ii) Use of another individual's identification and/or password.
 - (iii) Use of computing facilities and resources to interfere with the work of another student, faculty member or University Official.
 - (iv) Use of computing facilities and resources to send obscene or abusive messages.
 - (v) Use of computing facilities and resources to interfere with normal operation of the University computing system.
 - (vi) Use of computing facilities and resources in violation of copyright laws.
 - (w) **Residence Hall Policy Violation**, includes violations of any policy or regulation governing University Housing, as well as, the Resident Handbook.
 - (x) **Abuse of the Student Conduct Review Process**, including but not limited to:
 - (i) Failing to obey the notice from the Office of Student Development Affairs or a University official to appear for a meeting or hearing as part of the Student Conduct Review Process.
 - (ii) Falsifying, distorting, or misrepresenting of information before a Hearing.
 - (ii) Disrupting or interfering with the orderly conduct of a Student Conduct Review Process.
 - (iii) Reporting a violation of the Student Code of Conduct in bad faith.
 - (iv) Attempting to discourage an individual's proper participation in, or use of, the Student Conduct Review Process.
 - (v) Attempting to improperly influence the impartiality of a Hearing Body prior to, and/or during the course of, the Student Conduct Review Process.
 - (vi) Harassing (verbal or physical) and/or intimidation of a Hearing Body prior to, during, and/or after a Student Conduct Review Proceeding.
 - (vii) Failing to comply with the Sanction(s) imposed under the Student Code of Conduct.
 - (viii) Influencing or attempting to influence another person to commit an abuse of the Student Conduct Review Process.
 - (ix) **Retaliation** against a person(s) alleging misconduct or participating in the student conduct review process.
- (7) **Sanctions.** The Responsible is subject to Sanctions commensurate with the offense with consideration given to any aggravating and mitigating circumstances, including but not limited to the Responsible's conduct record at the University. The Responsible's efforts to get help or assist others may be taken into account in determining Sanctions. The Responsible's failure to complete Sanctions may result in a registration, transcript, final grades, and/or diploma hold. Sanctions that may be imposed upon the Responsible include, but are not limited to:
- (a) **Deactivation.** The loss of all privileges, including University recognition, for a specified period of time when the Responsible is an organization.
 - (b) **Discretionary Educational Sanctions.** Work assignments, essays, service to the University, or other related discretionary Sanctions.
 - (c) **Fines.** Previously established and published financial fines may be imposed.
 - (d) **Loss of Privileges.** Denial of specified privileges for a designated period of time.
 - (e) **Probation.** A designated period of time where more severe disciplinary Sanctions will be imposed if the Responsible is found to violate the Student Code of Conduct

- during the probation period.
- (f) **Residence Hall Expulsion.** Permanent separation of the Responsible from the residence halls.
 - (g) **Residence Hall Suspension.** Separation of the Responsible from the residence halls for a definite period of time, after which the Responsible is eligible to return. Conditions for returning to the residence halls may be specified.
 - (h) **Restitution.** Requiring compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - (i) **Revocation of Admission and/or Degree.** Admission to the University or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other violations that were committed by the student prior to graduation.
 - (j) **University Expulsion.** Permanent separation of the Responsible from the University.
 - (k) **Deferred Suspension.** Suspension that will be imposed at a defined future date or time unless sanctions are completed as described by the hearing officer and there are no further policy violations.
 - (l) **University Suspension.** Separation of the Responsible from the University for a definite period of time. Conditions for readmission to the University will be specified. The Vice Provost of Student Enrollment or designee will instruct the Registrar to place an overlay on the Responsible's transcript during the period of suspension indicating the period of suspension. Further, while on University Suspension, a hold will be placed on the Responsible's record to prevent registration. All assigned educational Sanctions must be completed prior to the restoration of student privileges; otherwise the suspension will remain in effect. A suspended student is not permitted on University property during the length of his/her suspension. A suspension may be deferred so that the Responsible can attend classes for the remainder of the semester.
 - (l) **Warning.** A notice in writing to the Responsible that the Responsible is violating or has violated the Student Code of Conduct.
 - (m) **Withholding Degree.** The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of any Sanctions imposed.
 - (n) One or more of the Sanctions listed above may be imposed for any single violation.
- (8) Interim Suspension.** In certain situations, the Provost or designee may impose a University or residence hall interim suspension prior to the completion of the Student Conduct Review Process.
- (a) An interim suspension may be imposed:
 - (i) To ensure the safety and well-being of members of the University community or preservation of University property; or
 - (ii) If the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
 - (b) If requested in writing by the student, an interim suspension is subject to a review at a hearing within three (3) business days by the Provost or designee to determine the status of the interim suspension. The outcome of an interim suspension hearing remains in effect until the final disposition of the charges unless the Provost or designee decides otherwise.

- (c) During the interim suspension, the student may be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Provost or designee determines to be appropriate.
- (d) The interim suspension does not replace the regular Student Conduct Review Process, which proceeds on the normal schedule, up to and through a formal hearing, if required.
- (e) If the student is subsequently found not responsible for the violation, the University will:
 - (i) Correct any record of the change in enrollment status in the student's permanent records and reports in a manner compliant with state and federal laws; and
 - (ii) Refund to the student a pro rata portion of any charges for tuition and out-of-state fees, as appropriate, if the temporary suspension of the student's ability to attend classes lasts for more than ten (10) business days.

(9) Student Conduct Review Process

(a) General Provisions.

- (i) Requests for reasonable accommodations. The Responding party, Reporting party, or other person participating in the Student Conduct Review Process may submit a request for reasonable accommodations for a documented disability for any part of the Student Conduct Review Process to the Office of Student ~~Development~~ Affairs representative (the "Representative"). The Representative must receive such requests at least three (3) business days prior to the part of the Student Conduct Review Process for which the person is requesting accommodations.
 - (1) The Representative has the discretion to grant such requests. The Representative also has the discretion to waive the three (3) business day requirement.
- (ii) Requests for Postponement. The Responding party or Reporting party may request to postpone any part of the Student Conduct Review Process.
 - (1) Requests to postpone any part of the Student Conduct Review Process must:
 - (i) Be submitted in writing to the Representative at least three (3) business days prior to the part of the Student Conduct Review Process for which the person is requesting postponement, and
 - (ii) State the reason(s) for the request.
 - (2) The Representative has the discretion to grant such requests. The Representative also has the discretion to waive the three (3) business day requirement.
 - (3) The University is not required to postpone a Student Conduct Review proceeding pending the outcome of a criminal prosecution.
- (iii) Notices. All notices to a student are sent to the student's official University email account. Notices to a student organization are sent to the student organization's highest-ranking officer's official University email account.
- (iv) Remote Participation. The Representative has the discretion to allow the Responding party, Reporting party, and/or Witness to participate in the Student Conduct Review Process remotely via telephone or other electronic means.
 - (1) Requests to participate remotely must be received by the Representative at least three (3) business days prior to the part of Student Conduct Review Process for which the request is being made.
 - (2) The Representative has the discretion to waive the three (3) business

day requirement.

(v) Failure to Attend Scheduled Meeting or Hearing.

- (1) After receiving notice, if the Responding party, Reporting party, or Witness does not timely request a postponement and does not attend a scheduled meeting or hearing, the meeting or hearing will take place as scheduled.
- (2) Sanctions may be imposed against the Responding party even if the Responding party does not attend scheduled meetings and hearings. The Responding party will be sent written notice of any imposed Sanctions.
- (3) The Representative may have a hold placed on the Responding party's registration, transcript, final grades and/or diploma if the Responding party does not attend a scheduled meeting or hearing. This hold is removed once the Responding party attends the re-scheduled meeting or hearing, or the Student Conduct Review Process is concluded.

(vi) Advisor. The Responding party and the Reporting party may have, at their own expense and initiative, an Advisor present for any part of the Student Conduct Review Process. The Advisor may be an advocate or legal representative.

- (1) If the Responding party or Reporting party chooses to have an Advisor, it is his or her responsibility to make appropriate arrangements for the Advisor to attend the Student Conduct Review Process. No part of the Student Conduct Review Process will be delayed due to scheduling conflicts with an Advisor.
- (2) The Advisor may be present to advise the Responding party or Reporting party and may participate in all aspects of the Formal Hearing but cannot testify for the student nor serve in any other role, including as a witness, an investigator, decider of fact, hearing body, or person appointed to decide an appeal. ~~but cannot speak for or present the case or otherwise participate directly in the Student Conduct Review Process.~~
- (3) If the Responding party or Reporting party chooses an attorney as the Advisor, the Responding party or Reporting party must inform the Representative of such at least three (3) business days prior to the Initial Meeting.

(vii) University's Right to Attorney. The University may be advised by an attorney at any time prior to, during, or after the Student Conduct Review Process.

(viii) Burden of Proof. The burden of proof for any portion of the Student Conduct Review Process is not on the Responding party.

(ix) Student's Eligibility to Attend Classes and University Activities.

- (1) A student remains eligible to attend classes and University activities pending the outcome of the Student Conduct Review Process and until any appeal is concluded except for in the following situations:
 - (i) The student is currently subject to an Interim Suspension; or
 - (ii) Where there is an appeal and the Sanction(s) imposed included University or Residence Hall Suspension or Expulsion.
- (2) If the student is subsequently found not responsible, the University will:
 - (i) Correct any record of the change in enrollment status in the student's permanent records and reports in a manner compliant with state and federal laws; and
 - (ii) Refund to the student a pro rata portion of any charges for tuition and out-of-state fees, as appropriate, if the suspension of the student's ability to attend classes lasted for more than ten (10) school days.

- (x) Alleged Violations of University policy FPU-1.005P Sexual ~~Harassment~~ Misconduct may require additional procedural rights. In the event of a conflict between this regulation and University policy FPU-1.005P Sexual ~~Misconduct~~ Harassment, University policy FPU-1.005P Sexual ~~Harassment~~ Misconduct controls. Additionally, in the event of a conflict between this regulation and University Regulation FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures, University Regulation FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures controls.
- (b) **Student Conduct Report.** Any person or entity may report an alleged violation of the Student Code of Conduct to the Office of Student ~~Development~~ Affairs. The University may conduct an investigation regarding the circumstances of the report. An investigation is a neutral fact-finding process that determines whether there is sufficient information to move forward with formal student conduct charges or other action as appropriate. An investigation may include interviews with the Reporting Party, the Responding party, and any Witnesses.
- (c) **No Charges Filed.** The Representative may choose to not file charges if:
- (i) It is found that there are not sufficient facts or information to substantiate a violation of the Student Code of Conduct.
 - (ii) The person being accused of violating the Student Code of Conduct is not a student;
 - (iii) The action claimed as misconduct is not a violation of the Student Code of Conduct.
 - (iv) Or in other appropriate circumstances such as Medical Amnesty as referenced in University policy FPU-1.0003P Alcohol Policy.
- (d) **Filing Charges and Timeline.** The Representative will review the relevant information to determine if a student or student organization will be charged with violating the Student Code of Conduct. Upon receipt of a report, the Representative has six (6) months to file a charge. The Representative may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six (6) month time limit.
- (e) **Notice of Charges.** The Representative will give the Responding party written notice of the charge(s) at least ~~seven~~ five (7~~5~~) business days prior to the Initial Meeting, unless student has waived the ~~seven~~ five (7~~5~~) business day requirement in writing. The Notice of Charges must include:
- ~~(i)~~ (i) Specific charges including specific code sections alleged to have been violated;
 - ~~(ii)~~ (ii) The process to be used in determining whether a violation has occurred and associated rights
 - ~~(iii)~~ (iii) A description of the behavior that led to the charges; and
 - ~~(iv)~~ (iv) An opportunity for the Responding party to attend an Initial Meeting.
- (f) **Notice of Reporting Party's Rights.** The Representative will give the Reporting party written notice of their rights. The Reporting party has the same rights as the Responding party, including the right to appeal and the rights described in Section (9)(j)(v) Reporting party's Rights. The Reporting party

also has the same responsibilities as the Responding party.

- (g) **Initial Meeting.** The Responding party has the opportunity to attend an Initial Meeting with the Representative. The Responding party may choose an Advisor to accompany the Responding party to the Initial Meeting.
- (i) At the Initial Meeting, the Responding party will be given an overview of the Student Conduct Review Process, information known at the time the charge(s) were filed, and an opportunity for the Responding party to accept or deny responsibility for the charge(s).
 - (ii) At the conclusion of the Initial Meeting, the Representative will select an option for resolution. The options are: 1) Dismissal of Charges; 2) Non-Formal Resolution; or 3) Formal Hearing.
 - (1) Responding Party Accepts Responsibility. If the Responding party accepts responsibility, the Representative may choose to resolve the violation through non-formal resolutions.
 - (2) Responding Party Denies Responsibility. If the Responding party denies responsibility or wishes to have a Formal Hearing, the charge(s) will be resolved by a Formal Hearing.
 - (3) Non-Formal Resolution Requirements. Non-formal resolutions may be used when the student accepts responsibility and possible Sanctions do not include suspension or expulsion. Non-formal resolutions may not be used for violations that the Representative deems to be serious, such as sexual misconduct, violence, or violations involving weapons.
- (h) **Non-Formal Resolution.** Non-formal resolutions include:
- (i) Mediation Agreement: Depending on the nature and severity of the charge, the Representative may recommend mediation. The Responding party and the Reporting party must both agree to mediation for mediation to be an option. Mediation is confidential.
 - (1) In mediation, the Responding party and the Reporting party voluntarily meet with an impartial mediator to communicate their concerns and needs to each other and to reach their own agreement on the resolution of the case (“Mediation Agreement”). The Responding party and Reporting party are responsible for honoring their Mediation Agreement or renegotiating it, if necessary.
 - (2) Breach of a Mediation Agreement may result in a follow up mediation session, or the Representative may refer the matter back through the Student Code Review Process.
 - (3) If the Responding party and Reporting party do not agree to mediate or mediate but do not reach a full and final resolution, the matter will be referred back through the Student Conduct Review Process for an Administrative Agreement or a Formal Hearing.
 - (ii) Administrative Agreement: An Administrative Agreement is negotiated by the Representative and the Responding party. The Administrative Agreement is between the Responding party and the Office of Student Development Affairs.
 - (1) The Administrative Agreement may include punitive Sanctions (disciplinary warning or disciplinary probation) as well as educational Sanctions (papers, seminars, community service, etc.).
 - (2) Breach of an Administrative Agreement may result in a new Administrative Agreement, or Representative may refer the matter to be resolved by a Formal Hearing or Mediation.

(iii) Deferred Determination: Deferred Determination is when the determination is delayed so the Responding Party can complete certain requirements in an allotted timeframe. The Representative determines the requirements and timeframe in which the requirements must be met. At the completion of all requirements, the Responsible Party will be found “not responsible.” Deferred Determination only be used for specific non-violent first-time offenses.

(i) **Failure to Resolve Through Non-Formal Resolution**. If the charge is not resolved by a non-formal resolution, the matter will be resolved through a Formal Hearing.

(j) **Formal Hearing**: The Formal Hearing is not a criminal or judicial proceeding and is designed to address student or student organization behavior; therefore, alleged violations of the Student Code of Conduct will be addressed independently of any penalty imposed by the courts for a criminal offense. All Formal Hearings are recorded and confidential.

(i) Notice of Formal Hearing. The written Notice of Formal Hearing is sent to the Responding party and the Reporting party at least ~~five-seven (75)~~ business days prior to the Formal Hearing. The notice must include:

(1) The date, time, and location of the Formal Hearing;

~~(2)~~ (2) The names of witnesses to be called and information to be used in the Responding party’s matter;

~~(2)(3)~~ (3) The process to be used in determining whether a violation has occurred and associated rights;

~~(3)(4)~~ (4) Whether the Hearing Body received any additional information after the Initial Meeting that will be used in the Formal Hearing, and, if so, will indicate when and where the additional information may be viewed; and

~~(4)(5)~~ (5) The names of the members of the Hearing Body.

(ii) Opportunity to Inspect Information. The Responding Party and the Responding Party’s Advisor, and the Reporting Party and the Reporting Party’s Advisor, have the right to inspect all known information, both inculpatory and exculpatory, in the University’s possession related to the allegation, including all known witnesses at least five (5) business days before the Formal Hearing.

~~(iii)~~ (iii) Responding Party’s Right to Hearing Panel and Waiver. The Responding party has the right to a Formal Hearing conducted by a Hearing Panel. If the Responding party chooses to waive this right, a Hearing Officer conducts the Formal Hearing. The Responding party may waive their right to a Hearing Panel if:

(1) The Responding party requests such a waiver in writing on forms provided by the University that include an explanation of the effect of the waiver; and

(2) The Vice Provost of Student Affairs or designee approves the Responding party’s request.

~~(iii)~~ (iv) Responding Party’s and Reporting Party’s Right to Inspect Information.

The Responding party and the Reporting party each have the right to inspect all of the information, including witnesses, that will be presented against the Responding party at least three (3) business days before the Formal Hearing.

~~(iv)~~ (v) University’s Right to Inspect Information. The University also has the right to review any information, including witnesses, the Responding party and Reporting party intend to use at least three (3) business days before the Formal Hearing.

(v)(vi) Reporting Party's Rights. Reporting Party has the right:

- (1) To have unrelated past behavior excluded from the hearing.
- (2) To participate in and be present throughout the entire Formal Hearing or any portions thereof. If the Reporting party does not want to be present in the same room as the Responding party, the Hearing Body will make alternative arrangements, if possible.
- (3) To testify in limited privacy. In lieu of testifying in person or via telephone, the Reporting party may submit a written or recorded statement. The determination of whether the testimony will be given in limited privacy is made at the discretion of the Vice Provost of Student Affairs or designee.
- (4) To submit a "student impact statement" and offer to the Hearing Body a suggestion of what the Reporting party believes to be an appropriate Sanction for the Responding party. This information may be used only to determine Sanctions.
- (5) To be excluded from direct examination in cases where sexual misconduct or abuse is alleged. The Responding party will not be permitted to directly question the Reporting party where the alleged violations are sexual misconduct or abuse. In such cases, the Responding party and the Reporting party must submit questions to the Hearing Body; however, the Hearing Body is not required to ask all of the questions submitted.

(vi)(vii) Hearing Body. The Hearing Body reviews all information presented during the Formal Hearing and determines whether the Responding party is responsible. The Representative that conducts the Initial Meeting cannot serve as a Hearing Body.

- (1) Formal Hearing Conducted by Hearing Panel. The Representative facilitates a Formal Hearing conducted by a panel. The Representative does not participate in deliberations. The Representative selects a member of the Hearing Panel to chair the hearing and report the recommended finding(s) and sanctions, if any. The Hearing Panel must consist of at least 50% students. The Provost or designee appoints faculty, staff, and student representatives to the Hearing Panel.
- (2) Formal Hearing Conducted by Hearing Officer. The Hearing Officer conducts the hearing and determines the findings and Sanctions.
- (3) Hearing Body for Charges Involving Sexual Misconduct. The Hearing Body is comprised of staff and/or faculty for charges involving sexual misconduct. However, upon request by the Responding party, and provided there is no objection from the Reporting party, Representative may approve that the Hearing Body will be a Hearing Panel with at least one-half of the members being students.
- (4) Hearing Body Member Unable to Serve. If a Hearing Body member is unable to serve due to an emergency or unforeseeable occurrence, the Provost may appoint a new Hearing Body member prior to the scheduled hearing.
- (5) Challenging a Hearing Body Member's Impartiality. The Responding party and/or Reporting party has the right to challenge any Hearing Body member's impartiality at least three (3) business days prior to the scheduled hearing. The Responding party may challenge the substitution of a substituted Hearing Body member at the time of the Formal Hearing.

The challenge must be in writing, and must show actual bias (such as a conflict of interest, animosity, pressure, or influence) that would preclude a fair and impartial hearing. The Vice Provost of Student Affairs or designee determines whether to grant such a challenge and such decision is final.

~~(vii)~~(viii) Witnesses and Information. The Responding party and/or Reporting party may present or arrange for witnesses to voluntarily present relevant information during the Formal Hearing. Character witnesses cannot participate in the Formal Hearing. The Hearing Body may accept pertinent records, reports, exhibits, and written statements as information for consideration.

(1) The Hearing Body facilitates the questioning of witnesses.

(2) The Responding party and/or Reporting party may submit a request in writing to the Representative to provide relevant information during the Formal Hearing in a manner that avoids direct contact with the Responding party and/or Reporting party.

(3) The Representative has the discretion to approve or deny the request.

~~(viii)~~(ix) Questions for Parties and Witnesses. Both parties ~~are required to~~ may submit questions they would like the Hearing Body to ask of the other party or witnesses in writing and at least three (3) business days prior to the Formal Hearing. The Hearing Body will then review the questions to ensure they are relevant and appropriate. Both parties also have the opportunity to submit additional questions to the Hearing Body during the Formal Hearing.

~~(ix)~~(x) Determination of Responsibility. The determination of “responsible” or “not responsible” will be based upon a preponderance of the information. The determination must be based solely upon the information presented at the Formal Hearing.

~~(k)~~ **Conduct of Formal Hearings.**

~~(1) Reading of charge(s) by Hearing Body.~~

~~(2) Responding party’s response of “responsible” or “not responsible.”~~

~~(3) Hearing Body presents information regarding the charges.~~

~~(4) Responding party’s opening statement and presentation of information.~~

~~(5) Reporting party’s opening statement and presentation of information.~~

~~(6) Hearing Body’s questioning of the Responding party, Reporting Party and/or witnesses.~~

~~(7) Hearing Body’s asking of questions that were submitted by the parties in advance of the Formal Hearing.~~

~~(8) Hearing Body’s final questions of the Responding party.~~

~~(9) Parties may submit additional questions, if any, to the Hearing Body for consideration.~~

~~(10) Hearing Body’s asking of additional question, if any.~~

~~(11) Responding party’s closing remarks.~~

~~(12) Reporting party’s closing remarks.~~

~~(13) Hearing is brought to a close.~~

~~(j)~~(k) Deliberations. Deliberations by the Hearing Body are not part of the hearing and are confidential. Deliberations occur after the close of the hearing and are not recorded.

~~(m)~~(l) Findings, Recommendation, and Determination.

(i) Presentment of Proposed Findings and Sanctions to Vice Provost. The Hearing Body’s proposed findings and Sanctions must be presented to the Vice Provost of Student Affairs or designee within a reasonable period of time after the

conclusion of the Formal Hearing.

- (ii) Vice Provost's Determination. The Vice Provost of Student Affairs or designee may accept the proposed findings of responsible or not responsible or remand the matter for a rehearing.
- (1) If the Vice Provost of Student Affairs or designee accepts the proposed finding of responsible, then they may approve, mitigate, or increase the Sanctions proposed by the Hearing Body.
 - (2) If the Vice Provost of Student Affairs or designee alters the proposed Sanctions or remands the matter for a rehearing, the Responding party must be given a concise and explicit written statement that explains the basis for the decision to alter the Sanctions or remand the matter for a rehearing.

~~(n)~~(m) Notice of Determination and Sanctions. Following the Student Conduct Review Process, the Vice Provost of Student Affairs or designee notifies the Representative of the determination. The Representative notifies the Responding party and the Reporting party in writing of the determination and, to the extent permitted by law, of any Sanctions imposed.

~~(e)~~(n) _____ **Official Record**. The recording of the Formal Hearing will serve as the official record of the Formal Hearing and is the property of the University. Retention of the record is subject to the General Records Schedule GS5 for Universities and Community Colleges.

~~(p)~~(o) Appeal Process.

- (i) Responsibility. The Provost is responsible for overseeing the appeal process. The Provost may designate a University employee as an appellate officer to review the appeal and render a determination.
- (ii) Appeal deadline. The Responsible or the Reporting party may appeal a determination reached or an imposed Sanction to the Representative. Such appeals must be in writing and must be received by the Representative no later than five (5) business days after the date the determination was sent.
- (iii) Persons who may not hear or decide an appeal. No person may hear or decide an appeal if he or she conducted or participated in the Student Conduct Review Process being reviewed on appeal.
- (iv) Basis of Appeal. When submitting an appeal, the student must state the reason(s) for appeal, the supporting facts, and the recommended solution. This is not a re-hearing of the conduct case. An appeal cannot be filed simply because the student is dissatisfied with the decision. Failure to describe the nature of the information in full detail in the appeal letter will result in the denial of an appeal.
 - (1) Formal Hearing was not Properly Conducted. The purpose of the appeal will be to determine whether the Formal Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures. This includes evident bias in the decision of the Hearing Body. However, deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - (2) Sanctions Imposed were Improper. The purpose of the appeal will be to determine whether the Sanction(s) imposed were inconsistent or overly severe for the charge(s) for which Responsible was found responsible.

- (3) New Information not known at time of Formal Hearing. The purpose of the appeal will be to consider new information, sufficient to alter a recommendation that was not known to the Responsible at the time of the Formal Hearing.
- (v) Information to be Reviewed on Appeal. An appeal is limited to a review of the verbatim record of the Formal Hearing and supporting documents unless the basis of appeal is to consider new information.
- (vi) Appeals Decision. The Provost or appellate officer determines whether to uphold the determination and sends written notification of such decision to the Representative within five (5) business days of receiving the appeal.
 - (1) If the result of the appeal is to uphold the determination, the matter is final and binding on all involved.
 - (2) If the earlier determination is not upheld on appeal, a new Formal Hearing will occur.
- (vii) Notice of Appeal Outcome. The Representative provides written notice of the outcome of the appeal within three (3) business days of receiving the decision from the Provost or appellate officer.
- (viii) Final Decisions Resulting in University Suspension or Expulsion. Final appellate decisions that result in a University Suspension or Expulsion of the Responsible must include notice of the right to appeal to an external judicial forum.

(10) Disciplinary and Academic Records. The Vice Provost of Student Affairs determines whether disciplinary Sanctions are noted on the Responsible student's permanent academic record and disciplinary record. Upon graduation, the Responsible student may submit a request to the Office of Student **Development Affairs** to have his/her disciplinary record expunged of disciplinary actions other than Residence Hall Expulsion, University Suspension, University Expulsion, or revocation or withholding of a degree.

(11) Student's Education Record. The records of the Student Conduct Review Process and of the Sanctions imposed, if any, are considered "education records" of both the Responsible and the Reporting party (if Reporting party is a student) pursuant to The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99).

(12) Interpretation and Revision.

- (a) Any questions of interpretation or application of the Student Code of Conduct are referred to the Provost or designee for final determination.
- (b) The Student Code of Conduct is reviewed periodically by a committee that includes student representation under the direction of the Provost or designee.

Authority: FBOG regulations 1.001(4)(a)(10), 6.010, 6.0105

History: New 1.14.14, Amended 7.29.14, Amended 12.6.2017, Amended 5.20.20, Amended

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: BOT Resolution on Powers and Duties of the President

Proposed Committee Action

No action required - discussion only.

Background Information

Resolution on Powers and Duties of the President was first adopted on September 16, 2014 and amended on October 31, 2017. The Committee is being asked to perform a periodic review of the existing resolution to see if any changes are warranted.

The committee will discuss authority as relates to purchase agreements and leases and licenses this meeting and will discuss construction, change orders and settlement of claims in the November meeting.

Supporting Documentation:

1. 2017-003 Powers and Duties of the President

Prepared by: Gina DeIulio, VP & General Counsel

THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

<p>Board of Trustees Resolution 2017-003</p>

SUBJECT: Powers and Duties of the President

The Florida Polytechnic University Board of Trustees hereby adopts the following Resolution:

The Florida Polytechnic University Board of Trustees hereby rescinds the prior Board of Trustees Resolution 2014-001 and resolves to establish the powers and duties of the President of Florida Polytechnic University as follows:

The President shall serve as the Chief Executive Officer and Corporate Secretary of the Board of Trustees, and shall be responsible for the operation and administration of the University consistent with the authority delegated as may be made by the Board of Trustees from time to time. In carrying out these powers and duties, the President shall:

(1) University Administration and Oversight.

(a) Organize the University to efficiently and effectively achieve its goals, and periodically review and provide reports to the Board of Trustees on University operations in order to determine how effectively and efficiently the University is being administered and whether it is meeting the strategic goals of the University, including the goals of its strategic plan adopted by the Board of Governors and other strategic goals for advancement of the University endorsed by the Board of Trustees.

(b) Prepare a strategic plan in alignment with the Board of Governors' system wide strategic plan and regulations, and the University's mission for consideration and approval by the Board of Trustees for submission to the Board of Governors.

(c) Prepare a multi-year workplan for consideration and approval by the Board of Trustees for submission to the Board of Governors that outlines the University's top priorities, strategic directions, and specific actions and financial plans for achieving those priorities, as well as performance expectations and outcomes on institutional and system wide goals. The workplan shall reflect the University's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs, as well as national and global needs as applicable to the University's mission.

(d) Prepare and periodically update a policy addressing conflicts of interest for the Board of Trustees and University employees.

- (e) Maintain an effective information system to provide accurate, timely, and cost-effective information about the University, and require that all data and reporting requirements of the Board of Trustees and Board of Governors be met.
- (f) Take routine administrative actions on behalf of the Board of Trustees related to the development, adoption, amendment or repeal of University regulations, or any action required under the Florida Administrative Procedures Act, Chapter 120, Florida Statutes. This authority does not include the final approval of University regulations.
- (g) Propose regulations for approval by the Board of Trustees, when appropriate.
- (h) Establish procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.
- (i) Secure comprehensive general liability insurance and other forms of insurance, as necessary, pursuant to sections 1001.706(4)(d) and 1004.24, Florida Statutes.
- (j) Provide for payment of the cost of civil actions against officers, employees, or agents of the Board of Trustees.
- (k) Govern traffic on the grounds of the University and in other areas in accordance with law and any mutual aid agreements entered into with other law enforcement agencies.
- (l) Establish the program for campus safety and emergency preparedness, including safety and security measures for University personnel, students, and campus visitors.
- (m) Close all or portions of the University campus and cease normal operations and services in the event of an emergency, when, in the President's judgment, such action would protect the safety, health and welfare of the University faculty, students and staff, and the University facilities and grounds. In exercising this authority, the President is authorized to determine and assign those employees who are required to provide essential services.
- (n) Consult with the Chancellor of the State University System prior to recommending any acquisition, establishment, reclassification, relocation, or closure of additional campuses or special purpose centers to the Board of Trustees.
- (o) To serve as Corporate Secretary of the Board of Trustees, and in the capacity of Secretary, shall give notice of all meetings of the Board of Trustees and its committees, set the agenda for meetings of the Board of Trustees in consultation with the chair, record and maintain the minutes of any Board of Trustee or committee meetings, including a record of all votes cast, in accordance with Florida Statutes section 286.011(2) attest to all documents which have been executed by the Board of Trustees, and act as custodian of the Corporate Seal.
- (p) Consult with the Board of Trustees in a timely manner on any matters appropriate to its policy-making and fiduciary functions and serve as the University's key spokesperson.

(q) Execute all documents on behalf of the University and the Board of Trustees consistent with law, Board of Governors and Board of Trustees resolutions, rules, regulations and policies and the best interests of the University. No such document may purport to limit any Board of Trustees member's individual discretion in discharging the responsibilities of a Trustee.

(2) Academic Programs and Student Affairs.

(a) Propose for adoption by the Board of Trustees, as appropriate, University regulations or policies in areas including, but not limited to:

1. Authorization and discontinuance of degree programs;
2. Articulation and access;
3. Admission and enrollment of students;
4. Minimum academic performance standards for the award of a degree;
5. Student financial assistance;
6. Student activities and organizations;
7. Student records and reports;
8. Antihazing, related penalties, and program for enforcement;
9. Reasonable accommodation of religious observances;
10. Textbook and instructional materials affordability; and
11. Uniform Student code of conduct and related penalties.

Such regulations or policies shall be consistent with any applicable Board of Governors' regulations.

(b) Recommend to the Board of Trustees the establishment and termination of undergraduate and graduate degree programs.

(c) Develop, approve, and implement non-degree, including non-college credit, granting educational programs of the University.

(d) Award degrees, including posthumous, in memoriam and honorary degrees.

(e) Develop, approve, and enter into agreements for student exchange and study abroad programs and implement such programs, including without limitation those that are ancillary to the degree and non-degree, including non-college credit, granting programs of the University.

(f) Establish the internal academic calendar of the University within general guidelines of the Board of Governors.

(g) Govern admissions.

(h) Establish a committee to periodically review and evaluate the student disciplinary system. At least one-half of the members of the committee shall be students appointed in consultation with the student body president.

- (i) Approve the internal procedures of student government organizations.
- (j) Provide purchasing, contracting and budgetary review process for the student government organizations.
- (k) Approve, if necessary, the establishment of an educational research center for child development in accordance with the provisions of section 1011.48, Florida Statutes.
- (l) Administer all aspects of the University intercollegiate athletics program, if any, with periodic reports to the Board of Trustees on the operations of the program including, but not limited to, finances, audit and compliance, and changes in key personnel.

(3) Personnel.

- (a) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, in accordance with regulations and policies of the Board of Trustees and the Board of Governors.
- (b) Consult with the Chair of the Board of Trustees, or other trustee designee, on the hiring, dismissal, and compensation of any person serving in a Vice President capacity or other executive direct report position to the President or the Board of Trustees, and the Chief Audit Executive and Chief Compliance Officer. The President shall also consult with the Board Chair on an annual basis to review the positions covered by this provision and amend the list based on the mission and strategic priorities of the University. The General Counsel, Chief Audit Executive and Chief Compliance Officer shall report to the Board of Trustees and the President.
- (c) Approve travel in accordance with section 112.061, Florida Statutes.
- (d) Serve as the University representative with regard to administering collective bargaining matters; appoint members to the collective bargaining teams to negotiate agreements on behalf of the Board of Trustees; and execute on behalf of the Board of Trustees final agreements approved by the Board of Trustees after ratification by collective bargaining units.

(4) Financial Management.

- (a) Keep the Board of Trustees apprised of the financial condition of the University and any direct support organizations certified by the Board of Trustees or affiliated organizations subject to the oversight of the Board of Trustees.
- (b) Prepare an institutional budget request, including a request for fixed capital outlay, and an operating budget for approval by the Board of Trustees.
- (c) Recommend to the Board of Trustees a schedule of tuition and fees to be charged by the University in accordance with the provisions in section 1009.24, Florida Statutes.

- (d) Recommend to the Board of Trustees a regulation for the waiver for tuition and fees pursuant to law and regulations established by the Board of Governors.
- (e) Account for expenditures of all state, local, federal, and other funds in accordance with guidelines or regulations established by the Board of Governors, and as provided by state or federal law.
- (f) In accordance with the provisions of section 1011.40, Florida Statutes, prepare the operating budget of the University as prescribed by law, regulations of the Board of Governors, policies of the Board of Trustees, and provisions of the General Appropriations Act, for approval by the Board of Trustees. The proposed expenditures, plus transfers, and balances shall not exceed the estimated income, transfers, and balances. The budget and each part thereof shall balance. If at any time the unencumbered balance in the education and general fund of the Board of Trustees approved operating budget goes below 5 percent, the President shall provide written notification to the Board of Governors.
- (g) Enter into agreements for, and accept, credit card payments or other electronic payments as compensation for goods, services, tuition, and fees.
- (h) Establish policies and procedures for the performance of annual internal audits of University finances and operations. All reports generated from such audits must be submitted to the Board of Governors after review and acceptance by the Board of Trustees.
- (i) Establish policies and procedures for the implementation of appropriate financial controls, with review by the University's internal auditor.
- (j) To authorize budget transfers from depositories or accounts, and sign checks or otherwise authorize payment of legal obligations of the University in accordance with section 1011.42(7), Florida Statutes.
- (k) Perform banking transactions, which authority may also be delegated to the Vice President and Assistant Vice President for Administration and Finance, the University Controller and Associate Controller, the University Treasurer, and other positions deemed by the President or senior designee reporting to the President to have responsibility for financial matters.
- (l) Employ private attorney services after consulting with the university's General Counsel.
- (m) Employ the services of collection agencies when deemed advisable in collecting delinquent accounts and to charge off and settle accounts when uncollectible. The President will annually report the status of accounts receivable charge-offs to the Board, which may be provided through the university's financial statements or reports.
- (n) Ensure the Board of Trustees is presented with sufficient information for prudent decision-making for projects subject to the Board of Governors Debt Management Guidelines and Public-Private Partnership Guidelines, and University guidelines.

(5) Property and Purchasing.

(a) Administer a program for the maintenance and construction of facilities pursuant to Chapter 1013, Florida Statutes; certify to the Board of Governors or Department of Education, as requested, a project's compliance with the requirements for expenditure of Public Education Capital Outlay funds.

(b) Ensure that all plans for construction, renovation, remodeling, or demolition of any educational or ancillary plants conform to the requirements of the Florida Building Code and the Florida Fire Prevention Code. The President is authorized to submit documents to the Board of Governors or Department of Education, as appropriate, and to award contracts subsequent to and consistent with Board of Trustee approval of the scope, timeframes, funding source, and budget of a survey-recommended project. (F.S. section 1013.371).

(c) Act for the Board of Trustees as custodian of all University property.

(d) Approve and execute contracts for: purchase, sale, lease, license, or acquisition of commodities, goods, equipment, and contractual services; leases of real and personal property; and construction in accordance with Board of Governors' regulations. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price.

(e) Approve and execute contracts for the purchase, sale, lease, license or acquisition of commodities, goods, equipment and contractual services, including professional architectural services (Purchasing Agreements) with a contract value up to and including \$500,000 (contract value includes initial term and all potential renewals).

For Purchasing Agreements where the contract value exceeds \$500,000, the Board of Trustees' approval is required prior to executing the Purchasing Agreement. In addition, if there are subsequent amendments to a Purchasing Agreement that would cause the contract value of the agreement to exceed \$500,000, approval by the Finance and Facilities Committee is required prior to executing the amendments.

At each regular Finance and Facilities Committee meeting, the committee will be provided an update on the current Purchasing Agreements (which shall include the vendor's name and expenditures to date for those contracts awarded) with a contract value in excess of \$200,000 as an informational item.

Purchasing Agreements related in scope that are with the same vendor shall be aggregated for the purposes of determining approval authority and reporting requirements.

(f) Approve and execute contracts for the lease, rental, or use of real property (Lease Agreements) for University-related purposes where the University is the lessee/renter/user, provided the term of the Lease Agreement does not exceed 5 years or 25,000 square feet.

For Lease Agreements where the agreement exceeds 5 years or 25,000 square feet, the Board of Trustees' approval is required prior to executing the Lease Agreement. In addition, if there are subsequent amendments to a Lease Agreement that would cause the agreement to exceed 5 years or 25,000 square feet, approval by the Finance and Facilities Committee is required prior to executing the amendments.

(g) The President has authority to approve and execute contracts for leasing University real property to a third party, provided the term of the contract does not exceed 3 years.

For contracts where the term exceeds 3 years, the Board of Trustees' approval is required prior to issuing the competitive solicitation or prior to executing the contract.

(h) Approve and execute contracts for minor construction projects up to \$2,000,000. For construction projects and capital facilities contracts greater than \$2,000,000, the Board of Trustees must approve the project prior to the execution and will authorize the President to sign the contract. In addition, for such construction projects and capital facilities contracts greater than \$2,000,000, the Board of Trustees must approve and authorize the President to sign the contract with the professional architect.

(i) In accordance with the provisions of section 1013.48, Florida Statutes, approve change orders in the name of the Board of Trustees for amounts not exceeding \$100,000. All such approvals shall be for the purpose of expediting the work in progress. The President may approve and execute change orders for an amount exceeding \$100,000 only after consultation with and approval of the chair of the Finance and Facilities Committee, or if the chair has a conflict of interest, the Board Chair's designee. The Board Chair and Vice Chair shall be notified of all change orders and will be included as an informational item on the Finance and Facilities Committee agenda.

Change orders exceeding \$100,000 require the approval of the Board of Trustees Finance and Facilities Committee prior to execution.

All change orders shall be reported to the Board of Trustees and entered in to the official minutes as soon as practicable at a regular meeting of the Board.

(j) Regulate the use, maintenance, protection, and control of, and the imposition of charges for, University-owned or University-controlled buildings and grounds, property and equipment, name trademarks and other proprietary marks, and the financial and other resources of the University.

(k) Adjust property records and dispose of state-owned tangible personal property in the University's custody in accordance with the procedures established by the Board of Trustees. Notwithstanding the provisions of section 273.055(5), Florida Statutes, all moneys received from the disposition of state-owned tangible personal property shall be retained by the University and disbursed for the acquisition of tangible personal property and for all necessary operating expenditures. The University shall maintain records of the accounts into which such moneys are deposited.

(l) Protect, develop, and transfer the work products of University personnel and other University agents and contractors, which authority shall include but not be limited to licensing, assigning,

selling, leasing, or otherwise allowing the use of or conveying such work products and securing and enforcing patents, copyrights, and trademarks on such products.

(m) In accordance with section 705.18, Florida Statutes, and Board of Governors' regulation, take charge of any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof. If the property is not claimed by the owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the President, the President or his or her designee shall dispose of or make use of the property in accordance with established policies and procedures that best meet the needs of the University.

(n) Prepare a campus master plan for adoption by the Board of Trustees, prepare a campus development agreement for execution by the Board of Trustees, pursuant to section 1013.30, Florida Statutes, and report on progress under the Master Plan.

(o) Recommend for adoption and promulgation by the Board of Trustees, regulations establishing basic criteria related to procurement, including procedures and practices to be used in acquiring commodities and contractual services, in accordance with Board of Governors' regulations.

(p) Exercise responsibility for the fire safety and sanitation of public educational and ancillary plants.

(6) Miscellaneous Powers and Duties.

(a) In accordance with section 1004.28, Florida Statutes, and Board of Governors' regulation, recommend to the Board of Trustees for final approval, the creation and certification, as well as the decertification and dissolution, of direct support organizations, and any other affiliated organization of the University whose authorizing legislation, bylaws or agreement with the University so requires, in order to serve the needs or further the interests of the University.

(b) Appoint a representative to the governing boards of each direct support organization or any other affiliated organization of the University. Prior to appointing representatives to the governing boards of direct support organizations or any other affiliated organization of the University, the President shall consult with the chair of the Board, or other trustee designee.

(c) Accept gifts, grants, bequests, and devises on behalf of the university and control the University's fund-raising activities.

(d) In accordance with the terms specified by the donor, to designate the purpose for which, and the location at which, the income and/or principal of a gift shall be used and to make allocations in accordance therewith.

(e) To determine, consistent with any expressed intent of the donor, the purpose for which and the location at which a gift shall be used, to determine whether income and/or principal shall be used, and to make allocations and reallocation in accordance therewith, to the extent not specified by the donor of a gift.

(f) Establish policies regulating the administration and operation of the University Division of Sponsored Research. The President, or his or her designee, is authorized to negotiate, enter into, and execute research contracts; to solicit and accept research grants and donations; and to fix and collect fees, other payments, and donations that may accrue by reason thereof. The President or his or her designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law.

(g) All purchases of a division of sponsored research shall be made in accordance with the policies and procedures of the University and the purchasing regulations of the Board of Governors; however, upon certification addressed to the President that it is necessary for the efficient or expeditious prosecution of a research project, the President may exempt the purchase of material, supplies, equipment, or services for research purposes from the general purchasing requirement of the Florida Statutes.

(h) Comply with all applicable laws, rules, regulations, and requirements.

(i) Minimize university risk and manage the university's risk management program.

(j) Delegate in writing to any employee of the University who:

1. is a Vice President with responsibility in an area relating to the subject matter of the delegation; or

2. is a manager with responsibility in an area relating to the subject matter of the delegation who reports directly to a position at or above the level of Vice President; or

3. holds a position at the University that is equivalent in seniority or responsibility to a Vice President or such manager, as determined by the President or the Vice President for Human Resources; or

4. is deemed by the President to have the appropriate capabilities,

provided that the delegation specifies the date of the delegation, the name and title of the delegee, the particular authority or portion of authority being delegated and a copy of such delegation is filed with the delegee and with the Vice President and General Counsel of the University, and a summary table of the delegations is provided to the Board of Trustees. Although the president may re-delegate to appropriate officials, the president retains the final authority and responsibility for the administration of the university and may condition, limit, or revoke any delegated signature authorities at any time. Authorities the President reserves may not be exercised by any other person, unless expressly authorized by administrative policy or presidential directive.

(k) Initiate, defend, and settle lawsuits and claims and appeal adverse rulings when doing so would be in the best interests of the University. Notice and reports referenced below may be oral.

For settlement of claims up to \$300,000, the President may take action. For settlement of claims greater than \$300,000, but less than \$750,000, the President may take action after consultation with the Chair of the Board of Trustees. For claims above \$750,000, the President will consult with and obtain the approval of the Board Chair prior to taking action and will notify the Board Vice Chair.

The President shall notify all trustees about settlements at or above \$300,000.

(l) Act on behalf of the University in those instances where Federal law, Florida law, or Board of Governors guidelines or regulations designate the university president as having the authority to act.

(m) Have vested with the University President or President's designee the powers, duties and authority that is vested with the University; to exercise the authority and duties delegated by the Board of Trustees to the President in accordance with University regulations, policies and conditions contained in the Board of Trustees written delegations of authority, and as required by Board of Governors directives and state and federal law.

(n) Perform such other duties as are not retained by the Board of Trustees and as may be necessary or appropriate for the administration of the University, in compliance with any applicable laws, Board of Trustees and Board of Governors' regulations, policies, and resolutions.

(o) Issue directives and executive orders. Such directives and orders shall not violate existing Board of Trustees policies.

(p) Nothing in this resolution should be construed as limiting or divesting the Board of Trustees' right to exercise any authority or responsibility as deemed appropriate.

(q) If any additional contract or other matter of the University, a direct support organization, or other University affiliated entity, beyond ordinary standards and not covered by specific standards, would be considered material to the University and/or a direct support organization or University affiliated entity, including its resources or reputation, or would generate significant media attention, the President or designee is expected to confer with the chair of the Board and to notify the vice chair of the Board. Also, if any matter is expected to generate significant media attention outside of the ordinary course, the President is expected to notify the full Board of Trustees. The chair of the Board and the President shall collaborate over time to support their mutual understanding of this expectation, recognizing that there are judgments involved for both of them.

Adopted by the Florida Polytechnic University Board of Trustees on October 31, 2017

Signed: Signed by Frank T. Martin, original is maintained in Board Office
Frank T. Martin, Chair

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: President's Annual Review – Trustee Evaluation Instrument

Proposed Committee Action

Recommend the approval of the Trustee Evaluation Instrument titled "President's Annual Review" to be used in the FYE 2021 evaluation of the President's performance to the Board of Trustees.

Background Information

In the past, the Board has used an evaluation instrument to obtain feedback from each Trustee as a part of the President's annual evaluation process. The proposed evaluation instrument is modeled after the 2020 evaluation instrument, and the goals are the ones approved by the Board in May, with the addition of the goal related to COVID-19. The approved evaluation instrument, along with the President's FYE 21 Accomplishments, will be sent to each Trustee in October for completion.

Supporting Documentation: Draft Evaluation Instrument – President's Annual Review (July 1, 2020 – June 30, 2021)

Prepared by: Gina DeIulio, VP & General Counsel

President's Annual Review
(July 1, 2020 to June 30, 2021)

Trustee's name _____

ADMISSIONS

Increase the student population, quality, and diversity (racial, gender and geographic)

Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

STUDENT PROGRESSIONS

Help students succeed while at Poly (APR, graduation rates, ...) and after (high-demand majors, hard & soft skills, internships, careers, ...)

Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

STUDENT EXPERIENCE

Create a student-facing experience that results in a high Net Promoter Score (NPS) while not being a "helicopter university"

Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

President's Annual Review
(July 1, 2020 to June 30, 2021)

GRADUATE PROGRAM

Grow and mature a graduate program that values research and professional education

- Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

UNIVERSITY FUNDING

Secure support and funding to keep the University independent and growing with a strong reputation

- Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

FACULTY DEVELOPMENT

Create faculty excellence around the tripartite mission of teaching, research and service

- Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

President's Annual Review
(July 1, 2020 to June 30, 2021)

COVID RESILIENCY PLAN

Develop and implement plans to keep growing the university and its operations during the COVID pandemic

- Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

OVERALL RATING

- Not Achieved Partially Achieved Achieved Exceeded Far Exceeded

Comments:

GENERAL COMMENTS

General comments:

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 8, 2021**

Subject: President's FYE21 Accomplishments

Proposed Committee Action

Information only – no action required.

Background Information

The supporting document is the final report on the President's accomplishments related to the FY 2020-2021 Operational Goals.

This document will be sent out to the Trustees along with the evaluation instrument for the President's annual evaluation.

Supporting Documentation: President's FYE21 Accomplishments

Prepared by: Dr. Randy K. Avent, President



FLORIDA POLYTECHNIC
UNIVERSITY

FYE21 Accomplishments

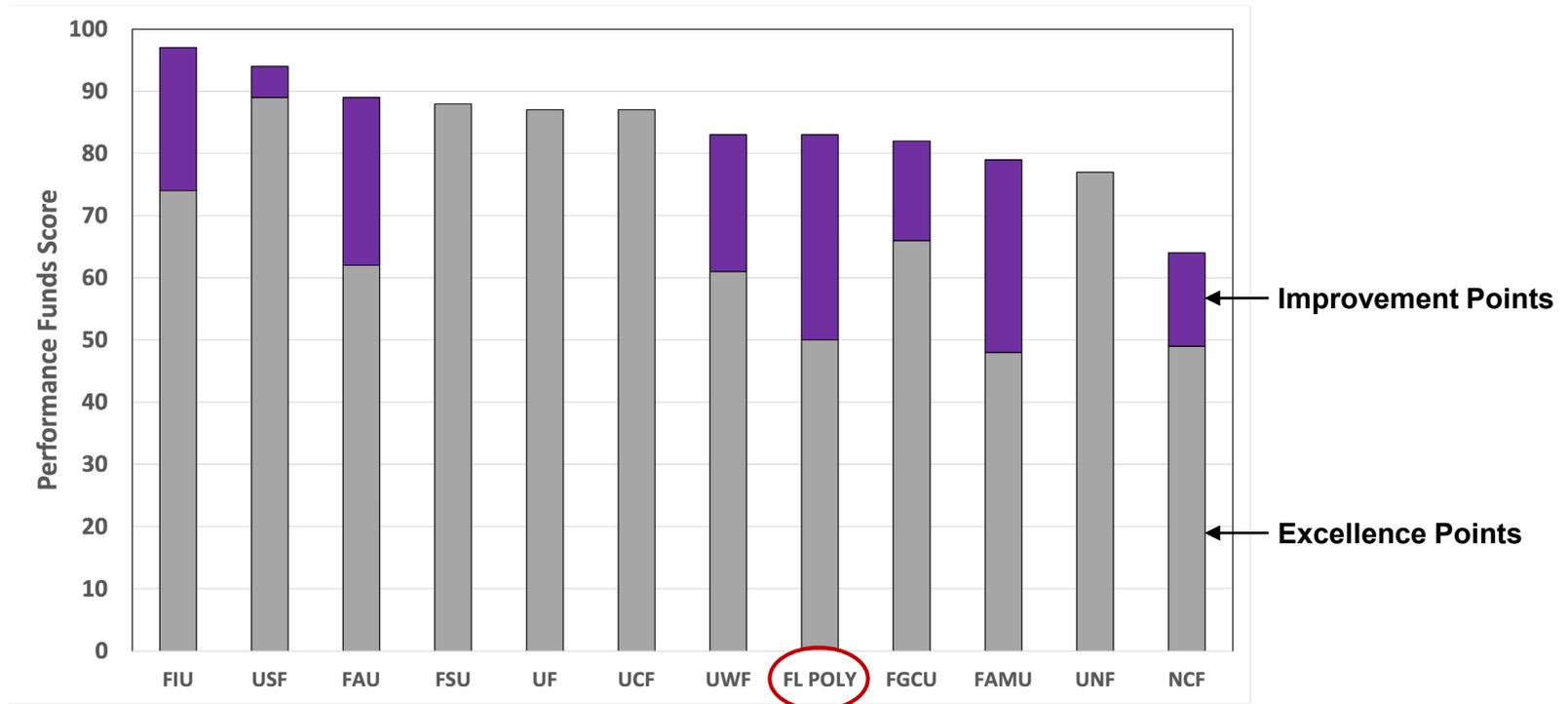
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Metric Performance

	FY20	FY21 (Goals)	FY21 (Actuals)
RANKING			
USNWR Regional		<25	
USNWR Engineering			
DEGREE ALIGNMENT			
% Graduates Employed or Enrolled	67.5%	73%	74%
Median Wages for BS Graduates	\$ 54,800	\$ 45,000	\$ 56,300
% BS Programs in Strategic Emphasis	100.0%	100%	100%
% Grad Programs Strategic Emphasis	100.0%	100%	100%
STUDENT SUCCESS			
FTIC 4-year Graduate Rate	40%	38%	38%
Academic Progress Rate	65%	77% (72%)	64%
% HS students in top 10%	25%	22%	38%
% BS Degrees w/o Excess Hours	89%	75%	81%
6-Yr Graduation Rate		51%	56%
Time-to-Degree	4	4.5	4.1
ECONOMIC DEVELOPMENT			
% BS with 2+ Workforce Experiences	73%	75%	78%
Research Expenditures (\$K)	\$ 1,300	\$ 750	\$ 1,279
Number BS Degrees Awarded	239	320 (290)	256
Number Grad Degrees Awarded	8	18 (17)	18
UG Headcount	1267	1300	1337
UG Certificate Headcount			133
G Headcount	48	59	86
AFFORDABILITY			
Average Cost to Student	\$ (5,790)	\$ 2,000	\$ (7,540)
University Access Rate	30%	32%	33%
% 15+ Hours	32%	32%	41%
% Instruction Online	0%	0%	1%

Performance Based Funding (PBF)



- Top three institutions above 70 points receive funding if at the same or higher score than previous year
- Institutions above 70 that are lower in score for two consecutive years must submit a student success plan
- Florida Poly's score (83) influenced by improvement points (33) that will suffer this year because of COVID



Admissions Highlights

- **Admissions and quality growth**
 - Highest ever incoming class (~625) and highest ever student body size (~1590)
 - Aggressive focus on relevant branding through video and digital content on the web
 - Developed a virtual peer network to build strong interactions with Florida High School Calculus and Physics teachers
 - Conducted virtual visits, college fairs and personalized visits to attract FTIC students; content on digital mobile apps
 - Increased and marketed new student affinity groups
 - Low unemployment rate negatively affected graduate program
- **Diverse student body**
 - Developed a First-Year STEM program and a certificate program to build a pipeline of underrepresented students
 - Hired out-of-state recruiter and offered waivers to be more competitive
 - International students slow to return after pandemic
- **Branding and national rankings**
 - National ranking campaign launched with collateral pieces, national advertising, postcards, emails, ... targeted at the influencers
 - Strong push to be included in USNWR's Southern Colleges ranking this year



National Rankings

- **Top 25 Computer Engineering Program for Affordability**
 - University HQ
- **Top 10 Most Prominent Analytics and Data Science Institutes**
 - Analytics Insight Magazine
- **Top 5 Best Universities in the Southern States for Tech Students**
 - Deep South Magazine
- **Number 3 in Florida State University System for top performance at low cost**
- **Number 14 in Best Career Outcomes for Students**
 - WalletHub 2021's Best College & University Rankings
- **Number 73 (Top 40 public) Engineering College without a Doctorate Degree**
 - U.S. News & World Report
- **Number 2 for Best Affordable Mechanical Engineering Degree**
- **Number 1 in the U.S. for Lowest Out-of-State Tuition**
 - Higher Ed Website



Admissions Dashboard

	FY20	FY21 (Goals)	FY21 (Actuals)
Number of New Students			
Number FTIC	316	359	399
Number Transfer	66	80	62
Number Special Programs	55	50	141
Number Graduate	36	40	27
Quality of Students			
Average SAT	1305	1310	1311
Average ACT	28	29	30
Average GPA	4	4.2	4.32
Calculus Ready	85%	90%	87%
Top 10% in HS class	22%	25%	38%
Diversity of Students			
Percent Out-of-State Students	4%	5%	6%
Percent Female Students	18%	20%	17%
Percent Diverse Students	39%	41%	35%
Branding Metrics			
% Acceptance Rate	51%	50%	49%
% Yield	40%	40%	34%
Completed Applications	1427	1300	1905

- Increase the student population, quality, and diversity (racial, gender and geographic)

Student Progression Highlights (Pandemic Operations)

- **Created a blueprint for campus operations (students, faculty, and staff) in conjunction with the SUS**
 - Medical Advisory Board met regularly to provide expert guidance
- **First semester focused on staying healthy and mostly remote**
 - Developed infrastructure to support hybrid model of conducting classes
 - Created “Tutoring++” in Canvas with online scheduling and access
 - Left with many concerns about student engagement
- **Second semester increased in-person classes**
 - Implemented mandatory COVID testing infrastructure and tracking process
 - Created mandatory classroom policies (attendance, camera on, ...) with tracking
 - Created new Foundations of Academic Success class for struggling students
- **Processes to limit learning loss of a “missed” academic year**
 - Implemented COVID “grade forgiveness” policy
 - Recovery paths planned for struggling students drove summer course offerings

Student Progression Highlights (Regular Operations)

- **Retention and graduation rates**
 - Improved analytical models of persistence, Academic Progress Rates (APR) and 4-year graduation rates provide context and direction to initiatives
 - Developed a QEP focused on retention through mentoring
 - Hired important faculty and Department Chairs in critical gateway subjects
 - Implemented data informed advising strategies in the freshman initiative
- **Instruction support**
 - Created Instructional Development & Educational Achievement (IDEA) Center out of related but disconnected services in support of teaching and learning
 - Serves academic department and institutional learning initiatives
 - Facilitates instructional delivery efficiencies in large-scale courses
 - Supports enhanced course set up to foster student engagement
- **Leadership and engagement**
 - Combined all leadership programs under a single Academic Affairs umbrella



Student Progression Highlights (Regular Operations)

- **Academic support services**

- Student engagement alerts drive formal Academic Improvement Program
 - Created new student orientation with focus on meaningful campus connections and peer support
 - Reconfigured select first year courses to support student preparedness for STEM curriculum
 - Developed advising rubrics to best support incoming student registrations
 - Degree audits drive course offerings and ensure students stay on track
-



Student Progression Dashboard

	FY20	FY21 (Goals)	FY21 (Actuals)
Progress Rate			
FTIC Persistence (Fall-to-Spring)	96%	96%	96%
Retention (Fall-to-Fall)	69%	74%	69%
% Students meeting APR standards but did not return	11%	10%	12%
DFW rates in Pre-Calculus & Calculus	36%	32%	47% & 32%
4-year Graduation Rate			
2nd-to-3rd year cohort retention	83%	85%	78%
3rd-to-4th year cohort retention	90%	90%	87%
Percent 2nd-year cohort on track for 4-year graduation	56%	56%	
Percent 3rd-year cohort on track for 4-year graduation	49%	53%	
Percent 4th-year cohort on track for 4-year graduation	36%	40%	
6-year Graduation Rate			
Percent 5th-yr cohort on track for 6-year graduation	49%	49%	
Percent 6th-year cohort on track for 6-year graduation	42%	42%	

- **Help students succeed while at Poly (APR, graduation rates, ...) and after (high-demand majors, hard & soft skills, internships, careers, ...)**



Student Experience Highlights

- **Campus events designed to build community**
 - Completed virtual student connection platforms (e.g, student union, Phoenix link, ...)
 - Club row, chess tournament, spirit week, recreational sports, fitness classes, spring break on campus, wellness day, Tu Bishvat, ... continue to engage students
 - In-person commencement and graduation boxes
- **Robust student services**
 - Strong focus on flexible tailored mental health programs continues as top priority
 - CITF funds used to revitalize “The Nest”
 - Residence life programs run by the University continue to provide critical support
- **Career services**
 - Total of 43 industry-driven Senior Capstone projects (half are multi-disciplinary)
 - Now have alumni in over 653 high-tech companies, 82% in Florida
 - Career and internships fairs held with resume reviews, mock interviews, career planning, ... as well as Graduate School visits
- **University team groups**
 - Club sports added (men’s lacrosse, women’s soccer, archery, ...)
 - Expanded teams (band, NUPOC, Esports, robotics, ultimate frisbee, ...)

Student Experience Dashboard

	FY20	FY21 (Goals)	FY21 (Actuals)
Noel-Levitz Survey Responses			
Academic Advising Effectiveness	5.13	5.39	5.25
Campus Climate	5.44	5.71	5.33
Campus Life	4.6	4.83	4.45
Campus Services	5.16	5.42	5.22
Instructional Effectiveness	5.23	5.49	5.21
Recruitment & Financial Aid Effectiveness	5.26	5.52	5.32
Registration Effectiveness	4.98	5.23	5.05
Safety and Security	5.4	5.67	5.32
Student Centeredness or Student Focused	5.22	5.48	5.01

- **Create a student-facing experience that results in a high Net Promoter Score (NPS) while not being a “helicopter university”**



Graduate Program Highlights

- **Graduate Program**

- Launched Graduate Catalog and Student Handbook to distinguish degrees
- Largest graduating class yet (22) but still shy of magical 25 graduates
- Created 10-month pilot (non-thesis) Masters in Engineering for Mechanical Engineering and Engineering Management
 - Should help grow the annual degree production starting mostly next year
 - Conducting full program reviews of both degrees this Fall

- **Research centers**

- FIPR Packed Column jig work is in full swing
- Demonstration project in place for roads built with Phosphogypsum stack material
- Hardware-in-the-Loop (HWIL) emulation development for AMI continues
- HSE continues to grow partnerships (e.g., LRH, AdventHealth, Tallahassee Memorial Hospital, Family CareSpace); Graduate curriculum under development

- **New programs**

- SACSCOC approved substantive change for <50% online classes

Graduate Program Dashboard

	FY20	FY21 (Goals)	FY21 (Actuals)
Graduate Program			
Incoming graduate class size	30	32	27
Total number of graduate degees conferred	17	17	18
Percent extramural funded graduate students	9%	10%	12%
Number courses with distance delivery	0	2	1
Number graduate degree programs	2	3	2

- **Grow and mature a graduate program that values research and professional education**

University Funding Highlights

- **State appropriations**
 - 16 Virtual visits conducted, 9 in-person events, pandemic limited “session” and “district” visits; “Thank you” campaign held
 - Strong interactions with delegation critical to success
 - Strong internal attention on Performance Based Funding metrics
- **Auxiliaries**
 - Restructured Auxiliaries and improved operations
 - Auxiliaries down this past year because of COVID: HEERF allows us to recover previous Auxiliary losses
- **Foundation**
 - Continuous enhancements to operations with strong development team in place
 - Plans to double the Foundation Board continues
 - Planning for a “sprint campaign” in place
- **Executive Leadership Initiative builds important relationships**



Executive Leadership Initiative

- Purpose is to “gather senior corporate, government, and academic leaders to share inspiring stories and expertise from their various disciplines”
- **EVENT 1:** “Dilemmas and Perspectives of the ‘New Normal’ in light of the COVID pandemic”
 - **Participants:** Professor Ernesto Kahan (Nobel Laureate), Senator George LeMieux, Senator Jeff Brandes, Syd Kitson, and Randy Avent
 - **Moderator:** Dr. Michael Hawes (CEO Fulbright Canada) and Dr. Jose Ramon Calvo (Strategist Barcelona Supercomputing Center)
- **EVENT 2:** “Florida and Latin America Economic Cooperation and Opportunities”
 - **Participants:** Dr. Rosalia Arteaga Serrano (Former Head-of-State Ecuador), Senator Garcia, Senator Pizzo, Rep Giallombardo, Diana Vidoni (COO of Emerge Americas) and Randy Avent
 - **Moderator:** Dr. Michael Hawes (CEO Fulbright Canada)
- **Education event being planned**



University Funding Dashboard

	FY20	FY21 (Goals)	FY21 (Actuals)
Recurring State Funding			
Base budget	\$ 36,414,403	\$ 37,500,000	\$ 42,839,000
Nonrecurring State Funding			
Performance Based Funding	\$ -	\$ 3,300,000	\$ 4,295,463
Universities of Distinction funding	\$ 330,000	\$ 330,000	\$ -
Capital Funding (PECO)	\$ -	\$ 13,000,000	\$ 14,868,000
Tuition & Fees collection	\$ 2,066,379	\$ 2,500,000	\$ 2,822,000
Auxiliary Funding			
Auxiliaries	\$ 399,696	\$400,000	\$2,327,771
Foundation Funding			
Unrestricted funds	\$ 914,508	\$ 745,216	\$ 1,248,309
Endowment funds	\$ 1,661,416	\$ 2,186,039	\$ 3,003,099
Scholarship funds	\$ 290,000.00		\$ 549,427.00

- **Secure support and funding to keep the University independent and growing with a strong reputation**



Faculty Development Highlights

- **Faculty growth**
 - Fourteen new hires in six different Departments
 - Three key hires made in new Environmental Engineering program
 - Two distinguished Department Chairs hired (ECE and Engineering Mathematics)
 - Major restructuring and appointments in academic departmental leadership
 - Two Fulbright Chairs (Canada, Australia) appointed; Specialist program discussed
- **Faculty development**
 - Professional development travel limited due to COVID
 - Promotion & Reappointment review was completed (first Assoc-to-Full promotion)
 - External faculty mentoring program in planning
- **Significant work accomplished on academic and technology infrastructure to support in-classroom remote and flex modes**
 - Added new capabilities to instructor podiums in all classrooms
 - Upgraded 25% of IST classrooms with new room control technology
 - Upgraded 30% of student-use computers throughout IST



Faculty Development Dashboard

	FY20	FY21 (Goals)	FY21 (Actuals)
Faculty Hires			
Number Assistant Professor hires	11	8	11*
Number Associate Professor hires	1	2	0
Number Professor hires	0	0	2
% Diversity	84%	84%	see equity report
Faculty Development			
Dollars expended on professional development funds	\$ 97,763	\$ 175,000	\$ -
% faculty completing formal training for online delivery	0%	75%	88%
Faculty Production			
Total number external grant proposals	33	45	51
Total Research Expenditures	\$ 751,000	\$ 1,000,000	\$ 1,279,222
Research Expenditures from External Sources	\$ 304,000	\$ 491,000	\$ 590,394
Number faculty awards	0	0	0

- **Create faculty excellence around the tripartite mission of teaching, research and service**



Other Highlights

- **Program growth**
 - Signed MOU with Florida Southern for 4+1 STEM-to-MBA program
 - Concentrations aligned to student pipeline and industry, but with a limited shelf life and likely to contract before growing
 - Civil Engineering, Industrial Engineering, Computer & Information Sciences introduced as possible new undergraduate majors; Engineering Management and Data Science introduced as graduate majors in a hybrid format
- **Office of Diversity and Inclusion created**
 - Search Committee charged and currently reviewing candidates
 - Diversity metrics based on Affirmative Action process being developed
- **Off-Campus Development**
 - Land purchase continues to be delayed due to environmental concerns and will likely be a phased acquisition; Developer remains committed to partnership
 - Early development likely to focus on housing and a smaller technology park
 - “Pace Road Developer” also interested in partnerships
- **Discussions with several groups on STEM-oriented charter schools ongoing**

Other Highlights

- **Campus development**

- “Nest” renovations provide new student space
- Applied Research Center fully funded with a projected March completion date
- Reclaimed water project extended reclaimed water to campus
- Chiller plant upgrades that support redundancy and future campus growth nearing construction phase
- Mechanical Shop (FIPR/Environment Engineering) building in play with a projected construction start date of Spring/Summer 2022
- Campus Control Center (CCC) expansion in early planning stages to replace trailers and provide facilities garage/shop space

- **Student services and efficient administration**

- Improved automated process for sending financial aid funds directly to housing on the student’s behalf
- Implementing data hub system as foundation for improved decision support and operational intelligence
- Began process of replacing Student Information System (SIS) that will improve administrative efficiencies, curriculum management, student financial aid processing, and student services



Other Highlights

- **COVID resiliency efforts**

- Focused effort to protect employees over outside purchasing and new efforts
- Campus operations modified into core sustainability and enhancements
- Enhancements centered on operational plan and would be reduced according to budget shortfalls
- Training and other “pliable” programs managed centrally

Summary

- **COVID disrupted normal university operations**
 - Regular SUS-wide President meetings shared best practices
 - A blueprint for COVID operations was created and executed
 - University managed student health as a priority effectively
 - Federal HEERF funds provided mechanism to aid students
 - Student engagement and learning loss suffered
- **Successful year along many fronts**
 - Admissions increased providing student growth even during the pandemic
 - University placement in many national rankings helps branding
 - Academic enterprise is maturing
- **Received strong legislative support to continue our mission**