

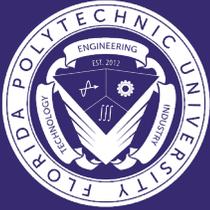


BOARD OF TRUSTEES SCHEDULE

Wednesday, September 9, 2020

FLORIDA POLYTECHNIC UNIVERSITY
WEBEX VIDEO CONFERENCE MEETINGS

TIME	ACTIVITY	LOCATION
8:00-9:00 A	<u>Strategic Workshop</u>	<p>Telephone Only</p> <p>Dial In Number: 415-655-0001</p> <p>Access Code: 171 599 4704#</p>
9:00-10:00 A	<u>Academic & Student Affairs Committee</u>	
10:00-10:45 A	<u>Audit & Compliance Committee</u>	
10:45-11:15 A	<u>Strategic Planning Committee</u>	
11:15 A -12:00 P	<u>Finance & Facilities Committee</u>	
12:00-12:45 P	<u>Governance Committee</u>	
12:45-1:15 P	<u>Full Board of Trustees Meeting</u>	



Strategic Workshop

September 9, 2020

8:00 AM-9:00 AM

Or upon the conclusion of the previous committee meeting

**Florida Polytechnic University
WEBEX TELECONFERENCE MEETING**

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

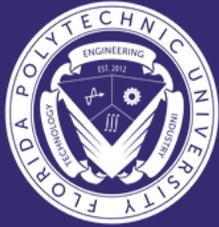
**Cliff Otto, Chair
Dr. Ala J. Alnaser
Connor Coddington**

**Mark Bostick, Vice Chair
Frank Martin
Don Wilson**

**Dr. W. Earl Sasser
Bob Stork
Gary C. Wendt**

AGENDA

- | | |
|--|--|
| I. Call to Order | Cliff Otto, Chair |
| II. Roll Call | Kristen Wharton |
| III. Public Comment | Cliff Otto, Chair |
| IV. Approval of the May 20, 2020 Minutes
<i>*Action Required*</i> | Cliff Otto, Chair |
| V. Performance Based Funding (PBF) Program Review | Tim Jones, CFO
Florida Board of Governors |
| VI. University of Distinction: Growth Plan | Randy K. Avent, President |
| VII. Closing Remarks and Adjournment | Cliff Otto, Chair |



Board of Trustees Workshop

DRAFT MEETING MINUTES

Wednesday, May 20, 2020

8:30 AM – 9:30 AM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Chair Don Wilson called the meeting to order at 8:32 a.m.

II. Roll Call

Michele Rush called the roll: Chair Don Wilson, Vice Chair Cliff Otto, Trustee Mark Bostick, Trustee Connor Coddngton, Trustee Henry McCance, Trustee Victoria Astley, Trustee Earl Sasser, Trustee Bob Stork, Trustee Frank Martin, Trustee Philip Dur, and Trustee Gary Wendt were present (Quorum).

Trustees not present: Trustee Lou Saco

Staff present: President Randy Avent, Provost Terry Parker, Mr. Mark Mroczkowski, Ms. Gina DeJulio, Ms. Kathy Bowman, Mr. Rick Maxey, Mrs. Kris Wharton, Ms. Michele Rush, Mrs. Kim Abels, and Mr. David Blanton were present.

III. Public Comment

There were no requests received for public comment.

IV. Approval of the February 26, 2020 Minutes

Trustee Gary Wendt made a motion to approve the Board Workshop meeting minutes of February 26, 2020. Trustee Philip Dur seconded the motion; a vote was taken, and the motion passed unanimously.

V. President's Report

President Randy Avent provided a summary of major issues the University faced in the first half of 2020. In his report, the President reviewed the University's financial resiliency plan, campus sustainability, and University COVID-19 operations plan.

Regarding financial resiliency, President Avent intends to preserve liquidity for a potential recession; protect and grow the academic enterprise; increase revenues through campus growth, Performance Based Funding (PBF) and Universities of Distinction; explore quality versus size; and invest in University Advancement and the Florida Polytechnic University Foundation.

President Avent stated the University is currently in a strong financial position. \$3.3M in Performance

Based Funding (PBF) is expected next year. These funds will be added to the University's base budget. One of President Avent's concerns is the cut to auxiliary funds if the University is not conducting classes on campus. Trustee Victoria Astley inquired for clarification what items are funded out of auxiliaries, to which Mr. Mark Mroczkowski responded auxiliary salaries, administration salaries in excess of \$200k, food service, and the like. Mr. Mroczkowski is working on a plan to mitigate any financial loss to auxiliary funds.

Regarding campus sustainability, President Avent addressed the recent attempt to merge Florida Poly with another SUS institution and listed action items to mitigate this from occurring again in the future. The University is focused on continuing to build strong support behind its differentiated value as well as "right the wrongs" in data that lacked important context. A campus growth plan is currently in the process of being developed so an accurate total for building out the campus can be stated. Florida Poly will also continue to add degrees that align to Florida's target industries to grow Florida's economy.

Florida Poly has an aggressive growth plan for the next three, five, and ten years which includes being ranked in the U.S. News & World Report for "Engineering Colleges without Doctoral Program." Trustee Henry McCance recommends our faculty chairs establish relationships with key people in the current top 15 ranked schools. Trustee Bob Stork inquired as to how this plan aligns with Performance Based Funding (PBF), to which President Avent replied he did try to match projections and add in programs to help achieve that alignment. It also requires further conversation with the Board of Governors (BOG) regarding receiving accommodation for the APR and four-year graduation rates as the nature of the University's STEM focus demands it.

As the Applied Research Center (ARC) did not receive funding from the legislature for FY21, the building's completion date will be delayed six months to a year. The University also expects an increase of \$5M to the total cost of construction. President Avent proposed using carry forward funds to provide gap funding until FY22 when the University will request \$14.9M of the legislature to complete the building.

President Avent addressed Florida Poly's response to COVID-19 and parameters for reopening. The Board of Governors (BOG) will set broad guidelines and allow each university in the SUS to define their own implementation. The president reviewed Florida Poly's draft plan for reopening which will be presented to the BOG on June 23.

Trustee Astley expressed concern that faculty have ability to give feedback to the COVID-19 response planning committees. President Avent stated Provost Parker will address this further in the Academic and Student Affairs Committee meeting today.

VI. Closing Remarks and Adjournment

With no further business to discuss the meeting adjourned at 9:45 a.m.



Performance Funding Introduction

Tim Jones, Vice Chancellor
September 9, 2020

www.flbog.edu

Performance Funding – A Look Back



- 2012 – Chair Colson charged the Budget & Finance Committee with creating a performance-based funding model
- January 2014 – Board approved a model
- 2016, Section 1001.92, F.S. created in House Bill 7029 (Ch. 2016-237, L.O.F.). Board Regulation 5.001 created
- FY 2020-21: \$560 M Total PBF Appropriation (\$265 M State Investment, \$295 M Institutional Investment)



4 Guiding Principles:

- Use metrics that align with Strategic Plan goals
- Reward excellence or improvement
- Have a few clear, simple metrics
- Acknowledge the unique mission of the different institutions

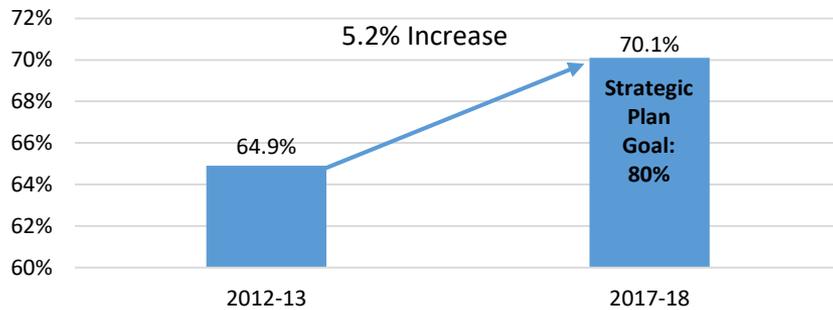
Key Components:

- New funds allocated based on 10 metrics
- Base funds and new funds
- One metric chosen by the Board of Governors and one by the Board of Trustees
- Institutions evaluated on the excellence or improvement for each metric
- Data based on one year

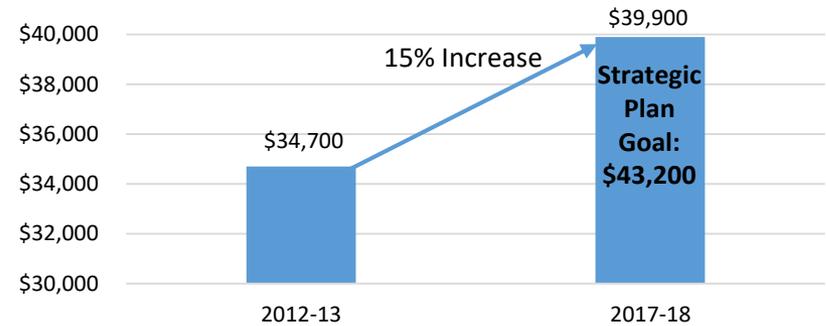
Performance Funding Improvement



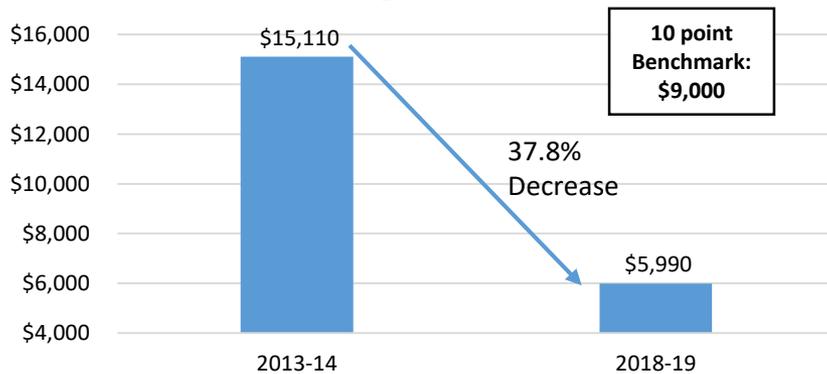
Metric 1: Percent of Bachelor's Graduates Employed



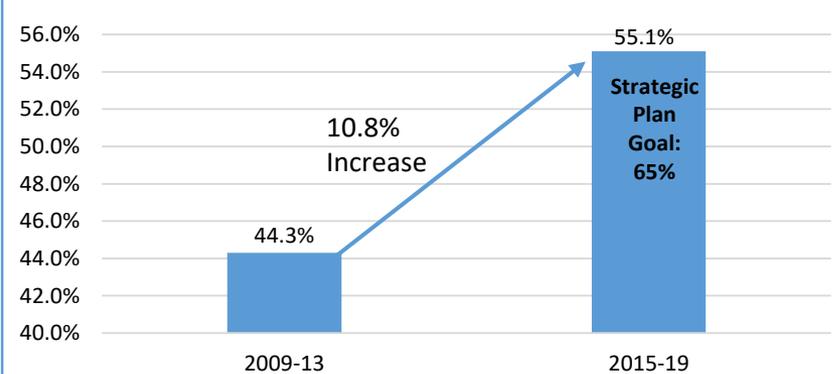
Metric 2: Median Wages of Bachelor's Graduates Employed Full Time



Metric 3: Average Cost to the Student



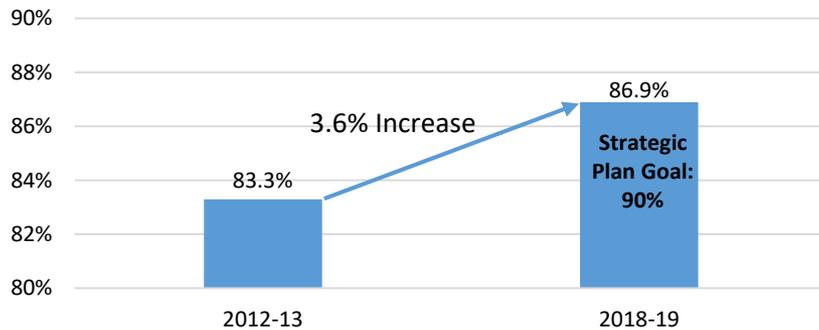
Metric 4: 4 Year Grad Rate



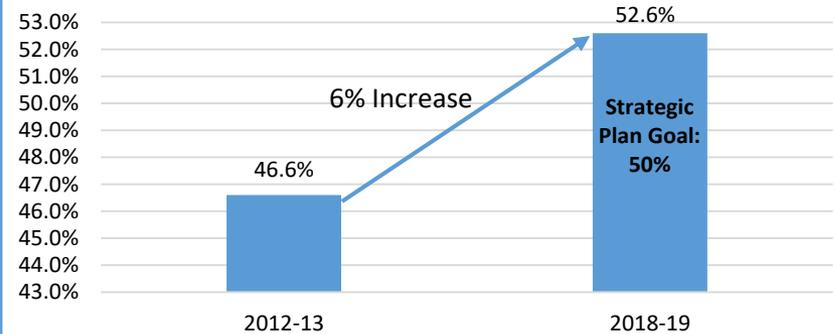
Performance Funding Improvement



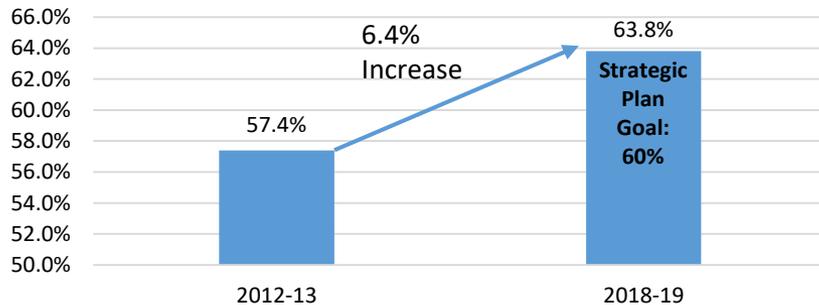
Metric 5: Academic Progress Rate
2nd Year Retention w/ GPA above 2.0



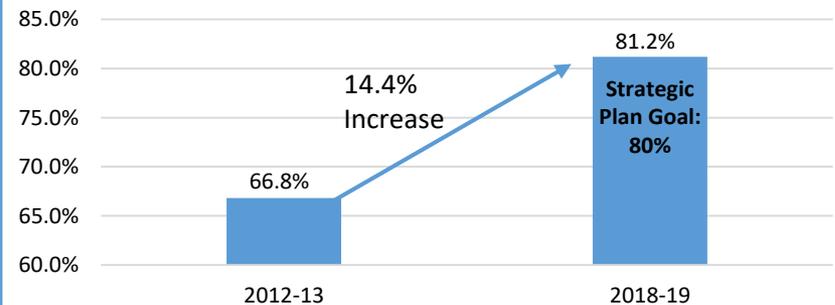
Metric 6: Percent of Bachelor's Degree
Awarded in Programs of Strategic Emphasis



Metric 8a: Percent of Graduate Degrees
Awarded in Programs of Strategic Emphasis



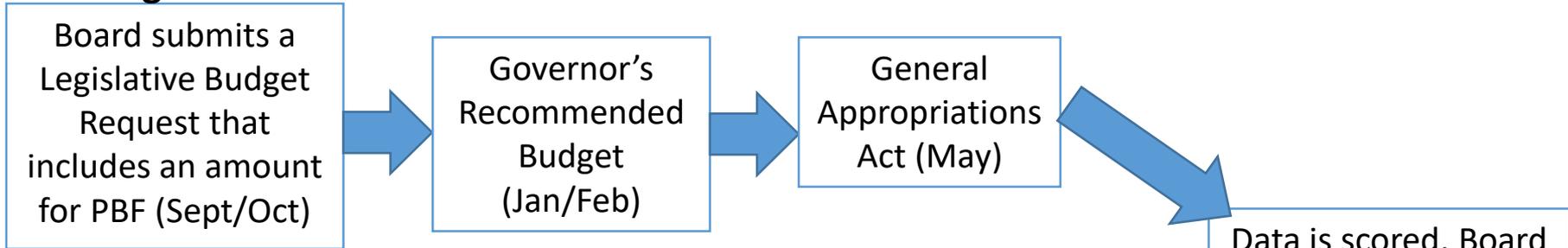
Metric 9: Percent of Baccalaureate Degrees
Awarded Without Excess Hours



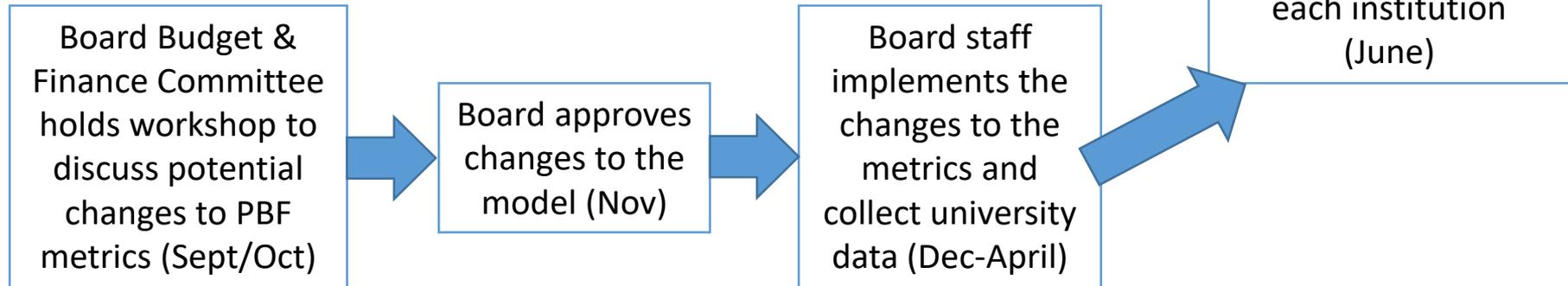
Performance Funding – Annual Timeline



Funding Timeline



Policy Timeline



Performance Funding – Metrics



Metrics 1-7 & 9 - Common to all Institutions

1. Percent of Bachelor's Graduates Employed (Earning \$25,000+) or Continuing their Education	5. Academic Progress Rate (2nd Year Retention with GPA Above 2.0)
2. Median Wages of Bachelor's Graduates Employed Full-time	6. Bachelor's Degrees Awarded in Areas of Strategic Emphasis
3. Average Cost to the Student (Net Tuition per 120 Credit Hours)	7. University Access Rate (Percent of Undergraduates with a Pell-grant)
4. Four Year Graduation Rate (Full-time FTIC)	8a. Graduate Degrees Awarded in Areas of Strategic Emphasis 8b. Freshman in Top 10% of Graduating High School Class – for NCF and FL Poly
9. Board of Governors Choice - Percent of Bachelor's Degrees without Excess Hours	10. Board of Trustees Choice - (Percent of Bachelor Degree Graduates with 2+ Workforce Experiences – FL Poly)

Performance Funding History



	State Investment	Institutional Investment	Total
2014-2015	\$100 M	\$65 M	\$165 M
2015-2016	\$150 M	\$250 M	\$400 M
2016-2017	\$225 M	\$275 M	\$500 M
2017-2018	\$245 M	\$275 M	\$520 M
2018-2019	\$265 M	\$295 M	\$560 M
2019-2020	\$265 M	\$295 M	\$560 M
2020-2021	\$265 M	\$295 M	\$560 M

Performance Funding – Allocation Methodology



Institutional Investment (Base State) Funding Allocation:

1. A prorated amount will be deducted from each university's base recurring state appropriation.
2. On a 100-point scale, a threshold of 55-points is established as the minimum number of total points needed to be eligible for the institutional investment. Beginning in Fiscal Year 2021-22, a threshold of 60-points is established as the minimum number of points needed to be eligible for the institutional investment.
3. Any institution that fails to meet the minimum point threshold for the institutional investment must submit an improvement plan to the Board for consideration at its August/September meeting that specifies the activities and strategies for improving the institution's performance. As of July 1, 2016, an institution is limited to only one improvement plan.

Performance Funding – Institutional Investment



	2020-21 Base State Funds	Base State Funds at Risk*
FAMU	\$107,646,033	\$14,580,734
FAU	\$171,275,087	\$23,199,336
FGCU	\$94,661,627	\$12,821,987
FIU	\$253,167,002	\$34,291,656
FSU	\$333,637,818	\$45,191,487
FL Poly	\$36,761,442	\$4,979,364
NCF	\$32,604,883	\$4,416,355
UCF	\$284,215,190	\$38,497,155
UF	\$385,404,980	\$52,203,387
UNF	\$106,769,373	\$14,461,990
USF	\$290,254,422	\$39,315,174
UWF	\$81,515,810	\$11,041,376
Total	\$2,177,913,667	\$295,000,000
	Base Dollars at risk	\$295,000,000
	Base at risk/Total Base Funds	13.5%

*Minimum of 60 points to receive the institutional investment.

Performance Funding – Allocation Methodology



State Investment Funding Allocation:

1. Each metric is evaluated based on Excellence or Improvement. The higher point value for Excellence or Improvement are counted in the university's total score.
2. On a 100-point scale, institutions with the top 3 scores (including ties) are eligible for their proportional amount of the State's investment.
3. Institutions with a score the same or higher as the previous year, are eligible for their proportional amount of the State's investment.
4. Any institution with a score lower than the previous year's score for two consecutive years must submit a student success plan to the Board. 50 percent of the State investment will be released upon approval of the plan, with the balance released upon successful implementation of the plan.
5. Beginning with FY 2021-22 State Appropriation, any institution with a score lower than 70 points must submit a student success plan to the Board in order to be eligible for 50 percent of their proportional amount of the state's investment. The remaining 50 percent is allocated to the top 3 highest scores.

Performance Funding – State Investment



	Score	Base State (2020-21)	Base %	State Investment Allocation
FAMU	73	\$107,646,033	4.9%	\$13,097,947
FAU	85	\$171,275,087	7.9%	\$20,840,081
FGCU	88	\$94,661,627	4.3%	\$11,518,056
FIU	88	\$253,167,002	11.6%	\$30,804,369
FSU	85	\$333,637,818	15.3%	\$40,595,742
FL Poly	70+	\$36,761,442	1.7%	\$4,472,988
NCF	87	\$32,604,883	1.5%	\$3,967,234
UCF	89	\$284,215,190	13.0%	\$34,582,191
UF	90	\$385,404,980	17.7%	\$46,894,568
UNF	83	\$106,769,373	4.9%	\$12,991,279
USF	94	\$290,254,422	13.3%	\$35,317,021
UWF	82	\$81,515,810	3.7%	\$9,918,524
		\$2,177,913,667	100%	\$265,000,000
Amount of State Investment:			\$265,000,000	



- SB 72 adds two new metrics to the model:
 - Two-year graduation rate for FCS associate in arts transfer students
 - Six-year graduation rate for students who are awarded a Pell Grant in their first year



www.flbog.edu

Board of Governors

Performance Funding Model Overview

The Performance Funding Model includes 10 metrics that evaluate the institutions on a range of issues. Two of the 10 metrics are Choice metrics; one picked by the Board and one by the university boards of trustees. These metrics were chosen after reviewing over 40 metrics identified in the University Work Plans.

The model has four guiding principles: 1) use metrics that align with SUS Strategic Plan goals, 2) reward Excellence or Improvement, 3) have a few clear, simple metrics, and 4) acknowledge the unique mission of the different institutions.

Key components of the model:

- Institutions will be evaluated on either Excellence or Improvement for each metric.
- Data is based on one-year data.
- The benchmarks for Excellence were based on the Board of Governors 2025 System Strategic Plan goals and analysis of relevant data trends, whereas the benchmarks for Improvement were determined after reviewing data trends for each metric.
- The Florida Legislature and Governor determine the amount of new state funding and an amount of institutional funding that would come from each university's recurring state base appropriation.

Metrics Common to all Institutions:

Seven metrics apply to all eleven institutions. The eighth metric, graduate degrees awarded in areas of strategic emphasis (8a), applies to all institutions except New College. The alternative metric for New College (8b) is "freshman in the top 10% of graduating high school class."

Metrics Common to all Institutions	
1. Percent of Bachelor's Graduates Employed (Earning \$25,000+) or Continuing their Education	6. Bachelor's Degrees Awarded in Areas of Strategic Emphasis
2. Median Wages of Bachelor's Graduates Employed Full-time	7. University Access Rate (Percent of Undergraduates with a Pell-grant)
3. Average Cost to the Student (Net Tuition per 120 Credit Hours)	8a. Graduate Degrees Awarded in Areas of Strategic Emphasis 8b. Freshman in Top 10% of Graduating High School Class - for NCF only
4. Four Year Graduation Rate (Full-time FTIC)	9. Board of Governors Choice - Percent of Bachelor's Degrees without Excess Hours
5. Academic Progress Rate (2nd Year Retention with GPA Above 2.0)	10. Board of Trustees Choice

Board Choice Metric - All universities should be working to improve the percentage of degrees awarded without excess credit hours.

Board of Trustees Choice Metric - Each Board of Trustees has chosen a metric from the remaining metrics in the University Work Plans that are applicable to the mission of that university and have not been previously chosen for the model.

How will the funding component of the model work?

To ensure each university is striving to excel and improve on key metrics, there must be a financial incentive. That financial incentive will not only be new state funding, but an amount of the base state funding reallocated.

Board of Governors

Performance Funding Model Overview

State Investment versus Institutional Base Funding:

The amount of the state investment appropriated by the Legislature and Governor for performance funding will be matched by an amount reallocated from the university system base budget. These “institutional base” funds are the cumulative recurring state appropriations the Legislature has appropriated to each institution. Any state investment funding appropriated would be allocated as follows:

Institutional Base Funding Allocation

1. A prorated amount will be deducted from each university’s base recurring state appropriation.
2. On a 100-point scale, a threshold of 55-points is established as the minimum number of total points needed to be eligible for the institutional investment. Beginning in Fiscal Year 2021-22, a threshold of 60-points is established as the minimum number of points needed to be eligible for the institutional investment.
3. Any institution that fails to meet the minimum point threshold for the institutional investment must submit an improvement plan to the Board for consideration at its August/September meeting that specifies the activities and strategies for improving the institution’s performance. As of July 1, 2016, an institution is limited to only one improvement plan.

State Investment Funding Allocation

1. Each university metric is evaluated based on Excellence or Improvement and has ten benchmarks ranging from low to high. The lowest benchmark receives one point, while the highest receives ten points. The higher point value for Excellence or Improvement on each metric are counted in the university’s total score.
2. The state investment will be allocated based on points earned, with a maximum of 100 points possible.
3. On a 100-point scale, institutions with the top 3 scores are eligible for their proportional amount of the state’s investment. In the case of a tie for the top 3 scores, the tie will go to the benefit of the institutions.
4. All SUS institutions with a score the same or higher as the previous year, are eligible for their proportional amount of the state’s investment.
5. Any institution with a score less than the previous year but the previous year’s score was higher or the same than the year before, are eligible for their proportional amount of the state’s investment.
6. Any institution with a score the same or lower than the previous year’s score for two consecutive years must submit a student success plan to the Board for consideration at its August/September meeting that specifies the activities and strategies for improving the institution’s performance metrics in order to be eligible for their proportional amount of the state’s investment. The baseline scores begin with the June, 2018 results.
7. Beginning with the Fiscal Year 2021-22 appropriation, any institution with a score lower than 70 points must submit a student success plan to the Board for consideration at its August/September meeting that specifies the activities and strategies for improving the institution’s performance metrics in order to be eligible for 50 percent of their proportional amount of the state’s investment.



FLORIDA POLYTECHNIC
UNIVERSITY

University of Distinction : Growth Plan

Randy K. Avent
9 September 2020

University Positioning

- **Mission Statement**

Serve students and industry through excellence in education, discovery and application of engineering and applied sciences

- **Vision Statement**

Florida Poly will be a premier STEM university known for producing highly desirable graduates and new technology solutions

Florida Polytechnic University is a small, new university focused on engineering programs

University Weaknesses

- **Florida Poly is a small institution**
 - Larger institutions can more easily have economic impact
 - Larger institutions are more easily sustainable
 - Larger institutions attract more outside investment from industry and businesses
- **Florida Poly is new institution**
 - Poly lacks branding important to grow numbers and quality
- **Florida Poly is focused on engineering**
 - Engineering programs historically have low retention and graduation rates
 - Florida Poly will suffer (relatively) in Performance Based Funding (PBF)

Florida Polytechnic University needs to grow while increasing its brand and PBF performance

Campus Growth Plan

- **Three-year plan (2024)**
 - Top 25 in USNWR Engineering Colleges without Doctoral Program
 - 1800 students, 325 yearly graduates
 - 83% APR, 41% 4-year graduation rate
- **Five-year plan (2026)**
 - Top 15 in USNWR Engineering Colleges without Doctoral Program
 - 2000 students, 375 yearly graduates
 - 85% APR, 43% 4-year graduation rate
- **Ten-year plan (2031)**
 - Top 10 in USNWR Engineering Colleges without Doctoral Program
 - 3000 students, 650 yearly graduates
 - 90% APR, 55% 4-year graduation

**Florida Polytechnic University will be an Undergraduate
Engineering University of Distinction**

Outline

- Introduction
- **National rankings**
- **Retention/graduation**
- **Campus Growth**
- **Summary**

National Rankings

- **US News and World Report is the gold standard**
- **Expect rankings this year in at least three categories**
 - Regional Colleges South
 - Undergraduate Computer Science Programs (No Doctorate)
 - Undergraduate Engineering Programs (No Doctorate)
- **Expected timeline**
 - Embargoed preview (2nd week of September)
 - Two weeks to identify substantial changes
 - Announced two weeks later (end of September)
- **“Troublesome” metrics**
 - 6-year graduation rate (17 of 100 points)
 - Peer assessment survey (20 of 100 points)

**Just announced we would not be included this year
because of lack of data**



“Best in the South”

• Regional Colleges

1. High Point University
2. Ouachita Baptist University
3. Maryville College
4. Flagler College
5. LaGrange College
6. Erskine College
7. Catawba College
8. Claflin University
9. Barton College
10. University of Mobile
11. USC – Upstate
12. USC – Aiken
13. Blue Mountain College
14. Averett University
15. Huntingdon College

• Regional Universities

1. Rollins College
2. The Citadel
3. James Madison University
4. Berry College
5. Stetson University
6. Appalachian State University
7. Christopher Newport University
8. College of Charleston
9. Ashbury University
10. Florida Southern College
11. Embry-Riddle University
12. John Brown University
13. Longwood University
14. Milligan College
15. Queens University of Charlotte

Undergraduate Engineering Programs (No Doctorate)

1. **Rose-Hulman Institute**
2. **Harvey Mudd College**
3. **Olin College of Engineering**
4. **US Military Academy**
5. **US Naval Academy**
6. **Bucknell University**
7. **US Air Force Academy**
8. **Cal Poly – San Luis Obispo**
9. **Milwaukee School of Engineering**
10. **Cooper Union**
11. **Cal Poly – Pomona**
12. **US Coast Guard Academy**
13. **Kettering University**
14. **Lafayette College**
15. **University of San Diego**

US News World & Report

2020 Methodology

- **Outcomes (35%)**
 - Graduation and retention (22%)
 - Graduate rate performance (8%)
 - Social mobility (5%)
- **Faculty resources (20%)**
 - Class size (8%)
 - Faculty salary (7%)
 - Percent terminal degrees (3%)
 - Student-to-faculty (1%)
 - Percent full time (1%)
- **Expert opinion (20%)**
- **Financial resources (10%)**
- **Student excellence (10%)**
- **Alumni giving (5%)**

“Undergraduate Engineering programs are ranked based solely on the judgements of deans and senior faculty at peer institutions”

Peer Assessment

Our STEM-centric curriculum is designed to prepare graduates for exciting careers in today's fastest-growing fields.

32 PROGRAMS OF STUDY

BUSINESS ANALYTICS & DATA SCIENCE

Big Data Analytics
Health Informatics
Intelligent Mobility
Logistics and Supply Chain Management
Quantitative Economics & Econometrics

COMPUTER ENGINEERING*

Advanced Topics
Autonomous Robotic Systems
Digital Design
Embedded System Design
Machine Intelligence

COMPUTER SCIENCE*

Advanced Topics
Game Development & Simulation
Information Assurance & Cyber Security
Software Engineering

ELECTRICAL ENGINEERING*

Advanced Topics
Autonomous and Electric Vehicles
Control Systems
Electromagnetic Radiation Communication
Renewable Energy

ENGINEERING MATHEMATICS

Complex Systems Mathematics
Mathematics of Medicine & Biology

* ABET accredited programs

ENGINEERING PHYSICS

Physics of Energy
Physics of Medicine
Physics of Space

ENVIRONMENTAL ENGINEERING

Modern Techniques in Sustainability
Water/Hydrology

MECHANICAL ENGINEERING*

Advanced Topics
Aerospace
Materials & Advanced Manufacturing
Mechanical & Thermal Systems
Nanotechnology
Operations Research

GRADUATE PROGRAMS

MASTER'S OF SCIENCE IN COMPUTER SCIENCE

Computer Science
Data Science

MASTER'S OF SCIENCE IN ENGINEERING

Computer Engineering
Electrical Engineering
Engineering Management
Mechanical Engineering



Computing & Engineering Accreditation Commissions

Florida Polytechnic University's iconic **Innovation, Science and Technology (IST)** building ranks as one of the 18 "most breathtaking" buildings in the world, according to a survey of architects, placing it alongside iconic structures such as the Parthenon in Greece, the Empire State Building and Frank Lloyd Wright's "Fallingwater" residence.

Designed by internationally-renowned architect Dr. Santiago Calatrava, the IST Building has earned 23 international architectural and engineering awards since 2014.

The structure is the cornerstone of Florida Poly's campus and the University's main classroom and laboratory building. The 162,000-square-foot, white-domed building is a moveable and functional work of art, with a louvered roof system that adjusts with the sun's angle, surrounded by a ring of curved metal pergolas that shade its outer terrace and walkways.

ADVANCED MOBILITY INSTITUTE

Florida Polytechnic University has a growing autonomous vehicle education and research program that partners with a brand new 400-acre cutting-edge facility next to campus developed by the Florida Department of Transportation, dedicated to the research, development and testing of autonomous vehicle technologies. AMI includes a specialized courses in autonomous systems and self-driving vehicles co-developed with MIT.

ENTREPRENEURSHIP

• Over the last three years we have placed in the top three in 9 out of 12 state or local entrepreneurial competitions
• We have lost every major university in Florida over our three years

100%

OF STUDENTS EARN INTERNSHIPS BEFORE THEY GRADUATE



FLORIDA POLYTECHNIC UNIVERSITY
OFFICE OF THE PROVOST
4700 Research Way
Lakeland, FL 33805
888-874-4774



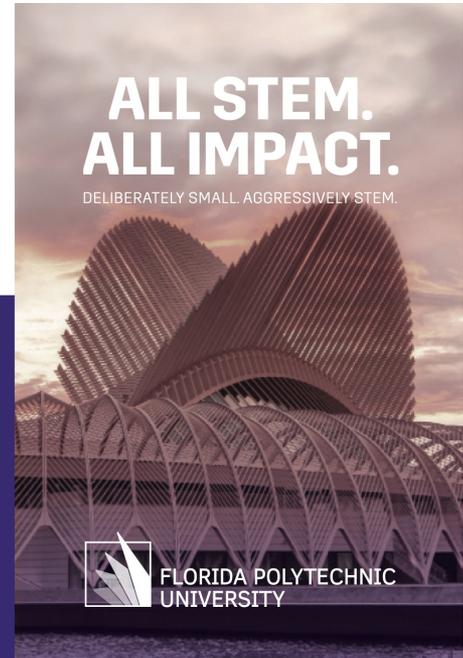
Florida's Premier Public STEM University



FLORIDA POLYTECHNIC UNIVERSITY

ALL STEM. ALL IMPACT.

DELIBERATELY SMALL. AGGRESSIVELY STEM.

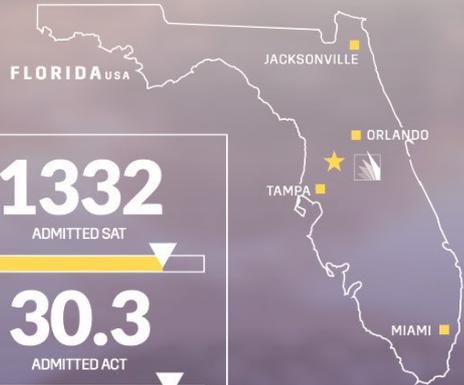


Sent to all institutions within Regional Colleges South and the 200+ ranked in Undergraduate Engineering (No Doctorate)



FLORIDAPOLY

Peer Assessment



1332
ADMITTED SAT

30.3
ADMITTED ACT

4.34
HS GPA OF F20 ADMITTED FRESHMEN



FLORIDA POLYTECHNIC UNIVERSITY

100%
OF STUDENTS EARN INTERNSHIPS BEFORE THEY GRADUATE

1,352
STUDENTS

#1
THE NATION'S FIRST ALL DIGITAL UNIVERSITY LIBRARY

57%
IN THE TOP 25% OF THEIR HS CLASS

16:1
STUDENT FACULTY RATIO



FACULTY PROFILE

Muhammad H. Rashid
Professor and Chair of Electrical and Computer Engineering

17 books listed in the US Library of Congress and more than 160 technical papers.
Life Fellow of the Institute of Electrical and Electronics Engineers (IEEE, USA) and Fellow of the Institution of Engineering and Technology (IET, UK).
His textbooks have translations in Spanish, Portuguese, Indonesian, Korean, Italian, Chinese, and Persian, and have been adopted at 57 US universities including Stanford, Cornell, RIT, UC Berkeley, Carnegie Mellon, Rose-Hulman, NYU and UT Austin.
Generally recognized on campus as one of the nicest people you'll ever meet.

CONGRATULATIONS
To our Fulbright Student Scholars



Clinton Elliott
Engineering Management
Queensland, Australia



Marius Brinkman
Electrical Engineering
Arnsberg, Germany



Constanze Knahl
Computer Science
Bastheim, Germany



Al- Mashhadani Zubaidah
Engineering Robotics
Baghdad, Iraq

Sent to all institutions within Regional Colleges South and the 200+ ranked in Undergraduate Engineering (No Doctorate)

Outline

- Introduction
- National rankings
- **Retention/graduation**
- **Campus Growth**
- **Summary**

Primary Withdrawal Reasons

- **Challenging courses**
 - **Student readiness for STEM academics**
 - **Financial hardships**
 - **Campus experience**
 - **Program diversity**
-

Primary Withdrawal Reasons

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Academic Success Center
Student/Advising support services
Professional Skills course
Scholarship eligibility
Phoenix first-year
Improved course availability
Degree roadmaps

Co-curricular Council
Leadership Institute
Limited course withdrawals
Academic Improvement Program
Incentivize summer

Addressing first three through several efforts, need increased focus on the last two issues

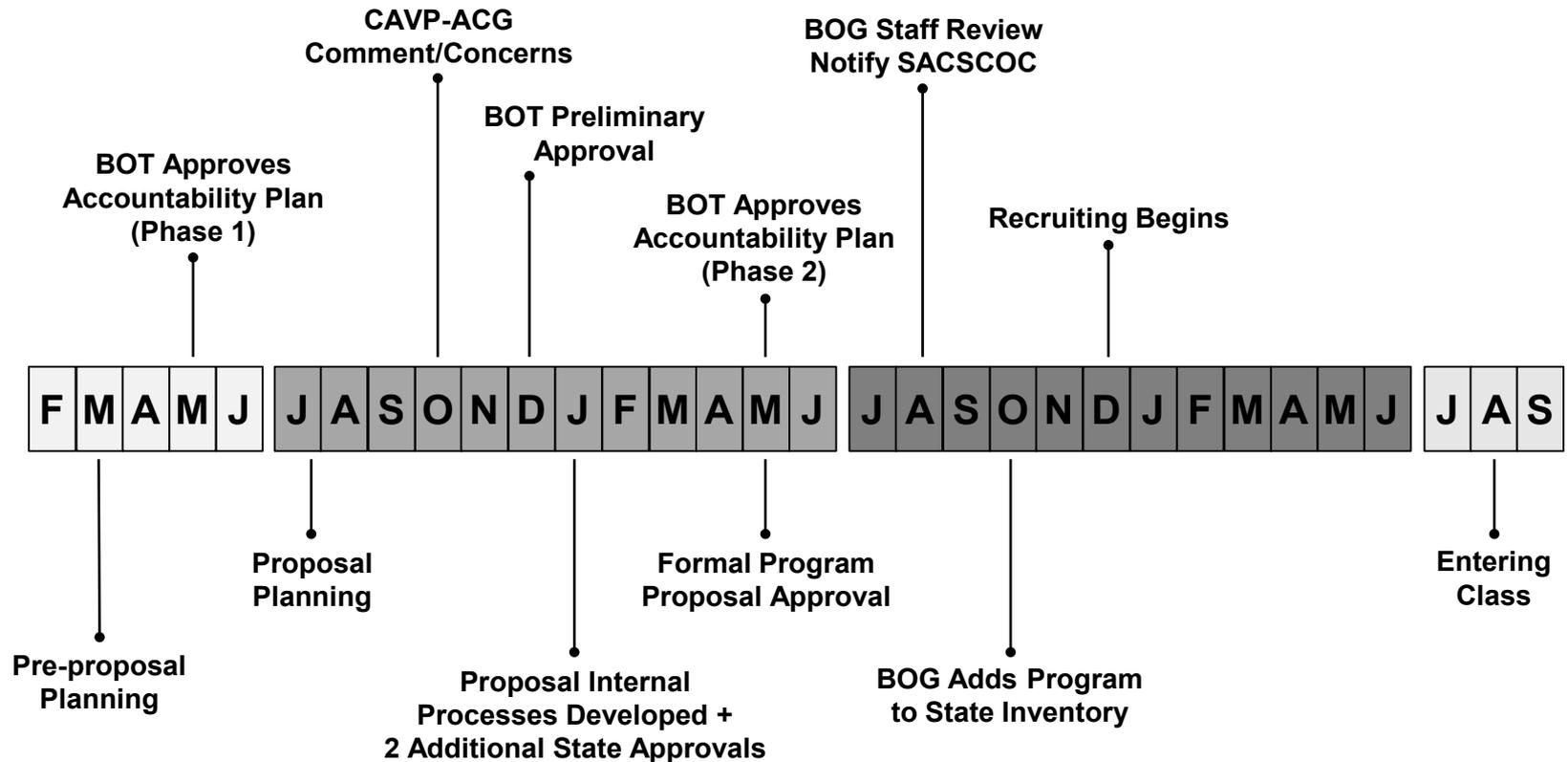
New Efforts

- **Campus experience**
 - Student affinity groups (eSports, scatter band)
 - Enhanced student campus space
 - New Student Center
 - Campus Respiratory Clinic
 - Expand social fabric by connecting students with campus opportunities through Phoenix Link (Campus Labs)
 - Focus on weekend activities (Purple Fire Weekends)
 - Pro-active financial aid solutions
 - Campus Spirit (new Phoenix mark) and campus décor (Wellness and Student Development wall pride)
- **Program diversity**
 - Current offerings limited to engineering, mathematical and physical sciences
 - Lack of retreat majors means students no longer interested in engineering must transfer
 - Should we consider new majors that grow the university and provide retreat majors

Outline

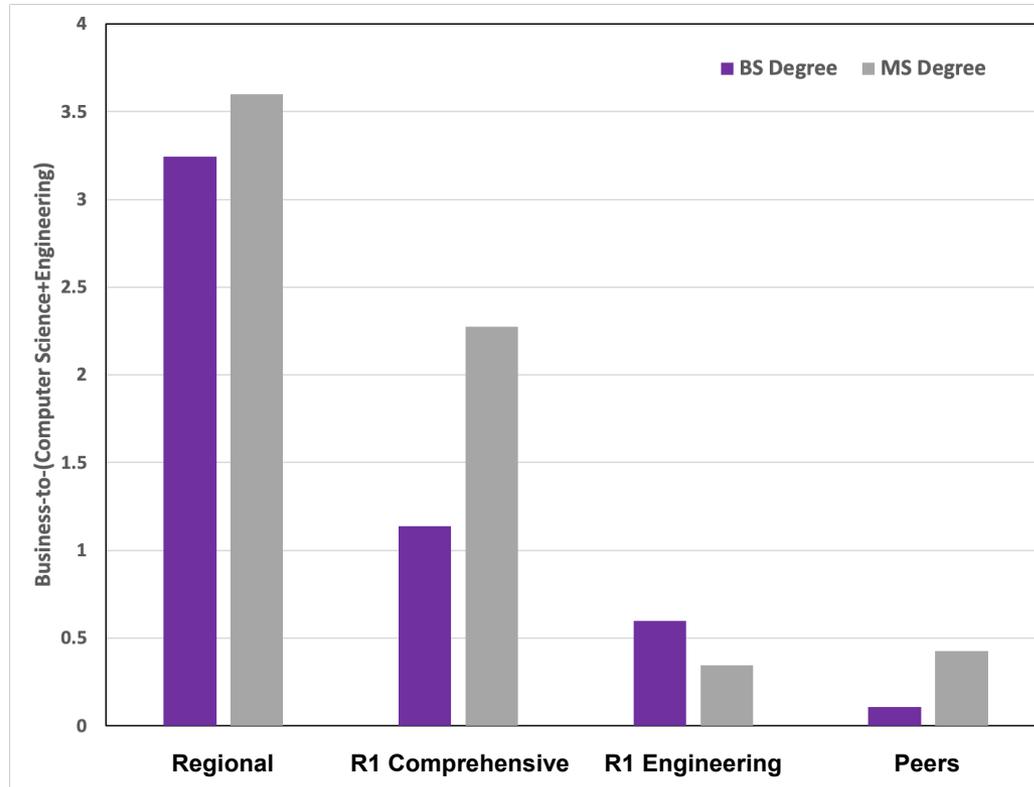
- Introduction
- National rankings
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New Program Timeline



- Realistic timeline of at least three years to add new programs

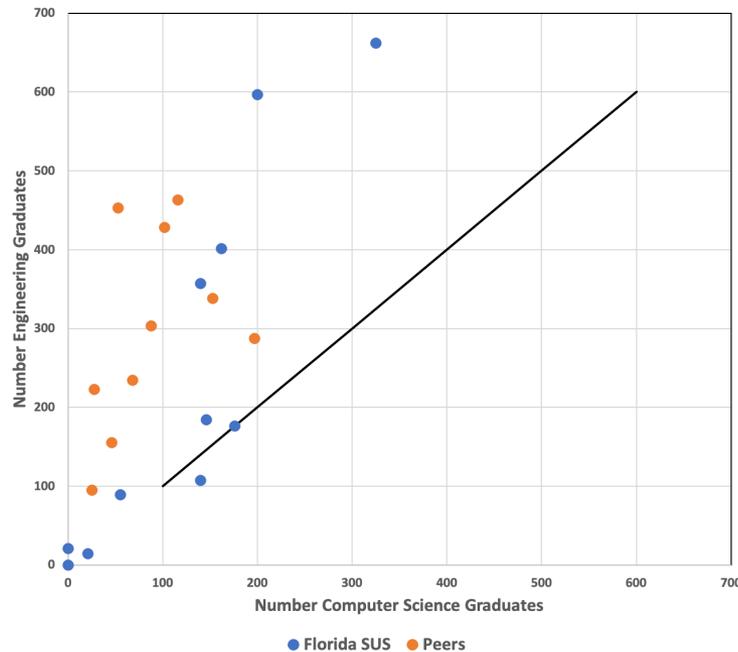
Expanding Scope



- **Business programs tend to be less popular at peer engineering schools**
 - BS degrees in Business: 66 awarded out of 1028 on average each year (6.4%)
 - MS degrees in Business: 151 awarded out of 725 on average each year (21%)
- **Business programs lack coherence with existing programs**
- **Information Technology (+200) may be worth considering**

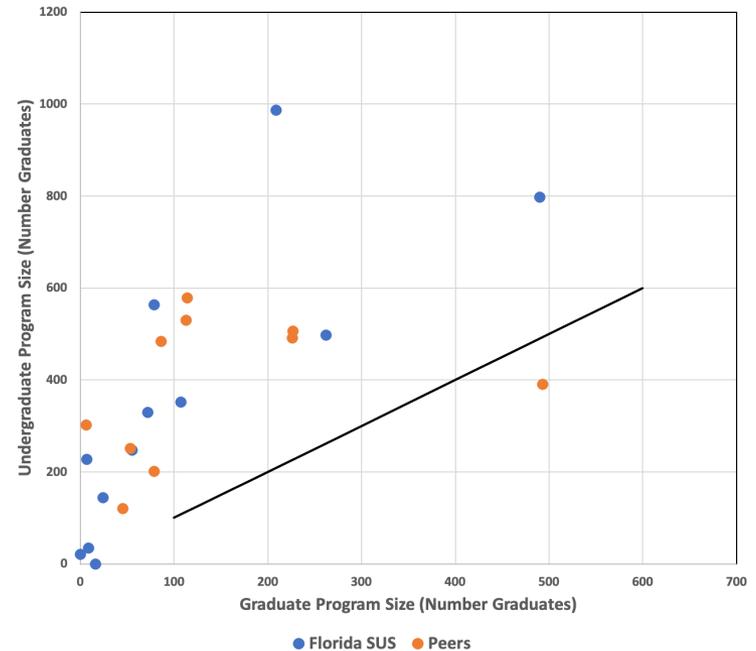
Existing Program Growth

• Engineering-to-Computer Science



- Average (SUS) = 1.84
- Average (Peers) = 3.40
- Florida Poly = 1.01

• Undergraduate-to-Graduate



- Average (SUS) = 3.00
- Average (Peers) = 2.67
- Florida Poly = 18.9

Opportunity to grow the graduate program and number of engineering students relative to computer science



New Program Growth

Florida Department Economic Opportunity

Florida 2019 - 2027 Occupational Employment Projections Technology, Engineering and Mathematics Occupations

Occupational Code	Occupational Title	2019 Employment	2027 Employment	Employment Growth	Percent Employment Growth	Total Job Openings	2018 Median Hourly Wage (\$)	ELS Education†
15-1132	Software Developers, Applications	39,205	49,627	10,422	26.6	32,726	44.53	B
17-2051	Civil Engineers	19,793	21,890	2,097	10.6	13,915	39.98	B
15-1121	Computer Systems Analysts	20,523	22,681	2,158	10.5	13,033	38.08	B
15-1133	Software Developers, Systems Software	18,174	20,776	2,602	14.3	12,382	47.62	B
15-1143	Computer Network Architects	19,031	20,787	1,756	9.2	11,838	41.74	B
15-1142	Network and Computer Systems Administrators	19,588	21,308	1,720	8.8	11,708	36.14	B
15-1199	Computer Occupations, All Other	11,484	12,926	1,442	12.6	7,860	36.78	B
17-2112	Industrial Engineers	10,854	12,342	1,488	13.7	7,384	35.41	B
15-1131	Computer Programmers	14,710	14,555	-155	-1.1	7,112	35.03	B
13-1081	Logisticians	6,992	7,787	795	11.4	6,413	29.77	B
15-1141	Database Administrators	8,166	9,229	1,063	13.0	5,415	41.09	B
17-2141	Mechanical Engineers	8,198	9,124	926	11.3	5,217	39.98	B
15-2031	Operations Research Analysts	6,905	8,489	1,584	22.9	5,166	32.33	B
19-2041	Environmental Scientists and Specialists, Including Health	5,946	6,493	547	9.2	5,039	23.80	B
15-1122	Information Security Analysts	5,311	6,738	1,427	26.9	4,628	42.86	B
17-2071	Electrical Engineers	6,987	7,819	832	11.9	4,540	43.59	B
17-1011	Architects, Except Landscape and Naval	6,995	7,386	391	5.6	4,409	34.01	B
17-2199	Engineers, All Other	6,022	6,574	552	9.2	3,745	37.03	B
17-2072	Electronics Engineers, Except Computer	5,559	5,956	397	7.1	3,281	44.85	B
17-1022	Surveyors	3,885	4,297	412	10.6	2,698	25.81	B
17-2081	Environmental Engineers	2,843	3,064	221	7.8	1,738	34.61	B
17-2011	Aerospace Engineers	2,855	3,128	273	9.6	1,672	51.83	B
17-2061	Computer Hardware Engineers	2,372	2,617	245	10.3	1,480	46.46	B
17-1012	Landscape Architects	2,096	2,238	142	6.8	1,353	30.29	B
15-2041	Statisticians	996	1,334	338	33.9	1,017	38.76	M
17-2111	Health and Safety Engineers, Except Mining Safety Engineers and Inspectors	1,033	1,126	93	9.0	642	35.75	B
17-1021	Cartographers and Photogrammetrists	609	710	101	16.6	470	28.44	B
17-2031	Biomedical Engineers	718	788	70	9.7	462	34.77	B
15-2011	Actuaries	579	702	123	21.2	430	48.29	B
17-2131	Materials Engineers	636	695	59	9.3	430	47.35	B
15-1111	Computer and Information Research Scientists	556	605	49	8.8	354	46.15	M
17-2041	Chemical Engineers	465	524	59	12.7	307	43.95	B
17-2121	Marine Engineers and Naval Architects	307	340	33	10.7	187	42.87	B
19-3011	Economists	239	255	16	6.7	152	43.50	M
15-2021	Mathematicians	127	156	29	22.8	112	44.38	M
17-2021	Agricultural Engineers	193	201	8	4.1	108	35.81	B
17-2161	Nuclear Engineers	138	145	7	5.1	89	49.19	B

Civil Engineering has the largest employment growth and we have a pathway in place through Environmental Engineering

Student Growth

- **Consider new academic program products (+150)**
 - Honors program, double majors, combined BS/MS programs, 2+2 programs
 - Online programs, Professional Science Masters (PSM), certificates
- **“Regularize” the student body (+985)**
 - Grow current engineering programs to roughly two and a half the size of the computer science program
 - Grow the graduate program to about 10% of that student body
- **Add Civil Engineering as the next engineering major (+300)**
- **Consider new academic programs that grow the student body and increase retention**

Retention and APR*

- FY20 Retention is 85%, compares favorably with peers

	Costs	Incoming Quality		Success		Institutional Alignment			Access
	NET PRICE	SAT	ACT	Retention	4-yr Grad	SIMILARITY	% BS STRAT	% GRAD STRAT	PELL
Stevens Institute of Technology	\$ 38,469	1440	33	94%	39%	75%	81%	89%	16%
Rose-Hulman	\$ 41,536	1430	32	91%	69%	95%	100%	100%	13%
Mines	\$ 25,472	1420	33	93%	52%	100%	100%	99%	15%
RPI	\$ 37,648	1399	32	93%	61%	73%	82%	80%	17%
WPI	\$ 43,027			95%	80%	87%	89%	85%	12%
AVERAGES	\$ 37,230	1422	32.5	93%	60%	86%	90%	91%	15%
MUST	\$ 14,133	1376	31	81%	22%	76%	85%	95%	25%
NM Institute of Mining	\$ 13,741	1350	29	74%	19%	72%	85%	82%	30%
Michigan Tech	\$ 17,139	1335	30	83%	28%	70%	78%	84%	23%
Clarkson	\$ 31,050	1283	29	85%	56%	64%	80%	62%	22%
FIIT	\$ 33,610	1260	29	80%	45%	53%	62%	49%	20%
AVERAGES	\$ 21,935	1321	29.6	81%	34%	67%	78%	74%	24%

- FY20 APR is 76% will get improvement points this year

		FAMU	FAU	FGCU	FIU	FSU	NCF	UCF	UF	UNF	USF	UWF
5. Academic Progress Rate (2nd Year Retention with GPA Above 2.0)	Excellence	73.0%	79.2%	75.2%	88.1%	91.6%	85.9%	90.1%	95.5%	80.7%	87.7%	80.3%
	Improvement	1.7%	-1.2%	2.8%	0.1%	0.2%	10.0%	1.4%	0.3%	2.1%	1.1%	0.5%
Excellence Score		0	1	0	8	10	6	10	10	2	8	2
Improvement Score		3	0	5	0	0	10	2	0	4	2	1
Higher Score		3	1	5	8	10	10	10	10	4	8	2

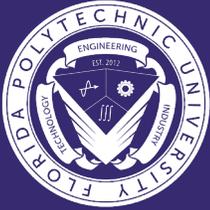
Summary

- **Aggressive growth plan was presented that addressed national rankings, Performance Based Funding and student growth**
- **National ranking focus is on US News World & Report's list of Undergraduate Engineering Programs (No Doctorate)**
- **Performance Based Funding focus is on student outcomes (retention (APR) & graduation rates) and graduate student growth**
- **There is capacity in the "current" programs to grow the student population to 3000 students**

Performance Based Funding Excellence Points

	Points Scale			Actual Year	Points
	 (10)	 (5)	 (1)		
• Percent BS graduates employed	72.8%	61.4%	52.3%	<u>67.5%</u> 2020	 8
• Median wages for BS graduates	\$ 40,700	\$ 28,200	\$ 18,200	<u>\$54,800</u> 2020	 10
• Average Cost to the Student	\$ 9,000	\$ 14,000	\$ 18,000	<u>-\$5,790</u> 2020	 10
• FTIC Four-Year graduation rate	50%	43.8%	38.8%	<u>39.5%</u> 2020	 2
• Academic progress rate (retention)	90%	83.8%	78.8%	<u>65.4%</u> 2020	 0
• BS awarded in strategic areas	50%	37.5%	27.5%	<u>100%</u> 2020	 10
• University access rate (UG w/ Pell)	42%	22%	6%	<u>29.5%</u> 2020	 7
• % Freshmen in Top 10% HS	50%	47.5%	27.5%	<u>25%</u> 2020	 0
• BOG choice: % of degrees w/out excess hours	60%	47.5%	37.5%	<u>89.2%</u> 2020	 10
• BOT: % Grads w/ 2+ Workforce Experiences (no benchmarks yet)	51%? (UWF)	31% ? (UWF)	15% ? (UWF)	<u>73.2%</u> 2020	 10

Florida Polytechnic University needs to increase retention and graduation rates while growing the Graduate program



BOARD OF TRUSTEES
**Academic & Student
Affairs Committee**

Wednesday, September 9, 2020
9:00 am – 10:00 am

Or upon the conclusion of the previous committee meeting

Florida Polytechnic University
WEBEX TELECONFERENCE MEETING

Dial In Number: 1-415-655-0001 | Access Code: 171 599 4704#

MEMBERS

Dr. Earl Sasser, Chair
Dr. Ala' J. Alnaser

Frank Martin, Vice-Chair

Connor Coddington

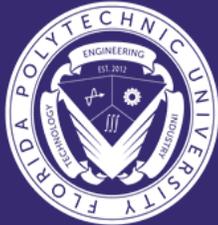
AGENDA

- | | |
|--|-----------------------------------|
| I. Call to Order | Dr. W. Earl Sasser, Chair |
| II. Roll Call | Zaira Medina |
| III. Public Comment | Dr. W. Earl Sasser, Chair |
| IV. Approval of the May 20, 2020 Minutes
<i>*Action Required*</i> | Dr. W. Earl Sasser, Chair |
| V. Committee Charter Review and Approval
<i>*Action Required*</i> | Dr. W. Earl Sasser, Chair |
| VI. 2020-22 Academic & Student Affairs Committee Work Plan | Dr. Terry Parker, EVP and Provost |
| VII. Provost Report and Discussion | Dr. Terry Parker, EVP and Provost |
| A. Admissions | |
| B. Faculty | |
| C. COVID-19 discussion | |
| D. Legislative Budget Request (LBR) Discussion | |
| E. Discussion of approval items
<i>*Action Required*</i> | |
| 1. Approve FPU-BOT COVID19 MOU 2 | |

2. Approve FPU-5.003 Textbook Adoption and Affordability-Amendment and Repeal of BOT Resolution 2017-001

VIII. Closing Remarks and Adjournment

Dr. W. Earl Sasser, Chair



Academic & Student Affairs Committee Meeting

DRAFT MEETING MINUTES

Wednesday, May 20, 2020

9:30 AM – 10:00 AM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Board Chair Don Wilson called the Academic and Student Affairs Committee meeting to order at 9:45 am.

II. Roll Call

Michele Rush called the roll: Board Chair Don Wilson, Committee Vice-Chair Earl Sasser, Trustee Victoria Astley, Trustee Henry McCance, Trustee Connor Coddington, Trustee Mark Bostick and Trustee Philip Dur were present (Quorum).

Other Trustees Present: Vice Chair Cliff Otto, Trustee Frank Martin, Trustee Bob Stork, and Trustee Gary Wendt

Staff Present: President Randy K. Avent, Provost Terry Parker, Ms. Gina DeJulio, Mr. Mark Mroczkowski, Ms. Kathy Bowman, Mr. Tom Dvorske, Mrs. Kristen Wharton, Ms. Michele Rush, and Ms. Zaira Medina

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Earl Sasser made a motion to approve the Academic and Student Affairs Committee meeting minutes of February 25, 2020. Trustee Victoria Astley seconded the motion; a vote was taken, and the motion passed unanimously.

V. Provost Report and Discussion

Provost Terry Parker provided a presentation focused on emergent priorities and issues, beginning with current admissions data. Provost Parker then briefly reviewed an update to the definition of “hazing” in the Student Code of Conduct that requires Board action.

Trustee Victoria Astley made a motion to recommend approval of the Revised Regulation FPU-3.003 Student Code of Conduct to the Board of Trustees. Trustee Mark Bostick seconded the motion; a vote was taken, and the motion passed unanimously.

Provost Parker presented information on the proposed Bachelor of Science in Cyber Security Engineering degree. Trustee Astley inquired as to the motivation for separating this as its own major. Provost Parker stated the goal in offering this unique degree is to expand the University's offering to students as a degree that embeds both hardware and software together, and that many of the components to the degree already exist within the current curriculum, thereby remaining cost effective to the University. Provost Parker also addressed concern about impact on faculty's time by stating, yes, there is a start-up transition period when launching a new degree, however, Florida Poly will most likely only offer one of the concentrations until the degree is fully formed over time. Dr. Tom Dvorske commented that each concentration includes an elective course that students from other areas of study can take, thus increasing the class size. Dr. Dvorske also confirmed there is substantial documentation in the program proposal that records multiple dates and activity wherein faculty were engaged in developing this degree proposal. Additionally, the Undergraduate Curriculum Committee and the Provost's Office both approved the degree program.

Trustee Earl Sasser made a motion to recommend approval of the B.S. Cyber Security Engineering Degree program to the Board of Trustees. Trustee Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

Provost Parker addressed the negative impact COVID-19 has had on faculty hiring. With travel restrictions in place, interviews have been conducted virtually.

Provost Parker provided information regarding the two Collective Bargaining-related items for Committee approval. There were no questions or discussion.

Trustee Henry McCance made a motion to recommend approval of the Collective Bargaining Agreement, Revised Article 12: Salaries to the Board of Trustees. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

Trustee Henry McCance made a motion to recommend approval of the Memorandum of Understanding re COVID-19 Health Emergency to the Board of Trustees. Trustee Mark Bostick seconded the motion; a vote was taken, and the motion passed unanimously.

Provost Parker reviewed how the University plans to open campus in the fall considering COVID-19. There are three groups focused on planning for the campus environment, the academic environment, and scenarios of the future. Trustee Henry McCance inquired if large decisions, such as adjusting the academic calendar, are made at the state level, or does each university have autonomy to determine what works best for their institution. Provost Parker stated the calendar adjustment is the University's decision at this time and he is still in discussion with the Board of Governors regarding this issue.

Trustee Phillip Dur inquired as to how to control student mobility to and from COVID-19 hot spots. Provost Parker responded that risk protocols will be established to address this issue. Trustee Dur suggested obtaining five-minute test kits, although there are limitations with using them. President Avent stated the University is in discussion with Lakeland Regional Health (LRH) regarding rapid testing capability; LRH said there is potential to set up a testing site on campus.

Trustee Earl Sasser stated since Florida Poly has a small campus, it may be easier to control access to buildings. He recommended researching how boarding schools are preparing to re-open their campuses this fall.

Trustee Victoria Astley inquired how faculty are being recruited or selected for the campus re-opening planning committees. Provost Parker stated they are selected according to their subject matter expertise;

for instructional delivery discussions, department Chairs are being consulted. Trustee Astley expressed concern this overlooks the official faculty governance structure; however, Provost Parker reminded Trustee Astley how he informed her and several others in the Faculty Assembly of the committee structure and the COVID-19 planning groups. There will also be opportunities for faculty to participate in open sessions that the committees will be holding. Chair Wilson stated that how the administration engages with the different populations that are involved in campus re-opening discussions is not a Board of Trustees issue. President Avent confirmed this item does not require Board action and recommended Provost Parker discuss this further with Trustee Astley outside of the Board meeting.

VII. Closing Remarks and Adjournment

With no further business to discuss, the Academic and Student Affairs Committee Meeting adjourned at 10:46 a.m.

DRAFT

**Florida Polytechnic University
Academic & Student Affairs Committee
Board of Trustees
September 9, 2020**

Subject: Academic & Student Affairs Charter Review and Approval

Proposed Committee Action

Recommend approval of the changes to the Academic & Student Affairs Charter to the Florida Polytechnic University Board of Trustees.

Background Information

As the University is starting a new two-year cycle with the Board, charter reviews of each of the various committees is being performed. The Academic & Student Affairs charter has been reviewed by the Office of General Counsel for legal sufficiency.

Supporting Documentation: Academic & Student Affairs Charter

Prepared by: Dr. Terry Parker, Provost & EVP

**Academic and Student Affairs Committee
CHARTER**

(Staff Liaison: Dr. Terry Parker, Provost)

2020-2021 Committee Members:

1. **Chair: Dr. Earl W. Sasser**
2. **Vice Chair: Frank Martin**
3. **Trustee Ala J. Alnaser**
4. **Trustee Connor Coddington**

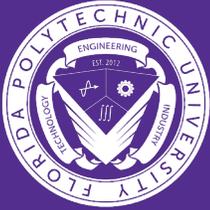
Current charter:

“This committee is responsible for issues related to academic programs, student affairs, student life, education policy, regional accreditation, financial aid, recruitment, admissions and retention of students, and faculty recruitment.”

Proposed charter:

In the simplest terms, the Academic and Student Affairs committee provides appropriate board governance regarding issues at Florida Polytechnic University related to improving the student success rate and developing centers of faculty excellence in carefully selected STEM fields. Everything that the committee does should ensure that Florida Poly achieves those two objectives in the most cost effective manner.

Topics routinely examined by the committee are academic programs, student affairs, student life, education policy, regional accreditation, financial aid, recruitment, admissions and retention of students, and faculty recruitment.



Committee Work Plan

Academic & Student Affairs Committee Work Plan 2020-2022

COMMITTEE TOPICS

Following is a list of topics which will come before the Academic & Student Affairs Committee within the course of a year:

Topics for reporting this meeting:

- Admissions and Financial Aid
- Student Services
- Four year graduation improvement plan
- Degree Program Additions and Faculty Hiring
- Student and Faculty Diversity
- Graduate programs
- Technology and Pedagogy

New Topics for consideration for future meetings:

- Academic programs
- Student affairs and life
- Education policy
- Regional accreditation
- Financial aid
- Recruitment, admissions and retention of students
- Faculty recruitment

**The items listed above are standard items that occur in regular quarterly or annual cycles. However, other matters may be brought to the Committee for review and approval as required by law and regulation, as well as any other matters of interest.*



Committee Work Plan

Academic & Student Affairs Committee Work Plan 2020-2022

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- Admissions and Financial Aid
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- Four year graduation improvement plan
- Degree Program Additions and Faculty Hiring
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- Graduate programs
- Technology and Pedagogy

At each Academic and Student Affairs Committee meeting the committee will have the opportunity to request reporting on a particular topic of interest. Reports to the committee may, if it is deemed necessary, include information beyond the topics listed above.

**The items listed above are standard items that occur in regular quarterly or annual cycles. However, other matters may be brought to the Committee for review and approval as required by law and regulation, as well as any other matters of interest.*



FLORIDA POLYTECHNIC
UNIVERSITY

Provost's Report

Terry Parker

September 9, 2020

Today's Discussion is a Review of Activity Aligned with the Work Plan

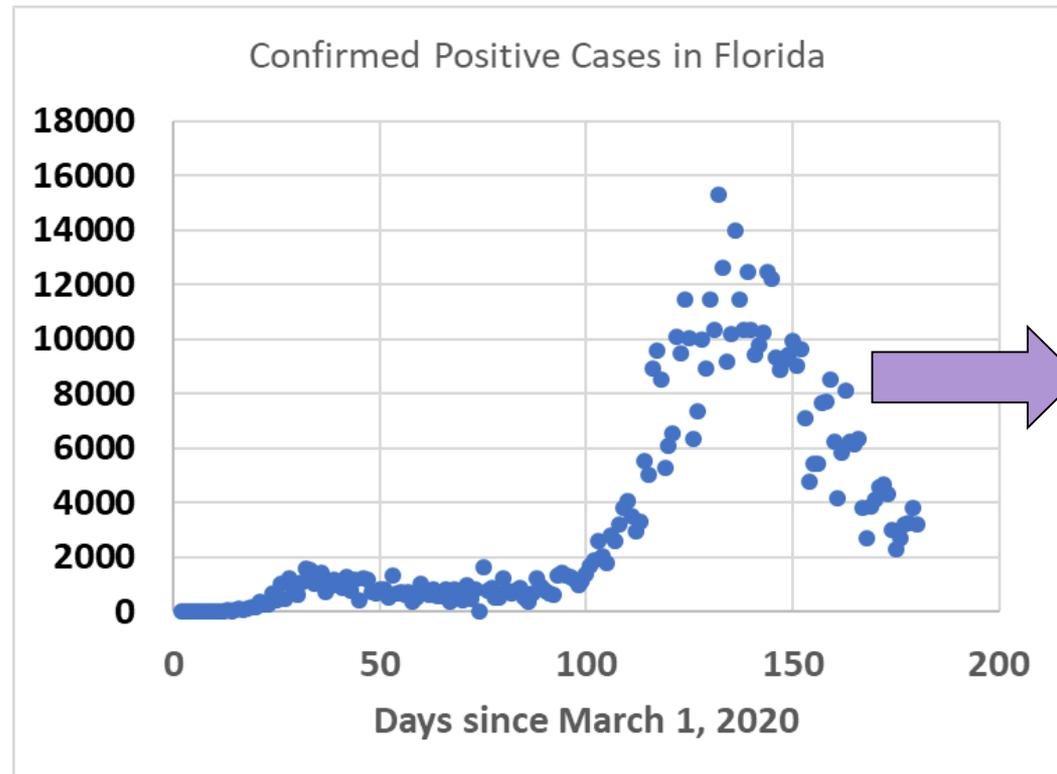
- **Admissions and Financial Aid: Current Status and projections**
- **Student Affairs: Student support in a remote environment**
- **Four year graduation improvement plan***
 - **Discussion of performance based funding and growth**
- **Degree Program Additions and Faculty Hiring Status**
 - **Faculty Hiring Status (slide of current status,**
- **Student and Faculty Diversity**
- **Graduate Programs**
- **Technology and Pedagogy**
 - **Operations in the COVID 19 world**
- **Other Items**
 - **COVID operating notes****
 - **Collective Bargaining: MOU regarding Fall 2020**
 - **Textbook Affordability Report**
 - **Academic Affairs Organization Review**

Gray colored titles not discussed at this meeting

** COVID Operating items moved to the front of the presentation

Student Affairs is tasked with creating community during a pandemic

- **The student experience must be “engaged but thoughtful”**
- **Key areas of focus**
 - **Housing**
 - **Food**
 - **Engagement with social distance and masks**
 - **Stronger space usage control**
 - **Virtual meetings**



**The future:
IHME model uncertain BUT similar to current status contingent on masks and social distance**

IHME – *Institute for Health Metrics and Evaluation, University of Washington*

Student Affairs Creates “Activity and Support” Beyond the Classroom

- **Support of Academic Success:**
 - Tutoring
 - Advising
 - Student Center (Expansion of student space on campus): Study Space, New Vending Area
- **Despite COVID, carefully creating a positive student culture:**
 - E-sports
 - Student Development Multi-Purpose room transformation
 - NACE
 - Scatter Band
- **Residence Hall**
 - Structure in place: Community Director roles, RAs
- **Weekend-Focus**
 - Curricular (APS)
 - Purple Fire Weekends
- **Family Day**
 - Transitioning to an online experience for Fall 2020.

Covid-19 has negatively impacted faculty hiring *(slide recycled from May meeting)*

- **Faculty searches for next Fall:**
 - the majority of searches are on hold due to travel and meeting restrictions
 - Visiting faculty appointments (one year, renewable) currently advertised to meet teaching needs
- **Status for Searches:**
 - Computer science: converted to visiting faculty searches, evaluating candidates **(two visitors hired)**
 - Data Science Business Analytics: converted to Visiting Faculty search, **(adjunct faculty hired)**
 - Environmental Engineering: one candidate pending, one visiting faculty pending **(one visitor hired)**
 - Mechanical Engineering: converted to visiting faculty searches, evaluating candidates **(one visitor hired)**
 - Physics: two candidates under consideration **(one Assistant Professor hired)**
 - Math: one instructor offer out **(one instructor hired)**

Faculty Hiring is one of our highest priorities for the year

- **Our faculty hiring “shutdown” in March 2019**
 - **Traditional hiring involves an extensive, in-person interview that is at minimum one day in duration**
 - **Offers are competitive in salary and include an initial three year contract period**
- **We have emerging critical needs in Computer Science, Environmental Engineering, Mathematics, Mechanical Engineering**
 - **Secondary needs in Data Science, Electrical and Computer Engineering, Natural Sciences**
 - **Hiring is required to support core programs and also student body growth**
- **We will reopen the hiring program in early fall**

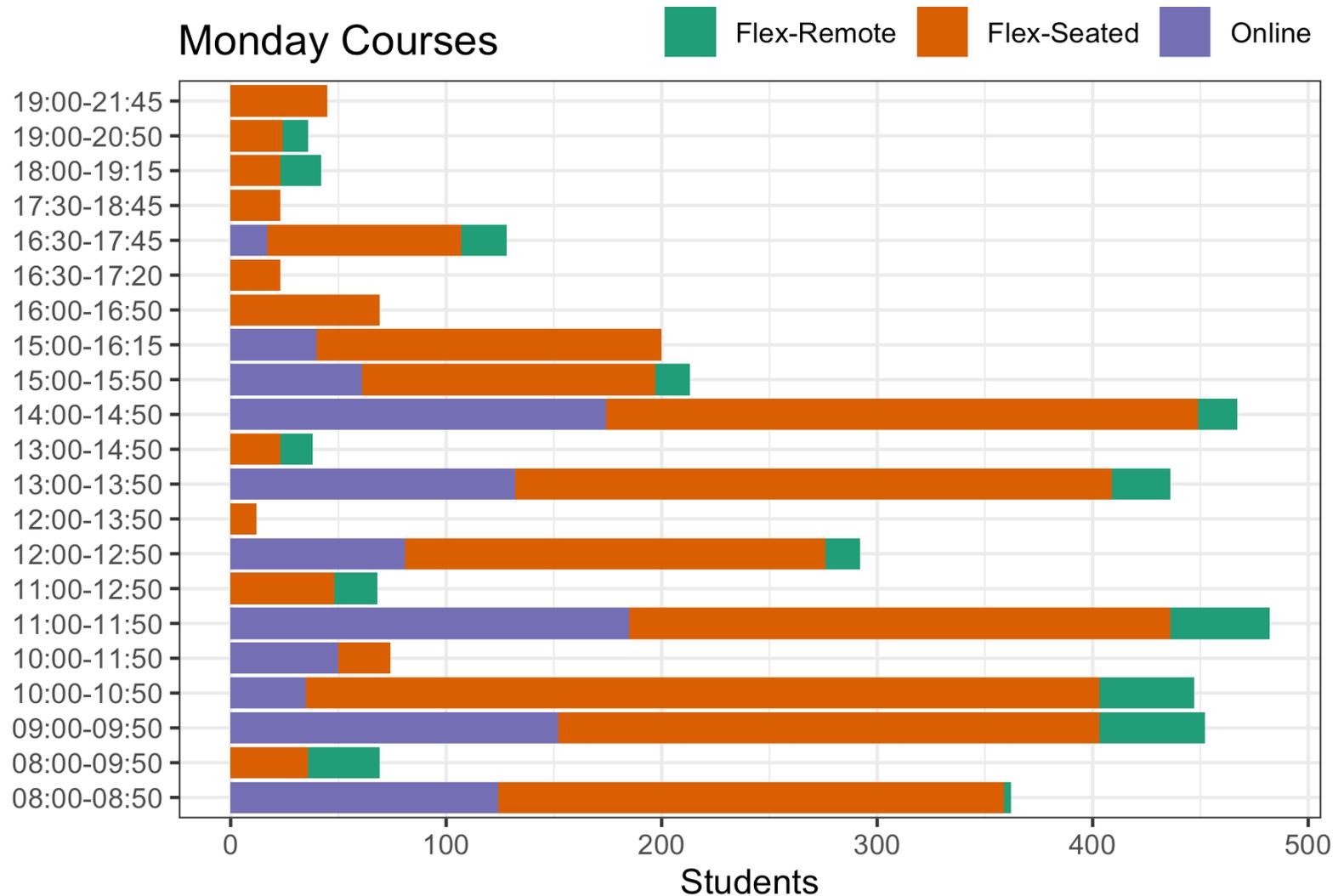
Technology and Training has positioned us to be flexible for the fall

- **Instructional modes are: FLEX, ONLINE ENGAGED, and Lab**
- **A complete “redo” of furniture in all IST common spaces has addressed social distance issues**
- **A seat reservation “app” provides class access and seat assignment**
- **88% of the faculty were trained over the summer**
- **Support from Tom and company (T&L/Tech Services)**
 - **Course setup in Canvas**
 - **Video/lecture production**
 - **“Simulcast” instruction in-person and via MS Teams**
 - **Supplemental equipment and ongoing support**
- **The emerging challenge is maintaining student engagement**

Planning for the Future: How Does Florida Poly Respond to COVID-19 (from the May meeting)

- **The COVID-19 pandemic:**
 - **Produced the largest global recession since the Great Depression**
 - **Is an enormous challenge for higher education**
- **Responding to the challenge:**
 - **Immediate Decisions (Emergency Management)**
 - *Spring operations: Remote Instruction, Depopulating the campus*
 - **Very Short Term Planning**
 - *Summer operations: Remote Instruction, Faculty Training required*
 - **Fall Planning**
 - *Campus Planning Effort (CPE) COVID19*
 - *State University System (SUS) Working Groups and Task Force*
 - *Obvious Decisions: position the campus for flexibility with remote instruction (we are operating with a combined FLEX and ONLINE modality for our courses)*

Strategic course management provides an opportunity for ongoing face-to-face instruction



Online offerings have been used to provide CDC based health accommodation for faculty

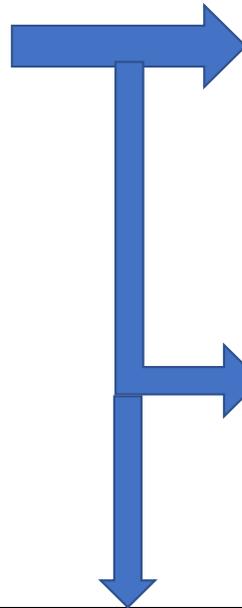
- **Formal Health Accommodation process managed by Human Resources**
- **For Faculty in all cases, we have managed approved requests by carefully moving courses online**
- **The majority of courses that are online were placed online to get the right “mix” in the building in terms of population**
 - **Strong consideration to the student experience, i.e. avoiding nonintentional moving a subset of courses to nearly exclusive online status**
- **Our current mix of courses is ~20% of student credit hours are delivered online**

Thanks to the faculty that helped out in our preparations for the fall

- **Reopening in the fall required significant change in how we manage interactions on campus**
 - **Social distancing and Masks minimize “potential infections”**
 - **As we move forward, we need to maintain “engagement” within the new normal of COVID 19**
- **Many, Many Hands contributed to our reopening effort(forgive omissions)**
 - *Youssif Al Nashif, Jared Bunn, Matt Bohm, Abigail Bowers, Grisselle Centeno, Gerardo Carbajal, Harish Chintakunta, Doga Demirel, John Fico, Doug Holton*
 - *James Mennie, Samuel De Oliveira, Younggil Park, Edwar Romero-Ramirez, Rei Sanchez, Joanne Skiles, Sesa Srinivasan, Muhammad Ullah, Mary Vollaro, Feng-Jen Yang, Shahram Taj, Brad Towle*
- **AND a HUGE Thank You to:**
 - **Tom Dvorske**
 - **Kathryn Miller**

COVID reporting is reported internally and provided to Florida Department of Health

- Identify your "status" on campus (student, faculty, staff), provide contact information
- This generates notification routing to Human resources for Employees, Wellness coordinator for students



- **Reporting my own Positive COVID test**
- Self-Isolating (Y/N?)
- Identify Close Contacts on Campus
- Facility Use

- **Reporting Symptoms**
- Self-Isolating (Y/N?)
- Identify Close Contacts on Campus
- Facility Use

Close Contact is defined as less than six feet for more than fifteen minutes

- **Reporting concern, no test, no symptoms**
- Close Contact with someone that has tested positive
- Please name person I campus community member
- Quarantining (Y/N?)



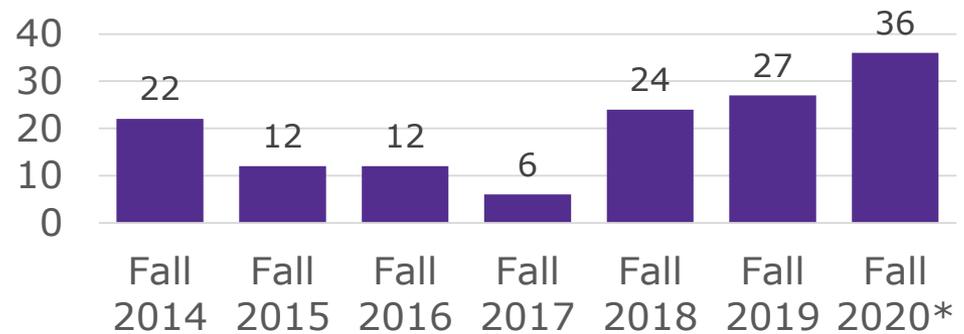
Our quality measures for the FTIC students are stronger

First Time Freshman	Fall 2014	Fall 2015	Fall 2016	Fall 2017	Fall 2018	Fall 2019	Fall 2020*
Average SAT	1,250	1,200	1,200	1,269	1,287	1,275	1,327
Average ACT	26.0	26.0	26.0	27.0	28.8	28.4	30.0
Average HS GPA	3.80	3.98	3.78	3.95	4.03	4.00	4.20
Ranked Top 10% in HS Class		17%	14%	22%	25%	25%	25%
Top Quartile HS Class					45%	48%	49%
Gender	Males	86%	85%	88%	85%	86%	83%
	Females	14%	15%	12%	15%	14%	18%

Total entering student headcount
495*

*As of First Day of Class, includes 66 summer starts continuing in the fall

Graduate New Students





Student Diversity

OVERALL STUDENT POPULATION	Fall 2019 Census	Fall 2020 (first day of class)	Fall 2019 New Fall/Summer FTIC Only	Fall 2020 NEW Fall/Summer FTIC Only
Male	85.0%	83.6%	83%	83.3%
Female	15.0%	16.4%	17%	16.7%
<u>Ethnicity/Race</u>				
Hispanic/Latino	20.3%	22.0%	17%	24.5%
Black/African American	5.8%	7.0%	6.2%	6.8%
Asian	4.5%	5.3%	4.7%	4.5%

Historical Fall Enrollment Funnel

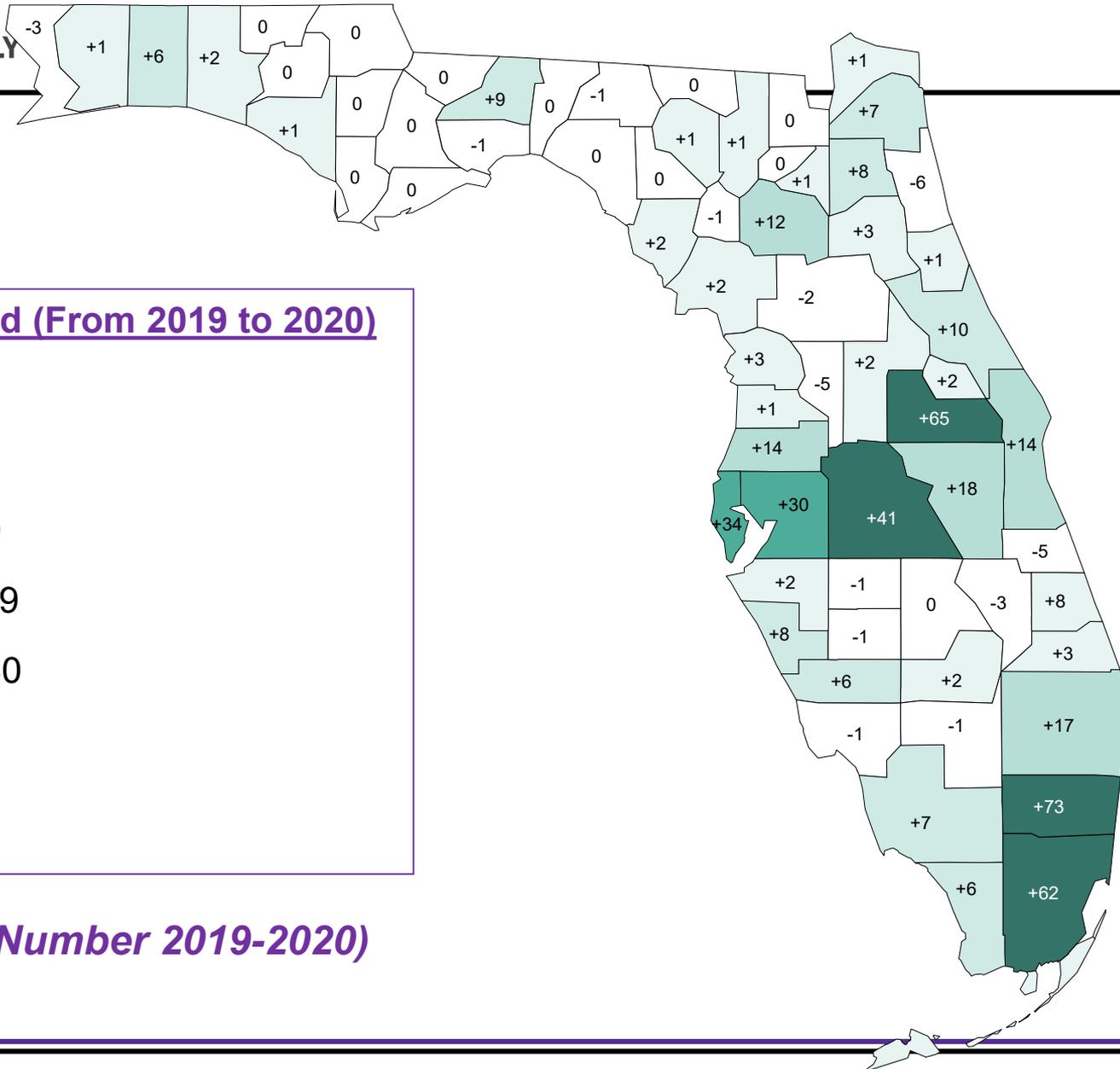
	2014	2015	2016	2017	2018	2019	2020*
<i>Fall FTIC Acceptance Rate</i>	36%	55%	74%	55%	51%	50%	48%
All Applicants	3,007	2,011	1,890	1,456	1,828	1,614	2,540
All Admits	1,041	1,035	1,241	804	859	811	1,280
All Deposits	626	526	604	436	428	421	533
All Enrolled	540	462	562	432	367	369	495

*Fall 2020 as of First Day of Class



FLORIDAPOLY

Florida Polytechnic University Increase in Applications



Legend (From 2019 to 2020)

- ≤ 0
- 1-5
- 6-10
- 11-19
- 20-40
- +40

(By Number 2019-2020)

A successful admission strategy requires a range of groups

- *Data is for first day of class in Fall 2020 and census for Fall 2019*

	Fall 2019	Fall 2020	Change
New undergraduates	345	460	+115
FTIC	278	319	+41
Transfer Students	64	75	+11
First Year Stem Program	24	58	+34
Graduate Students	27	35	+8
International Deposits	21	30	+9
FTIC Female %	15.0%	16.6%	+1.6
FTIC Latino %	20.3%	24.5%	+4.2
FTIC Black %	5.8%	7.2%	+1.4

Improvements in Diversity Indicators

FTIC – First Time IN College, UnG – Under Graduate, SAT – Scholastic Aptitude Test, ACT – American College Test, HSGPA – High School Grade Point Average

Performance Based Funding Excellence Points

	Points Scale			Actual Year	Points
	 (10)	 (5)	 (1)		
• Percent BS graduates employed	72.8%	61.4%	52.3%	<u>67.5%</u> 2020	 8
• Median wages for BS graduates	\$ 40,700	\$ 28,200	\$ 18,200	<u>\$54,800</u> 2020	 10
• Average Cost to the Student	\$ 9,000	\$ 14,000	\$ 18,000	<u>-\$5,790</u> 2020	 10
• FTIC Four-Year graduation rate	50%	43.8%	38.8%	<u>39.5%</u> 2020	 2
• Academic progress rate (retention)	90%	83.8%	78.8%	<u>65.4%</u> 2020	 0
• BS awarded in strategic areas	50%	37.5%	27.5%	<u>100%</u> 2020	 10
• University access rate (UG w/ Pell)	42%	22%	6%	<u>29.5%</u> 2020	 7
• % Freshmen in Top 10% HS	50%	47.5%	27.5%	<u>25%</u> 2020	 0
• BOG choice: % of degrees w/out excess hours	60%	47.5%	37.5%	<u>89.2%</u> 2020	 10
• BOT: % Grads w/ 2+ Workforce Experiences (no benchmarks yet)	51%? (UWF)	31% ? (UWF)	15% ? (UWF)	<u>73.2%</u> 2020	 10

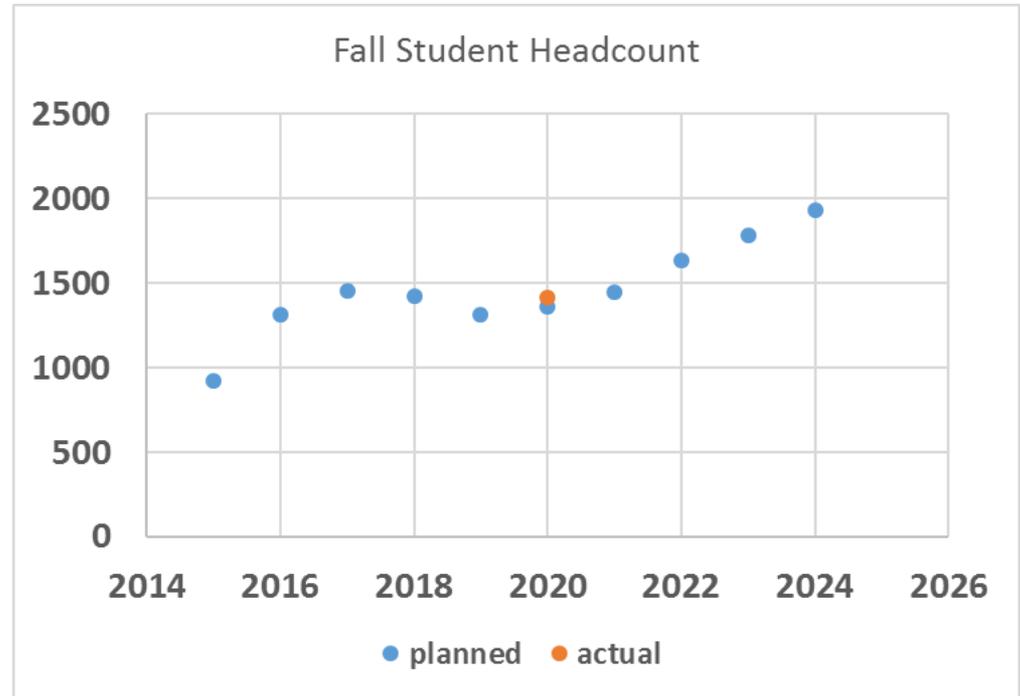
→ ~76%

Retention at 84.6% compared with 69% last year

Florida Polytechnic University needs to increase retention and graduation rates while growing the Graduate program

Enrollment is also a critical indicator for Florida Poly right now

- **As a new university, we are not in steady state**
 - **BUT! We still must enter Performance Based Funding and compete with much more mature universities**
- **Lessons learned from PBF:**
 - **A few numbers can hurt us**
- **Message from last spring: WE MUST GROW**



Performance Based Funding: Metrics and scales will change

- **Two new metrics will be implemented this year**
 - **Beginning in fiscal year 2021-2022, the 2-year graduation rate for associate in arts transfer students**
 - *This metric will be difficult for Florida Poly because of degree requirements ae highly specific*
 - **Beginning in fiscal year 2021-2022, the 6-year graduation rate for students who are awarded a Pell Grant in their first year**
 - *We do not have any data for this metric yet*

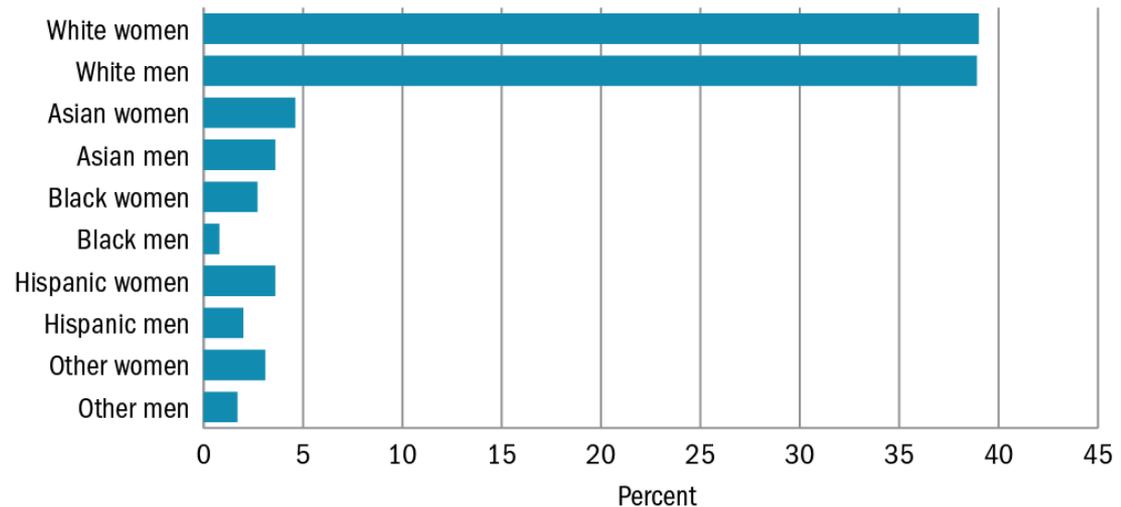
Diversity on campus

- **Rick Maxey**

- **Assistant Vice President Office of Diversity and Inclusion**

- **Events to support diversity on campus**
- **Training for committees to have searches be carefully inclusive**

Race, ethnicity, and sex of early career doctorate holders with a science and engineering degree: 2014



NOTES: Hispanic may be any race. Other includes American Indian or Alaska Native, Native Hawaiian or Other Pacific Islander, and respondents who selected more than one race.

Women, Minorities, and Persons with Disabilities in Science and Engineering: 2017



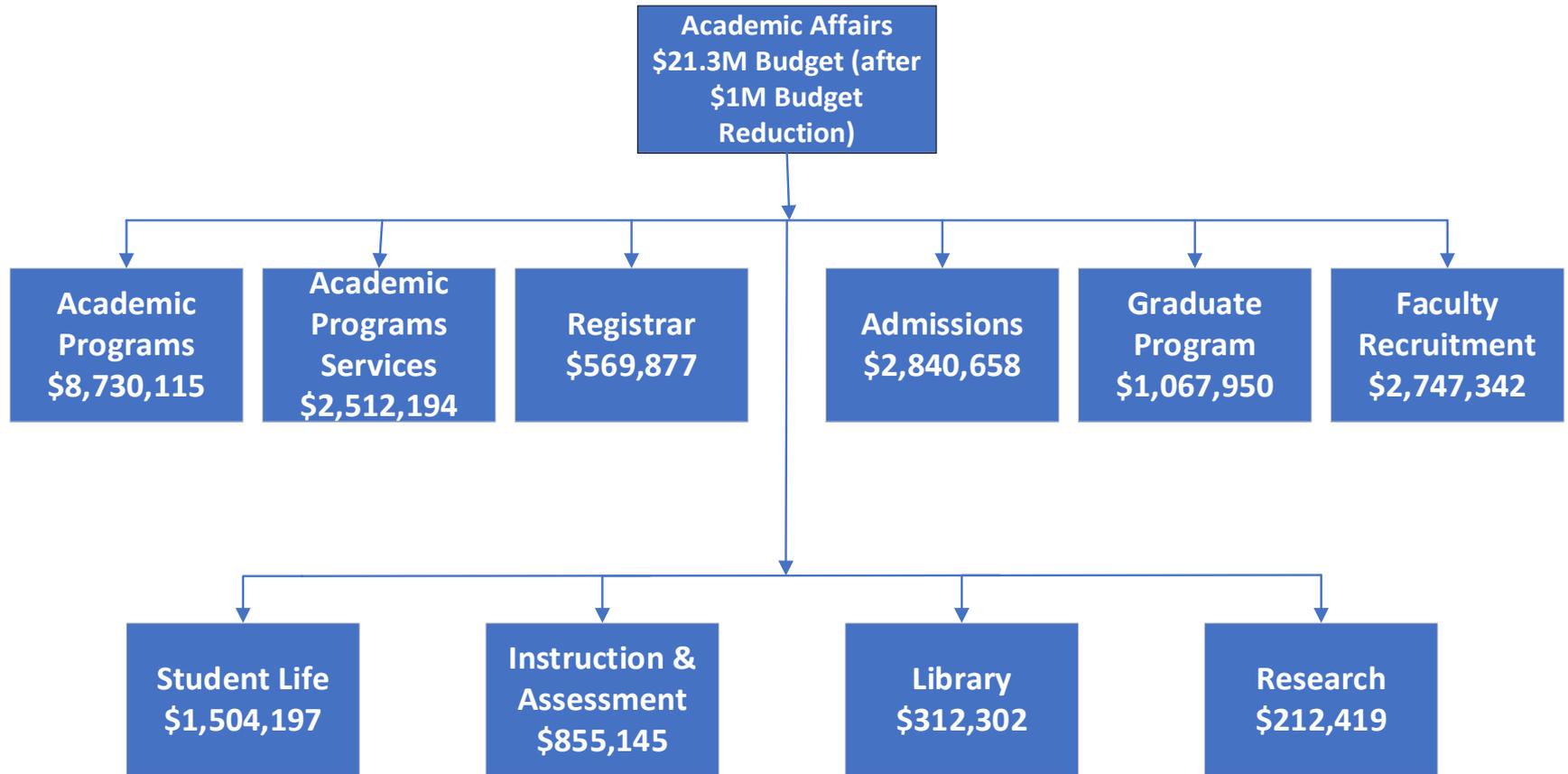
Collective Bargaining Notes

- **Concerns regarding fall opening have produced “impact” bargaining**
 - **Result is a Memorandum of Understanding” and revised guidelines for faculty evaluation**
 - **Resolution clarifies expectations for operations in the fall**
- **Proposed Board Resolution**
 - **The Florida Polytechnic University Board of Trustees approves the Memorandum of Understanding titled:**
“MEMORANDUM OF UNDERSTANDING RE: Fall Re-Opening”
 - **Approval is contingent upon ratification of the memorandum by the UFF-FPU chapter**
- **Memorandum includes:**
 - *University will provide face coverings, will follow public health guidelines, will help enforce face coverings with students.*
 - *Protocols for faculty absence are put in place*
 - *Requirements for FLEX delivery are put in place*

Textbook Affordability: Two Actions

- **Each year the Board must approve our Textbook Accountability Report:**
 - 45 days before the start of the fall and spring semester, the campus must show that 95% of course sections have adopted textbooks
 - Intent: provide suitable notice to students so that they can minimize their textbook cost
- 1. Seeking approval of the 2020 Textbook and Instructional Materials Report**
 - Shows 97% adoption compliance for Fall 2019 and Spring 2020
- 2. Resubmitting for Approval the 2019 Report**
 - Updated report shows 92.4% adoption rate for spring 2019 (instead of 99.1%); Fall 2018 was unchanged.
 - Following internal and subsequent operational audit, we identified several inconsistencies and gaps in reporting and processes.

AA Organization Review



- **Academic Affairs has evolved to be a “typical” instruction and student service organization**

Key Messages for Today

- **Admissions and Financial Aid**
 - **Numbers are very good**
- **Student Affairs**
 - **A strong start for the year**
- **Degree Program Additions and Faculty Hiring Status**
 - **Transitioning to hiring again**
- **Technology and Pedagogy**
 - **We have responded with a flexible solution**
- **Collective bargaining**
 - **Conditional Approval of a Memorandum of Understanding**
- **COVID19 Impacts**
 - **Carefully planned fall operations**

**State University System
Education and General
2021-2022
Legislative Budget Request
Form I**

University(s):	Florida Polytechnic University
Issue Title:	Advancing the academic excellence and national stature of Florida Poly, the SUS and the State of Florida
Date Issue Approved by University Board of Trustees:	May 2020
Recurring Funds Requested:	\$2.5 million
Non-Recurring Funds Requested:	\$500,000
Total Funds Requested:	\$3 million
Please check the issue type below:	
Shared Services/System-Wide Issue for Fiscal Year 2021-2022	<input type="checkbox"/>
Unique Issue for Fiscal Year 2021-2022	<input checked="" type="checkbox"/>

I. Overview

This Legislative Budget Request provides a roadmap and funding request for Florida Poly to become an Engineering University of Distinction and to start the climb to becoming a top 10 engineering school without a doctorate degree program. To accomplish this, we will need to focus on **(1) growing student enrollment, (2) improving student success metrics, and (3) becoming a U.S. News and World Report top 10 engineering school without a doctoral program.**

Florida Poly was established as an exclusively STEM university with the explicit goal of accelerating economic development by providing highly capable STEM university graduates for the Florida economy. In a 2019 Economic Impact Study conducted by Dr. Rick Harper of Economic Consulting Services (formerly Director of Economic Development at UWF) commissioned by the Florida Poly’s Board of Trustees confirms the state’s ingenuity in making its initial investments in this University:

The current annual impact of the University to the Florida economy is calculated to be more than \$161 million in gross domestic product at the local and state level, almost \$98 million in labor income, and more than \$289 million in overall sales, along with 2,350 jobs. This annual impact continues today and will grow with enrollment.¹

This incremental budget request is critical to provide Florida Poly with the needed resources to continue to increase its impact with new degrees, a long-term increase in student population, and increased recognition

¹ Harper, Rick. (2019). Assessment of the Economic Impact of Florida Poly. Prepared for: The Florida Polytechnic University Board of Trustees. Economic Consulting Services, Inc. Sept.

and stature as a STEM university.

The Florida Chamber 2030, Florida Council of 100 Project Sunrise and the regional Economic Development Councils agree that strong investments in a talented core STEM (engineering, mathematical and physical sciences) workforce are necessary to continue to grow the high-wage, high-tech economy. The dependency on STEM for industries like aerospace are obvious, but others are less so. For instance, the National Institutes of Health states that some of the biggest gains in healthcare will come not from the life sciences, but from engineering, computer science, and data analysis as applied to health care problems. The finance and insurance industry employ mathematicians and data scientists to make better decisions, as does the logistics industry. Information sciences, driven by Artificial Intelligence (AI), Virtual Reality (VR) and the continued sophistication of the tools of the information age, are pervasive throughout many of the high-tech industries and are critical to growing industry sectors like Autonomous Vehicles, simulation and defense. But as Project Sunrise pointed out, 80,000 high skill jobs in STEM are left unfilled each month, and Florida is not producing enough STEM graduates, ranking only 38th in the nation for STEM degree production in spite of being the third most populous state.

This proposal protects the state's already strong investment in the University, which has in six years of operation demonstrated positive benefit for the state. With additional funds strategically allocated, Florida Poly can build on its success and get the boost it needs to more rapidly grow its enrollment, more strongly and efficiently deliver higher progression rates, time-to-degree, and other graduation metrics, and achieve national rankings that continue to contribute to making Florida the envy of all states when it comes to higher education.

Furthermore, this proposal fits squarely in line with the State University System's Strategic plan goals to strengthen the quality and reputation of its programs and Universities, increase degree production and program efficiency, the number of degrees awarded, and grow business throughout Florida. Moreover, it provides additional fuel for the University's own strategic plan that calls for growing degrees in strategic disciplines that grow the Florida economy; maximizing student success through high-impact practices in curricular and co-curricular programming; delivering economic impact through strong industry partnerships in the form of capstone projects, internships, job-placement, collaborative research, tech-transfer, and foremost among these filling the critical high-skill jobs gap; and, finally, delivering maximum value at low cost to students with high return on investment.

Fundamentally, what supports Florida Poly drives the strategic priorities that support a strong Florida economy. This proposal further outlines how that will happen. Toward that end, we seek funding in the amount of \$2.5 million in recurring funds to grow and sustain new, nascent, and existing programs, and \$500,000 in non-recurring funds to provide an initial boost necessary position the right resources for short and long-term impact.

A. Drive Enrollment Growth & Quality

- First-year goal (2022): 1600 students, 300 yearly graduates
- Three-year goals (2024): 1800 students, 325 yearly graduates
- Five-year goals (2026): 2000 students, 375 yearly graduates
- Ten-year goals (2031): 3000 students, 650 yearly graduates

The above numbers show goals for increases in student growth and graduates, but our goals also include growing student quality and diversity as defined by gender, race, and geography. This past fall, almost two-thirds of the incoming class were in the top 25th percentile of their high school graduating class. The average SAT for this coming fall freshmen increased by more than 40 points to 1325. Also, for this coming fall, Florida Poly has had the highest percentage increase in applications of all the universities in the SUS. The quality of

Florida Poly's programs is also reflected in the \$54,800 average starting annual salaries earned by our graduates which is the highest in the system.

Studies show that 2 out of 3 Florida high school graduates interested in engineering and with exceptional SAT scores are looking to go to school out of state, possibly because a recent study proved that students learn better in small classrooms at small institutions. Thus, they are not going to big schools out of state like Clemson or Auburn, otherwise they would stay in-state where the price point is better. Rather, it is more likely they are going to places like Rose-Hulman, Olin College, or Harvey Mudd. Florida Poly represents a strong option to retain these highly desirable students in state because we offer that high-touch, uniquely focused experience these students want. There is no small, selective public STEM option for high school students and families serving the State of Florida. Large universities do not fit all learning styles and family preferences, particularly in STEM,² and especially for women.³

In its first six years of operations, Florida Poly grew quickly to approximately 1250 students and has maintained the student body at this size as it has grown the faculty and put in place degrees and curriculum. This is a result of hard work and sound use of state investment; however, growth at Florida Poly faces a unique challenge because of the University's newness. Universities that have been in place for decades rely on their inherent "name recognition" and the accomplishments of their graduates to propel their admissions process. While Florida Poly is positioned to grow and has the capacity to grow quickly (in terms of the number of students that it serves), Florida Poly must rely on other tactics to matriculate students to the university until it grows its reputation and acquires appropriate status as a top 10 engineering school.

1. STEM Tech Days

Florida Poly plans to expand its Stem Tech Days which bring entire classes of high school seniors to campus who are enrolled in their school's calculus, physics, and technology classes, for a day of applied STEM learning. Initial results of this program have shown it to be effective in recruiting top performing students who have shown an interest in STEM careers. It also serves as a means of increasing the STEM pipeline for tech companies that need top tech talent to fill vacant positions and grow.

2. Transfer Concierge Program

A personalized transfer program provides greater access to students from the State College System by working with each transfer student to ensure that they get maximum academic credit for courses they completed at the state college. This approach shortens the time to degree for these students while also saving them money as a result of being enrolled at Florida Poly for fewer semesters. This program builds on an expanding effort toward transfer and articulation agreements and other initiatives through staff training and support.

3. The 67% Scholarship Initiative

Florida Poly attracts and admits the top academic students from throughout Florida. These students are in high demand, low supply fields and therefore have variety of choices for where they can matriculate. Because they are in such high demand by top tier engineering programs around the country, they are offered significant scholarship packages. Frequently they are enticed to leave their home state of Florida and are not available to fill positions here. Although Florida Poly prioritizes funding scholarships to the best students in the state, additional scholarship funds are needed to keep the best and brightest students in Florida.

² Orzel, C. (2015) Why small colleges are great for science students' FORBES. Apr 10, 2015.

³ Ballen, C. J., Aguillon, S. M., et al (2019). Smaller classes promote equitable student participation in STEM. *Bioscience*, 69(8), 669-680.

Some of these top students come from families that have very limited ability to meet the financial needs of their children to attend a university. Therefore, providing competitive scholarships to them is a key component of convincing them to remain in Florida for their college education.

This program is intended to chip away at the 2/3 (67%) of Florida's brightest future engineers who leave the state for other, small engineering schools.

4. Leadership in Calculus Program

Florida Poly has also developed a mathematics support initiative to serve underrepresented populations. Calculus is one of the biggest hurdles for engineering students across the SUS to graduate from their programs. Current Florida Poly students who have taken Calculus 2 or Calculus 3 will serve as tutors for high school seniors taking high level math. The high school students will be better prepared for the intense math required once they enter the University's engineering programs. These students are then more likely to enroll in an engineering program and graduate. This program facilitates stronger ties between the University and communities throughout Florida as well.

5. New Degree Programs and Curricula

A key for growing the enrollment at Florida Poly is adding degree programs in high demand fields. One such degree field is Civil Engineering. Demand for engineers generally will continue to increase with projected population growth. Florida's population is projected to grow at a higher rate than any other southeastern state (35.3% by 2030). This expansion likely will result in the need for more infrastructure enhancements requiring a strong workforce of civil engineers (Florida Transportation Commission Florida Department of Transportation Management Compensation Study). In consideration of the state's continuous need for transportation maintenance, repairs, and construction, and the growing population and prominent tourism industry, transportation officials can expect an increasing need to attract and retain quality civil engineers to maintain the state's infrastructure (Florida Transportation Commission Florida Department of Transportation Management Compensation Study).

B. Improve Student Success Metrics

- First-year goal (2022): 80% APR, 40% 4-year graduation rate
- Three-year goals (2024): 83% APR, 41% 4-year graduation rate
- Five-year goals (2026): 85% APR, 43% 4-year graduation rate
- Ten-year goals (2031): 90% APR, 55% 4-year graduation rate

Over the last two academic years in particular, the University has made an aggressive push in the form of policy and practice to advance its student success metrics. Programs such as early alert, which utilizes the learning management system where faculty can easily alert the Academic Success Center and other campus Resource Centers to a student a student who might be struggling has had a direct impact on the University's ability to deliver services to students in a timely, effective way. Instructional efforts to encourage meaningful feedback early in the term and more transparent grading have helped students and academic coaches be more aware of their progress. The Academic Success Center has worked diligently to track at-risk students and has through one program reduced the number of students who were entering fall term below a 2.0 by 65%. Despite these positive indicators, without additional financial support, our ability to sustain this level of continuous improvement is at risk, particularly, as we grow enrollment. Spending on student support is linked to increased graduation rates and evidence shows that one-on-one guidance, academic intrusive advisement, and support can promote college completion.⁴

⁴ Deming and Walters (2017). The Impacts of Price and Spending Subsidies on U.S. Postsecondary Attainment.

1. Student Tracking/Degree Audit System

One of the most significant metrics for any university is the graduation rate for its students. Key to increasing the graduation rate of students is keeping them enrolled and progressing through their program of study. National research and reports demonstrate that students are lost along the educational STEM path; these reports emphasize the students' crucial first term on campus and the summer after their first year of study as crucial periods for persistence (National Academy of Sciences, 2010)⁵. Tracking student progression and having support programs in place for students who falter are extremely important. Florida Poly plans to purchase a student progression tracking system, such as a degree-audit system, that will allow our faculty and various student support professionals to know which students are falling behind (for a variety of reasons) and bring to bear the appropriate support services early on in the academic career of the students. If we can identify problems early-on we can reduce the rate at which some students fall behind in completing their programs in an acceptable time period or not at all.

2. Phoenix First-Year (First-Year Experience) Program

Leaving home to attend college is difficult for most students. If you add to that challenge the difficulty of the academic programs at Florida Poly, it is understandable why the first year of their college careers is very challenging. The University will enhance the first-year experience of our students by hiring experts who can focus on helping those first-year students navigate that very difficult transition and maintain their academic focus. This program complements our curricular common freshman and core academic foundations sequence by expanding it to the more holistic look at the student life experience as it extends to health, wellness, career, and what it means to become a Florida Poly Phoenix.

3. Hand-to-Hand Calculus Program

The University proposes to implement a Calculus Initiative that leads to more effective methods for teaching calculus. Because this is such a universal stumbling block for engineering students the proposal is to bring top tier faculty to the University to collaborate on finding improved methodologies for teaching calculus. Success will lead to improved student progression and graduation rates. Results of the effort will be shared with our sister institutions which will have a significant positive impact at Florida Poly and throughout the state.

The initiative will also include a student peer-to-peer component. Academic programs at Florida Poly require two or three semesters of calculus. Like engineering programs across the nation, many students at Florida Poly who are unable to complete their engineering degree are stymied by calculus. The University proposes to expand its STEM peer tutoring and mentoring program. Students taking calculus 3 will serve as tutors for students taking calculus 1. Two benefits are obtained with this arrangement. The calculus 1 student receives much needed academic help with learning calculus 1. This ensures that they are prepared for the courses that follow for which a good understanding of calculus is critical. In addition, the calculus 3 student gets more practice with calculus basics and obtains experience in training someone else, specifically with explaining difficult concepts to others, a critical professional skill particularly for engineers and all STEM professionals. This program capitalizes on the admissions-related Leadership in Calculus program.

4. Phoenix Flight (Enhanced Co-curricular Professional Development) Program

Florida Poly has a range of programs, services, and requirements that require additional resources to synergize into a strongly cohesive undergraduate professional development program. These activities

⁵ National Academy of Sciences, Institute of Medicine, & National Academy of Engineering. (2010). *Rising Above the Gathering Storm, Revisited: Rapidly Approaching Category 5*.

include curricular requirements such as internships; services such as Career Services Center; entrepreneurial clubs, competitions, opportunities and classes; leadership programs; student employee training; and so on. Our educational vision includes the idea that graduates will be able to step into major projects on day one of their new job and successfully integrate into the team and add value immediately. By bringing together these opportunities into a coherent framework to support students' sense of themselves as emerging practitioners and professionals will ensure we deliver high quality graduates to the Florida marketplace and boost the Florida economy.

C. Achieve National Rankings

- First-year goal (2022): Entrance into USNWR Engineering Colleges without Doctoral Program
- Three-year goals (2024): Top 25 USNWR Engineering Colleges without Doctoral Program
- Five-year goals (2026): Top 15 USNWR Engineering Colleges without Doctoral Program
- Ten-year goals (2031): Top 10 USNWR Engineering Colleges without Doctoral Program

The vision for the university is to be an upper-tier engineering school for the state of Florida, and we have made great progress towards that vision in just six years. As a young university, we are already attracting highly distinguished students from across the state, and we have built a strong curriculum around nine engineering and related programs. We built strong relationships with over 200 technology companies and are providing them with a talented workforce. Becoming a highly ranked engineering university will also require that Florida Poly faculty heavily engage and collaborate with top tier faculty from around the nation and world. These partnerships will expose our faculty to their peers with whom they can form partnerships and conduct joint research and establish joint programs that will benefit our students and the state's economy.

This Legislative Budget Request provides a roadmap and funding request for Florida Poly to become an Engineering University of Distinction and to start the climb to becoming a top 10 engineering school without a doctorate degree program. To accomplish this, we will need to focus on growing our students, faculty, curriculum and support services.

II. Return on Investment

- ROI Metric 1 - At least \$161 million in gross domestic product at the local and state level.
- ROI Metric 2 - Annual increase the percentage of engineering graduates supplied to the workforce

Since our first graduates in 2017, our unique curriculum with small classes has produced graduates that are both lifetime employable and ready for the workforce. Florida Poly engineering graduates complete their degree in four years at a rate that is 30% better than the next highest college of engineering in the system, and 42% higher than the average across the system. Seventy percent of our students graduate without excess hours and our average cost to the student is nearly \$8,000 less than that for the University of Florida. But these important statistics should not surprise anyone because recent empirical evidence proves that students studying STEM at small institutions are much more successful than those at large institutions.

And we are seeing evidence of that: the median wages of our first graduating class was \$54,800, and last year alone, Florida Poly grew the Florida GDP by \$161M and added \$98M in labor income to our economy. Our students have a return on their college education that is more than three times larger than the average across the system. Growing the university to a student body of 2000 should increase the GDP annually by \$23.5 million due to university operations, capital expenditures and student spending alone. Increasing the graduates to 400 will have significantly more impact since most of the \$161 million annual increase in GDP comes from Present Value lifetime earnings from these high-paying fields.⁶

⁶ See Harper, Rick. (2019).

Metrics and Goals Summary

Year-One Accomplishment Metrics (2022):

1. Entrance into USNWR Engineering Colleges without Doctoral Program
2. 1600 students
3. 300 yearly graduates
4. 80% APR
5. 40% 4-year graduation rate
6. Target a reduction in DFW rate for MAC 2311 - Analytic Geometry and Calculus 1 by 7% each fall term (until rate falls to approximately 17%)

Three-year goals (2024)

1. Top 25 USNWR Engineering Colleges without Doctoral Program
2. 1800 students
3. 325 yearly graduates
4. 83% APR
5. 41% 4-year graduation rate
6. Monitor Calculus DFW rates (should be at target levels by this point)

Five-year goals (2026)

1. Top 15 USNWR Engineering Colleges without Doctoral Program
2. 2000 students
3. 375 yearly graduates
4. 85% APR
5. 43% 4-year graduation rate
6. Monitor Calculus DFW rates (at or below peer targets for small engineering Colleges/Universities)

Ten-year goals (2031)

1. Top 10 USNWR Engineering Colleges without Doctoral Program
2. 3000 students
3. 650 yearly graduates
4. 90% APR
5. 55% 4-year graduation rate
6. Monitor Calculus DFW rates (at or below peer targets for small engineering Colleges/Universities)

Return on Investment

1. ROI Metric 1 - At least \$161 million in gross domestic product at the local and state level.
2. ROI Metric 2 - Annual increase the percentage of engineering graduates supplied to the workforce

2021-2022 Legislative Budget Request
Education and General
Position and Fiscal Summary
Operating Budget Form II
(to be completed for each issue)

University: Florida Polytechnic University
Advancing the academic
excellence and national stature
of Florida Poly, the SUS and
the State of Florida

Issue Title: _____

	<u>RECURRING</u>	<u>NON- RECURRING</u>	<u>TOTAL</u>
<u>Positions</u>			
Faculty	5.00	0.00	5.00
Other (A&P/USPS)	6.00	0.00	6.00
	-----	-----	-----
Total	11.00	0.00	11.00
	=====	=====	=====
Salaries and Benefits	\$1,230,800	\$0	\$1,230,800
Other Personal Services	\$105,000	\$0	\$105,000
Expenses	\$174,200	\$500,000	\$674,200
Operating Capital Outlay	\$135,000	\$0	\$135,000
Electronic Data Processing	\$105,000	\$0	\$105,000
Financial Aid	\$750,000	\$0	\$750,000
Special Category (Specific)	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	-----	-----	-----
Total All Categories	\$2,500,000	\$500,000	\$3,000,000
	=====	=====	=====



FLORIDA POLYTECHNIC
UNIVERSITY

September 8, 2020

To: Florida Poly Board of Trustees

From: Terry Parker, Provost

Re: MOU with UFF-FPU chapter dated August 13, 2020

The board materials include a Memorandum of Understanding that is the result of Impact Bargaining over the summer. This memo is based on the “unique” difficulties of operating the University in the midst of the pandemic.

As background, Impact Bargaining is a process that is used to discuss, and where possible resolve, issues that result from changes in the working conditions for the in-unit employees. UFF Florida Poly chapter in the middle of summer requested that the University “impact bargain” over the difficulties that faculty face in delivering classes in the fall semester.

The MOU presented is a result of impact bargaining and contains the following items:

- A statement that the university will provide face coverings for faculty that are teaching in person classes. In addition, the university will provide face shields for faculty that request them.
- The university will follow Public Health Protocols regarding notification of exposure and also on contact tracing.
- The university reinforces its requirement for face coverings in public settings and will support faculty in enforcing this with students.
- Protocols for faculty illness are put into place.
- Protocols for difficulties with child care for faculty members are put into place.
- Health Accommodations decision times for the spring semester are provided in the memo.
- Requirements for FLEX class delivery are provided.

This MOU is “fair” to the faculty and it provides guidelines for the university in its operation. I fully support its adoption.

MEMORANDUM OF UNDERSTANDING
RE: Fall Re-Opening

During the current health emergency brought on by the coronavirus pandemic, UFF-FPU and the Florida Polytechnic University Board of Trustees are committed to maintaining the productive and efficient operation of the University in a safe and healthy environment. UFF-FPU and Florida Poly Board of Trustees are committed to working together to promote the appropriate solutions to meeting our mission, which is strongly focused on providing education to our students, despite the difficulties that COVID19 has presented to the university and its faculty. To this end, we agree to the following terms and conditions:

1. Notwithstanding language in Article 7.2 in the Collective Bargaining Agreement, faculty members may fulfill all routine work duties remotely except face-to-face instruction. Occasionally work duties that require Faculty presence on campus other than teaching will be handled on a case-by-case basis.
2. The University will provide faculty members who are required to teach face-to-face with face coverings that protect faculty members' mouths and noses. Faculty may request a Face Shield if they so choose, and if requested, the University will provide a non-prescription face shield for the use of the faculty member. Face shields are not a substitute for face coverings and if used must be used in combination with the face covering.
3. When a student is diagnosed with Covid-19, the University will follow Public Health Protocols regarding informing a faculty member whether the diagnosis was a positive test or an exposure to someone with COVID-19. . Current CDC and Florida Department of Health guidance on contact tracing will determine further action to be taken by the University.
4. Students are required to wear an appropriate face covering in the IST and in classrooms at all times..
 - a. Faculty should use standard language in their syllabus to inform students that attending an in-person class/lab requires the face covering.
 - b. If a student is not wearing a face covering in the classroom/laboratory, the faculty member should ask the student to wear a face covering. A student who refuses to wear a face covering upon request must be asked to leave the classroom/laboratory and referred to Student Affairs to adjudicate the matter per the student code of conduct. In the event that a non-compliant student refuses to leave the classroom/laboratory, the non-compliant student will be removed from the classroom/laboratory by the University Police Department.
5. Faculty Quarantine, Self-isolation, and Illness
 - a. If a faculty member is required to quarantine or self-isolate but is still able to work,
 - i. Faculty that do not feel well should not come to work and should notify their supervisor and Human Resources.
 - ii. If a faculty member needs to be absent for more than three days, the faculty member will provide Human Resources with a doctor's note.
 - iii. For the duration of the period in which the faculty member is required to quarantine or self-isolate, the faculty member will deliver their class in its normal modality by attending the class remotely.
 - iv. Any class(es) the faculty member teaches that cannot be managed remotely will be temporarily redistributed to other faculty members or adjunct faculty. In order to balance workloads, the university may redistribute class(es) from the faculty members who take over the class(es) to the faculty member who is quarantining.

- v. Once the faculty member is no longer required to quarantine or self-isolate and is able to return to work, any classes temporarily redistributed to other faculty members or adjunct faculty will be reassigned to the faculty member.
 - b. If a faculty member is too ill to work remotely
 - i. If the faculty member is too ill to work for more than three days, the faculty member will provide Human Resources with a doctor's note.
 - ii. The University will not increase any faculty member's workload above fifteen (15) credit hours unless necessary.
 - iii. The University will compensate a faculty member consistent with the existing collective bargaining agreement for the duration of the overload activity.
 - iv. If a faculty member takes leave under FMLA or FFCRA, the University at its sole discretion will determine the individual that is the instructor of record moving forward in the semester.
 - v. Faculty members will report the time period that they are unable to work as sick time.
 - 6. If a faculty member is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19:
 - a. The faculty member will be permitted to teach the assigned Flex Class remotely for the period of time that the school is closed or child care provider is unavailable.
 - b. For a faculty member to be permitted to teach remotely for this purpose, the faculty member must submit a statement to Human Resources that includes:
 - i. The name and age of the child (or children) to be cared for;
 - ii. The name of the school that has closed or place of care that is unavailable;
 - iii. a representation that no other person will be providing care for the child during the period for which the employee is permitted to teach Flex Classes remotely
 - c. For purposes of this section, a child's (or children's) school or place of care is considered closed when the physical location where the child (or children) receives instruction is closed for in-person instruction during the child's (or children's) academic year.
 - d. Any class(es) the faculty member teaches that cannot be managed remotely will be temporarily redistributed to other faculty members or adjunct faculty during the time period in which the school is closed or child care provider is unavailable, and the faculty member will be required to take the appropriate and available leave.
 - 7. If a faculty member applies for a new health accommodation for Spring 2021, the administration will inform the faculty member of their decision by December 1, 2020, so long as the faculty member submitted all medical documentation by November 15, 2020.
 - 8. Delivering Flex Classes
 - a. Faculty that are delivering classes in the FLEX format will meet their classes in the specified modality.
 - b. Departures from the assigned modality for "special" circumstances will be discussed and approved with the individual's division director, or chair, if no division director is present.
 - c. Faculty must maintain strong engagement by meeting published examination schedules, delivering new course material regularly, and demonstrating weekly or more frequent engagement with their class.
 - d. For significant changes in instruction, including both change in who is delivering a class or the modality of the instruction, the university at its sole discretion will determine the individual that is the instructor of record moving forward in the semester.
 - 9. This Memorandum of Understanding shall be in effect for Fall 2020 and Spring 2021.

10. The impacts of COVID-19 on the Florida Polytechnic University community are changing constantly and subject to revision in response to any changes to CDC Guidelines and/or any directives from Federal, State, or Local authorities. Nothing in this memorandum shall be construed as a waiver of the Florida Polytechnic University's right to implement measures pursuant to directives from appropriate state and/or federal authorities or that the Florida Polytechnic University otherwise deems essential to protecting the health and safety of students, faculty, and staff. Nothing in this memorandum shall be construed as a waiver of the Florida Polytechnic University's obligation to engage in bargaining over the impacts of such decisions upon request by UFF – Florida Poly.



Alexander Landback
Chief Negotiator
FPU-BOT

Aug 13, 2020

Date



Myles Kim
Chief Negotiator
UFF-FPU

Aug 13, 2020

Date

**Florida Polytechnic University
Academic & Student Affairs Committee
Board of Trustees
September 9, 2020**

Subject: Approval of the Annual Textbook and Instructional Materials Affordability Report

Proposed Actions

1. Section 1004.085, Florida Statutes, requires each state university to submit an annual report to the Chancellor of the State University System on textbook and instructional materials affordability. Recommend approval of the 2020 Textbook and Instructional Materials Report to the Board of Trustees.
2. Per Internal Review and Changes from an Operational Audit, we are seeking review and reapproval for the previously approved 2019 Textbook and Instructional Materials Report to the Board of Trustees.

Background Information

The template for the annual report meets the required reporting components and provides consistency for each university. The information details the textbook and instructional materials for high enrollment general education courses and ways to reduce the cost of these materials. In addition, the report lists all courses (general education and major courses) that do not require or recommend a textbook. Often these courses use open source materials or textbooks that cover both the lecture and lab portion. The report also provides the percent compliance for posting textbook and instructional materials for at least 95% of all courses and course sections 45 days before the first day of class with the University's plan to improve this compliance.

A range of internal and external process factors contributed to discrepancies in results and the reported numbers for spring 2019 approved by the Board of Trustees last September 2019 were incorrect. After in-depth internal review, begun of our own volition already in fall 2019 and carried through into an operational audit in spring 2020, we have reviewed the counts and modified our processes and worked to address these issues. The updated report reflects an accurate accounting of the timely adoptions percentage for spring 2019 and comports with the findings of the auditor.

Supporting Documentation: Annual Textbook and Instructional Materials Affordability Report (fall 2019 & spring 2020 with 2018-19 given as a comparison).

Prepared by: Tom Dvorske, Vice Provost, Academic Affairs and Kevin Calkins, Director of Institutional Research



**FLORIDA POLYTECHNIC
UNIVERSITY**

September 1, 2020

To: Florida Poly Board of Trustees

From: Terry Parker, Provost

Re: Textbook and Instructional Materials Affordability Annual Report

This section of your board materials includes several items:

Agenda Item: Approval of the Annual Textbook and Instructional Materials Affordability Report

- This item provides a formal explanation of the request to approve the 2020 Textbook and Instructional materials report and to review and reapprove the 2019 Textbook and Instructional Materials Report.

Textbook and Instructional Materials Affordability Annual Report

- This is the report for Fall 2019 and Spring 2020

Text Book and Instructional Materials Affordability Report (revised for Fall 2017 through Spring 2019)

- This is the revised report that covers the time period noted

Previously approved Textbook and Instructional Materials Affordability for Fall 2017 through Spring 2019

State University System of Florida
Textbook and Instructional Materials Affordability
Annual Report
Statutory Due Date: September 30

<u>Florida Polytechnic University</u> University Submitting Report	<u>Fall 2019 and Spring 2020</u> Semester(s) Reported		
<hr/> Date Approved by the University Board of Trustees	<hr/> Signature of Chair, Board of Trustees	<hr/> Date	
<hr/> Signature of President	<hr/> Date	<hr/> Signature of Vice President for Academic Affairs	<hr/> Date

1. Required and Recommended Textbooks and Instructional Materials for General Education Courses

a. Describe the textbook and instructional materials selection process for general education courses, including high enrollment courses.

Methodology for determining high enrollment: Order courses (course prefix/number) by headcount enrollment, excluding honors courses. The top 10% of courses are determined as high enrollment. Report the total number of courses (n).

General Education

Department Chairs work with faculty within their program to decide what textbooks or instructional material will be utilized across each course section. Faculty send their textbook information to their department Administrative Support. The Administrative Support then sends the textbook information to the centralized Administrative Support within the Provost Office who proceeds to input all textbook information in the bookstore website. Close monitoring of the textbook adoption date with documentation provides evidence for each course and section.

High Enrollment

Out of 34 general education courses, 10 are high enrollment (top 10%). These courses are:

- Academic and Professional Skills
- Chemistry 1 Laboratory
- Chemistry 1
- Precalculus Algebra/Trigonometry
- Physics 2 Laboratory
- English Comp.1: Expository and Argumentative
- Physics 2

- Technical Writing
- Computational Linear Algebra
- Analytical Geometry and Calculus 2

b. Report the course title(s) and number of section(s) that do not require or recommend the purchase of a textbook(s) and instructional material(s).

Fall 2018

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
<u>AMH 2010:</u> American History to 1877	2
<u>PHY 2048L:</u> Physics Lab 1	4
<u>PHY 2049L:</u> Physics Lab 2	13
<u>STA 2023:</u> Statistics 1	3

Spring 2019

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
<u>AMH 2010:</u> American History to 1877	2
<u>PHY 2048L:</u> Physics Lab 1	16
<u>PHY 2048L:</u> Physics Lab 2	8

Fall 2019

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
<u>COP 4934C:</u> Senior Design 1	4
<u>ECO 2023:</u> Principles of Microeconomics	1
<u>EEL 4660C:</u> Autonomous Robotic Systems	1
<u>EEL 4915C:</u> Senior Design 2	1
<u>EGN 4941:</u> Internship	1
<u>EGN 5970:</u> Thesis 1	1
<u>EGS 5930:</u> Research for Master's Thesis	1
<u>EML 3303C:</u> Mechatronics	1
<u>EML 4950C:</u>	2

Spring 2020

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
<u>AMH 2010:</u> American History to 1877	1
<u>AMH 2020:</u> American History Since 1877	1
<u>ARH 2000:</u> Art Appreciation	2
<u>BUL 2241:</u> Data Wrangling and Exploratory data Analysis	1
<u>CAP 4410:</u> Computer Vision	1
<u>CAP 4730:</u> Computer Graphics	1
<u>CAP 5410:</u> Advanced Computer Vision	1
<u>CHM 2045:</u> Chemistry 1	1
<u>COP 4935C:</u>	3

Engineering Design Senior Capstone 1	
<u>ENC 1101:</u> English Comp. 1: Expository and Argumentative	9
<u>IDC 4942:</u> Data Analytics Capstone 1	1
<u>IDS 4941:</u> Professional Experience Internship	1
<u>IDS 5950:</u> Project	1
<u>IDS 5970:</u> Thesis 1	1
<u>PHY 2048L:</u> Physics 1 Laboratory	4
<u>PHY 2049L:</u> Physics 2 Laboratory	9

Senior Design 2	
<u>COP 5610:</u> Advanced Operating Systems Concepts	1
<u>ECP 4044:</u> Economic Analysis for Technologists	1
<u>ECP 5007:</u> Economic Analysis for Technologists	1
<u>EEL 4290:</u> Sustainability Engineering, Technology & Entrepreneurship	1
<u>EEL 4914C:</u> Senior Design I	1
<u>EEL 4915C:</u> Senior Design II	1
<u>EGN 3016C:</u> Mechanical Lab Design 2	3
<u>EGN 4941:</u> Internship	1
<u>EGN 5970:</u> Thesis 1	1
<u>EGN 5973:</u> Thesis 2	1
<u>EML 3811:</u> Mechatronic Systems	2
<u>EML 4532C:</u> Advanced nanoscale Instrumentation and Characterization	1
<u>EML 4951C:</u> Engineering Design Senior Capstone 2	2
<u>ENC 1101:</u> English Comp. 1: Expository and Argumentative	1
<u>ESI 4513:</u> Intelligent Mobility	1
<u>HIM 4508:</u> Assessment of Outcomes for Clinical and Medical Care Deliver	1
<u>IDC 4943:</u> Data Analytics Capstone II	1

<u>IDS 4941:</u> Professional Experience Internship	1
<u>IDS 5950:</u> Project	1
<u>IDS 5970:</u> Thesis 1	1
<u>IDS 5975:</u> Thesis 2	5
<u>MAN 4594:</u> Reverse Logistics	1
<u>PHY 2048L:</u> Physics 1 Laboratory	9
<u>PHY 2049L:</u> Physics 2 Laboratory	4

2. Specific Initiatives of the University Designed to Reduce the Costs of Textbooks and Instructional Materials for General Education Courses

a. Describe specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials.

The book vendor for 2019-20; *Barnes and Noble*, provided students with a price match program and options to purchase new, used, or where available receive digital textbooks for cost savings. When learning materials for the class can be accessed through available PDF at no cost, this was offered to the students.

In addition, Florida Poly offers Financial Aid book advances for students unable to afford required and recommended course materials. The Office of Financial Aid continually monitors student financial need including the cost of textbooks and supports student with appropriate aid to start the first day of class with textbooks in-hand.

Beginning in academic year 2020-21, Follett Book Distributor was chosen as our textbook and learning materials vendor to help support improved service and cost reductions.

b. Is the opt-in provision an initiative implemented by the institution for the purchase of student materials? If yes, describe the impact this has had on student cost savings, if any.

The opt-in provision will be implemented in academic year 2020-21. At the time of this report, data is not yet available to determine the cost-effectiveness of this approach.

3. University Policies for the Posting of Textbooks and Instructional Materials

a. Describe policies implemented to ensure the posting of textbook and instructional materials for at least 95% of all courses and course sections 45 days before the first day of class. For course sections that require or recommend textbooks and instructional materials based on individual student needs (e.g., audition/performance, directed independent study, research topic) that may miss the posting date, please reference these as exceptions in 3(d).

To comply with the 45-day posting, beginning in fall 2019 each academic department marks the calendar date 50 days before the first day of class each term. Two months prior to the 50-day mark, each department Administrative Liaison will begin communicating weekly with the Department Chairs, Vice Provost for Academic Affairs and individual faculty with adoption deadline reminders. To facilitate this process, weekly class schedules are coordinated with the Barnes & Noble bookstore's Faculty Enlight adoption data to show which courses/sections lack appropriate instructional materials.

b. Are the policies effective in meeting the reporting requirement? If not, what measures will be taken by the institution to increase faculty and staff compliance for meeting the reporting requirement?

The Office of Audit and Compliance closely monitors the compliance of the 45-day posting and reviews findings with the Board of Trustees and the Academic Affairs administration. Beginning in the fall 2019 term, the responsibility for compliance shifted from Auxiliary Services to Academic Affairs Office of the Provost. At the 45-day mark, the list of adopted instruction materials is locked down and changes (exceptions and non-exceptions are documented with follow-up for continuous improvement.

c. Report the number of course sections and the total percentage of course sections that were able to meet the textbook and instructional materials posting deadline for the academic year. Note: A course section is in compliance if all textbooks and instructional materials in the course section have been entered by the deadline.

<i>Required & Recommended Instructional Materials</i>	<i>Fall 2019</i>	<i>Spring 2020</i>
<i>Course Sections Offered</i>	<i>289</i>	<i>259</i>
<i>Course Sections in Compliance</i>	<i>280</i>	<i>251</i>
<i>Percent Compliance</i>	<i>97%</i>	<i>97%</i>

d. Report the number of course sections and the total percentage of course sections that necessitated change(s) in materials after the posting deadline. Provide an explanation for the change(s) in materials after the required deadline.

<i>Required & Recommended Instructional Materials</i>	<i>Fall 2019</i>	<i>Spring 2020</i>
<i>Course Sections Offered</i>	<i>289</i>	<i>259</i>
<i>Course Sections Not in Compliance</i>	<i>9</i>	<i>8</i>
<i>Percent Not Compliance</i>	<i>3%</i>	<i>3%</i>

e. Report the number of course sections and the total percentage of course sections that were not able to meet the textbook and instructional materials posting deadline for the academic year. Provide an explanation as to why the course sections were not able to meet the posting deadline. Note: A course section is not considered in compliance if all textbooks and instructional materials in the course section were not entered by the deadline.

The textbook material for the 9 courses in Fall 2019 and 8 courses in Spring 2020 were late adoptions from faculty.

f. Report the number of courses that received an exception to the reporting deadline. Describe the exception(s) provided.

Exceptions reflect courses created after the deadline due to changes in enrollment demand or staffing; adoptions made prior to deadline but not appropriately accounted for in Barnes & Noble system; sections canceled; B&N changing ISBNs to orders on the backend but essentially provisioning the same material at the same or lower price. See notes below.

Fall 2019

AMH 2020 – 03: Course added on 07/22/19
 CHM 2045L – 01: Adoption was made 06/07/2019
 CHM 2045L – 02: Adoption was made 06/07/2019
 CHM 2045L – 03: Adoption was made 06/07/2019
 CHM 2045L – 04: Adoption was made 06/07/2019
 CHM 2045L – 05: Adoption was made 06/07/2019
 CHM 2045L – 06: Adoption was made 06/07/2019
 CHM 2045L – 07: Adoption was made 06/07/2019
 CHM 2045L – 08: Adoption was made 06/07/2019
 CHM 2045L – 09: Adoption was made 06/07/2019
 CHM 2045L – 10: Adoption was made 06/07/2019
 EEL 4251 – 01: Cancelled
 EGN 2001C – 03: Cancelled
 EGN 4930B – 03: Textbook information is all accurate with adoption processed
 EIN 3390 – 01: Textbook information is all accurate with adoption processed
 IDS 1380 – 04: Course added 07/15/2019
 MAS 3114 – 03: Course added 07/15/2019

Spring 2020

CAP 4612 – 01: Textbook information is all accurate, Bookstore updated ISBN#

COP 3809C – 01: *Course not being offered*
COP 4020 – 02: *Course added 01/07/2020*
COP 5272 – 01: *Textbook information is all accurate, Bookstore updated ISBN#*
EEL 3111C – 01: *Textbook information is all accurate, Bookstore updated ISBN#*
EEL 3111C – 02: *Textbook information is all accurate, Bookstore updated ISBN#*
EEL 3111C – 03: *Textbook information is all accurate, Bookstore updated ISBN#*
EEL 3111C – 04: *Textbook information is all accurate, Bookstore updated ISBN#*
EEL 3112C – 01: *Textbook information is all accurate, Bookstore updated ISBN#*
EEL 4421 – 01: *Textbook information is all accurate, Bookstore updated ISBN#*
EGN 3365 - 01: *Textbook information is all accurate, Bookstore updated ISBN#*
EGN 3365 - 02: *Textbook information is all accurate, Bookstore updated ISBN#*
EGN 5975 - 01: *Course added 01/06/2020*
EGN 5975 - 02: *Course added 01/06/2020*
EGN 5975 - 03: *Course added 01/06/2020*
EGN 5975 - 04: *Course added 01/06/2020*
EGN 5975 - 05: *Course added 01/06/2020*
EGN 5975 - 06: *Course added 01/06/2020*
EGS 5930 - 01: *Course added 01/06/2020*
EML 5930 - 01: *Course added 12/30/2019*
MAC 2311 - 03: *Textbook information is all accurate, Bookstore updated ISBN#*
MAS 3105 - 02: *Course added 12/10/2019*
STA 2023 – 01: *Textbook information is all accurate, Bookstore updated ISBN#*
STA 2023 – 02: *Textbook information is all accurate, Bookstore updated ISBN#*
STA 2023 – 03: *Textbook information is all accurate, Bookstore updated ISBN#*

**State University System of Florida
Textbook and Instructional Materials Affordability
Annual Report
Statutory Due Date: September 30**

REVISED REPORT

Florida Polytechnic University	Fall 2017 & 2018, Spring 2018 & 2019
University Submitting Report	Semester(s) Reported*

Date Approved by the University Board of Trustees	Signature of Chair, Board of Trustees	Date
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Signature of President	Date	Signature of Vice President for Academic Affairs	Date
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***Report Fall and Spring data separately to allow for Fall to Fall semester comparison and Spring to Spring semester comparison.**

1) Required and Recommended Textbooks and Instructional Materials for General Education Courses

a) Describe the textbook and instructional materials selection process for general education courses, including high enrollment courses.

Methodology for determining high enrollment: Order courses (course prefix/number) by headcount enrollment, excluding honors courses. The top 10% of courses are determined as high enrollment. Report the total number of courses (n).

General Education

Department Chairs work with faculty within their program to decide what textbook or instructional materials will be utilized across each course sections. This is communicated through FacultyEnlight to the vendor (Barnes & Noble).

High Enrollment

Out of 35 general education courses, 10 are high enrollment (top 10%). These courses are:

- Academic and Professional Skills
- Analytic Geometry and Calculus 3
- Chemistry 1
- Chemistry 1 Laboratory
- English Comp.1: Expository and Argumentative
- Legal, Ethical, and Management Issues in Technology
- Physics 2

- Physics 2 Laboratory
- Precalculus Algebra/Trigonometry
- Technical Writing

b) Report the course title(s) and number of section(s) that do not require or recommend the purchase of a textbook(s) and instructional material(s).

Fall 2017

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
Art Appreciation	2
First Year Experience	8
Physics 1 Lab	5
Physics 2	5
Physics 2 Lab	12
Statistics 1	3

Spring 2018

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
Art Appreciation	2
Biology Lab	2
Physics 1 Lab	13
Physics 2 Lab	7
First Year Experience	2

Fall 2018

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
American History to 1877	2
Physics Lab 1	4
Physics Lab 2	13
Statistics 1	3

Spring 2019

Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
American History to 1877	2
Physics Lab 1	16
Physics Lab 2	8

2) Specific Initiatives of the University Designed to Reduce the Costs of Textbooks and Instructional Materials for General Education Courses

a) Describe specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials.

Barnes and Noble offers cost-savings options such as new, used, rental and digital textbooks with new titles added to each category. Students have the opportunity to save by purchasing textbooks in the various formats offered.

Barnes and Noble offers a limited price-match program whereby it matches prices for BN.com and Amazon.com.

Florida Poly offers Financial Aid book advances for students unable to afford required and recommended course materials. The Office of Financial Aid continually monitors student financial need including the cost of textbooks and supports students with appropriate aid so that they may start the first day of class with textbook in-hand.

b) With the implementation of the initiatives, has there been any reduction in the cost of textbooks and instructional materials to the students? If there has been a reduction in cost, what is the average cost savings? Describe the average cost savings comparing fall semester to fall semester and spring semester to spring semester.

University bookstore only reports savings from year to year and not term to term. Results are as follows:

<i>Term</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
<i>Dollars Saved</i>	<i>\$74,598</i>	<i>\$48,053</i>	<i>\$49,839</i>
<i>% Saved</i>	<i>21.4%</i>	<i>16%</i>	<i>17.79%</i>

Dollar changes in savings due to reduction in sales.

3) University Policies for the Posting of Textbooks and Instructional Materials

a) Describe policies implemented to ensure the posting of textbook and instructional materials for at least 95% of all courses and course sections 45 days before the first day of class. For course sections that require or recommend textbooks and instructional materials based on individual student needs (e.g., audition/performance, directed independent study, research topic) that may miss the posting date, please reference these as exceptions in 3(d).

To comply with the 45-day posting, beginning in fall 2019 each academic department marks the calendar date 50 days before the first day of class each term. Two months prior to the 50 day mark, each department Administrative Liaison will begin communicating weekly with the Department Chairs, Vice Provost for Academic Affairs and individual faculty with adoption deadline reminders. To facilitate this process, weekly class schedules are coordinated with the Barnes & Noble Bookstore's FacultyEnlight adoption data to show which courses/sections lack appropriate instructional materials.

b) Are the policies effective in meeting the reporting requirement? If not, what measures will be taken by the university to increase faculty and staff compliance for meeting the reporting requirement?

The Office of Audit and Compliance closely monitors the compliance of the 45-day posting and reviews findings with the Board of Trustees and the Academic Affairs administration. Beginning in the fall 2019 term, the responsibility for compliance shifted from Auxiliary Services to Academic Affairs Office of the Provost. At the 45-day mark, the list of adopted instruction materials is locked down and changes (exceptions and non-exceptions) are documented with follow-up for continuous improvement.

c) Report the number of course sections and the total percentage of course sections that were able to meet the textbook and instructional materials posting deadline for the academic year. Note: A course section complies if all textbooks and instructional materials in the course section have been entered by the deadline.

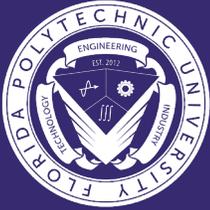
<i>Required & Recommended Instructional Materials</i>	<i>Fall 2018</i>	<i>Spring 2019</i>
<i>Course Sections Offered</i>	266	265 (Prior 235)
<i>Course Sections in Compliance</i>	263	245 (prior 233)
<i>Percent Compliance</i>	98.8%	92.4% (Prior 99.1%)

d) Report the number of course sections and the total percentage of course sections that were not able to meet the textbook and instructional materials posting deadline for the academic year. Provide an explanation as to why the course sections were not able to meet the posting deadline. Note: A course section is not considered in compliance if all textbooks and instructional materials in the course section were not entered by the deadline.

<i>Required & Recommended Instructional Materials</i>	<i>Fall 2018</i>	<i>Spring 2019</i>
<i>Course Sections Offered</i>	266	265 (Prior 235)
<i>Course Sections Not in Compliance</i>	3	20 (Prior 2)
<i>Percent Not in Compliance</i>	1.13%	7.6% (Prior 0.85%)

e) Report the number of courses that received an exception to the reporting deadline. Describe the exception(s).

Exceptions to the late adoption for Florida Poly would only be for additional sections and/or a course being added to meet student demand. Unfortunately, Barnes & Nobel reports did not effectively capture why changes were made in the instructional materials as an appropriate exception. Several other issues were found. Gaps in time between our placement of the order and its input into the B&N system (two separate systems are used, one for ordering that the client inputs; one for sourcing that B&N uses, and the orders are hand-coded in from the client system); inconsistent updating of active sections when importing the semester schedule, changes to editions without notice constituting a change in material. These issues and more became revealed during an internal operational study and subsequently during an operational report requiring the change in compliance and non-compliance to spring 2019 results. Beginning in fall 2019, Academic Affairs now captures this data with close monitoring up to the 45-day mark. It also motivated a change in vendors that began in summer 2020.



BOARD OF TRUSTEES Audit & Compliance Committee

**September 9, 2020
10:00 AM-10:45 AM**

Or upon the conclusion of the previous committee meeting

**Florida Polytechnic University
WEBEX TELECONFERENCE MEETING**

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

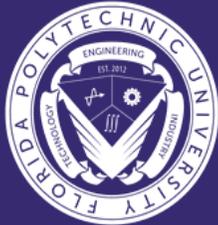
**Bob Stork, Chair
Don Wilson**

Mark Bostick, Vice Chair

Dr. Ala J. Alnaser

AGENDA

- | | |
|--|--------------------------|
| I. Call to Order | Mark Bostick, Vice Chair |
| II. Roll Call | Kim Abels |
| III. Public Comment | Mark Bostick, Vice Chair |
| IV. Approval of the May 20, 2020 Minutes
<i>*Action Required*</i> | Mark Bostick, Vice Chair |
| V. 2020-22 Audit & Compliance Committee Work Plan | David Blanton, CAE/CCO |
| VI. Committee Charter Review and Approval
<i>*Action Required*</i> | David Blanton, CAE/CCO |
| VII. Audit & Compliance Update | David Blanton, CAE/CCO |
| VIII. Auditor General Operational Audit
<i>*Action Required*</i> | David Blanton, CAE/CCO |
| IX. UAC Annual Report – FYE 6/30/20
<i>*Action Required*</i> | David Blanton, CAE/CCO |
| X. UAC Audit Plan and Risk Assessment - FYE 6/30/21
<i>*Action Required*</i> | David Blanton, CAE/CCO |
| XI. UAC Compliance and Ethics Program Plan – FYE 6/30/21
<i>*Action Required*</i> | David Blanton, CAE/CCO |
| XII. Closing Remarks and Adjournment | Mark Bostick, Vice Chair |



Audit & Compliance Committee Meeting

DRAFT MEETING MINUTES

Wednesday, May 20, 2020

10:00 AM – 10:15 AM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Committee Chair Gary Wendt called the meeting to order at 10:50 a.m.

II. Roll Call

Michele Rush called the roll: Committee Chair Gary Wendt, Committee Vice Chair Mark Bostick, Trustee Earl Sasser, Trustee Connor Coddington, and Trustee Victoria Astley were present (Quorum).

Other Trustees present: Board Chair Don Wilson, Board Vice Chair Cliff Otto, Trustee Frank Martin, Trustee Philip Dur, Trustee Henry McCance, and Trustee Bob Stork

Staff present: Mr. David Blanton, Mrs. Kim Abels, Ms. Gina Deulio, Ms. Michele Rush, Mr. Rick Maxey, Mrs. Kris Wharton, President Randy Avent, Provost Terry Parker, and Mrs. Kathy Bowman

III. Public Comment

There were no requests received for public comment.

IV. Approval of the February 25, 2020 Minutes

Trustee Earl Sasser made a motion to approve the Audit & Compliance Committee meeting minutes of February 25, 2020. Trustee Connor Coddington seconded the motion; a vote was taken, and the motion passed unanimously.

V. University Financial Audit – (FYE 6/30/19)

Mr. David Blanton, Chief Compliance Officer and Chief Audit Executive, presented the audited Financial Statements for the University for the fiscal year ended 6/30/19 that was performed by the Florida Auditor General. The audit had an unqualified (clean) opinion on the financial statements and on the Government Auditing Standards (GAS) report.

Trustee Connor Coddington made a motion to recommend approval of the Florida Polytechnic University Financial audit conducted by the Florida Auditor General for the fiscal year ended June 30, 2019 to the Board of Trustees. Trustee Victoria Astley seconded the motion; a vote was taken, and the motion passed unanimously.

VI. Foundation Form 990 (FYE 6/30/19)

Mr. Blanton presented the federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990) to the Audit & Compliance Committee for the fiscal year ending 6/30/19.

Trustee Earl Sasser made motion to recommend approval of the Foundation's Form 990 for the fiscal year ended June 30, 2019 to the Board of Trustees. Trustee Victoria Astley seconded the motion; a vote was taken, and the motion passed unanimously.

VII. UAC Quality Assurance Review – Self Assessment (Report No. FPU 2020-07)

Mr. Blanton presented the self-assessment report to the Audit & Compliance Committee for approval. The report included 5 observations for improvement of audit operations. The Code of Ethics and the Standards put forth by the Institute of Internal Auditing (IIA) require that the Chief Audit Executive must periodically perform such reviews for all aspects of the internal audit activity. Committee Chair Wendt questioned what is done with this report. Mr. Blanton answered that it will be filed with the Board of Governors as required.

Trustee Earl Sasser made a motion to recommend approval of the UAC Quality Assurance Review (QAR) – Self Assessment (Report No. FPU 2020-07) prepared by the Chief Audit Executive, to the Board of Trustees. Trustee Connor Coddington seconded the motion; a vote was taken, and the motion passed unanimously.

VIII. Charter Review and Approval/Committee Evaluation

Mr. Blanton presented the Audit Charter, the Compliance and Ethics Charter, and the Audit and Compliance Committee Charter for review and approval. The Committee evaluated their performance relative to the Committee Charter requirements and determined that they were performing satisfactorily with respect to duties outlined in the Audit & Compliance Committee Charter.

Trustee Connor Coddington made a motion to recommend approval of (1) the Audit and Compliance Committee (AACC) Charter, (2) the Internal Audit Charter, (3) the Compliance and Ethics Charter, and (4) the satisfactory performance of the Audit & Compliance Committee relative to the Charter requirements to the Board of Trustees. Trustee Victoria Astley 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 11:12 a.m.

**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2019**

Subject: 2020-21 Committee Work Plan Review

Proposed Committee Action

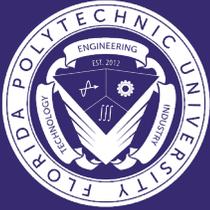
No action necessary. Information only.

Background Information

The Audit and Compliance Committee Work Plan provides committee members with an idea of upcoming meetings and the expected matters to be presented before the committee. The work plan may change primarily because the work flow related to audits and investigations is often difficult to predict.

Supporting Documentation: 2020-21 Audit and Compliance Committee Work Plan

Prepared by: David A. Blanton, CAE/CCO



Committee Work Plan

Audit and Compliance Committee Work Plan 2020-2022

SEPTEMBER

- Audit & Compliance
- Committee Charter Review and Approval
- Auditor General Operational Audit
- University Audit & Compliance (UAC) Update
- UAC Annual Report ~ prior FY
- University Audit Risk Assessment & Audit Plan ~ current FY
- University Compliance & Ethics Program Plan ~ current FY

NOVEMBER

- University Audit & Compliance (UAC) Update
- CARES Act Monitoring Report
- Textbook Affordability Monitoring Report (Fall semester)

FEBRUARY

- University Audit & Compliance (UAC) Update
- Performance Based Funding Audit and Data Integrity Certification
- University Financial Audit ~ prior FY
- Foundation Financial Audit ~ prior FY

MAY

- University Audit & Compliance (UAC) Update
- University Compliance & Ethics Program Plan ~ following FY

**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2020**

Subject: Audit & Compliance Committee (AACC) Charter Review and Approval

Proposed Committee Action

Recommend approval of the changes to the AACC Charter to the Florida Polytechnic University Board of Trustees.

Background Information

As the University is starting a new two-year cycle with the Board, charter reviews of each of the various committee's is being performed. The AACC charter has been reviewed by the Office of General Counsel for legal sufficiency and by University Audit and Compliance for consistency with applicable professional standards and requirements specified in Board of Governors Regulations.

The AACC Charter was recently reviewed in May 2020; however, certain changes were suggested to provide for greater consistency between the various committee charters. David Blanton, Chief Audit Executive/Chief Compliance Officer (CAE/CCO) will discuss the changes to the AACC Charter and seek approval from the Committee on such changes.

Supporting Documentation: AACC Charter

Prepared by: David A. Blanton, CAE/CCO

Audit and Compliance Committee
CHARTER
(Staff Liaison: David Blanton, CAE & CCO)

I. Purpose: The Audit and Compliance Committee (AACC) is responsible for taking appropriate actions to establish the overall standards for ethical behavior, sound risk management, and sound business practices. The AACC serves as the point of contact between the Board of Trustees, external auditors, and state and federal auditors. The primary purpose of the AACC is to assist the Board in fulfilling its oversight responsibilities for the following areas:

- Oversight of the University's internal controls
- Oversight and direction of the internal and external auditing functions ensuring its independence
- Integrity of the University's annual financial statements
- The performance of the University's independent audit functions
- Approval of the annual audit plan
- Monitoring and controlling risk exposure
- Monitoring compliance with laws, rules, and regulations
- Oversight and direction of the University's compliance and ethics program ensuring its independence
- Set standards for ethical conduct

The AACC is one of the standing committees of the Board of Trustees.

II. Composition:

- The AACC will consist of no less than three members of the Board of Trustees.
- The Chief Audit Executive and/or the Chief Compliance Officer will serve as staff and primary liaison to the Committee.
- The Board of Trustees Chair and the Vice-Chair will be ex-officio voting members.
- The AACC Chair and members are appointed and removed by the Chair of the Board of Trustees.
- The Chair of the AACC is the Committee's representative on the Board of Trustees' Executive Committee.

AACC members must be free from any financial, family or other material personal relationship that would impair his or her independence from the management of the University.

III. Meetings:

- The AACC typically meets (4) four times annually. The AACC may schedule additional meetings if needed.
- Florida law requires meetings to be open to the public.
- A majority of AACC members present at a committee meeting constitutes quorum for purposes of committee business.
- The Committee will maintain written minutes of its meetings, and the Committee Chair will approve each meeting's agenda.

- The AACC may invite members of management, auditors, or others to attend meetings and provide pertinent information.
- The Chair of the Committee shall discuss the meeting agenda with the Chief Audit Executive and/or the Chief Compliance Officer prior to each meeting to finalize the agenda and review the issues to be discussed. Meeting agendas and the supporting materials will be provided in advance and the committee members will be briefed prior to each meeting.

IV. Authority: To fulfill its oversight role, the AACC has the authority to investigate or study matters within the AACC's scope of responsibility. The Board authorized the Committee to:

- Perform activities within the scope of its charter.
- Have unrestricted access to management, faculty, and employees of the University and its DSOs, as well as to all their books, records, and facilities.
- Study or investigate any matter related to audit, compliance, or related concerns such as potential fraud or conflicts of interest that the Committee deems appropriate.
- Engage independent counsel, independent accountants and other advisers as it deems necessary to discharge its duties.
- Provide oversight and direction of the internal auditing function, of external auditors, and of engagements with state auditors.
- Provide oversight and direction of the institutional compliance, ethics, and risk program, and be knowledgeable of the program with respect to its implementation and effectiveness.
- Perform other duties as assigned by the Board.

The AACC shall inform the Board of all actions and the results.

V. Confidential/Exempt Issues: Issues being addressed by the Audit and Compliance Committee are subject to Chapter 119, Florida Statutes (Public Records). Meetings are confidential and exempt from the public when the discussion involves sensitive issues related to individuals or an on-going investigation related to Sections 112.3187-112.31895, Florida Statutes - "Whistle-blower's Act".

VI. Responsibilities and Duties: The AACC has the following responsibilities and duties:

General:

- Assist the Board of Trustees in fulfilling oversight responsibilities in relation to financial reporting, internal control systems, risk management systems, compliance with laws rules and regulations and internal and external audit functions. Its role is to provide advice and recommendations to the Board within the scope of this Charter.
- Adopt flexible procedures in order to react to changing conditions and provide reasonable assurances to the Board that the scope of audit services and the adequacy of the internal control systems are in compliance with state and federal laws, regulations and requirements.
- Adopt a formal written charter that specifies the scope, responsibilities, processes and practices of the committee. The charter should be reviewed annually.
- Report committee actions to the Board that the committee may deem appropriate.
- Direct the Chief Audit Executive and/or the Chief Compliance Officer (CAE/CCO) to conduct investigations into any matters within its scope of responsibility and obtaining advice and assistance from outside legal, accounting, or other advisers, as necessary, to perform its

duties and responsibilities. Meeting with and seeking any information it requires from employees, officers, directors, or external parties.

- Conduct or authorize investigations into matters within the committee's scope of responsibilities. The AACC is empowered to retain independent accountants, counsel, or others to assist it in the conduct of any investigation.
- Perform other governance oversight as assigned by the Board.
- Review and monitor implementation of management's response to internal and external audit recommendations.

Internal Control:

Regarding internal controls, the AACC will:

- Consider the effectiveness of the University's internal control systems, including information technology security and control.
- Understand the scope of internal and external auditors' review of internal control over financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.
- Review management's written responses to significant findings and recommendations of the auditors, including the timetable to correct weaknesses in the internal control system.
- Review the adequacy of accounting, management, and financial processes of the University and its DSOs.

Financial Statements:

The AACC must receive and review Auditor General financial statement audits related to the University and conducted for the purpose of determining whether the University:

- Presented the basic financial statements in accordance with generally accepted accounting principles;
- Established and implemented internal controls over financial reporting and compliance with requirements that could have a direct and material effect on the financial statements; and,
- Complied with the various provisions of laws, rules, regulations, contracts, and grant agreements that are material to the financial statements.

Receiving and reviewing any disclosure of: i) significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the System's ability to record, process, summarize, and report financial data; and ii) any fraud, whether material or not, that involves management or other employees who have a significant role in the System's internal controls.

The AACC will follow up, as it determines appropriate, on any findings contained in Auditor General financial statement audits of the Board Office and State University System of Florida.

External Audit:

With regard to external audits, the AACC will:

- Receive and review all external auditors' reports of the University, including that the University's Boards of Trustees and its President take timely and appropriate corrective actions.
- If the AACC determines that circumstances require special purpose audits beyond that provided by the Auditor General of the State of Florida, then the AACC will:
 - Review and approve the selection of external auditors or may delegate such authority to the President.
 - Review and approve the audit plan and significant changes to the plan.
 - Review all significant findings and recommendations noted by external auditors.
- Meet periodically with appropriate University staff and independent auditors to discuss and evaluate the scope and results of audits.

Internal Audit:

With regard to internal audits, the AACC will:

- Approve the internal audit charter.
- Review the independence, qualifications, activities, performance, resources, and structure of the internal audit function and ensure no unjustified restrictions or limitations are made.
- Review and approve the proposed internal audit plan for the coming year or the multiyear plan and ensure that it addresses key areas of risk based on risk assessment procedures performed by Audit in consultation with management and the AACC.
- Review the CAE/CCO's performance of audit activities relative to its plan.
- Ensure that significant findings and recommendations made by the internal auditors and management's proposed response are received, discussed, and appropriately resolved.

Compliance and Ethics Program:

With regard to compliance, the AACC will:

- Approve the compliance charter.
- Review the effectiveness of the University's efforts to comply with Board of Governors Regulations and any applicable Federal, State and local laws, rules, and regulations.
- Review and approve the Compliance Program Plan and any subsequent changes.
- Review the independence, qualifications, activities, resources, and structure of the compliance and ethics function and ensure no unjustified restrictions or limitations are made.
- Review the effectiveness of the compliance and ethics program in preventing or detecting noncompliance, unethical behavior, and criminal misconduct and ensure that it has appropriate standing and visibility across the University.
- Ensure that significant findings and recommendations made by the CAE/CCO are received, discussed, and appropriately resolved.
- Ensure that procedures for reporting misconduct, or ethical and criminal violations are well publicized and administered and include a mechanism that allows for anonymity or confidentiality, whereby members of the university community may report or seek guidance without the fear of retaliation.

- Review the effectiveness of the system for monitoring compliance with laws and regulations and management's investigation and follow-up (including disciplinary action) of any wrongful acts or non-compliance.
- Review the proposed compliance and ethics work plan for the coming year and ensure that it addresses key areas of risk and includes elements of an effective program as defined by Chapter 8 of the Federal Sentencing Guidelines.
- Obtain regular updates from the CAE/CCO regarding compliance and ethics matters that may have a material impact on the organization's financial statements or compliance policies.
- Review the findings of any examinations or investigations by regulatory bodies.
- Review the University and DSO conflict of interest policies to ensure that: 1) the term "conflict of interest" is clearly defined, 2) guidelines are comprehensive, 3) annual signoff is required, and 4) potential conflicts are adequately resolved and documented.

Investigative Responsibilities:

With regard to investigations, the AACC will:

- Ensure a process exists for receiving anonymous complaints and review the nature and disposition of reported matters.
- Institute and oversee special investigations as needed.
- Direct the CAE/CCO to conduct, coordinate, or request investigations when the Board determines that the University is unwilling or unable to address credible allegations relating to waste, fraud, or financial mismanagement.
- When requested by the Office of General Counsel, Title IX Coordinator, or the University Police, direct the CAE/CCO to assist them in their investigations.

Reporting Responsibilities:

- Regularly update the Board about its activities and make appropriate recommendations.
- Ensure the Board is aware of matters that may cause significant financial, legal, reputational, or operational impact to the University or its DSOs.
- Receive a summary of findings from completed internal and external audits and the status of implementing related recommendations.
- Receive a summary of findings from completed reports related to the compliance, ethics, or risk programs.

Other Responsibilities:

The AACC's other responsibilities include but are not limited to performing activities consistent with this Charter, regulations, rules, and governing laws that the Board or AACC determines are necessary or appropriate.

Evaluating Performance:

- Evaluate the AACC's own performance, both of individual members and collectively, on a periodic basis and communicate the results of this evaluation to the Board.
- Approve decisions regarding the appointment, replacement, and removal of the CAE/CCO. This responsibility will help ensure the CAE/CCO is independent and possesses the

competencies necessary to perform the position duties and responsibilities as outlined in the position description.

- Provide input to the President on the annual performance evaluation of the CAE/CCO.
- Review the AACC's charter annually and update as necessary.
- Ensure that any changes to the charter are discussed with the Board and reapproved.

AACC Chair Responsibilities:

The AACC Chair will:

- Preside at all AACC meetings and has the authority to call any special or emergency meetings of the Committee. The AACC Chair may assign members responsibility for specific projects
- Accept the CAE/CCO's determination of no further Board action when, as a result of a Preliminary Inquiry, the CAE/CCO recommends that no further Board action is warranted. In all other situations the AACC will review the matter at its next meeting.

The AACC Vice-Chair will perform the duties of the AACC Chair and have the same power and authority in the absence or disability of the AACC Chair.

Adoption of Charter: The Florida Polytechnic University Board of Trustees adopted the Audit and Compliance Committee Charter on March 15, 2017.

History: Adopted September 9, 2015; reviewed and amended March 15, 2017; reviewed and approved without change May 20, 2020.

FLORIDA POLYTECHNIC UNIVERSITY

Board of Trustees Charter Audit and Compliance Committee

Purpose

The Audit and Compliance Committee (“AACC” or the “Committee”) is one of the standing committees of the Board of Trustees. The primary purpose of the AACC is to assist the Board in fulfilling its oversight responsibilities for the following areas:

- Oversight of the University’s internal controls
- Oversight and direction of the internal and external auditing functions ensuring its independence
- Integrity of the University’s annual financial statements
- The performance of the University’s independent audit functions
- Approval of the annual audit plan
- Monitoring and controlling risk exposure
- Monitoring compliance with laws, rules and regulations
- Oversight and direction of the University’s compliance and ethics program ensuring its independence
- Set standards for ethical conduct

The Committee is responsible for taking appropriate actions to establish the overall standards for ethical behavior, sound risk management and sound business practices. The AACC serves as the point of contact between the Board of Trustees, external auditors, and state and federal auditors. The Chair of the AACC serves as the liaison between the Florida Polytechnic University Board of Trustees and the AACC

Composition

The AACC shall consist of no less than three members of the Board of Trustees. The Chair and the Vice-Chair shall be ex-officio voting members. The AACC Chair and members are appointed and removed by Chair of the Board of Trustees.

AACC members shall be free from any financial, family or other material personal relationship that would impair his or her independence from the management of the University.

Quorum

A majority of AACC members present at a committee meeting constitutes quorum for purposes of committee business.

Authority

To fulfill its oversight role, the AACC has the authority to investigate or study matters within the AACC's scope of responsibility. The Board authorized the Committee to:

- Perform activities within the scope of its charter
- Have unrestricted access to management, faculty, and employees of the University and its DSOs, as well as to all their books, records, and facilities.
- Study or investigate any matter related to audit, compliance, or related concerns such as potential fraud or conflicts of interest that the Committee deems appropriate.
- Engage independent counsel, independent accountants and other advisers as it deems necessary to discharge its duties.
- Provide oversight and direction of the internal auditing function, of external auditors, and of engagements with state auditors.
- Provide oversight and direction of the institutional compliance, ethics, and risk program, and be knowledgeable of the program with respect to its implementation and effectiveness.
- Perform other duties as assigned by the Board.

The AACC shall inform the Board of all actions and the results.

Meetings

The AACC shall meet at least (4) four times annually. The AACC may schedule additional meetings if needed. All meetings are open to the public and all committee members are expected to attend each meeting in person or via conference call. The AACC will invite members of management, auditors, or others to attend meetings and provide pertinent information. The Chair of the Committee shall discuss the meeting agenda with the Vice President and Chief Financial Officer prior to each meeting to finalize the agenda and review the issues to be discussed. Meeting agendas and the supporting materials will be provided in advance and the committee members will be briefed prior to each meeting. Minutes will be prepared for each meeting.

Confidential/Exempt Issues

Issues being addressed by the Audit and Compliance Committee are subject to Chapter 119, Florida Statutes (Public Records). Meetings are confidential and exempt from the public when the discussion involves sensitive issues related to individuals or an on-going investigation related to Sections 112.3187-112.31895, Florida Statutes - "Whistle-blower's Act".

Responsibilities and Duties

The AACC has the following responsibilities and duties:

General

- Assisting the Board of Trustees in fulfilling oversight responsibilities in relation to financial reporting, internal control systems, risk management systems, compliance with laws rules and regulations and internal and external audit functions. Its role is to

- provide advice and recommendations to the Board within the scope of this Charter.
- Adopt flexible procedures in order to react to changing conditions and provide reasonable assurances to the Board that the scope of audit services and the adequacy of the internal control systems are in compliance with state and federal laws, regulations and requirements.
 - Adopt a formal written charter that specifies the scope, responsibilities, processes and practices of the committee. The charter should be reviewed annually.
 - Maintain minutes of meetings and activities.
 - Report committee actions to the Board that the committee may deem appropriate.
 - Direct the Internal Auditor to conduct investigations into any matters within its scope of responsibility and obtaining advice and assistance from outside legal, accounting, or other advisers, as necessary, to perform its duties and responsibilities. Meeting with and seeking any information it requires from employees, officers, directors, or external parties.
 - Conduct or authorize investigations into matters within the committee's scope of responsibilities. The AACC shall be empowered to retain independent accountants, counsel or others to assist it in the conduct of any investigation.
 - Perform other governance oversight as assigned by the Board.

Review and monitor implementation of management's response to internal and external audit recommendations.

Internal Control

Regarding internal controls, the AACC shall:

- a. Consider the effectiveness of the University's internal control systems, including information technology security and control.
- b. Understand the scope of internal and external auditors' review of internal control over financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.
- c. Review management's written responses to significant findings and recommendations of the auditors, including the timetable to correct weaknesses in the internal control system.
- d. Review the adequacy of accounting, management, and financial processes of the University and its DSOs.

Financial Statements

The AACC shall receive and review Auditor General financial statement audits related to the University and conducted for the purpose of determining whether the University:

- a. Presented the basic financial statements in accordance with generally accepted accounting principles;
- b. Established and implemented internal controls over financial reporting and

compliance with requirements that could have a direct and material effect on the financial statements; and

- c. Complied with the various provisions of laws, rules, regulations, contracts, and grant agreements that are material to the financial statements.

Receiving and reviewing any disclosure of: i) significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the System's ability to record, process, summarize, and report financial data; and ii) any fraud, whether material or not, that involves management or other employees who have a significant role in the System's internal controls.

The AACC shall follow up, as determined appropriate, on any findings contained in Auditor General financial statement audits of the Board Office and State University System of Florida.

External Audit

With regard to external audits, the AACC shall:

- a. Receive and review all external auditors' reports of the University, including that the University's Boards of Trustees and its President take timely and appropriate corrective actions.
- b. If the AACC determines that circumstances require special purpose audits beyond that provided by the Auditor General of the State of Florida, then the AACC shall:
 - i. Review and approve the selection of external auditors or may delegate such authority to the President.
 - ii. Review and approve the audit plan and significant changes to the plan.
 - iii. Review all significant findings and recommendations noted by external auditors.
- c. Meet periodically with appropriate University staff and independent auditors to discuss and evaluate the scope and results of audits.

Internal Audit

With regard to internal audits, the AACC shall:

- a. Approve the internal audit charter.
- b. Review the independence, qualifications, activities, performance, resources, and structure of the internal audit function and ensure no unjustified restrictions or limitations are made.
- c. Review and approve the proposed internal audit plan for the coming year or the multi-year plan and ensure that it addresses key areas of risk based on risk assessment procedures performed by Audit in consultation with management and the Committee.
- d. Review the Internal Auditor's performance of audit activities relative to its plan.
- e. Ensure that significant findings and recommendations made by the internal

auditors and management's proposed response are received, discussed, and appropriately resolved.

Compliance and Ethics Program

With regard to compliance, the AACCC shall:

- a. Approve the compliance charter.
- b. Review the effectiveness of the University's efforts to comply with Board of Governors Regulations and any applicable Federal, State and local laws, rules and regulations.
- c. Review and approve the Compliance Program Plan and any subsequent changes.
- d. Review the independence, qualifications, activities, resources, and structure of the compliance and ethics function and ensure no unjustified restrictions or limitations are made.
- e. Review the effectiveness of the compliance and ethics program in preventing or detecting noncompliance, unethical behavior, and criminal misconduct and ensure that it has appropriate standing and visibility across the University.
- f. Ensure that significant findings and recommendations made by the chief compliance and ethics officer are received, discussed, and appropriately resolved.
- g. Ensure that procedures for reporting misconduct, or ethical and criminal violations are well publicized and administered and include a mechanism that allows for anonymity or confidentiality, whereby members of the university community may report or seek guidance without the fear of retaliation.
- h. Review the effectiveness of the system for monitoring compliance with laws and regulations and management's investigation and follow-up (including disciplinary action) of any wrongful acts or non-compliance.
- i. Review the proposed compliance and ethics work plan for the coming year and ensure that it addresses key areas of risk and includes elements of an effective program as defined by Chapter 8 of the Federal Sentencing Guidelines.
- j. Obtain regular updates from the chief compliance and ethics officer regarding compliance and ethics matters that may have a material impact on the organization's financial statements or compliance policies.
- k. Review the findings of any examinations or investigations by regulatory bodies.
- l. Review the University and DSO conflict of interest policies to ensure that: 1) the term "conflict of interest" is clearly defined, 2) guidelines are comprehensive, 3) annual signoff is required, and 4) potential conflicts are adequately resolved and documented.

Investigative Responsibilities

With regard to investigations, the AACCC shall:

- a. Ensure a process exists for receiving anonymous complaints and review the nature and disposition of reported matters.
- b. Institute and oversee special investigations as needed.

- c. Direct the Internal Auditor to conduct, coordinate, or request investigations when the Board determines that the University is unwilling or unable to address credible allegations relating to waste, fraud, or financial mismanagement.
- d. When requested by the Office of General Counsel or the University Police, direct the Internal Auditor to assist them in their investigations.

Reporting Responsibilities

- a. Regularly update the Board about its activities and make appropriate recommendations.
- b. Ensure the Board is aware of matters that may cause significant financial, legal, reputational, or operational impact to the University or its DSOs.
- c. Receive a summary of findings from completed internal and external audits and the status of implementing related recommendations.
- d. Receive a summary of findings from completed reports related to the compliance, ethics, or risk programs.

Other Responsibilities

The AACC's other responsibilities shall include but not be limited to performing activities consistent with this Charter, regulations, rules and governing laws that the Board or AACC determines are necessary or appropriate.

Evaluating Performance

- a. Evaluate the Committee's own performance, both of individual members and collectively, on a periodic basis and communicate the results of this evaluation to the Board.
- b. Review the Committee's charter annually and update as necessary.
- c. Ensure that any changes to the charter are discussed with the Board and reapproved

AACC Chair Responsibilities

The AACC Chair shall:

- a. Preside at all AACC meetings and shall have the authority to call any special or emergency meetings of the Committee. The AACC Chair shall assign members responsibility for specific projects.
- b. Approve decisions regarding the appointment, replacement and removal of the Internal Auditor. This responsibility will help ensure the Internal Auditor is independent and possesses the competencies necessary to perform the position duties and responsibilities as outlined in the position description.
- c. Provide input to the Board of Trustees on the annual performance evaluation of the Internal Auditor.

- d. Accept the Internal Auditor's determination of no further Board action when, as a result of a Preliminary Inquiry, the Internal Auditor recommends that no further Board action is warranted. In all other situations the Audit Committee shall review the matter at its next meeting.

The AACC Vice-Chair shall perform the duties of the AACC Chair and have the same power and authority in the absence or disability of the AACC Chair.

Adoption of Charter

The Florida Polytechnic University Board of Trustees adopted the Audit and Compliance Committee Charter on March 15, 2017.

History: Adopted September 9, 2015, reviewed and amended March 15, 2017

**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2020**

Subject: Audit & Compliance Update

Proposed Committee Action

Information only – no action required.

Background Information

David Blanton, Chief Audit Executive/Chief Compliance Officer (CAE/CCO) will provide the Committee with an update of all University and Foundation audit and compliance activity including the status of all planned external audits and University Audit & Compliance activities and plans.

Supporting Documentation: Power Point presentation

Prepared by: David A. Blanton, CAE/CCO



FLORIDA POLYTECHNIC
UNIVERSITY

Audit and Compliance Committee

David A. Blanton

September 9, 2020

Audit & Compliance Agenda

- **AACC Charter Review & Approval**
 - **Audit & Compliance Update**
 - **Auditor General Operational Audit**
 - **UAC Annual Report ~ 2019-20 FY**
 - **UAC Audit Plan & Risk Assessment ~ 2020-21 FY**
 - **UAC Compliance & Ethics Program ~ 2020-21 FY**
-

Responsibilities – Committee Charter

- **Internal controls**
- **Audit function**
 - Oversight
 - Direction
- **Integrity of financial statements**
- **Performance of UAC**
- **Approve audit plan**
- **Risk exposure**
- **Compliance**
- **Compliance program**
- **Ethical conduct**

FLORIDA
POLYTECHNIC
UNIVERSITY

Board of Trustees
Charter
Audit and Compliance Committee

Purpose

The Audit and Compliance Committee ("AACC" or the "Committee") is one of the standing committees of the Board of Trustees. The primary purpose of the AACC is to assist the Board in fulfilling its oversight responsibilities for the following areas:

- Oversight of the University's internal controls
- Oversight and direction of the internal and external auditing functions ensuring its independence
- Integrity of the University's annual financial statements
- The performance of the University's independent audit functions
- Approval of the annual audit plan
- Monitoring and controlling risk exposure
- Monitoring compliance with laws, rules and regulations
- Oversight and direction of the University's compliance and ethics program ensuring its independence
- Set standards for ethical conduct

The Committee is responsible for taking appropriate actions to establish the overall standards for ethical behavior, sound risk management and sound business practices. The AACC serves as the point of contact between the Board of Trustees, external auditors, and state and federal auditors. The Chair of the AACC serves as the liaison between the Florida Polytechnic University Board of Trustees and the AACC

Composition

The AACC shall consist of no less than three members of the Board of Trustees. The Chair and the Vice-Chair shall be ex-officio voting members. The AACC Chair and members are appointed and removed by Chair of the Board of Trustees.

AACC members shall be free from any financial, family or other material personal relationship that would impair his or her independence from the management of the University.

Quorum

A majority of AACC members present at a committee meeting constitutes quorum for purposes of committee business.

AACC Charter Changes and Approval

- **Organized for clarity/consistent terminology**
- **CAE/CCO evaluation/AACC input**
- **Updated modification date**

ACTION: Recommend approval of the changes to the Audit and Compliance Committee Charter to the Board.

Audit & Compliance Agenda

- AACCC Charter Review & Approval
 - **Audit & Compliance Update**
 - External Audits
 - Internal Audit
 - **Auditor General Operational Audit**
 - **UAC Annual Report ~ 2019-20 FY**
 - **UAC Audit Plan & Risk Assessment ~ 2020-21 FY**
 - **UAC Compliance & Ethics Program ~ 2020-21 FY**
-

Update - External Audits

- **Auditor General: Operational Audit 2019 CY**
 - Report released, presented for approval today
 - 2 findings, down from 9 in the prior audit
- **Auditor General: Bright Futures Audit (2 year)**
 - Fieldwork completed, to be released soon
 - Statewide audit
- **Auditor General: Statewide Federal Audit**
 - Title IV Federal Programs (Pell/SEOG/FWS/Federal Loans/ etc.)
 - Fieldwork in progress – issued by 3/31/21
- **Auditor General: Financial Audit ~ FYE 6/30/20**
 - Fieldwork to start in fall 2020

Update - Internal Audit/Compliance

- **Completed annual report ~2019-20FY**
 - **Completed risk assessment ~ 2020-21 FY**
 - **Completed audit plan ~ 2020-21 FY**
 - **Completed compliance program plan ~ 2020-21 FY**
 - **In-progress/Upcoming projects:**
 - CARES Compliance Monitoring Review (BOG report out by Jan 2021)
 - Textbook Affordability Monitoring Review (Fall 2020)
 - Performance Based Funding Audit (due to BOT by Feb/BOG by 3/1/21)
-

Audit & Compliance Agenda

- AACC Charter Review & Approval
 - Audit & Compliance Update
 - **Auditor General Operational Audit**
 - **UAC Annual Report ~ 2019-20 FY**
 - **UAC Audit Plan & Risk Assessment ~ 2020-21 FY**
 - **UAC Compliance & Ethics Program ~ 2020-21 FY**
-

Auditor General Operational Audits

- **Scope: Review of university processes and administrative activities**
 - **Audit period: Calendar year 2019**
 - **Frequency: Conducted every 2 to 3 years**
 - **Current audit=2 findings/prior audit=9 findings**
 - **One repeat finding (uncorrected)**
-

Auditor General Operational Audit

- **Finding 1: Textbook Affordability**

- Required & recommended instructional materials must be posted 45 days prior to start of classes
 - 3 terms tested; however only 1 term noncompliant (Spring 2019)
 - Certification to the BOG for this same term did not reflect non-compliance
 - Repeat finding (3rd time)
 - UAC identified this term as non-compliant in February 2019 (Report FPU-2019-04)
 - Compliance monitoring reports planned for 2020-21 FY as part of Compliance Program Plan
-

Textbook Affordability

Table 1
Textbook and Instructional Materials Postings

Posted Status	Spring 2019 Course Sections
Timely	234
Late	31
Totals	<u>265</u>
Percent Timely	<u>88%</u>

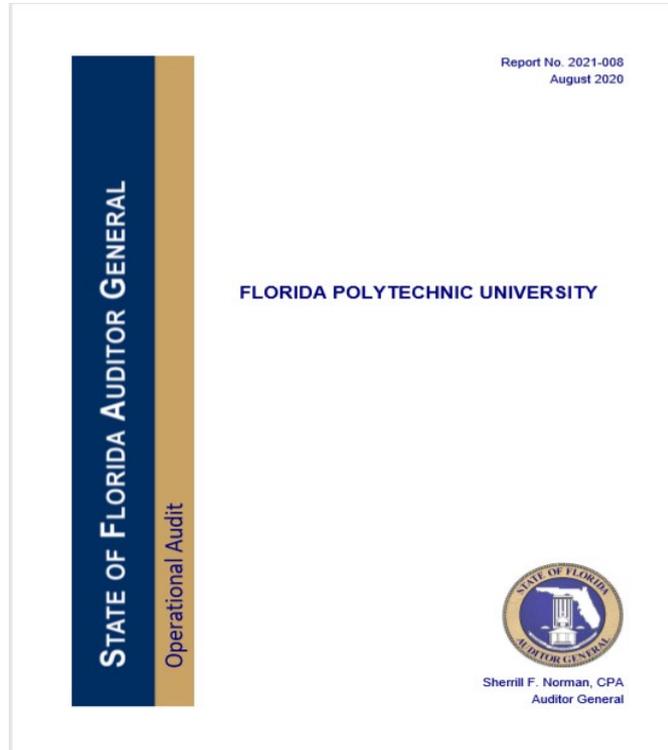
Source: University records.

Auditor General Operational Audit

- **Finding 2: Background Screenings**

- Level 2 background screenings were not maintained for 9 employees
 - In 4 instances this occurred due to internal promotions
 - In 5 instances the screenings were performed but documentation was not maintained
 - The university has now performed the screenings for these employees
 - Internal controls enhanced to preclude further instances
-

Auditor General Operational Audit



ACTION: Recommend approval of the Auditor General Operational Audit to the Board of Trustees.

Audit & Compliance Agenda

- **Audit & Compliance Update**
 - **Auditor General Operational Audit**
 - **UAC Annual Report ~ 2019-20 FY**
 - **UAC Audit Plan & Risk Assessment ~ 2020-21 FY**
 - **UAC Compliance & Ethics Program ~ 2020-21 FY**
-

UAC Annual Report

- **Fiscal year ended June 30, 2020**
 - **Required by IIA Standards, BOG Regulation, and UAC Charter**
 - **Summarizes the activity of UAC**
 - **Audit & Compliance Committee Oversight (fulfills certain charter responsibilities)**
 - Resource allocation
 - Sufficient resources committed
 - Risks adequately addressed
 - Overall oversight of audit & compliance functions
-

UAC Annual Report Highlights

- **Completed and released 4 audit reports**
 - **Completed and released 4 investigative reports**
 - **Presented 4 training sessions**
 - **Administered 18 allegations of fraud, waste, noncompliance or abuse**
 - **Completed an audit self-assessment**
-

UAC Resource Allocation

TABLE 2
COMPARISON OF APPROVED PLAN HOURS TO ACTUAL HOURS

Activity	Plan Hours	Actual Hours	Difference	% Difference
Administrative	244	266.5	22.5	9.2%
Audit	680	525.5	(154.5)	-22.7%
Compliance	400	365	(35)	-8.8%
Investigative	200	412	212	106%
Consulting	240	243.5	3.5	1.5%
Training	120	82	(38)	-31.7%
Totals	1,884	1,894.5	10.5 ⁴	0.6%

Time by Activity (Actual)



UAC Progress towards Audit Plan

Table 1 2019-20 Audit Plan Actual Progress vs. Approved Audit Plan			
#	Planned Audits/Risk Areas for 2019-20	Area of Focus (i.e. processes/Controls)	Status
1	ADA/ODS Audit (from previous plan but completed in early 2019-20)	To determine compliance with the Americans with Disabilities Act (ADA) Regulations, the operations of the University's Office of Disability Services (ODS), and compliance with Section 504 ² .	<input checked="" type="checkbox"/>
2	Quality Assurance Review (QAR) Self-Assessment	To determine conformance with IIA Standards and Code of Ethics.	<input checked="" type="checkbox"/>
3	Institutional Scholarship Awards	Initially planned as a limited scope review to determine whether institutional scholarships offered were administered without bias, on a consistent basis, and in accordance with University and Federal Regulations. Scope expanded to address additional areas of perceived risk.	X(A)
4	Expense Card & Travel Expenses	To determine whether the E-card program was administered in accordance with applicable university policies and procedures and whether related purchasing card travel expenses were reasonable, adequately supported, and for valid university purposes.	X(B)
5	PIE Report	Primarily relates to carryforward funds. Limited scope report to determine whether the recommendations in the Public Integrity and Ethics (PIE) Committee has been adequately addressed.	X(B)
<input checked="" type="checkbox"/>	Planned audit or review completed.		
X	Planned audit or review not yet completed.		
(A)	UAC has performed a significant amount of work on this focus area and provided its expanded scope, is proposing to carry forward this risk into the 2020-21 Plan year.		
(B)	Area of focus included in recent operational audit performed recently by the Auditor General and thus no longer considered a high area of risk.		

Mandatory Audit Disclosures

- **Organizational Independence**
 - **Impairments to independence or objectivity (none)**
 - **Disclosure of nonconformance (none)**
 - **Unacceptable risks (none)**
 - **Quality assurance**
-

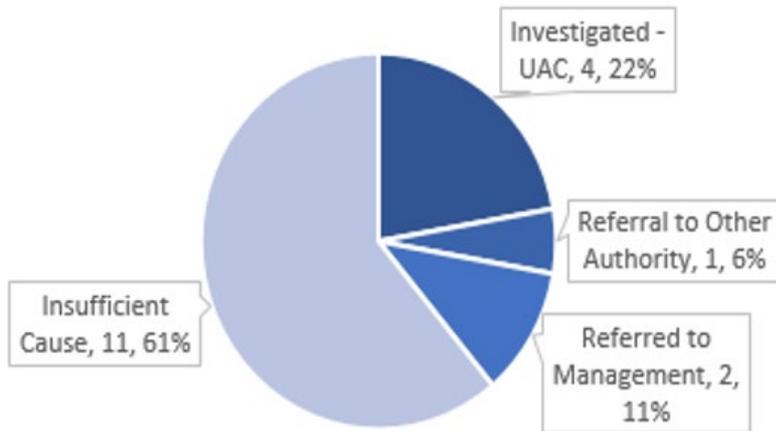
UAC Progress towards Compliance Program Plan

Table 5
2019-20 Compliance & Ethics Program Plan
Actual Progress vs. Approved Plan

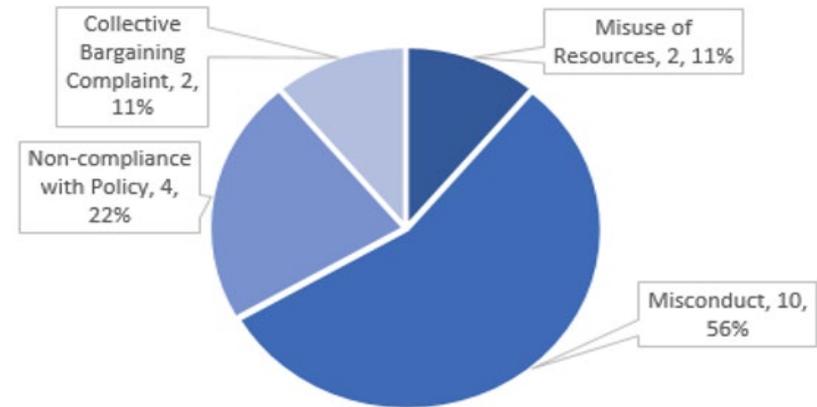
#	Planned Area of Focus for 2019-20	Status/Comments
1	General Compliance Activities/Investigations	☑
2	Trainings & Communication	☑
3	Environmental Health & Safety	X(A)
4	Contract Management	X(B)
5	Background Screenings	X(B)
6	Compliance Program Self-Assessment	X(C)
☑	Planned area of focus in progress or completed.	
X	Planned audit or review not yet started or completed. Project deferred into subsequent fiscal year.	
(A)	Since this area involves instructional labs that are currently impacted by COVID-19 restrictions, recommending postponement of this area of focus.	
(B)	Sufficiently included in the scope of the Auditor General's recent operational audit. Therefore recommending removal from Plan.	
(C)	Self-assessment criteria not formally adopted by Compliance Consortium until late in the 2019-20 fiscal year. Therefore, carrying this focus area into the 2020-21 Plan. Additionally, as noted in this report the external assessment will need to be initiated by November 2021.	

UAC Allegations

ALLEGATION DISPOSITIONS
2019-20 FY



NATURE OF ALLEGATION
2019-20 FY



NOTE: All allegations and dispositions reported monthly to the Audit & Compliance Committee.

Key Performance Indicators: Audit & Compliance

Key Performance Indicator	17/18 ⁶	18/19	19/20	Comments
Total reports released	3	8	8	
Number of audits completed	1	2	2	
Percentage of audit effort	21.9%	26.9%	27.7%	
Number of allegations addressed	33	26	18	
Number of investigative reports released	1	3	4	
Number of consults/compliance inquiries	-	-	138	Not tracked until 19/20 FY
Number of certifications held by UAC staff	1	2	2	CPA, CCEP
Trainings conducted by UAC	1	3	4	
Audit experience (years)	28	29	30	
Compliance professional experience (years)	0	1	2	

⁶ The initial year that UAC was staffed only included 11 months and most effort was directed at establishing an appropriate infrastructure for audit and compliance.

UAC Annual Report

- **Includes both Audit and Compliance**
- **Annual report used as the basis to evaluate performance relative to the approved plans and assists the Committee with its oversight responsibility**
- **Annual report required by BOG Regulation**

ACTION: Recommend approval of the UAC Annual Report for the fiscal year ended June 30, 2020 to the Board.

Audit & Compliance Agenda

- **AACC Charter Review & Approval**
 - **Audit & Compliance Update**
 - **Auditor General Operational Audit**
 - **UAC Annual Report ~ 2019-20 FY**
 - **UAC Risk Assessment & Audit Plan ~ 2020-21 FY**
 - **UAC Compliance & Ethics Program Plan ~ 2020-21 FY**
-



Risk Assessment & Audit Plan

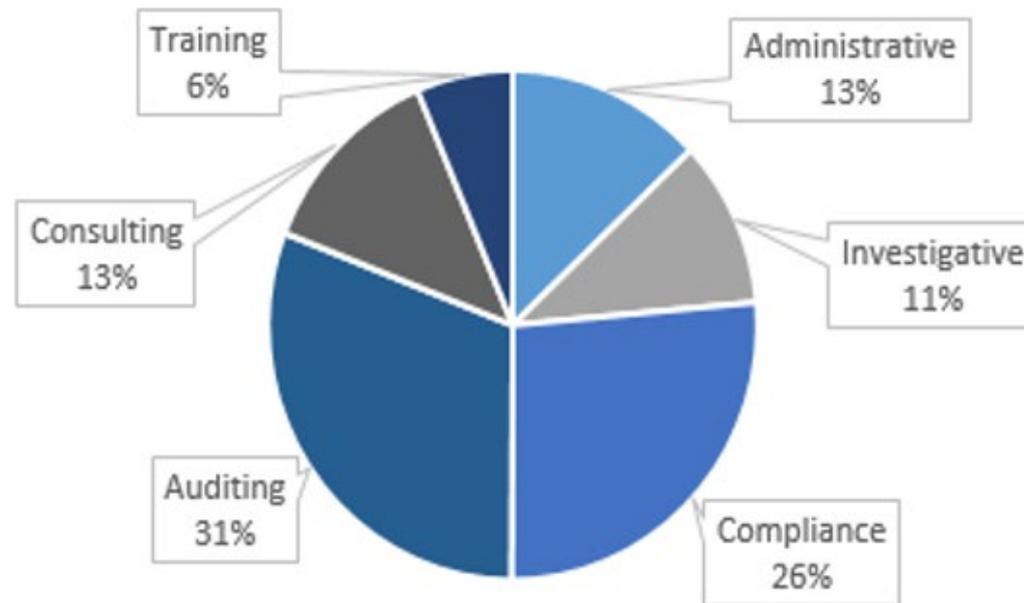
Rank	Audit Risk Area	Objectives/Purpose of Audit	Notes
1	Performance Based Funding Reporting Controls (PBF)	To determine whether the University has established adequate controls in order to properly report on the various metrics related to PBF. [Note: This is the first year that PBF will be applicable to Florida Poly.]	A
2	Institutional Scholarship Awards	To determine whether institutional scholarships offered were administered without bias, on a consistent basis, and in accordance with University and Federal Regulations.	B
3	Follow-up on previously reported matters	To determine the current status of all corrective action on matters previously reported by UAC.	
Notes:			
A – PBF audit and BOT data certification is required to be presented to the BOG by March 1, 2021. This is the first year that Florida Poly will participate in the funding for PBF and a condition of participation is an audit of the data integrity supporting the metrics developed to measure performance. Consequently, this is ranked highest priority for the 2020-21 Plan year.			
B – Risk and audit carried forward from 2019-20 Audit Plan. This audit initially planned as a limited scope audit; however, scope expanded to review other related risks. Completion of audit impacted by UAC workflow and COVID-19.			

University Audit Work Plan: 20/21 FY

Florida Polytechnic University University Audit & Compliance Work Plan (A)		
Activity	Estimated Hours	Total Hours
ADMINISTRATIVE ACTIVITIES:		
Periodic meetings with President/Board	40	244
BOG Communications	20	
Prepare Audit & Compliance liaison materials and attend briefings	160	
Other	24	
INVESTIGATIVE ACTIVITIES:		
Complaint Intake, Preliminary Inquiries, Investigations (B)	200	200 ⁵
COMPLIANCE ACTIVITIES:		
Administration of the Compliance and Ethics Program	360	500 ⁵
Perform Compliance & Ethics Training	40	
Compliance Program Evaluation	100	
AUDITING ACTIVITIES:		
UAC Risk Assessment and Audit Plan 2020-21	80	
UAC Annual Report	60	
PBF Audit	360	
Follow-up on Prior Audit Observations	80	
Scholarships/Admissions	100	
MANAGEMENT ADVISORY/CONSULTING ACTIVITIES:		
Various (B)	240	240
TRAINING ACTIVITIES:		
Webinars, SUS Committees, and Continuing Professional Education	120	120
Total Estimated Hours	1,884	1,884
Notes:		
(A) This annual work plan is subject to change based on requests made by the Board to evaluate particular programs or activities.		
(B) Estimated hours for investigations and management advisory services not readily quantifiable and could increase given additional allegations and/or consulting requests.		

University Audit Work Plan: 20/21 FY

Planned Work Distribution - 2020-21 FY



■ Administrative ■ Investigative ■ Compliance ■ Auditing ■ Consulting ■ Training

University Audit Risk Assessment & Work Plan

- **Plan year: 2020-21 FY**
- **The Plan assists the Committee with its oversight responsibility**
- **The Committee should consider (a) whether the Plan is aligned with the university's strategic plan, objectives, and applicable risk and (b) whether it provides for the effective use of UAC resources**

ACTION: Recommend approval of the UAC Risk Assessment and Work Plan for the fiscal year ended June 30, 2021 to the Board.

Audit & Compliance Agenda

- **AACC Charter Review & Approval**
 - **Audit & Compliance Update**
 - **Auditor General Operational Audit**
 - **UAC Annual Report ~ 2019-20 FY**
 - **UAC Risk Assessment & Audit Plan ~ 2020-21 FY**
 - **UAC Compliance & Ethics Program Plan ~ 2020-21 FY**
-

Compliance and Ethics Program

- **Compliance & Ethics Program Plan Developed for each FY**
 - **AACC Charter requires Trustees to be knowledgeable of the Program**
 - **Federal Sentencing Guidelines (FSG):
7 Basic Elements**
-

FSG 7 Basic Elements – Compliance & Ethics Plan

- **Standards, Policies, Procedures**
- **Compliance Program Administration**
- **Conduct Controls for Employees**
- **Communication, Education, & Training**
- **Monitoring, Auditing, Reporting System
(Hotline)**
- **Discipline & Incentives**
- **Program Modifications**

NOTE: 2020-21 Compliance & Ethics Plan addresses each FSG element.

2020-21 Compliance Plan Focus Areas

- **Compliance Monitoring Reviews**
 - CARES Act Funds
 - Textbook Affordability Compliance
 - Financial Disclosures/Conflicts
 - Foreign Influence/Gifts Contracts
 - Compliance Program Assessment
 - **Reporting system (Hotline)/Investigations**
 - **Training**
 - **Consultations/advisory services**
-

Compliance & Ethics Program Plan Approval

- **Plan year: 2020-21 FY**
- **The Plan assists the Committee with its oversight responsibility**
- **The Committee should consider (a) whether the Plan is aligned with the university's strategic plan, objectives, and applicable risk and (b) whether it provides for the effective use of UAC resources**

ACTION: Recommend approval of the Compliance & Ethics Program Plan for the fiscal year ended June 30, 2021 to the Board of Trustees

AGENDA ITEM: VIII.

**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2020**

Subject: Auditor General Operational Audit of the University

Proposed Committee Action

Recommend approval of the Operational Audit performed by the Florida Auditor General for the calendar year 2019.

Background Information

In accordance with Section 11.45, Florida Statutes, an operational audit was performed on the University's various programs, activities, and functions. The operational audit focused on various processes and administrative activities and included a follow-up of the 9 findings reported in the previous operational audit of the University. David Blanton, Chief Audit Executive/Chief Compliance Officer (CAE/CCO) will present the results of the operational audit to the Committee for their consideration and approval.

Supporting Documentation: Florida Polytechnic University Operational Audit Report No. 2021-008 (issued by the Florida Auditor General).

Prepared by: David A. Blanton, CAE/CCO

STATE OF FLORIDA AUDITOR GENERAL

Operational Audit

Report No. 2021-008
August 2020

FLORIDA POLYTECHNIC UNIVERSITY



Sherrill F. Norman, CPA
Auditor General

Board of Trustees and President

During the period January 1 through December 31, 2019, Dr. Randy K. Avent served as President of Florida Polytechnic University and the following individuals served as Members of the Board of Trustees:

Donald H. Wilson, Chair	Frank T. Martin
Clifford "Cliff" K. Otto, Vice Chair	Henry McCance
Dr. Victoria Astley from 5-2-19 ^a	Ryan Perez from 4-25-19 ^b
R. Mark Bostick	Dr. Adrienne Perry
Dr. James Dewey through 5-1-19 ^a	Dr. Louis S. Saco
Rear Admiral Philip A. Dur, USN (Ret.)	Dr. W. Earl Sasser from 10-30-19
Dr. Richard P. Hallion through 10-29-19	Robert W. Stork
Travis Hills through 4-24-19 ^b	Gary C. Wendt

^a Faculty Senate Chair.

^b Student Body President.

The team leader was Gregory J. Lemieux, CPA, and the audit was supervised by Mark A. Arroyo, CPA.

Please address inquiries regarding this report to Jaime N. Hoelscher, CPA, Audit Manager, by e-mail at jaimehoelscher@aud.state.fl.us or by telephone at (850) 412-2868.

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State of Florida Auditor General

Claude Pepper Building, Suite G74 · 111 West Madison Street · Tallahassee, FL 32399-1450 · (850) 412-2722

FLORIDA POLYTECHNIC UNIVERSITY

SUMMARY

This operational audit of Florida Polytechnic University (University) focused on selected University processes and administrative activities and included a follow-up on findings noted in our report No. 2018-214. Our operational audit disclosed the following:

Finding 1: As similarly noted in our report Nos. 2018-214 and 2016-067, University textbook affordability procedures need improvement.

Finding 2: Required background screenings were not always performed and documented for individuals in positions of special trust and responsibility.

BACKGROUND

The Florida Polytechnic University (University) is part of the State university system of public universities, which is under the general direction and control of the Florida Board of Governors (BOG). The University is directly governed by a Board of Trustees (Trustees) consisting of 13 members. The Governor appoints 6 citizen members and the BOG appoints 5 citizen members. These members are confirmed by the Florida Senate and serve staggered 5-year terms. The Faculty Senate Chair and Student Body President also are members.

The BOG establishes the powers and duties of the Trustees. The Trustees are responsible for setting University policies, which provide governance in accordance with State law and BOG Regulations. The University President is selected by the Trustees and confirmed by the BOG. The University President serves as the Executive Officer and the Corporate Secretary of the Trustees and is responsible for administering the policies prescribed by the Trustees for the University.

FINDINGS AND RECOMMENDATIONS

Finding 1: Textbook Affordability

State law¹ requires each university to post prominently in the course registration system and on its Web site, as early as feasible, but at least 45 days before the first day of class for each term, a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the university during the upcoming term. In addition, State law² requires universities to report to the Chancellor of the State University System (SUS) no later than September 30, 2019, the number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year.

¹ Section 1004.085(5), Florida Statutes.

² Section 1004.085(7), Florida Statutes.

The University contracted with a Bookstore Vendor to manage and operate the University Bookstore, as well as compile and post adopted textbooks and instructional materials in the University Bookstore Web site. According to University personnel, textbook and instructional material information was simultaneously updated in the course registration system and on the Bookstore Web site. University policies³ require that course instructors submit a list of required and recommended textbooks and instructional materials to the Bookstore Vendor by the provost or designee established adoption date deadline and also require course instructors to confirm to the Vendor the courses and course sections that will require no textbooks or instructional materials.

As part of our audit, we examined University records supporting textbooks and instructional materials for the Spring 2019, Summer 2019, and Fall 2019 Terms. Specifically, from the population of 609 course sections offered during those terms, we examined University records supporting textbook and instructional material adoptions for all course sections to determine whether the University textbook affordability procedures complied with State law. Based on that examination and discussions with University personnel, we determined for the Spring 2019 Term that:

- As shown in Table 1, the University timely posted the textbooks and instructional materials for 88 percent of the course sections, instead of at least 95 percent of the course sections pursuant to State law.

Table 1
Textbook and Instructional Materials Postings

Posted Status	Spring 2019 Course Sections
Timely	234
Late	31
Totals	<u>265</u>
Percent Timely	<u>88%</u>

Source: University records.

In response to our inquiries, University personnel indicated that delays occurred because instructors were changed for several course sections. The timely posting of required and recommended textbook and instructional material information in the course registration system and on the University Bookstore Web site is necessary for students to understand course textbook requirements, have sufficient time to consider textbook purchase options, and limit their textbook costs.

- The University Report to the Chancellor of the SUS indicated that textbook and instructional materials information for 1 percent of the course sections did not meet the posting deadline and, therefore, the University represented that 99 percent of course sections met the posting deadline for that term. In response to our inquiries regarding the difference between the 99 percent represented for the term on the University report and the 88 percent of textbooks and instructional materials timely posted for the term, University personnel indicated that the University report was based on incorrect information. Accurate information reported to the SUS Chancellor is required by State law and helps the Chancellor summarize and report the information by institution to the Board of Governors.

³ FPU Policy – 5.003, *Textbook Adoption and Affordability*.

Similar findings were noted in our report Nos. 2018-214 and 2016-067.

Recommendation: The University should ensure that a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the University during the upcoming term is prominently posted in the course registration system and on its Web site, as early as feasible, but at least 45 days before the first day of class for each term. Additionally, the University should ensure accurate records are used when reporting the number of courses and course sections not able to meet the posting deadline to the SUS Chancellor.

Finding 2: Background Screenings

State law⁴ requires universities to designate the positions of special trust or responsibility subject to a level 2 background screening.⁵ In addition, University policies⁶ require level 2 background screenings for certain positions and volunteers, and provide that timely conduct of the screenings is the responsibility of the Human Resources Department. However, procedures had not been established to always ensure that screening results were maintained and that employees, who were promoted into positions that require screenings, had obtained the screenings.

As part of our audit, we requested and the University provided a list of the 267 employees, such as Information Technology, Financial Aid, Registrar, and Finance Department personnel, who were required as of December 2019 to have a level 2 background screening. From that list, we requested for examination University records supporting the background screenings for 49 selected employees, including the 19 employees on the list without a screening date posted. While University records evidenced the required screenings for 40 of the 49 selected employees, records were not provided for 9 of the 19 employees on the list without a screening date posted. In response to our inquiries, University personnel indicated that screenings for 5 of the employees had been conducted but the screening results expired before the results were saved. University personnel also indicated that 4 of the employees had been promoted into positions that required the screenings but did not obtain the screenings.

Absent records that demonstrate level 2 background screenings of employees in positions of special trust or responsibility, there is an increased risk that those employees may not have been background screened and may not have suitable backgrounds for their positions.

Recommendation: The University should enhance procedures to ensure that level 2 background screenings are performed and documented for all individuals in positions of special trust or responsibility.

PRIOR AUDIT FOLLOW-UP

The University had taken corrective actions for findings included in our report No. 2018-214, except that Finding 1 was noted in our report Nos. 2018-214 and 2016-067 as Finding 1 and Finding 3, respectively.

⁴ Section 1012.915, Florida Statutes, effective July 1, 2019.

⁵ A level 2 background screening includes fingerprinting for Statewide criminal history records checks through the Florida Department of Law Enforcement (FDLE), national criminal history records checks through the Federal Bureau of Investigation, and may include local criminal checks through local law enforcement agencies.

⁶ FPU Policy – 6.011, *Criminal Background Checks*.

OBJECTIVES, SCOPE, AND METHODOLOGY

The Auditor General conducts operational audits of governmental entities to provide the Legislature, Florida's citizens, public entity management, and other stakeholders unbiased, timely, and relevant information for use in promoting government accountability and stewardship and improving government operations.

We conducted this operational audit from March 2020 through June 2020 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

This operational audit focused on information technology resources and related controls; direct support organizations; student fees; textbook affordability; compensation, construction, other expenses; and other processes and administrative activities. For those areas, our audit objectives were to:

- Evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities in accordance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines.
- Examine internal controls designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of records and reports, and safeguarding of assets, and identify weaknesses in those controls.
- Determine whether management had taken corrective actions for findings included in our report No. 2018-214.
- Identify statutory and fiscal changes that may be recommended to the Legislature pursuant to Section 11.45(7)(h), Florida Statutes.

In planning and conducting our audit, we assessed whether internal controls were significant to our audit objectives by considering the internal control integrated framework established by the Committee of Sponsoring Organizations (COSO)⁷ and adapted for a government environment within the *Standards for Internal Control in the Federal Government* issued by the United States Government Accountability Office. That framework is illustrated in the following table.

⁷ The Committee of Sponsoring Organizations (COSO) of the Treadway Commission was established in 1985 to develop guidance in the areas of risk and control which enable good organizational governance and reduction of fraud. Pursuant to their mission, COSO developed a framework for internal control that consists of five components and 17 underlying principles.

COSO Internal Control Integrated Framework

Internal Control Component	Description	Underlying Principles (To be Applied by the Board and Management)
Control Environment	Standards, processes, and structures that provide the basis for carrying out internal control across the organization. Represents the foundation on which an effective internal control system is built.	<ul style="list-style-type: none"> • Demonstrate commitment to integrity and ethical values. • Exercise oversight responsibility. • Establish structures and reporting lines and assign authorities and responsibilities. • Demonstrate commitment to a competent workforce. • Hold individuals accountable for their responsibilities.
Risk Assessment	Management's process to consider the impact of possible changes in the internal and external environment and to consider actions to mitigate the impact. The basis for how risks will be managed.	<ul style="list-style-type: none"> • Establish clear objectives to define risk and risk tolerances. • Identify, analyze, and respond to risks. • Consider the potential for fraud. • Identify, analyze, and respond to significant changes that impact the internal control system.
Control Activities	Activities in the form of policies, procedures, and standards that help management mitigate risks. Control activities may be preventive in nature or detective in nature and may be performed at all levels of the organization.	<ul style="list-style-type: none"> • Design control activities to achieve objectives and respond to risks. • Design control activities over technology. • Implement control activities through policies and procedures.
Information and Communication	Information obtained or generated by management to support the internal control system. Communication is the dissemination of important information to help the organization meet requirements and expectations.	<ul style="list-style-type: none"> • Use relevant and quality information. • Communicate necessary information internally to achieve entity objectives. • Communicate necessary information externally to achieve entity objectives.
Monitoring	Periodic or ongoing evaluations to verify that the internal control system is present and functioning properly.	<ul style="list-style-type: none"> • Conduct periodic or ongoing evaluations of the internal control system. • Remediate identified internal control deficiencies on a timely basis.

We determined that all components of internal control and underlying principles were significant to our audit objectives.

This audit was designed to identify, for those areas included within the scope of the audit, weaknesses in management's internal controls significant to our audit objectives; instances of noncompliance with applicable laws, rules, regulations, contracts, grant agreements, and other guidelines; and instances of inefficient or ineffective operational policies, procedures, or practices. The focus of this audit was to identify problems so that they may be corrected in such a way as to improve government accountability and efficiency and the stewardship of management. Professional judgment has been used in determining significance and audit risk and in selecting the particular transactions, legal compliance matters, records, and controls considered.

As described in more detail below, for those programs, activities, and functions included within the scope of our audit, our audit work included, but was not limited to, communicating to management and those charged with governance the scope, objectives, timing, overall methodology, and reporting of our audit; obtaining an understanding of the program, activity, or function; identifying and evaluating internal controls significant to our audit objectives; exercising professional judgment in considering significance and audit risk in the design and execution of the research, interviews, tests, analyses, and other procedures included in the audit methodology; obtaining reasonable assurance of the overall sufficiency and appropriateness of the evidence gathered in support of our audit findings and conclusions; and reporting on the results of the audit as required by governing laws and auditing standards.

Our audit included transactions, as well as events and conditions, occurring during the audit period of January 2019 through December 2019 and selected University actions taken prior and subsequent thereto. Unless otherwise indicated in this report, these records and transactions were not selected with the intent of statistically projecting the results, although we have presented for perspective, where practicable, information concerning relevant population value or size and quantifications relative to the items selected for examination.

An audit by its nature does not include a review of all records and actions of management, staff, and vendors and, as a consequence, cannot be relied upon to identify all instances of noncompliance, fraud, waste, abuse, or inefficiency.

In conducting our audit, we:

- Reviewed applicable laws, rules, University policies and procedures, and other guidelines, and interviewed University personnel to obtain an understanding of applicable processes and administrative activities.
- Reviewed University information technology (IT) policies and procedures to determine whether the policies and procedures addressed certain important IT control functions, such as security, systems development and maintenance, and disaster recovery.
- Evaluated University procedures for maintaining and reviewing employee access to IT data and resources. We examined access privileges for all 44 employees with access to the database and finance and human resources applications during the audit period to determine the appropriateness and necessity of the access based on the employees' job duties and user account functions and the adequacy with regard to preventing the performance of incompatible duties.
- Evaluated University procedures for protecting the sensitive personal information of students, such as social security numbers. From the population of 33 employees who had access privileges to the personal information during the audit period, we examined University records supporting the access privileges granted to those employees to determine the appropriateness and necessity of the access privileges based on the employees' assigned job responsibilities.
- Determined whether a comprehensive IT security awareness and training program was in place for the audit period.
- Reviewed operating system, database, network, and application security settings to determine whether authentication controls were configured and enforced in accordance with IT best practices.
- From the population of 609 course sections offered during the audit period, examined University records supporting textbook adoptions for those course sections to determine whether the University textbook affordability procedures complied with Section 1004.085, Florida Statutes.
- Examined the three bank account reconciliations for the June 2019 bank statements to determine whether the reconciliations were accurate, timely, and evidenced timely supervisory review and approval.
- Determined whether any investment income for the audit period was properly allocated to the funds that generated the investment income.
- Examined University records supporting food service operations to determine whether the University properly monitored compliance with contract terms for commission revenues during the audit period.

- Determined whether student fees during the audit period were properly assessed and authorized, and accurately calculated in accordance with Board of Governors Regulations 7.001 and 7.003, and Section 1009.24, Florida Statutes.
- From the population of compensation payments totaling \$29,443,892 made to 610 employees during the audit period, selected payments totaling \$172,776 made to 30 employees and examined the related payroll and personnel records to determine the accuracy of the rate of pay, the validity of employment contracts, whether performance evaluations were completed, the accuracy of leave records, and whether supervisory personnel reviewed and approved employee reports of time worked.
- Examined University records for the three applicable employees (including the President) who individually received compensation over \$200,000 and collectively received a total of \$906,796 to determine whether the amounts paid complied with the limits established in Sections 1012.975(3) and 1012.976(2), Florida Statutes.
- Evaluated University policies and procedures for obtaining personnel background screenings to determine compliance with Section 1012.915, Florida Statutes.
- Examined University records to determine whether payments from the University to its direct support organization complied with Section 1004.28(1)(a)2. and (2), Florida Statutes.
- Examined University records to determine whether the Trustees had prescribed by regulation, pursuant to Section 1004.28(2)(b), Florida Statutes, the conditions with which the DSO must comply in order to use University property, facilities, and personal services and whether the Trustees documented consideration and approval of anticipated property, facilities, and personal services provided to the DSO and the related costs.
- Examined University records to determine whether selected expenses were reasonable, correctly recorded, adequately documented, for a valid University purpose, properly authorized and approved, and in compliance with applicable laws, rules, contract terms, and University policies. Specifically, from the expenses totaling \$19,849,156 for the audit period, we examined University records supporting:
 - 30 selected payments for general expenses totaling \$3,379,351.
 - 30 selected payments for contractual services totaling \$3,484,878.
- From the population of 5,086 purchasing card (P-card) transactions totaling \$1,049,231 during the audit period, examined University records supporting 30 selected P-card transactions totaling \$90,837 to determine whether the P-card program was administered in accordance with University policies and procedures and transactions were not of a personal nature.
- From the population of three major construction projects with construction expenses totaling \$5,075,380 during the audit period, selected six payments totaling \$1,311,281 related to the largest construction project (with total construction expenses totaling \$1,996,595) and examined University records to determine whether the payments were made in accordance with contract terms and conditions, University policies and procedures, and provisions of applicable State laws and rules.
- Reviewed documentation related to the largest construction project during the audit period to determine whether the University process for selecting design professionals and construction managers was in accordance with State law; the selection process of subcontractors was adequately monitored including verification of licenses; the Trustees had adopted a policy establishing minimum insurance coverage requirements for design professionals; and design professionals provided evidence of required insurance.
- From the population of Education and General carryforward funds and other restricted capital outlay expenses totaling \$8,800,108 during the audit period, examined records supporting

16 selected expenses totaling \$5,117,471 to determine whether these funds were expended in compliance with the restrictions imposed on the use of these resources. Also, we determined whether Education and General carryforward funds were budgeted and used in accordance with Board of Governors Regulation 9.007.

- Determined whether Public Education Capital Outlay funds were properly encumbered by the required reversion date or reverted as required by Section 216.301(2)(a) and (c), Florida Statutes.
- From the population of non-Federal grant moneys totaling \$573,864 during the audit period, examined seven selected payments totaling \$290,752 to determine whether the moneys had been spent in accordance with grant terms.
- Communicated on an interim basis with applicable officials to ensure the timely resolution of issues involving controls and noncompliance.
- Performed various other auditing procedures, including analytical procedures, as necessary, to accomplish the objectives of the audit.
- Prepared and submitted for management response the findings and recommendations that are included in this report and which describe the matters requiring corrective actions. Management's response is included in this report under the heading **MANAGEMENT'S RESPONSE**.

AUTHORITY

Section 11.45, Florida Statutes, requires that the Auditor General conduct an operational audit of each University on a periodic basis. Pursuant to the provisions of Section 11.45, Florida Statutes, I have directed that this report be prepared to present the results of our operational audit.



Sherrill F. Norman, CPA
Auditor General

MANAGEMENT'S RESPONSE



FLORIDA POLYTECHNIC
UNIVERSITY

Office of the President
863-874-8612
president@floridapoly.edu

August 11, 2020

Ms. Sherrill F. Norman, CPA
State of Florida – Auditor General
Claude Denson Pepper Building, Suite G74
111 West Madison Street
Tallahassee, Florida 32399-1450

Dear Ms. Norman:

Pursuant to Section 11.45(4)(d), Florida Statutes, the university is required to submit a written statement of explanation concerning all findings. Please find the attached responses to the Preliminary and Tentative Findings for Florida Polytechnic University's operational audit. Should you have any questions, please contact David Blanton at (863) 874-8441.

We appreciate the thoroughness and professionalism of your Lakeland staff in examining university processes and administrative activities. The resulting recommendations will assist the university in improving university operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy K. Avent".

Dr. Randy K. Avent
President
Florida Polytechnic University

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**Florida Polytechnic University
Responses to Operational Audit Findings**

Finding 1: Textbook Affordability

Recommendation: The University should ensure that a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the University during the upcoming term is prominently posted in the course registration system and on its Web site, as early as feasible, but at least 45 days before the first day of class for each term. Additionally, the University should ensure accurate records are used when reporting the number of courses and course sections not able to meet the posting deadline to the SUS Chancellor.

Response: As noted in the finding, three terms were tested (Spring 2019, Summer 2019, and Fall 2019) and only the earlier term (Spring 2019) was cited for noncompliance. Therefore, the University has enhanced controls to ensure better compliance with applicable law over the timely posting of textbook information. The University will continue its efforts to ensure compliance for all upcoming terms and to provide for accurate reporting to the SUS Chancellor.

Finding 2: Background Screenings

Recommendation: The University should enhance procedures to ensure that level 2 background screenings are performed and documented for all individuals in positions of special trust or responsibility.

Response: The University's Human Resources Department has enhanced controls to ensure that (1) screening posting dates are properly recorded in our ERP system and (2) that evidence of such background checks is maintained for all individuals in positions of special trust or responsibility. Additionally, the Human Resources Department is in the process of completing background checks for all individuals noted in the audit. (8 of the 9 completed to date)

**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2019**

Subject: University Audit and Compliance (UAC) Annual Report – 2019-20 Fiscal Year

Proposed Committee Action

Recommend approval of the UAC Annual Report for the 2019-20 fiscal year to the Board of Trustees. (Report No. FPU 2021-01)

Background Information

Board of Governors Regulation 4.002 requires that an annual report be prepared summarizing the Activities of University Audit for the preceding year. Similarly, BOG Regulation 4.003 provides that the chief compliance officer shall report at least annually on the effectiveness of the compliance and ethics program. This annual report reflects the activity for University Audit and Compliance for the period July 1, 2019 to June 30, 2020.

The Audit and Compliance Committee should utilize the information presented in this report to review the operations of UAC and to fulfill their oversight responsibility with respect to the audit and compliance functions at the University.

Supporting Documentation: UAC Annual Report – 2019-20 Fiscal Year (Report No. FPU 2021-01)

Prepared by: David A. Blanton, CAE/CCO



FLORIDA POLYTECHNIC
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UNIVERSITY AUDIT & COMPLIANCE
ANNUAL REPORT
2019-20

Report No: FPU 2021-01

July 2020

In accordance with Board of Governors Regulations 4.002, 4.003, and Internal Auditing Standards, this report is presented to summarize the activities of University Audit and Compliance for the 2019-20 fiscal year.

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Message from the Chief Audit Executive and Chief Compliance Officer

Board of Governors (BOG) Regulation 4.002(8) requires that an annual report be prepared summarizing the activities of University Audit for the preceding year. Similarly, BOG Regulation 4.003(7)(g.)8. provides that the chief compliance officer shall report at least annually on the effectiveness of the compliance and ethics program. This report summarizes both audit and compliance activity for the period July 1, 2019 to June 30, 2020.

The following accomplishments highlight the activity of University Audit and Compliance (UAC) during the reporting period:

- Completed and released four audit reports:
 - Report FPU 2020-01: Annual Report (2018-19 FY)
 - Report FPU 2020-02: Audit of Americans with Disability Act (ADA) and Office of Disability Services (ODS)
 - Report UAC 2020-03: Risk Assessment and Work Plan (2019-20 FY)
 - Report FPU 2020-07: Quality Assurance Review (QAR) Self-Assessment
- Completed and released four investigative reports and reviews:
 - Report FPU 2020-04: Step 2 Grievance Review #GR19-006-2
 - Report FPU 2020-05: Step 1 Grievance Review #GR-19-008-1
 - Report FPU 2020-06: Rotaract Club Fundraising Expenses
 - A report on discrimination performed jointly by UAC and Title IX and issued out of the Title IX office
- At the request of the Audit and Compliance Committee (AACC), a monthly reporting process continued to be administered to provide summary information on all reported compliance and ethics matters as well as the disposition of such matters by UAC.
- At the request of the AACC, a quarterly reporting of Foundation revenues and expenses for the operating and scholarship funds was presented by UAC during the 2019 calendar year in order to facilitate monitoring of these funds by the AACC. Provided that the Foundation has a full-time finance director and has enhanced reporting to the University Board, such reporting to the AACC is no longer warranted.
- Prepared and presented two other trainings to University staff as follows:
 - New Hire Orientations (presented at three sessions in October, December, and March)
 - Brown Bag Lunch & Learn – Working in a Public Institution: Compliance and the Sunshine Law (October 2019 presented jointly with the Office of General Counsel)
- Assisted with various consulting activities to enhance university operations.
- Performed other investigative activities on 18 reported allegations of fraud, waste, noncompliance, and abuse.
- Obtained relevant educational training for both audit and compliance, as required.

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- University stakeholder survey responses obtained in performing the QAR self-evaluation were very favorable. (See Report No. FPU 2020-07, Exhibit C – Summary of Survey Results)

Despite the implications of COVID-19 and working from home for an 18-week period, the workload for UAC was fairly consistent between the two reporting periods. (As evidenced from the distribution of time for UAC for the last two years on page 9 of this report - Table 3). Additionally, released reports were consistent between the two reporting periods (8 for each period). Looking forward to the 2020-21 fiscal year, much of the work performed by UAC will be driven by external requirements rather than risk (e.g. performance-based funding audit and the external review of the compliance program). Consequently, it is my intention to address areas of risk more from a compliance standpoint than from that of an audit perspective, provided that the latter requires considerably more resources.

I am very grateful for the opportunity to serve the University and the Board of Trustees and for their continued support of the audit and compliance functions. If you have any questions or need further information, please feel free to call me at (863) 874-8441.

David A. Blanton, CPA, CCEP
Chief Audit Executive/Chief Compliance Officer

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Purpose and Mission

The mission of University Audit and Compliance (UAC) is to serve the University by recommending actions to assist them in achieving its strategic and operational objectives. This assistance includes providing recommendations to management of activities designed and implemented by management to strengthen internal controls, reduce risk to and waste of resources, and improve operations to enhance the performance and reputation of the University. In addition, University Audit assists the Audit and Compliance Committee (AACC) of the Board of Trustees in accomplishing its oversight responsibilities in accordance with the University's Board of Trustees and Florida Board of Governors guidelines and regulations.

Definition and Role of Internal Auditing

According to the Institute of Internal Auditors (IIA):

"Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes." Under the IIA "Three Lines of Defense" model, Internal Audit serves as "the third line of defense" as noted below:

- The first line of defense is provided by front line staff and operational management. The systems, internal controls, the control environment and culture developed and implemented by these business units is crucial in anticipating and managing operational risks.
- The second line of defense is provided by the risk management and compliance functions. These functions provide the oversight and the tools, systems and advice necessary to support the first line in identifying, managing, and monitoring risks.
- The third line of defense is provided by the internal audit function. This function provides a level of independent assurance that the risk management and internal control framework is working as designed.

Governance and Charters

In November 2016, the Board of Governors (BOG) promulgated Regulations 4.001: *University System Processes for Complaints of Waste, Fraud, or Financial Mismanagement*, 4.002: *State University System Chief Audit Executives*, and 4.003: *State University System Compliance and Ethics Programs*. In response to these new BOG Regulations, the University structured and approved the following Florida Poly Charters in March of 2017. All three charters detailed below were subsequently reviewed and approved by the AACC in May 2020:

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- **Board of Trustees Audit and Compliance Committee (AACC) Charter.** The AACC Charter was amended to provide for the following oversight responsibilities charged to the AACC:
 - Oversight of internal controls
 - Oversight and direction of the internal and external auditing functions ensuring its independence
 - Integrity of the University's annual financial statements
 - The performance of the University's independent audit functions
 - Approval of the annual audit plan
 - Monitoring and controlling risk exposure
 - Oversight and direction of the University's compliance and ethics program ensuring its independence
 - Set standards for ethical conduct

- **Internal Audit Charter.** The Internal Audit Charter effectively establishes the position of Chief Audit Executive (CAE) and provides for a dual-reporting relationship of the CAE to promote independence and objectivity. In this dual-reporting relationship, the CAE reports functionally to the AACC and administratively to the President. In addition, to further promote independence the Charter specifies that the CAE is not authorized to:
 - Perform any operational duties
 - Initiate or approve accounting transactions or the selection of vendors
 - Direct the activities of any University employee

The Charter provides that the CAE is required to perform audits and reviews, provide consulting services, and perform investigations generally focused on improper activities including misuse of University resources, fraud, financial irregularities, academic integrity concerns, and research misconduct. The Charter also directs that such audits and investigations will be performed according to an approved risk-based annual plan.

- **Compliance and Ethics Charter.** The Compliance and Ethics Charter effectively establishes the University's Compliance and Ethics Program consistent with Chapter 8 of the Federal Sentencing Guidelines and BOG Regulation 4.003. The Charter outlines the following elements which define the duties and responsibilities of University Compliance:
 - Oversight of compliance and ethics and related activities
 - Development of effective lines of communication
 - Providing effective training and education
 - Revising and developing ethics policies and procedures
 - Performing internal monitoring, investigations, and compliance reviews
 - Responding promptly to detected problems and undertaking corrective action
 - Enforcing and promoting standards through appropriate incentives and disciplinary guidelines
 - Measuring compliance program effectiveness
 - Oversight and coordination of external inquiries into compliance with Federal and State laws and taking appropriate steps to ensure Safe Harbor

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As prescribed by the Charter, University Compliance provides guidance on compliance, ethics, and related matters to the university community. The office collaborates with compliance partners and senior leadership to review and resolve compliance and ethics issues and coordinate compliance and ethics activities, accomplish objectives, and facilitate the resolution of problems.

All three charters are required to be reviewed and approved for consistency with Board of Governors and university regulations, professional standards, and industry practices at least every three years. All three charters were presented to the AACC for review and approval in May of 2020. No amendments to the charters were deemed necessary.

Internal Audit Activity (Audits, Reviews, and Consulting Activities)

The following summarizes the activity of the internal audit function for the period of July 1, 2019 to June 30, 2020:

- **UAC Annual Report – FYE 6/30/19**. This report was prepared and presented to summarize the activities of University Audit and Compliance for the 2018-19 fiscal year. (Report FPU 2020-01)

- **Audit of Americans with Disabilities Act (ADA) and Office of Disability Services (ODS)**. The planned scope of this audit was initially limited to ADA compliance; however, given the frequency of concerns reported through the UAC Hotline and to other oversight authorities throughout the State with respect to the University’s Office of Disability Services (ODS), the scope of the audit was expanded to address the operations of ODS and compliance with Section 504¹. The audit report was released shortly after the fiscal year end, in July 2019, and identified 5 observations as follows: (Report FPU 2020-02)
 - ADA Self-evaluation.
 - ADA grievance procedures.
 - ODS process enhancements.
 - Required notices.
 - Required course syllabi disclosures.

- **Risk Assessment and Audit Plan**. Each year, the CAE prepares a Risk Assessment and Audit Plan that is presented to the AACC for approval. (Report FPU 2020-03)

- **Quality Assurance Review (QAR) Self-Assessment**. This QAR was performed to assess UAC’s conformance with the Institute of Internal Auditor’s (IIA) International Standards for the Professional Practice of Internal Auditing (*Standards*) and with the IIA Code of Ethics. Overall, the

¹ Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. §794, and its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

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QAR supported the opinion that UAC generally conforms to the *Standards* and the Code of Ethics. The QAR identified 5 opportunities for continuous improvement as follows: (Report FPU 2020-07)

- The development of enhanced KPI's.
- Update UAC written policies and procedures.
- Facilitate the self-evaluation of the AACC and charter reviews.
- Enhance linkage of risks identified in audit planning to actual audit work performed.
- Enhance procedures over audit follow-up.

AUDIT PLAN PROGRESS & RESOURCE UTILIZATION

Table 1 below provides a measure of actual progress against the BOT-approved audit work plan for the 2019-20 fiscal year:

Table 1 2019-20 Audit Plan Actual Progress vs. Approved Audit Plan			
#	Planned Audits/Risk Areas for 2019-20	Area of Focus (i.e. processes/Controls)	Status
1	ADA/ODS Audit (from previous plan but completed in early 2019-20)	To determine compliance with the Americans with Disabilities Act (ADA) Regulations, the operations of the University's Office of Disability Services (ODS), and compliance with Section 504 ² .	☑
2	Quality Assurance Review (QAR) Self-Assessment	To determine conformance with IIA Standards and Code of Ethics.	☑
3	Institutional Scholarship Awards	Initially planned as a limited scope review to determine whether institutional scholarships offered were administered without bias, on a consistent basis, and in accordance with University and Federal Regulations. Scope expanded to address additional areas of perceived risk.	X(A)
4	Expense Card & Travel Expenses	To determine whether the E-card program was administered in accordance with applicable university policies and procedures and whether related purchasing card travel expenses were reasonable, adequately supported, and for valid university purposes.	X(B)
5	PIE Report	Primarily relates to carryforward funds. Limited scope report to determine whether the recommendations in the Public Integrity and Ethics (PIE) Committee has been adequately addressed.	X(B)
☑	Planned audit or review completed.		
X	Planned audit or review not yet completed.		
(A)	UAC has performed a significant amount of work on this focus area and provided its expanded scope, is proposing to carry forward this risk into the 2020-21 Plan year.		
(B)	Area of focus included in recent operational audit performed recently by the Auditor General and thus no longer considered a high area of risk.		

² Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. §794, and its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

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Given the limited resources of UAC, and the amount of time necessary to effectively perform the responsibilities of both the audit and compliance functions at the University, planned audits were limited to the three highest risks and Quality Assurance Review (QAR) self-assessment. As noted above in Table 1, one audit report was completed from the prior plan year (ADA/ODS Audit) and the QAR assessment was completed during the evaluation period.

**TABLE 2
COMPARISON OF APPROVED PLAN HOURS TO ACTUAL HOURS**

Activity	Plan Hours	Actual Hours	Difference	% Difference
Administrative	244	266.5	22.5	9.2%
Audit	680	525.5	(154.5)	-22.7%
Compliance	400	365	(35)	-8.8%
Investigative	200	412	212	106%
Consulting	240	243.5	3.5	1.5%
Training	120	82	(38)	-31.7%
Totals	1,884	1,894.5	10.5 ³	0.6%

As noted from Table 2 above, UAC’s time distribution was very close to that approved in the audit plan for the fiscal year. Time for both investigations and consulting are based on allegations and requests and are therefore often difficult to predict. Investigative time is attributable to both allegations received that require preliminary investigative effort to determine whether an investigation is warranted and actual investigations performed and for which investigative reports are issued. Although allegations were down from 26 in the prior reporting period to 18 in the current reporting period, a similar number of investigations were performed for both periods. Two investigative reports issued by UAC were related to collective bargaining grievances. This investigative effort reduced the amount of resources available for planned audits.

³ Differences in total planned versus total actual hours is primarily the result of slightly less vacation and/or sick time used than planned (resulting in higher direct time charged).

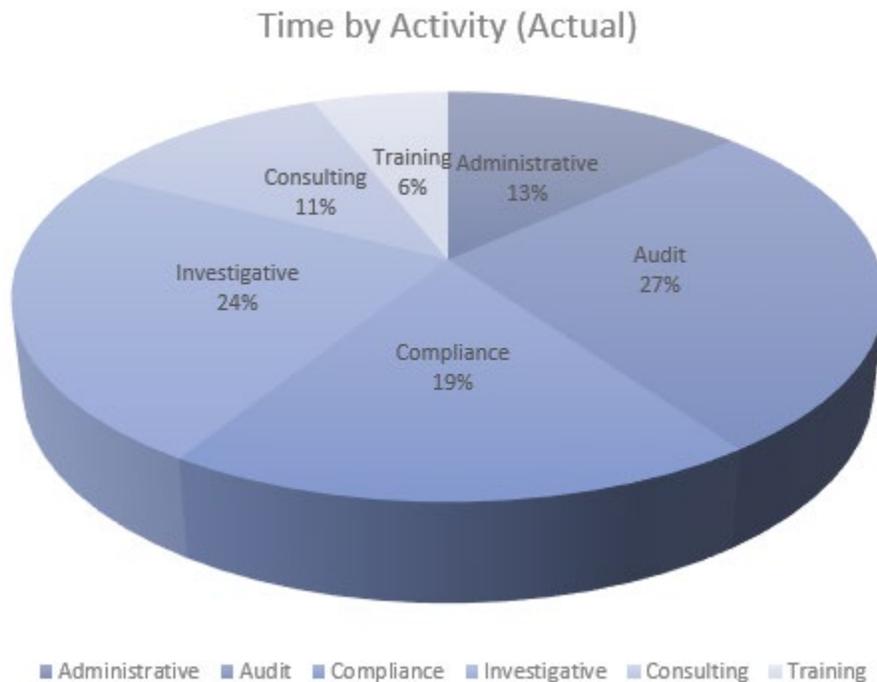
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**TABLE 3
COMPARISON OF ACTUAL HOURS – CURRENT AND PRIOR PERIODS**

Activity	2018~19 FY	2019~20 FY	Difference	% Difference
Administrative	253	266.5	13.5	5.3%
Audit	512.5	525.5	13	2.5%
Compliance	356.5	365	8.5	2.4%
Investigative	452.5	412	(40.5)	-9.0%
Consulting	217	243.5	26.5	12.2%
Training	114	82	(32)	-28.1%
Totals	1,905.5	1,894.5	(11)	-0.6%

As noted in Table 3, the time distribution for UAC was fairly consistent between the two reporting periods. The most significant variances were noted in investigative effort, consulting, and training, all of which were impacted by COVID-19 and work from home restrictions. The QAR self-assessment and the 2020-21 risk assessment was primarily accomplished during the work from home restrictions as these activities mitigated contact with other university staff.

The following graph depicts actual hours by activity for the 2019-20 fiscal year:



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Other Mandatory Disclosures- Audit

UAC adheres to the Code of Ethics and the *International Standards for the Professional Practice of Internal Auditing (Standards)* adopted by the Institute of Internal Auditors. Those *Standards* and University Audit's Charter require certain other annual disclosures as follows:

- Organizational Independence: The Internal Audit Charter effectively establishes the position of Chief Audit Executive (CAE) and provides for a dual-reporting relationship of the CAE to promote independence and objectivity. In this dual-reporting relationship, the CAE reports functionally to the AACC and administratively to the President. In addition, to further promote independence the Charter specifies that the CAE is not authorized to perform any operational duties, initiate or approve accounting transactions or the selection of vendors, or direct the activities of any University employee.
- Impairments to Independence or Objectivity: Independence is the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner. Objectivity is an unbiased mental attitude that allows internal auditors to perform engagements in such a manner that they believe in their work product and that no quality compromises are made. During the reporting period, there were no impairments to the independence or objectivity of UAC.
- Disclosure of Nonconformance: When nonconformance with the Code of Ethics or the *Standards* impacts the overall scope or operation of the internal audit activity, such matters must be disclosed to senior management and the board. During the reporting period, there were no such instances of nonconformance with either the Code of Ethics or the *Standards*.
- Management's Response to Unacceptable Risks: When the CAE concludes that management has accepted a level of risk that may be unacceptable to the university, the CAE must discuss the matter with senior management. If the CAE determines that the matter has not been resolved, the CAE must communicate the matter to the Board. For the audit period, no such matters were noted or required to be reported to senior management or the Board.
- Quality Assurance and Review (QAR) Program: A QAR program is designed to enable an evaluation of the internal audit activity's conformance with the *Standards* and an evaluation of whether internal auditors apply the Code of Ethics. The *Standards* require ongoing internal reviews as well as an external QAR. The external QAR is required to be conducted every five years; however, since the internal audit function was just established on July 31, 2017, the initial external review will not be required until the 2021-22 fiscal year. An internal self-assessment was performed in the 2019-20 fiscal year. (See Report FPU 2020-07)
- Restrictions or Barriers to Information: The University Audit Charter requires that the Chair of the Audit and Compliance Committee is to be notified of any unresolved restriction, barrier, or limitation to obtaining necessary information to perform UAC's duties. No such restrictions or barriers have been encountered by UAC.

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Compliance & Ethics Activity

In November 2016, BOG Regulation 4.003, *State University System Compliance and Ethics Programs*, was adopted. Regulation 4.003 requires each university to establish a compliance and ethics program within two years of regulation adoption. To monitor each institutions progress on implementing the requirements of the Regulation, the BOG required each university to complete a “Compliance and Ethics Program Status Checklist”. The Checklist required a response to 19 regulation components identified in BOG Regulation 4.003 as the essential elements of an effective Compliance and Ethics Program. As noted in the table below, 18 of the 19 required regulation components were successfully implemented as of the BOG’s last checklist that was completed in November 2018.

TABLE 4 BOG REGULATION COMPONET PROGRESS		
Area	Total Regulation Components	Regulation Components Completed 2018-19
University-wide Compliance Program	5	4 ⁴
Program Plan	5	5
BOT Committee	4	4
Chief Compliance Officer	5	5
TOTALS	19	18

The remaining element has not been completed (program evaluation) and was afforded a five year period for implementation. This Regulation has been clarified to require that the effectiveness review needs to be initiated by November 2021. Since the program evaluation criterion were recently adopted in the 2019-20 fiscal year, no SUS institution has completed this element of the Regulation to date. All SUS institutions will be initiating such an evaluation prior to the required date of November 2021.

The following summarizes the activity of the Compliance function for the period of July 1, 2019 to June 30, 2020:

- Compliance and Ethics Program Evaluation:** Given that each of the seven Program components required by the Federal Sentencing Guidelines Manual have been addressed by the Compliance and Ethics Program Plan, the Program is deemed effective. Additionally, as noted above in Table 4, requirements set forth by BOG Regulations and reported in the SUS Compliance Program Status Checklist, evidence the completion of an effective Compliance and Ethics Program. The SUS Compliance Consortium recently approved the criteria by which each SUS institution will be evaluated. It is anticipated that the external review for UAC will be initiated prior to the November 2021 deadline imposed by the BOG. UAC is working collaboratively with the BOG and other SUS institutions to manage how and when the required program evaluations will be conducted.

⁴ BOG Regulation 4.003 requires that the compliance review be initiated by November 3, 2021 for the program evaluation component. Thus, one element remains to be completed as of June 30, 2020.

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- **Compliance and Ethics Program Plans.** Each year, the CCO prepares a Compliance & Ethics Program Plan (Plan) that is presented to the AACC for approval. The 2019-20 Plan was presented to and approved by the AACC in May 2019. Table 5 below provides a measure of actual progress against the BOT-approved Plan for the 2019-20 fiscal year:

Table 5 2019-20 Compliance & Ethics Program Plan Actual Progress vs. Approved Plan		
#	Planned Area of Focus for 2019-20	Status/Comments
1	General Compliance Activities/Investigations	☑
2	Trainings & Communication	☑
3	Environmental Health & Safety	X(A)
4	Contract Management	X(B)
5	Background Screenings	X(B)
6	Compliance Program Self-Assessment	X(C)
☑	Planned area of focus in progress or completed.	
X	Planned audit or review not yet started or completed.	
(A)	Since this area involves instructional labs that are currently impacted by COVID-19 restrictions, recommending postponement of this area of focus.	
(B)	Sufficiently included in the scope of the Auditor General’s recent operational audit. Therefore recommending removal from Plan.	
(C)	Self-assessment criteria not formally adopted by Compliance Consortium until late in the 2019-20 fiscal year. Therefore, carrying this focus area into the 2020-21 Plan. Additionally, as noted in this report the external assessment will need to be initiated by November 2021. (2021-22 fiscal year)	

As noted above in footnote (C) for Table 5, a self-assessment of the compliance program was planned; however, program effectiveness criteria were not formally approved by the SUS Compliance Consortium until later in the 2019-20 fiscal year. Accordingly, the self-assessment and the related report were not completed in the current reporting period. Although a formal assessment has not been performed, University Compliance has given thought as to how it can be more effective with respect to providing coverage for planned areas of focus and has determined that greater efficiencies would be achieved by issuing Compliance Monitoring Reports for each of the planned focus areas approved by the AACC. These reports provide much less assurance than an audit report, but allow UAC to enhance coverage of selected areas of risk. It is anticipated that a Compliance Monitoring Report will be issued by UAC for each area of risk identified in the 2020-21 Compliance and Ethics Program Plan.

- **Compliance and Ethics Hotline.** The “Compliance and Ethics Hotline” was established to report suspected or actual instances of noncompliance, fraud, waste, or abuse directly to the CCO. The Hotline provides for various methods of reporting including an on-line form, telephone, fax, or direct mailing to a local post office box for completely anonymous reporting. These reporting

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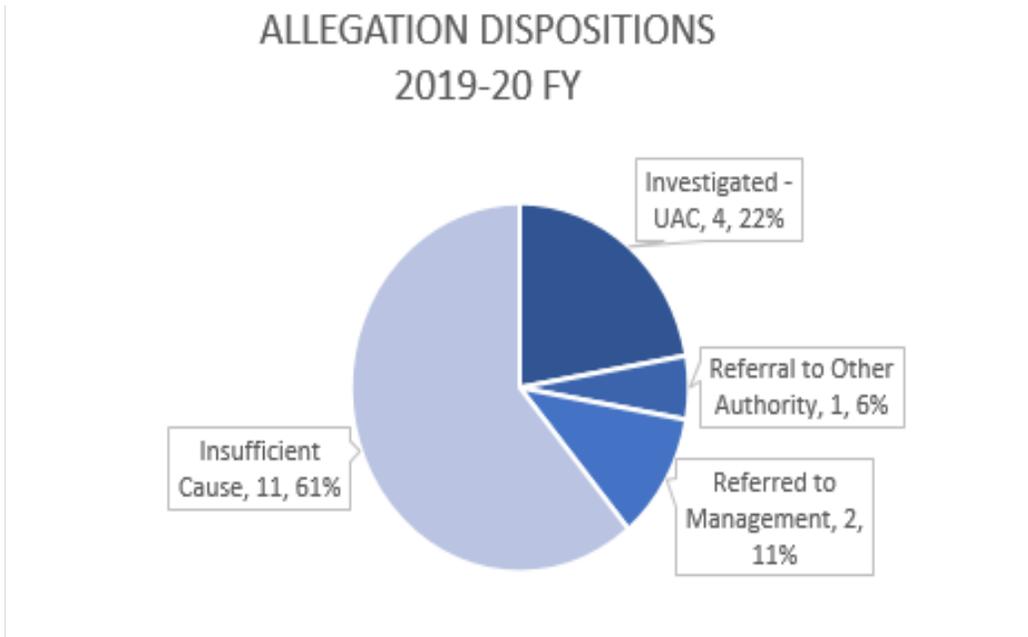
mechanisms are publicized on the university website and the university intranet. In the current fiscal year, the CCO conducted three different live training sessions for university management to further publicize the Hotline and university regulations and policies designed to effectively communicate management's commitment to prevent and detect criminal conduct.

- **Board Training.** The CCO last presented Compliance and Ethics training to the Board of Trustees at their May 2019 meeting. This training essentially outlined the ethical restrictions and requirements set forth in the Board of Trustees Ethics Policy. Due to an abbreviated May 2020 Board meeting resulting from the COVID-19 pandemic, such training was not conducted for the 2019-20 fiscal year.
- **University Staff Trainings.** The CCO presented the following trainings during the 2019-20 fiscal year:
 - New Hire Orientations (presented at three sessions in October, December, and March). These trainings are designed to introduce employees to the university's code of conduct and provide information on the Compliance and Ethics Hotline. Several other planned orientations were postponed into the 2020-21 fiscal year due to the COVID-19 working restrictions.
 - Brown Bag Lunch & Learn – Working in a Public Institution: Compliance and the Sunshine Law (October 2019 presented jointly with the Office of General Counsel). University Compliance's role in this training was to communicate to employees that everyone at the university shares responsibility for compliance and to provide examples of noncompliance at other higher-education institutions and emphasize the reputational damage caused by such noncompliance. OGC's role in this training was to make new employees aware of the Government-in-the-Sunshine laws.
- **Allegations and Investigations.** Allegations are reported to UAC through the Compliance and Ethics Hotline, written correspondence (letters and email), telephone calls, referrals from the Board of Governors Inspector General, referrals from the Chief Inspector General from the State's Executive Office of the Governor (EOG), and other sources. During the reporting period, UAC received 18 allegations, complaints, or concerns from which four investigative reports were issued by UAC. Of the remaining allegations, 2 were referred to management for corrective action, 1 was referred to another authority for consideration, and 11 were deemed to have insufficient cause for investigation. It should be noted that for even those classified as "insufficient cause" UAC typically performs preliminary investigative procedures to determine whether further investigative effort is necessitated and/or of benefit to the university.

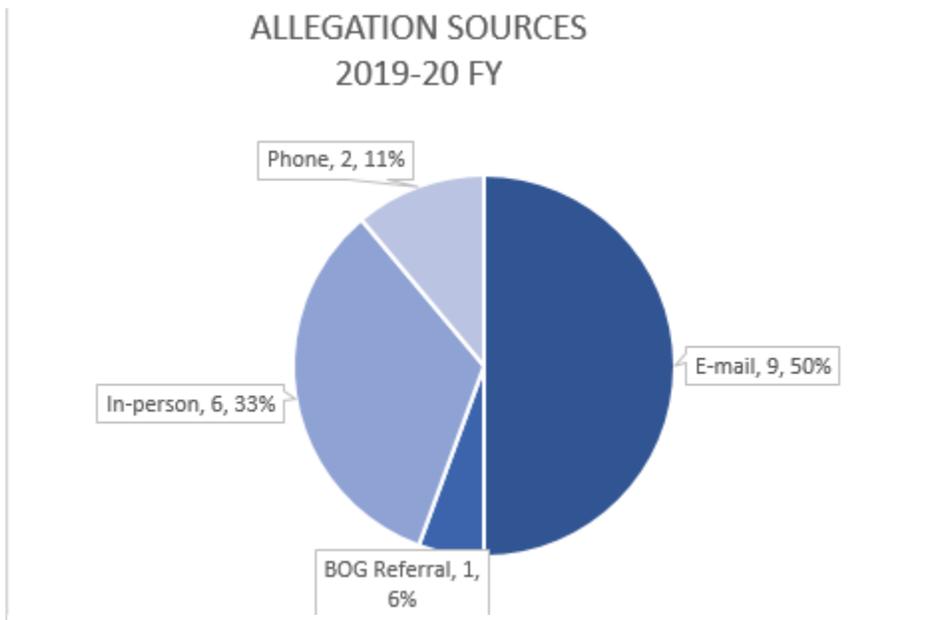
Monthly, the CCO provides a summary report to the members of the AACC of allegations and complaints received and their disposition. This reporting was initiated in September 2018 at the request of the AACC in order to provide sufficient information to the Committee to fulfill their oversight responsibility, as outlined by the AACC Charter.

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The following graph depicts the disposition of all allegations received during the 2019-20 fiscal year:

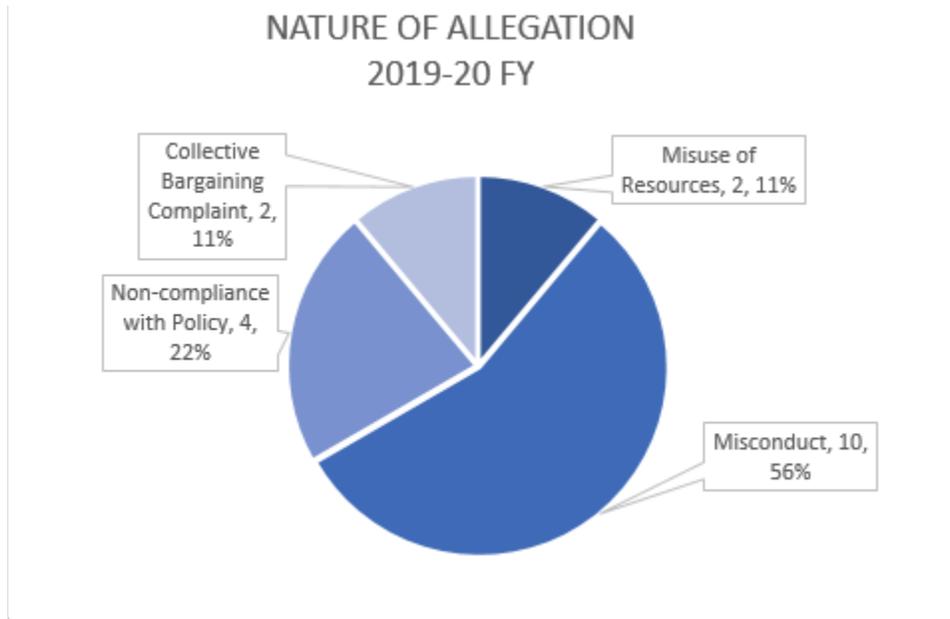


The following graph depicts the reporting source from which the various allegations were received during the 2019-20 fiscal year:



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The following graph depicts the overall nature of the various allegations were received during the 2019-20 fiscal year:



The reported nature of allegations is very beneficial in that it can be used to determine whether UAC needs to commit future resources in order prevent or correct such concerns. For instance, certain matters can be potentially remediated with either additional training or an in-depth audit designed to address such concerns. Based on an analysis of the reported nature of allegations for the 2019-20 fiscal year, no particular area rises to the level of high risk warranting such remedial efforts.

Consulting and Advisory Activity

UAC provides consulting and advisory services which are intended to provide advice and guidance on a wide variety of topics related to compliance, internal controls, reporting, and business practices. This includes reviewing current practices, researching and interpreting policies and procedures, and responding to routine inquiries. UAC also serves as a liaison with any external auditors. During the reporting period, UAC assisted with the following consultative projects:

- Review of policies and procedures
- Review of the Annual Financial Report
- Review of capital construction and project funding
- Performance-based funding documentation requirements
- Research integrity controls

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- Miscellaneous advisory services on a variety of other topics

During the current reporting period, UAC responded to a total of 138 consulting and/or advisory requests that accounted for approximately 11 percent of UAC resources.

Professional Development and Certifications

UAC maintains active memberships and attends training and continuing professional education seminars from the following professional organizations:

- Institute of Internal Auditors (IIA)
- Association of College and University Auditors (ACUA)
- Society of Corporate Compliance and Ethics (SCCE)
- American Institute of Certified Public Accountants (AICPA)

In addition, UAC meets regularly with other State University System (SUS) CAE's and CCO's to discuss emerging issues and exchange knowledge for best practices related to audit and compliance. During the reporting period, UAC attended one State University Audit Council (SUAC) meeting. Due to health concerns with COVID-19, both groups moved to a virtual forum and held periodic virtual meetings from March of 2020 through the end of the reporting period to discuss common issues, best practices, and trends in audit and compliance.

As noted in Table 3, the CAE/CCO's activities included 82 hours for training, which translated into 55.5 continuing professional educational (CPE) hours. Certain trainings (e.g. SUAC and the Consortium) and all travel to and from trainings are charged as training hours; however, they do not qualify for CPE credit. Training obtained during the fiscal year met the requirements set forth by the Institute of Internal Auditors, the AICPA, the University Audit Charter, the Society for Corporate Compliance and Ethics, and the University Compliance Charter.

The CAE is licensed as a Florida Certified Public Accountant (CPA) and a Certified Compliance & Ethics Professional (CCEP)[®]. A CCEP designation is awarded to someone with knowledge of relevant regulations and expertise in compliance processes sufficient to assist organizations with their legal obligations, and someone who promotes organizational integrity through the operation of effective compliance programs. Both professional certifications require a certain amount of professional development to be obtained in order to maintain licensure.



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Key Performance Indicators (KPIs) – Audit & Compliance

Key Performance Indicator	17/18⁵	18/19	19/20	Comments
Total reports released	3	8	8	
Number of audits completed	1	2	2	
Percentage of audit effort	21.9%	26.9%	27.7%	
Number of allegations addressed	33	26	18	
Number of investigative reports released	1	3	4	
Number of consults/compliance inquiries	-	-	138	Not tracked until 19/20 FY
Number of certifications held by UAC staff	1	2	2	CPA, CCEP
Training sessions conducted by UAC	1	3	4	
Audit experience (years)	28	29	30	
Compliance professional experience (years)	0	1	2	

As recommended in the Quality Assurance Review self-assessment performed by UAC for the audit function, the addition of KPI's has been incorporated into this annual report for both audit and compliance to facilitate better AACC oversight. UAC welcomes the addition of any additional suggested metrics to these initial KPIs presented.

⁵ The initial year that UAC was staffed only included 11 months and most effort was directed at establishing an appropriate infrastructure for audit and compliance.

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“Be the change you want to see in the world” ~Mahatma Gandhi

Essentially this means you can make a difference, if you choose to. We are all responsible for results (good or bad) and can influence the outcomes of matters of compliance and ethics within the university.

Compliance and ethics begins with you because of the difference your decisions can make. When a concern is identified by anyone, it is important that the university is able to respond to the matter and correct the issue. Your choice to report the matter (or to do nothing) will have a significant impact on the university – and this is just one way that compliance and ethics begins with you.

**UNIVERSITY AUDIT & COMPLIANCE
HOTLINE REPORTING OPTIONS:**

EMAIL: dblanton@floridapoly.edu

FAX: 863.874.8509

PHONE: 863.874.8441

MAIL: PO BOX 1808/EATON PARK FL/33840*

WEBSITE REPORTING FORM: SEE UAC WEBPAGE

IN PERSON: LTB 1146 at POLY SOUTH

*This option allows for complete anonymity in reporting any concern. (For all other options, UAC will attempt to maintain anonymity to the extent possible).

**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2020**

Subject: University Audit Risk Assessment and Audit Plan, 2020-21 Fiscal Year

Proposed Committee Action

Recommend approval of the University Audit Risk Assessment and Audit Plan for the 2020-21 fiscal year to the Board of Trustees.

Background Information

As required by the Internal Audit Charter, Florida Board of Governors Regulations, and Internal Auditing Standards, audits are to be scheduled and performed according to a risk-based annual plan which shall be submitted to the President, the AACC, and the Board of Governors. The goal of the Plan is to effectively use audit resources in order to provide audit coverage to areas with the greatest known risks and to dedicate sufficient time in administering the Compliance and Ethics Program.

The Plan should be reviewed by the Committee to ensure it is consistent with expectations for University Audit with respect to risk, planned audits, and other activities performed by the audit function. The Plan may be updated, as necessary throughout the year, to reflect changes in the University's strategic plan, program initiatives, and external environment factors along with accommodating requests from the Board of Trustees and University management.

Supporting Documentation: University Audit Risk Assessment and Audit Plan, 2020-21 FY (Report No. 2021-02).

Prepared by: David A. Blanton, CAE/CCO



FLORIDA POLYTECHNIC
UNIVERSITY

**University Audit
Risk Assessment & Work Plan
For the Fiscal Year Ended June 30, 2021
Report No: FPU 2020-02
August 2020**

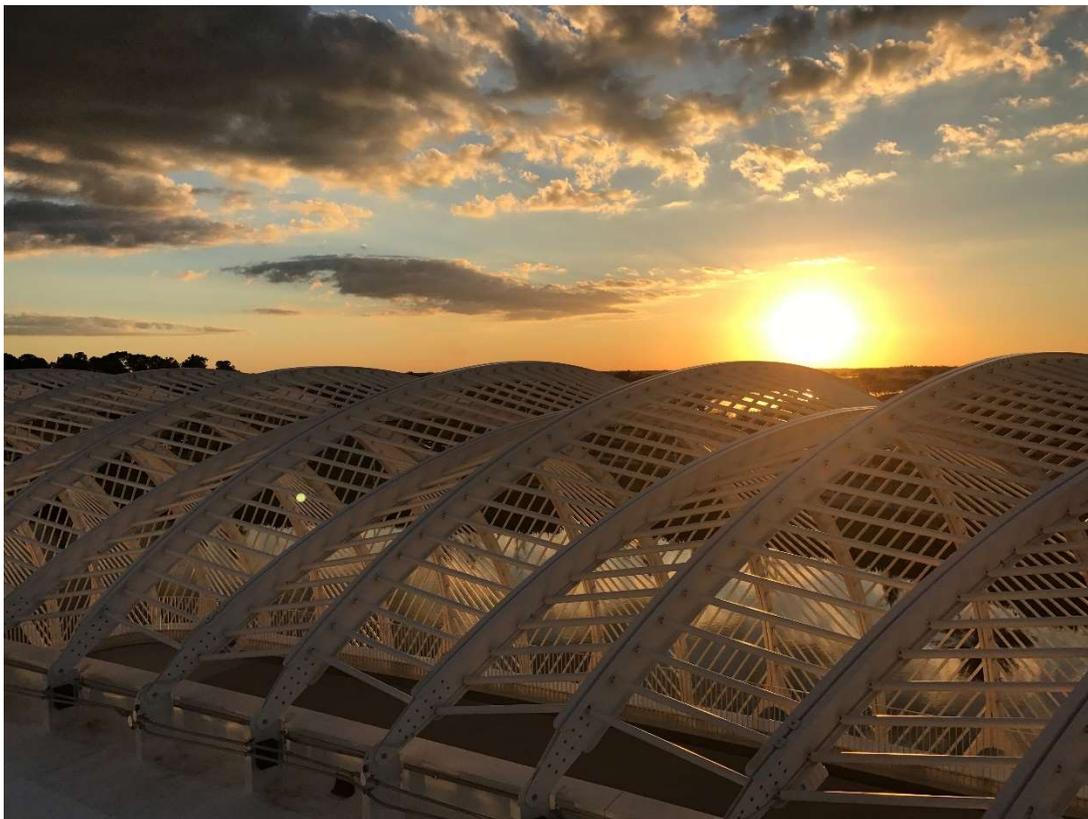


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Transmittal Letter

August 14, 2020

Mr. Bob Stork, Audit and Compliance Committee (AACC) Chair
Dr. Randy Avent, President
Florida Polytechnic University

I am pleased to submit the Annual Work Plan (Plan) of the Florida Polytechnic University Audit function for the fiscal year ending June 30, 2021. The Plan primarily provides for the planned activity of University Audit and an allocation of total available time between the audit and compliance functions. A separate Plan for University Compliance has been prepared and submitted for approval; however, approved Compliance Plan hours are also included in this report to account for the total resources of University Audit and Compliance (UAC). This Plan outlines all planned audits and other required audit-related activities based on an assessment of risk and resources available to UAC during the plan year. The Plan also includes provisions for assisting management with additional requests, special investigations, follow-up on any previous observations/findings, and other value-added work.

The Plan may be updated as necessary to reflect changes in the University's strategic plan, program initiatives, and external environment factors along with accommodating requests from the Board of Trustees and University management.

Please sign below to acknowledge your acceptance of the Plan. Thank you in advance for the support offered in the performance of University Audit and Compliance responsibilities.

Sincerely,

David A. Blanton

David A. Blanton, CPA, CCEP
Chief Audit Executive & Chief Compliance Officer
University Audit and Compliance

Approved by: _____
Dr. Randy Avent, President/Date

Approved by: _____
Bob Stork, Chair AACC/Date

Introduction

The Internal Audit Charter approved by the Audit and Compliance Committee (AACC) provides that the mission of the University audit is to serve the University by recommending actions to assist them in achieving its strategic and operational objectives. This assistance includes providing recommendations to management of activities designed and implemented by management to strengthen internal controls, reduce risk to and waste of resources, and improve operations to enhance the performance and reputation of the University. Additionally, the Compliance and Ethics Charter provides that the mission of University Compliance is to support and promote a culture of ethics, compliance, risk mitigation, and accountability.

As required by the Internal Audit Charter, pursuant to Florida Board of Governors (BOG) Regulations¹ and Internal Auditing Standards², audits are to be scheduled and performed according to a risk-based annual plan which shall be submitted to the President, the AACC, and the Board of Governors. A risk assessment is an on-going systematic exercise performed to identify concerns and potential areas of risk that may benefit from audit assurance and is used to appropriately allocate audit resources. In performing the risk assessment, information on risk areas and concerns were gathered from the following:

- interviews with various University staff/observations and a review of University records
- previous risk assessments
- the collective knowledge of UAC as it relates to University operations
- a review of other University audit reports
- new legislation, laws, rules, or requirements
- complaints and allegations

A population of 100 risk areas were compiled in order to create the “audit risk universe”. This represents an increase of 10 new risks that were added from the previous risk assessment conducted last year. Various risk factors were then analyzed and applied to the audit risk universe in order to generate a relative risk rating by area/specific risk. University senior management’s input was then solicited and obtained in considering significant risks. The results of this risk assessment process led to the generation of selected audit topics as identified on pages 4 and 5.

Risk Assessment

The CAE should use risk assessment techniques in developing the internal audit activity’s plan and in determining priorities for allocating internal audit resources. Risk assessment is used to select areas to include in the internal audit activity’s plan. Also, the CAE should seek guidance on what the board and the senior management considers important to assist in assessing risks, prioritizing projects and allocating audit resources.³

¹ Florida Board of Governors Regulation 4.002(6)(d)

² *International Standards for the Professional Practice of Internal Auditing*

³ Institute of Internal Auditors’ International Professional Practices Framework (IPPF): IPPF Practice Guide – Interaction with the Board

Risk Assessment Process

Each year, University Audit and Compliance is charged with completing an assessment of risk to assist in the development of an Annual Audit & Compliance Work Plan (Plan). The goal for the Plan is to effectively use audit resources in order to provide audit coverage to areas with the greatest known risks and to dedicate sufficient time in administering the Compliance and Ethics Program in accordance with BOG Regulations⁴.

A list of risk areas, prepared from interviews with selected senior management, a review of other audit reports, and previous risk assessments was compiled and prioritized with respect to University goals and objectives, the nature and type of risk, and available resources. The areas of risk were assessed and the Work Plan was developed considering the following factors:

1. Impact
2. Likelihood or concern
3. Management's ranking
4. Risk factor classifications (compliance, operational, financial, reputational, strategic, technology, and human capital)

A weighted value was then determined, based on the four factors above, for each risk identified. Risks with a higher risk scores were prioritized for audit consideration and presented to the Audit and Compliance Committee Chair.

Auditing Standards requires that follow up be performed on previously reported matters. The Plan includes an allocation of resources to perform follow-up reviews to ensure appropriate corrective action has been taken for each previously reported finding/observation.

RISK FACTORS & CONSIDERATIONS

Operational – Are University resources being used in an effective and efficient manner? Could University operations be improved?

Financial – Are University financial processes handled as intended? Are assets maintained and protected in an appropriate manner? Is financial reporting reliable and accurate? Are accounting records properly maintained?

Compliance – Is the department or audited activity in compliance with applicable laws, rules, regulations, and University policies?

Reputational – Does an activity or action rise to the level of concern such that the resulting loss or damage impair the reputation of the University?

Strategic – Does the activity or department's actions align with the strategic plan of the University? (i.e. mission, goals, and objectives)

Technology – Does the processes, applications, and infrastructure that support an activity or department adequately support the technology environment for the University?

Human Capital – Is the University workforce properly suited to meet the objectives of the University?

⁴ Florida Board of Governors Regulation 4.003(1)

Risk Areas

The following areas were determined to present the highest risk using the risk assessment methodology or represent audits that are required to be completed:

Rank	Audit Risk Area	Objectives/Purpose of Audit	Notes
1	Performance Based Funding (PBF) Reporting Controls	To determine whether the University has established adequate controls in order to properly report on the various metrics related to PBF. [Note: This is the first year that PBF will be applicable to Florida Poly.]	A
2	Institutional Scholarship Awards	To determine whether institutional scholarships offered were administered without bias, on a consistent basis, and in accordance with University and Federal Regulations.	B
3	Follow-up on previously reported matters	To determine the current status of all corrective action on matters previously reported by UAC.	
Notes:			
A – PBF audit and BOT data certification is required to be presented to the BOG by March 1, 2021. This is the first year that Florida Poly will participate in the funding for PBF and a condition of participation is an audit of the data integrity supporting the metrics developed to measure performance. Consequently, this is ranked highest priority for the 2020-21 Plan year.			
B – Risk and audit carried forward from 2019-20 Audit Plan. This audit initially planned as a limited scope audit; however, scope expanded to review other related risks. Completion of audit impacted by UAC workflow and COVID-19.			

Given the limited resources of UAC, and the amount of time necessary to administer both the audit and compliance functions at the University, planned audits were limited to these required audits and areas of high risk. In the event that resources for the 2020-21 fiscal year are available beyond activities called for in the Plan above, UAC will present a revised Plan for AACC approval to address additional areas of high risk.

Additionally, UAC utilized the risk assessment process to identify a number of other risk areas that might benefit from monitoring efforts rather than a comprehensive audit. Those areas of risk are separately identified in the 2020-21 Compliance and Ethics Program Plan.

The following Work Plan summarizes planned activity pursuant to the risk-based assessment, required audits, and available hours for UAC to administer the audit and compliance functions at the university:

Florida Polytechnic University University Audit & Compliance Work Plan (A) 2020-21 Fiscal Year		
Activity	Estimated Hours	Total Hours
ADMINISTRATIVE ACTIVITIES:		
		244
Periodic meetings with President/Board	40	
BOG Communications	20	
Prepare Audit & Compliance liaison materials and attend briefings	160	
Other	24	
INVESTIGATIVE ACTIVITIES:		
		200 ⁵
Complaint Intake, Preliminary Inquiries, Investigations (B)	200	
COMPLIANCE ACTIVITIES:		
		500 ⁵
Administration of the Compliance and Ethics Program	360	
Perform Compliance & Ethics Training	40	
Compliance Program Evaluation	100	
AUDITING ACTIVITIES:		
		580
UAC Risk Assessment and Audit Plan 2020-21	80	
UAC Annual Report	60	
PBF Audit	260	
Follow-up on Prior Audit Observations	80	
Scholarships/Admissions	100	
MANAGEMENT ADVISORY/CONSULTING ACTIVITIES:		
		240
Various (B)	240	
TRAINING ACTIVITIES:		
		120
Webinars, SUS Committees, and Continuing Professional Education	120	
Total Estimated Hours	1,884	1,884
Notes:		
(A) This annual work plan is subject to change based on requests made by the Board to evaluate particular programs or activities.		
(B) Estimated hours for investigations and management advisory services not readily quantifiable and could change significantly depending on the number of allegations and/or consulting requests.		

⁵ Hours for investigative and compliance activities as separately detailed in the 2020-21 Compliance Program Plan.

The table below identifies current resources available for University Audit and University Compliance during the 2020-21 Plan year: (1 staff FTE)

Available Staffing Hours	
Month	Hours
July	176
August	168
September	168
October	176
November	152
December	144
January	152
February	160
March	184
April	176
May	160
June	176
Sub Total	1,992
Vacation/sick	(108)
Annual hours available	1,884

The graph below depicts the planned allocation of UAC resources by activity, for the 2020-21 fiscal year, as detailed in the work plan on page 5:



**Florida Polytechnic University
Audit and Compliance Committee
Board of Trustees
September 9, 2020**

Subject: University Compliance & Ethics Program Plan – 20-21 FY

Proposed Committee Action

Recommend approval of the University Compliance & Ethics Plan for the 2020-21 fiscal year to the Board of Trustees.

Background Information

Florida Board of Governors Regulation 4.003 provides that each board of trustees shall implement a university wide compliance and ethics program as a point for coordination of and responsibility for activities that promote ethical conduct and maximize compliance with applicable laws, rules, regulations, rules, policies, and procedures. David Blanton, Chief Compliance Officer (CCO) will present the proposed Plan for the 2020/21 fiscal year. This Plan was developed consistent with applicable codes of conduct and the Federal Sentencing Guidelines and provides for the various planned focus areas for University Compliance.

The Committee should consider whether the Proposed Plan (a) promotes an organizational culture that encourages ethical conduct and a commitment to compliance and (b) allocates University Compliance resources in an efficient and effective manner.

Supporting Documentation: UAC Compliance & Ethics Program Plan Report – 2020-21 Fiscal Year.

Prepared by: David A. Blanton, CAE/CCO



FLORIDA POLYTECHNIC
UNIVERSITY

University Compliance



Compliance and Ethics Program Plan

2020-21 Fiscal Year

Report No: FPU 2021-03

Ethical Culture: The extent to which an organization regards it's values. Strong ethical cultures make doing what is right a priority. Ethical culture is often an unwritten code by which employees learn what they should think and do. (Ethics Resource Center)

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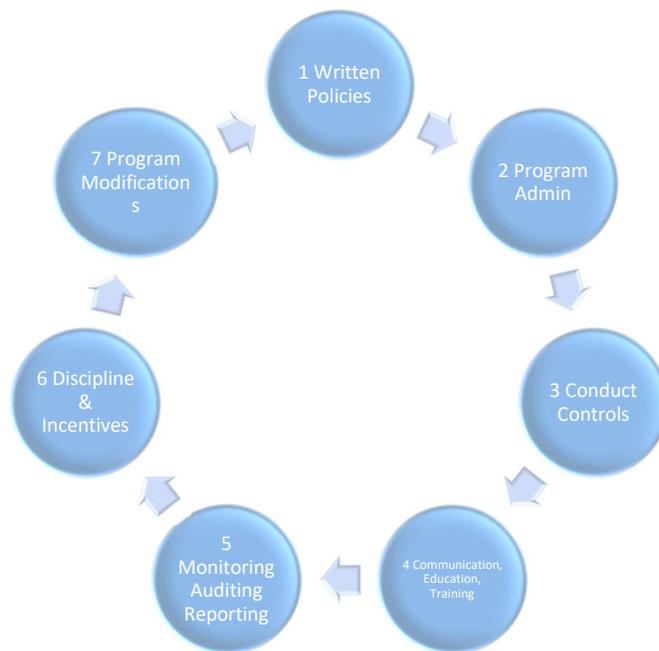
I. Background and Overview

Florida Board of Governors (BOG) Regulations¹ provide that each board of trustees shall implement a university-wide compliance and ethics program (Program) as a point for coordination of and responsibility for activities that promote ethical conduct and maximize compliance with applicable laws, regulations, rules, policies, and procedures. The BOG Regulation further provides that the Program shall be:

- Reasonably designed to optimize its effectiveness in preventing or detecting noncompliance, unethical behavior, and criminal conduct, as appropriate to the institution’s mission, size, activities, and unique risk profile.
- Developed consistent with various codes of ethics² and the Federal Sentencing Guidelines.
- Implemented within two (2) years of the effective date of the Regulation, or November 2018.
- Evaluated within five (5) years of the effective date of the Regulation, or initiated by November 2021.

The Florida Poly Compliance and Ethics Program (Program) was designed with due diligence and the promotion of an organizational culture that encourages ethical conduct and a commitment to compliance, as outlined by the Federal Sentencing Guidelines, for the seven (7) Program components depicted in the flowchart and outlined below:

7 Basic Components of an Effective Compliance & Ethics Program



¹ Florida Board of Governors Regulation 4.003, implemented November 3, 2016

² Code of Ethics for Public Officers and Employees contained in Part III, Chapter 112, Florida Statutes and other applicable codes of ethics

7 Basic Components of an Effective Compliance & Ethics Program

1. Standards, Policies, Procedures
2. Compliance and Ethics Program Administration
3. Conduct Controls for Employees
4. Communication, Education, and Training
5. Monitoring, Auditing, and Reporting System (Hotline)
6. Discipline and Incentives
7. Program Modifications

Most of the required elements of the Program were properly implemented by November 2018, as required by the BOG Regulation. Each of the various components required by the Federal Sentencing Guidelines are discussed at greater length below and correspond with the seven (7) required Program components outlined above:

Requirement 1: The organization shall establish standards and procedures to prevent and detect criminal conduct.

Plan Response: The University has adopted the following Regulations and Policies (standards) that effectively communicate management's commitment to prevent and detect criminal conduct:

- *Policy FPU-1.0125P Fraud Prevention and Detection*
- *Regulation FPU-1.015 Allegations of Waste, Fraud, Financial Mismanagement, and Other Abuses*
- *Regulation FPU-6.002 Personnel Code of Conduct and Ethics*
- *Regulation 6.011 Employee Criminal Background Checks*
- *Policy FPU-8.0011P Purchasing of Goods and Services*
- *Regulation 8.003 Authority to Suspend or Debar Contractors/Vendors*

Periodically, such Policies and Regulations are subjected to Policy review to ensure that they are comprehensive and prescribe to current practice.

University Compliance maintains various reporting mechanisms to report waste, fraud, financial mismanagement and other abuses and the standards outlined above provide that employees are obligated to report known or alleged violations. (See also Requirement 5)

Requirement 2: The organization's governing authority shall be knowledgeable about the Program and exercise reasonable oversight; high-level personnel shall have overall responsibility for the Program and its effectiveness; and the Program shall be afforded adequate resources to carry out operational responsibility of the Program.

Plan Response: The Audit and Compliance Committee (AACC) of the Florida Polytechnic University's Board of Trustees is charged with oversight of the Program. This responsibility is outlined in the Charter for the AACC. The Chief Compliance Officer (CCO) is responsible for communicating the details of the

Program to the AACC and presenting an annual Program Plan to the AACC for approval. The CCO serves as the liaison to the AACC and provides an update on the Program at each meeting (4 times a year). In addition, the Florida BOG exercises certain oversight of each institution of the State University System (SUS). The CCO has overall responsibility for the Program and has been provided with sufficient resources to carry out operational responsibilities of the program. As a new institution founded in 2012, Florida Poly hired its first-ever CCO beginning on July 31, 2017. Therefore, the Program is in the initial development stages and has had a relatively short window of implementation relative to other SUS institutions.

Requirement 3: The organization shall use reasonable efforts to preclude the hiring or employment of personnel that have engaged in illegal activities or other conduct inconsistent with an effective compliance and ethics Program.

Plan Response: Florida Polytechnic University Regulations³ provide for the administration of Level 1 background screening for all employees and volunteers and a Level 2 background screening for employees working in areas of special trust or responsibility. (A Level 1 background screening is limited to a statewide criminal history records check through the Florida Department of Law Enforcement while a Level 2 background screening extends beyond that to a national criminal history records check through the Federal Bureau of Investigation). Additionally, the Regulation requires that university employees shall immediately notify the university if convicted of a felony or first degree misdemeanor any time subsequent to becoming employed by the university. The periodic rescreening of employees, as provided for in the University Regulation, serves to further ensure that university employees have not engaged in illegal activities or other conduct inconsistent with an effective compliance and ethics Program.

Controls over this process were recently subjected to an operational audit performed by the Auditor General⁴.

Requirement 4: The organization shall periodically conduct effective trainings and otherwise disseminate information in support of the Program.

Plan Response: The University currently provides for the following training relative to the Compliance and Ethics Program:

- At new employee orientation, all new hires are provided training and a copy of our Employee Handbook from our Human Resources Department. The training and the Employee Handbook includes an overview of the Employee Code of Conduct and the University's commitment to the highest degree of ethical standards and conduct. The new employee orientation also includes information relative to compliance with sexual harassment (Title IX Compliance), public records and the Sunshine law, official university travel, time and attendance requirements (Fair Labor Standards Act Compliance), leave policies (FMLA compliance), and discrimination/equal opportunity (Federal EEO compliance).

³ Regulation FPU 6.011, Employee Criminal Background Checks

⁴ Auditor General Report No. 2021-008, issued August 2020

- New employees are required to complete on-line cyber security awareness training that covers FERPA compliance, the Clery Act, Gramm-Leach-Bliley Act (GLBA compliance), protecting personally identifiable information (PII) and other compliance matters related to information systems and data maintained by the University. In addition, this training is required annually for all employees. In the 2018-19 fiscal year, University Audit & Compliance tested the controls over such training for both new and existing employees and determined that controls are operating effectively in this area. (Report No. FPU 2019-04). Additionally, controls over this area were included in the most recent operational audit of the university by the Auditor General⁴.
- New employees are required to complete an on-line sexual harassment training program and our Title IX coordinator provides additional training opportunities throughout the year on sexual harassment.
- All new Board of Trustee (BoT) members attend an orientation that is hosted by the President, the General Counsel, the Chief Financial Officer, and the Chief Audit Executive/Chief Compliance Officer. The orientation includes the dissemination of information relative to the Florida Sunshine law, conflicts of interest, and the Board of Trustees ethics policy which incorporates the Code of Ethics for Public Officers and Employees set forth in Part III of Chapter 112, Florida Statutes. Additionally, Florida Poly Board of Trustee members are required to attend a Board of Governors orientation session prior to service on the university board. The BoT was also provided live ethics training by the CCO at previous Board retreats (May 2018 and 2019).

Training for additional areas with high risk of noncompliance will be developed and conducted by the CCO as provided for in the **Compliance Plan for Key Risks/Compliance Focus Areas** Section of this Program Plan. (Section II)

Requirement 5: The organization shall take reasonable steps to ensure that (a) the Program is properly monitored in order to detect criminal conduct (b) evaluate the effectiveness of the Program and (c) publicize a system providing for reporting mechanisms to report or seek guidance on potential or actual criminal conduct.

Plan Response: With regard to each of the elements specified above in Requirement 5:

- (a) As noted in Requirement 3 above, University Regulations³ require that university employees shall immediately notify the university if convicted of a felony or first degree misdemeanor any time subsequent to becoming employed by the university. The periodic rescreening of employees, as provided for in this University Regulation, serves to further ensure that university employees have not engaged in illegal activities or other conduct inconsistent with an effective compliance and ethics Program.
- (b) BOG Regulations⁵ require that at least once every five (5) years, the president and board of trustees shall be provided with an external review of the Program's design and effectiveness and any recommendations for improvement, as appropriate. The first external review shall be initiated within five (5) years from the effective date of this regulation. (November 2021) The assessment shall be approved by the board of trustees and a copy provided to the Board of

⁵ Board of Governors Regulation 4.003 (7)(c), implemented November 3, 2016

Governors. This Plan provides for a self-assessment of the Program as a focus area for the 2020-21 fiscal year. (See Section II)

- (c) In December 2017, the “Compliance and Ethics Hotline” was established to report suspected or actual instances of noncompliance, fraud, waste, or abuse directly to the CCO as outlined below:
1. An on-line reporting form.
 2. Telephone
 3. Fax
 4. Direct mail to P.O. Box.

These mechanisms are publicized on the University website which also has direct links to all University Regulations and Policies that effectively communicate management’s commitment to prevent and detect criminal conduct. In addition, the Compliance and Ethics Hotline information is posted on the intranet, which is accessible to all employees. As provided for in University Policy⁶, retaliation, or otherwise taking adverse action against any member of the University community because that individual reported or filed a complaint alleging a violation, testified or participated in an investigation or proceeding, or opposed discriminatory practices, is strictly prohibited and could result in expulsion or termination.

Requirement 6: The Program shall be promoted through appropriate *incentives* and provide for appropriate *disciplinary measures* for engaging in criminal conduct and for failing to take reasonable steps to prevent or detect criminal conduct.

Plan Response: (Incentives): The current “Performance Review Form”, used for evaluations and tied to merit/promotional increases, utilizes the following criteria for evaluation: (one of four criteria applied)

- Shows initiative, uses creative problem solving to reduce barriers, **has integrity and follows State regulations and policies.**

(Disciplinary measures): University Regulations⁷, provide that University personnel who are determined to have violated the Code of Ethics are subject to disciplinary action. Disciplinary actions may include penalties such as: dismissal, suspension, demotion, reduction in salary, forfeiture of salary, restitution, public censure, and/or reprimand; other disciplinary actions as may be deemed appropriate.

Requirement 7: After noncompliance, unethical behavior, or criminal conduct has been detected, the organization shall take further reasonable steps to prevent further occurrences, including Program modifications.

Plan Response: Neither significant unethical behavior or criminal conduct has occurred at the University; however, the University is continually seeking to improve on processes and procedures that ensure compliance with applicable laws, rules, regulations, and laws. To the extent that significant criminal

⁶ Policy FPU-1.0125P, Fraud Prevention and Detection

⁷ Regulation FPU-6.002, Personnel Code of Conduct and Ethics

conduct or unethical behavior was ever detected, the Program would be modified to mitigate future occurrences.

II. Compliance Plan for Key Risks/Compliance Focus Areas

This Compliance and Ethics Program Plan has identified seven (7) different areas of focus for the 2020-21 fiscal year. These focus areas were selected on the basis of perceived risk and available resources, and specifically relate to the following areas:

- Coronavirus Aid, Relief, and Economic Security (CARES) Act Interim Compliance Monitoring Review:
 - Planned scope to include the administration of Institutional Higher Education and Relief Funds and Student Higher Education Emergency Relief Funds to ensure compliance with the U.S. Department of Education's compliance requirements.
 - Provided that this is a new program that was developed in response to COVID-19, this area has been deemed high risk. The BOG has also identified this as an area of concern and intends to report compliance efforts to their board in January.
- Textbook Affordability Compliance Monitoring Review:
 - Planned scope to include compliance with the State law⁸ requiring the timely posting textbooks and instructional materials for the fall and spring terms.
 - Provided that this has been a repeat finding in several of our most recent operational audits conducted by the Auditor General, this area has been deemed high risk.
- Statement of Financial Disclosures and Potential Conflicts of Interest Compliance Monitoring Review:
 - Planned scope to include a review of filed financial disclosure statements and searches for any related conflicts with the university.
 - This concern was mentioned in our last operational audit and thus has been deemed high risk that can be mitigated with an appropriate level of monitoring and oversight.
- Foreign Influence/Foreign Gifts and Contracts Compliance Monitoring Review:
 - Planned scope to include a review of (1) controls and processes over foreign influence over grant integrity and (2) foreign gifts and contracts reporting pursuant to Section 117 of the Higher Education Act.
 - This particular focus area has been of great concern to both the Florida Legislature and to most higher education institutions and thus has been deemed an area of high risk.
- Training & Communications:
 - Live training on compliance and ethics will be conducted at employee orientations held throughout the year.
 - The focus for the 2020-21 Program year will be on enhanced communications to all university staff promoting compliance and ethics awareness. A goal of 2 communications through the university is planned for the current Program Plan.

⁸ Section 1004.085(6), Florida Statutes

- The CCO will provide updates to the Audit and Compliance Committee (AACC).
 - Quarterly updates to the AACC on the Compliance Program.
 - Monthly reporting of allegations and related UAC dispositions to the AACC.
- Self-Assessment – Compliance Program/Development of Program Assessment Criteria
 - In an effort to enhance the effectiveness of the Compliance and Ethics Program at Florida Poly, a formal evaluation of processes in place will be conducted by UAC in order to identify opportunities for continuous improvement. This effort will facilitate the external review that must be initiated by November 2021 pursuant to BOG Regulation.
- General Compliance Activities/Investigations
 - Ongoing review of existing regulations and policies with an emphasis towards those aimed at promoting compliance and an evaluation of the effectiveness of university operations and the program. This area also includes monitoring of the Compliance & Ethics hotline and performing preliminary investigate effort and full investigations, as warranted.

III. Program Evaluation

Internal Evaluation: Given that each of the seven (7) Program components required by the Federal Sentencing Guidelines (FSG) Manual have been addressed by this Program Plan, the Program is deemed effective. Additionally, requirements set forth by BOG Regulations, and reflected in the SUS Compliance Program Status Checklist, evidence the completion of most elements constituting an effective Compliance and Ethics Program. Most importantly, this evaluation is further supported by observations of the CCO, from the date of his hiring (7/31/17) to present, in support of management’s commitment in both words and action to “do the right thing” to assure that high standards of ethical practice are exhibited in all University business.

As noted above in the Program Plan, UAC is planning to conduct a self-assessment in the 2020-21 fiscal year in order to better to identify opportunities for continuous improvement to the Program. This planned self-assessment is expected to go beyond the essential elements evaluated above (from the FSG Manual) in order to identify specific refinements to enhance the effectiveness of the existing Program.

External Evaluation: As noted in Section I, Requirement (5)(b) above, BOG Regulations⁹ require that at least once every five (5) years, the president and board of trustees shall be provided with an external review of the Program's design and effectiveness and any recommendations for improvement, as appropriate. The first external review shall be initiated within five (5) years from the effective date of this regulation. (November 2021) The assessment shall be approved by the board of trustees and a copy provided to the Board of Governors.

The SUS Compliance Consortium recently adopted the criteria by which each SUS institution will be evaluated in their external evaluation. It is anticipated that the external review will be conducted in accordance with the BOG Regulation, sometime shortly after the 2020-21 fiscal year end.

⁹ Board of Governors Regulation 4.003 (7)(c), implemented November 3, 2016

IV. Summary

This Compliance and Ethics Program Plan provides for the following components:

- A plan response to address each of the seven program components set forth in the Federal Sentencing Guidelines. Within **Section I**, each of the various Federal Sentencing Guideline requirements are cited within a boxed border and the response to address each requirement.
- Key risks and compliance focus areas deemed necessary to administer the plan. Within **Section II**, such risks and areas of focus were selected based on a review of audit risks and the intention of delivering both compliance and audit services in an efficient manner, given the limited resources of the University and the dual duties of the CAE/CCO.
- **Section III** explains the Program evaluation requirements and outlines a plan for evaluation in order to comply with the applicable BOG Regulation.

This approach to establishing the initial Compliance and Ethics Plan conforms to requirements set forth in both the Federal Sentencing Guidelines and BOG Regulation. Only one component of the BOG Regulation remains outstanding which provides for an external evaluation of the Program with a 5-year window for compliance. (Must be initiated by November 2021). The SUS Compliance Consortium is currently working collaboratively to manage these reviews at each SUS institution and it is expected that Florida Poly's Program will undergo an external evaluation by the BOG due date.

V. Exhibits

- A. Compliance & Ethics Program Plan – Estimated Budget
- B. Compliance & Ethics Program Plan Approval

Exhibit A

Proposed Compliance & Ethics Program Plan Budgeted Hours 2020-21 Fiscal Year			
	Focus Area	Planned Hours	Notes
1	CARES Act Compliance Monitoring Review	80	
2	Textbook Affordability Compliance Monitoring Review (Fall & Spring)	80	
3	Statement of Financial Disclosures/Conflict Compliance Monitoring Review	80	
4	Foreign Influence Compliance Monitoring Review	80	
5	Training & Communications	80	
6	Assessments of Program	100	
7	General Compliance Program/Investigations	200	a
	Total Estimated	700	
a	Includes an estimate of 200 hours for monitoring of hotline and investigations; however actual hours in this area could increase or be less, depending on reported hotline allegations and/or investigative reports released by University Compliance.		

Exhibit B

2020-21 Compliance & Ethics Program Plan Approval

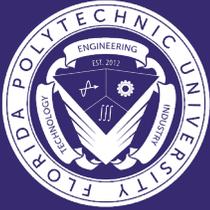
The Following signatures document approval of the Compliance & Ethics Program Plan for the 2020-21 fiscal year. This Plan was presented to the Audit & Compliance Committee on September 9, 2020 and approved by the full Board on this same date.

Dr. Randy Avent, President

Date

Bob Stork, Chair - Audit & Compliance Committee

Date



BOARD OF TRUSTEES Strategic Planning Committee

**September 9, 2020
10:45 AM-11:15 AM**

Or upon the conclusion of the previous committee meeting

Florida Polytechnic University WEBEX TELECONFERENCE MEETING

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

Gary Wendt, Chair

Dr. W. Earl Sasser, Vice Chair

Frank Martin

AGENDA

- | | |
|---|---|
| I. Call to Order | Gary Wendt, Chair |
| II. Roll Call | Michele Rush |
| III. Public Comment | Gary Wendt, Chair |
| IV. Approval of the February 25, 2020 Minutes
<i>*Action Required*</i> | Gary Wendt, Chair |
| V. 2020-2022 Strategic Planning Committee Work Plan Review | Gary Wendt, Chair |
| VI. 2020 Florida Polytechnic University Equity Report
<i>*Action Required*</i> | Rick Maxey, AVP, Office of Diversity & Inclusion |
| VII. Campus Master Plan Update | David Calhoun, AVP, Facilities and Safety Services |
| VIII. Florida Industrial Phosphate Research Institute Update | Dr. James Mennie, Assistant Professor, Business Analytics |
| IX. Review Committee Charter & Upcoming Issues | Gary Wendt, Chair |
| X. Closing Remarks and Adjournment | Gary Wendt, Chair |

Florida Polytechnic University
Board of Trustees

Strategic Planning Committee Meeting

DRAFT MEETING MINUTES

Tuesday, February 25, 2020
4:00 PM – 5:00 PM

Florida Polytechnic University, IST 1046
4700 Research Way, Lakeland, FL 33805

I. Call to Order

Committee Chair Mark Bostick called the Strategic Planning Committee meeting to order at 3:55 p.m.

II. Roll Call

Michele Rush called the roll: Committee Chair Mark Bostick, Vice Chair Cliff Otto, Trustee Ryan Perez, Trustee Louis Saco and Trustee Earl Sasser were present (Quorum).

Staff present: Mr. Rick Maxey, Ms. Michele Rush, Mrs. Kim Abels, Mr. David Calhoun, Mr. Kevin Calkins, Dr. Tom Dvorske and Mr. Alex Landback were present.

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Louis Saco made a motion to approve the Strategic Planning Committee meeting minutes of December 10, 2019. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

V. 2018-20 Strategic Planning Committee Work Plan Review

Mr. Rick Maxey presented the change to the Work Plan to move consideration of the University's 2020 Accountability Report from February to April to allow adequate time for all data to be gathered. The Committee voted to make an April Executive Committee meeting a standing meeting to specifically address consideration of the annual Accountability Report.

Trustee Louis Saco made a motion to approve the changed 2018-20 Strategic Planning Committee Work Plan. Vice Chair Cliff Otto seconded the motion; a vote was taken, and the motion passed unanimously.

VI. Campus Master Plan Update 2020-2030

Mr. David Calhoun made a presentation to the Committee regarding the process for updating the ten-year Campus Master Plan which is required by law to be undertaken at least every five years. Florida Poly's update is due in 2021 but staff are starting the seven to eight-month process now.

The Campus Master Plan must include all facilities desired to be constructed during the ten-year life of the plan. The process also requires that six agencies and the host local community be provided with an opportunity to review and comment on the plan.

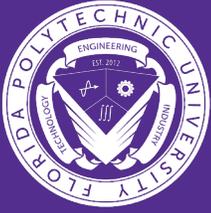
After the Campus Master Plan is adopted, the University must negotiate with the local host community to identify and pay for impacts to infrastructure such as roads and utilities.

Mr. Maxey explained the master plan must be as precise as possible as this is the document the Board of Governors reviews when deciding priorities; therefore, this document must be as thorough as possible before going to a vote.

Trustee Adrienne Perry questioned if it would be possible for a benefactor to donate a building once the master plan had been approved. Mr. Maxey explained the Master Plan can be amended in that instance.

IX. Closing Remarks and Adjournment

With no further comments, the meeting adjourned at 4:07 p.m.



BOARD OF TRUSTEES Strategic Planning Committee Work Plan

COMMITTEE TOPICS

Following is a list of major issues expected to come before the Strategic Planning Committee over the next two years.

- University Strategic Plan
- Campus Master Plan
- Educational Plant Survey
- Annual Accountability Report
- Performance Based Funding
- Florida Polytechnic University Equity Report
- Florida Industrial and Phosphate Research Institute Annual Report

ISSUE	CYCLE	COMMENTS	ACTION
University Strategic Plan	5 years	Reviewed annually and approved by BOG every 5 years	Approve
Campus Master Plan	10 years	Updated at least every 5 years and submit to BOG for review	Approve
Educational Plant Survey	10 years	Updated at least every 5 years by the BOG or upon request by the University	Approve
Annual Accountability Report	Annual	Submit to BOG each spring or summer	Approve
Florida Polytechnic University Equity Report	Annual	Fall	Approve
Performance Based Funding	Annual	Summer	Review
Florida Industrial and Phosphate Research Institute Annual Report	Annual	Fall	Review

**The issues listed above occur in regular cycles. However, ad hoc matters may be brought to the Committee for review and approval or as determined by the Committee Chair or Board Chair.*

**Florida Polytechnic University
Strategic Planning Committee
Board of Trustees
September 9, 2020**

Subject: 2019-20 Florida Polytechnic University Equity Report

Proposed Committee Action

Recommend approval of the 2019-20 Florida Polytechnic University Equity Report to the Board of Trustees.

Background Information

Each university in the State University System of Florida is required to submit an annual equity report pursuant to Florida Board of Governors Regulation 2.003 Equity and Access. The regulation states that discrimination on the basis of race, color, national origin, sex, religion, age, disability, marital status, veteran status, or any other basis protected by applicable state and federal law against a covered individual at any university is prohibited.

The report summarizes the diversity of Florida Poly's student body, faculty and staff as well as trends. In addition, the equity report discusses efforts the university is taking to make education at the Florida Poly accessible to persons of all groups. Acceptable efforts include conducting targeted outreach and recruitment aimed at inclusion, creating training programs to increase capacity of diverse cohorts, and taking lawful action to remedy underutilization.

Supporting Documentation: 2019-20 Equity Report

Prepared by: Rick Maxey, Assistant Vice President, Office of Diversity and Inclusion



FLORIDA POLYTECHNIC
UNIVERSITY

2019-20 EQUITY REPORT



BOT APPROVED: 09/9/2020

Florida Polytechnic University

Report Year: July 2019 – June 2020

Approved by University Board of Trustees: September 9, 2020

Dr. Randy K. Avent
University President
September 9, 2020

Prepared by:

Rick Maxey, Assistant Vice President

Office of Diversity and Inclusion

Florida Polytechnic University
4700 Research Way
Lakeland, FL 33805
(863) 874-8481

BOARD OF TRUSTEES AGENDA

September 9, 2020

12:45 PM-1:15 PM

Or upon the conclusion of the previous committee meeting

**Florida Polytechnic University
WEBEX TELECONFERENCE MEETING**

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

Cliff Otto, Chair

Dr. Ala J. Alnaser

Connor Coddington

Mark Bostick, Vice Chair

Frank Martin

Don Wilson

Dr. W. Earl Sasser

Bob Stork

Gary C. Wendt

AGENDA

- I. Call to Order Cliff Otto, Chair
- II. Roll Call Kristen Wharton
- III. Public Comment Cliff Otto, Chair
- IV. Chairman's Remarks Don Wilson, Chair
- V. President's Remarks Randy K. Avent, President
- VI. Consent Agenda Cliff Otto, Chair
 - *Action Required***
 - A. Academic & Student Affairs Committee
 - 1. Approve Academic & Student Affairs Committee Charter
 - 2. Approve FPU-5.003 Textbook Adoption and Affordability - Amendment and Repeal of BOT Resolution 2017-001
 - 3. Approve Provost and EVP of Academic Affairs to serve as the Board of Trustees' designee in reviewing the costs of required and recommended textbooks and instructional materials for general education courses
 - 4. Approve FPU-BOT COVID19 MOU 2
 - B. Audit & Compliance Committee
 - 1. Approve Audit & Compliance Committee Charter
 - 2. Approve Auditor General Operational Audit

3. Approve UAC Annual Report – FYE 6/30/20
4. Approve UAC Audit Plan and Risk Assessment - FYE 6/30/21
5. Approve UAC Compliance and Ethics Program Plan - FYE 6/30/21

C. Strategic Planning Committee

1. Approve Strategic Planning Committee Charter

D. Finance & Facilities Committee

1. Approve Finance & Facilities Committee Charter
2. Approve Carryforward and Fixed Capital Outlay Budgets
3. Approve University Resources Used by the Foundation FY19-20 and to be Used FY20-21
4. Approve Foundation Board Appointments

E. Governance Committee

1. Approve Governance Committee Charter

F. Board of Trustees

1. Approve May 20, 2020 Board of Trustees Meeting Minutes

VII. Committee Reports

- | | |
|---|-------------------------------|
| A. Executive Committee Report (June 12, 2020) | Cliff Otto, Chair |
| B. Academic & Student Affairs Committee | Dr. W. Earl Sasser, Chair |
| C. Audit & Compliance Committee | Bob Stork, Committee Chair |
| D. Strategic Planning Committee
Action Required | Gary Wendt, Committee Chair |
| 1. Approve 2020 Florida Polytechnic University Equity Report | |
| E. Finance & Facilities Committee
Action Required | Cliff Otto, Committee Chair |
| 1. Approve Proposed P3 for Building on Campus and Related ITN | |
| F. Governance Committee
Action Required | Mark Bostick, Committee Chair |
| 1. Legislative Advocacy Plan | |

VIII. Board of Trustees Meeting Schedule

- November 18, 2020 (*Virtual*)
- February 16-17, 2021

Cliff Otto, Chair

- May 3, 2021 (*May 2: Commencement*)

IX. Board of Governors' Meetings

Cliff Otto, Chair

- September 16, 2020 (*USF, Tampa*)
- **November 4-5, 2020 (*UNF, Jacksonville*)**
- January 20-21, 2021 (*NCF, Sarasota*)
- March 24-25, 2021 (*FAMU, Tallahassee*)
- June 22-24, 2021 (*USF, Tampa*)

X. Closing Remarks and Adjournment

Cliff Otto, Chair

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EXECUTIVE SUMMARY

Section 1000.05, Florida Statutes prohibits discrimination against students and employees in the Florida K-20 public education system, which includes Florida Polytechnic University and other public educational institutions. That same law requires that those entities must provide “equality of access”.

Florida law (section 1000.05(3)(a) states that “No person shall, on the basis of gender, be excluded from participating in, be denied the benefits of, or be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club, or intramural athletics offered by a public K-20 educational institution; and no public K-20 educational institution shall provide athletics separately on such basis.” The Board of Governors adopted Regulation 2.003 Equity and Access to provide guidance for public universities in following the law.

That regulation requires each public university in Florida to prepare an annual Florida Equity Report that complies to state statutes and Board of Governors regulation. Section 2.003(5)(a) of the regulation requires that the university’s equity report must include “information on the institution’s progress in implementing strategic initiatives and performance related to equity and access as they pertain to academic services, programs, and student enrollment; equity in athletics; and employment.”

In addition, the Florida Board of Governors Regulation 2.003 Equity and Access requires appropriate student participation in programs or courses where protected classes are underrepresented, gender equity in athletics and appropriate representation of women and minorities in senior-level administrative positions and faculty positions.

Florida Board of Governors Regulation 2.003(3) Equity and Accountability in Employment.

Each university shall:

(a) Offer equal opportunity and access in employment to all qualified individuals without regard to the protected status or category of the individual.

(b) Maintain an annual equity plan for remedying underutilization of women and minorities, as applicable, in senior-level administrative positions and by faculty rank and/or tenure status. Such plan shall be maintained and ongoing until such underutilization has been remedied.

This report encompasses policies, programs and practices related to equity within enrollment; student services; and employment of faculty and staff. All data are compared to Florida Poly’s 2018-19 academic year.

The format for most charts is based on templates provided by the Florida Board of Governors. Additional tables and figures are utilized to analyze data with respect to:

- Student enrollment in comparison with other State University System institutions and STEM-based peer universities
- On-campus housing demographics

Florida Poly provides equal education to all its students. As stated in our mission, we seek to: “Serve students and industry through excellence in education, discovery and application of engineering and applied sciences.” Despite the challenges, the University is making progress in enrollment for certain underrepresented groups. However, there are still opportunities to continue moving toward a more representative student body, faculty and staff.

The University does not have intercollegiate athletic programs. Therefore, corresponding charts are not applicable to our institution. In addition, Florida Poly does not follow tenure-track systems for our faculty.

POLICIES & PROCEDURES

Florida Polytechnic University is governed by state and federal statutes, regulations and guidelines of the Florida Board of Governors, and university regulations and policies. The University adopts policies and related procedures to dictate and guide the operations of the University when statutes, regulations and guidelines do not provide specific guidance or do not offer procedures or implementation directives necessary for efficient university operations.

Policies should neither conflict with provisions contained in applicable laws or regulations, nor merely restate or duplicate those provisions. When an existing University policy conflicts with a law, Florida Board of Governors regulation, or university regulation, such law or regulation shall take precedence over the University policy.

The University’s policies are available on the “University Policies, Regulations and Rules” section of the University’s webpage: <https://floridapoly.edu/about/board-of-trustees/university-policies-regulations-rules/>

Review of Policies & Procedure

The following policies and procedures were developed to ensure equity within the University. These and additional policies and procedures will be updated annually and are available online.

Non-Discrimination and Equal Opportunity	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-1.004-Non-Discrimination-and-Equal-Opportunity-Regulation-1.14.20141.pdf
Discrimination and Harassment Complaint	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-1.005-Discrimination-and-Harassment-Complaint-Policy-and-Procedures-2.5.141.pdf
Sexual Misconduct	https://floridapoly.edu/general-counsel/assets/fpu_1.005p_sexual_misconduct_8.13.20.pdf
Admission to the University	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-2.001-Admission-to-the-University-4.5.17.pdf
Student Government and Student Organizations	https://floridapoly.edu/wp-content/uploads/FPU-3.002-Student-Government-and-Student-Organizations-6.22.17.pdf
Student Code of Conduct	https://floridapoly.edu/wp-content/uploads/FPU-3.006-Student-Code-of-Conduct.clean_.pdf

Reasonable Accommodations for Religious Observances, Practices and Beliefs	https://floridapoly.edu/wp-content/uploads/FPU-3.009-Reasonable-Accommodations-6.22.17.pdf
Student Grievance Process	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-3.0031P-Student-Grievance-Process-1.17.17-1.pdf
Student Requests for Disability Services	https://floridapoly.edu/wp-content/uploads/FPU-3.0041AP-Student-Requests-for-Disability-Services-10.23.15-FINAL.pdf
Anti-Hazing	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-3.0062P-Anti-Hazing-Policy-4.28.15.pdf
Academic Freedom and Responsibility	https://floridapoly.edu/wp-content/uploads/2017/07/FPU.5.001-Academic-Freedom-Academic-Freedom-and-Responsibility-1.14.141.pdf
Student Attendance	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-5.0010AP-Student-Attendance.pdf
University Personnel Program	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-6.001-University-Personnel-Program-6.27.13.pdf
Personnel Code of Conduct and Ethics	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-6.002-Personnel-Code-of-Conduct-and-Ethics-12.11.14.pdf
Employee Grievance Procedure	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-6.0011P-Employee-Grievance-Procedure-11.17.14.pdf
Recruitment, Selection and Appointment of Non-Faculty Personnel	https://floridapoly.edu/wp-content/uploads/FPU-6.0125P-Recruitment-Selection-and-Appointment-of-Non-Faculty-Personnel-08.27.15-FINAL.pdf
Recruitment, Selection and Hiring of Personnel	https://floridapoly.edu/wp-content/uploads/FPU-6.0126P-Recruitment-Selection-and-Hiring-of-Personnel-3.7.2018A-6.pdf
Student Financial Aid	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-7.002-Student-Financial-Aid-3.16.17.pdf
Financial Aid Accommodations	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-7.0012P-Financial-Aid-Accommodations-for-Students-Needing-Reduced-Course-Loads-7.30.15.pdf
Purchasing	https://floridapoly.edu/wp-content/uploads/2017/07/FPU-8.001-Purchasing-8.28.13.pdf

Non-Discrimination Policy

The University is committed to providing and maintaining a dignified environment in which all members of the university community appreciate and respect each other. This is accomplished by maintaining a welcoming environment to work, study, and interact with one another, free from any form of unlawful discrimination. The University shall not unlawfully discriminate in offering access to any educational programs or activities or in conducting its employment practices on the basis of race, color, national origin, marital status, sex, religion, age, disability, sexual orientation, gender identity, gender expression, or veteran status or any other legally protected class or basis under applicable federal and/or state laws. The University's non-discrimination policy (FPU-1.004 Non-Discrimination/Equal Opportunity) was approved by the University Board of Trustees in January 2014 and is reviewed annually.

ACADEMIC PROGRAM REVIEWS

This section presents and discusses student enrollment and student services initiatives. Enrollment data represents the student population in required reporting areas, as applicable, for fall 2020 with a comparison to fall 2019. Diversity-related initiatives and programs for enrolled students are described under the student services section.

Key	Term	Definition*
NRA	Nonresident Alien	A person who is not a citizen or national of the United States and who is in this county on a visa or temporary basis and does not have the right to remain indefinitely.
B	Black or African American	A person having origins in any of the Black racial group of African.
AI/AN	American Indian/Alaska Native	A person having origins in any of the other original peoples of North and South America (including Central America) who maintains cultural identification through tribal affiliation or community attachment.
A	Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
H	Hispanic/Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
NH/OPI	Native Hawaiian/Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
W	White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
≥ TWO	Two or More Races	A person self identifies as not Hispanic, and more than one race category.
UNK	Unknown	The category used to report students or employees whose race and ethnicity are not known.

*2014-15 Survey Material: Glossary (NCES National Center for Education Statistics) December 5, 2014.

Enrollment

Student enrollment at Florida Poly by gender and race/ethnicity are presented and analyzed in the following areas:

- Full-time First-Time-In-College Enrollment
- Full-time Florida College System A.A. Transfers
- Retention of Full-Time FTICs after one year
- Bachelor's Degrees Awarded (AY 2017-18)
- Master's Degrees Awarded (AY 2017-18)

Although the equity report also requires the analysis of the following, it is either too soon in the University's maturity or outside the scope of our current mission to calculate these metrics:

- Graduation Rate of Full-Time FTICs after four years
- Doctoral Degrees Awarded (AY 2016-17)
- First Professional Degrees Awarded (AY 2016-17)

Data presented and analyzed in this section utilize the Federal Integrated Postsecondary Education Data System (IPEDS) Fall Enrollment, including IPEDS gender and race/ethnicity IPEDS definitions (as follows):

Fall 2019 enrollment data is compared to the Florida State University System (SUS) and selected STEM universities considered peers based on Common Data Set (CDS) 2019-20 data. STEM institutions considered in this analysis include:

- Franklin W. Olin College of Engineering
- Worcester Polytechnic Institute
- Colorado School of Mines
- Missouri University of Science & Technology
- Michigan Technology University
- New Mexico Institute of Mining and Technology
- Rensselaer Polytechnic Institute
- Stevens Institute of Technology
- Clarkson University
- Florida Institute of Technology

The male student population continues to be higher than the female student population (male 82.8%, female 17.2%) but female enrollment is up from 11% (male enrollment 89%) in academic year 2017-18. This compares to enrollment of 58% in the SUS and 30% among our STEM peers.

White (66%) and Hispanic (17%) continue to have the highest representation among racial/ethnic groups, respectively. Black enrollment is 6%, up from 3.5% in Fall 2018. Asian enrollment changed from 5.1% in Fall 2018 to 4% in Fall 2019. Florida Poly compares favorably to our STEM peers with 6% black (Peers 3%) and 17% Hispanic (Peers 9%). Across the SUS blacks make up 11% and Hispanics 26% of enrollment. Whites are 48% of enrollment in the SUS and 67% of enrollment among our STEM peers.

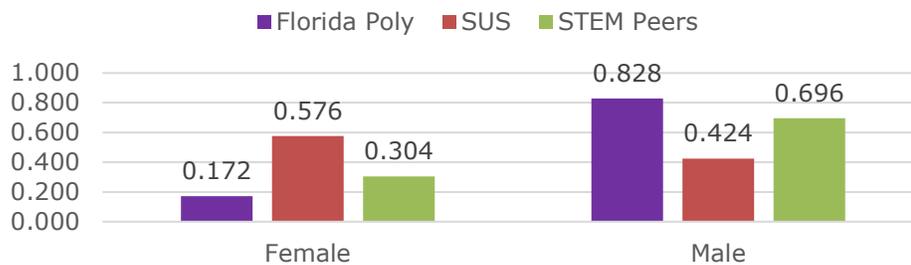
Full-Time First-Time-In-College Enrollment

Table 1. First-Time-In-College Enrollment (Full-time)

	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO*	UNK	TOTAL
Men	1	11	2	8	36	1	155	11	1	226
Women	0	5	0	4	10	0	26	1	1	47
Total Fall 2019	1	16	2	12	46	1	181	12	2	273
Category % of Total Fall 2019	0%	6%	1%	4%	17%	0%	66%	4%	1%	100%
Total FTIC Fall 2014	2	27	2	14	79	3	261	0	1	389
Category % of Total Fall 2014	1%	7%	1%	4%	20%	1%	67%	0%	0%	100%
Percentage Change in number from Fall 2014 to Fall 2019	0%	1%	0%	-1%	3%	0%	1%	-4%	0%	0%

Source: IPEDS Part A, Fall enrollment by race, ethnicity, and gender. Full-time, First-time students.

FTIC Enrollment Comparison by Gender



Full-Time Florida College System A.A. Transfers

New incoming full-time college transfer students at Florida Poly who matriculated in fall 2019 make up 29% of the total new incoming undergraduate population. **Twelve (12%)**Thirty (27%) of full-time transfer

Table 2. Florida Community College A.A. Transfers (Full-time)

	NRA	B	AI/AN	A	H	NH/OPI*	W	≥ TWO*	UNK	FEMALE	MALE	TOTAL
Total Fall 2019	0	7	0	1	17	0	30	1	0	13	43	112
Category % of Total Fall 2019	0%	6%	0%	1%	15%	0%	27%	1%	0%	12%	38%	100%
Total Fall 2014	0	4	3	3	15	1	97	0	0	17	106	246
Category % of Total Fall 2014	0%	2%	1%	1%	6%	0%	39%	0%	0%	7%	43%	100%
Category % Change from 2014 to 2019	0%	-5%	1%	0%	-9%	0%	13%	-1%	0%	-5%	5%	0%

Source: Student Instruction File. Full-time students.

students were female compared to 27% a year earlier. Transfer female student populations were down from fall 2018 to fall 2019. Racial/ethnic groups with the most representation in the transfers' student body are White, Hispanic, and Black. For this segment of the student body, there was a 54% increase in the Black or African American population. Non-resident Aliens were not represented in this year's class.

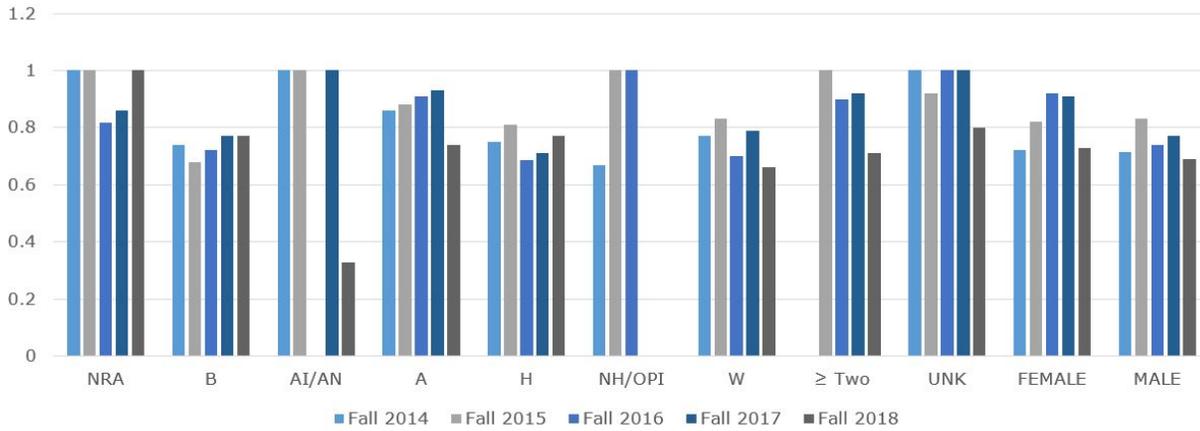
Retention of Full-Time FTIC after One Year

Table 3. Retention of Full-Time FTICs After One Year

	NRA	B	AI/AN	A	H	NH/OPI	W	≥ Two	UNK	FEMALE	MALE	TOTAL
Fall 2018 Cohort	1	13	3	19	53	1	202	14	5	37	274	311
Category % of Total	0.3%	4.2%	1.0%	6.1%	17.0%	0.3%	65.0%	4.5%	1.6%	11.9%	88.1%	100.0%
Enrolled Fall 2019	1	10	1	14	41	0	134	10	4	27	188	215
Retention Rate	100%	77%	33%	74%	77%	0%	66%	71%	80%	73%	69%	69%

Florida Poly's overall retention rate for the fall 2018 cohort was 10% lower than for the fall 2017 cohort (69% to 79%). Retention of males was 69% and 73% for females in the fall 2018 cohort. (2017 cohort was 77% for males and 91% for females). Sixty-six percent of whites, which is the largest represented group, had a retention rate of 66%, Blacks (77%), Asians (74%), Hispanics (77%), and students who identified as two or more groups (80%). As retention data for full-time FTIC is analyzed year to year, retention rate among Asians has increased each year since fall 2014 cohort. Figure 3 shows retention rate trends by cohort year and race/ethnic group. The retention rate for whites is the lowest (66%) it has been since the University began enrolling students and for Blacks it is the second year that it is the highest (77%) that it has been.

**Florida Poly Full Time Retention Retention
by Cohort and Race/Ethnic Group**



Graduation Rate and Degrees Awarded

In 2016-2017, Florida Poly graduated its first cohort of students. A total of 39 degrees were awarded, but mostly master’s degrees (54%). Although bachelor’s degrees have been conferred a graduation rate for full-time FTIC cannot be calculated at this point (available in 2017-18).

Table 4. Graduation Rate of Full-Time FTICs by Race/Ethnicity

	NRA	B	AI/AN	A/PI	H	NH/OPI	W	≥ TWO*	UNK	Female	Male	Total
2012-18 Cohort	NOT APPLICABLE (based on 6 year graduation rate)											
Category % of Total												
After 6 Years												
Number of Graduates												0
Percent Graduated												
Category % Graduated												
Number Retained												0
Percent Retained												

Note: FTIC includes Beginners and Early Admits.

In 2018-19 (239) bachelor's degrees were awarded, of which 160 (67%) were to White students, 18% to Hispanics, 5% to Asians and 3% to Blacks. Males earned 199 and females 40 of the bachelor's degrees. In 2017-18 (197) bachelor's degrees were awarded, of which 72% were to White students and 14% to Hispanics. Eighty-two percent (82%) of bachelor's degrees awarded were to male students. Two (2) master's degrees were awarded to White students (29%). One master's degrees was awarded to a female. Florida Polytechnic University does not grant doctoral or first professional degrees. Therefore, table 7 and table 8 are not applicable.

Table 5. Bachelor's Degrees Awarded by Race

	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO	UNK	TOTAL
AY 2018-19										
Male	1	8	0	11	33	0	136	4	6	199
Female	2	0	0	1	11	0	24	2	0	40
Total	3	8	0	12	44	0	160	6	6	239
Category % of Total	1%	3%	0%	5%	18%	0%	67%	3%	3%	100%
AY 2017-18										
Male	0	13	2	5	22	0	121	1	6	170
Female	0	0	0	0	5	0	21	0	1	27
Total	0	13	2	5	27	0	142	1	7	197
Category % of Total	0%	7%	1%	3%	14%	0%	72%	1%	4%	100%
AY 2013-14										
Male	0	0	0	0	0	0	0	0	0	0
Female	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0
Category % of Total	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Source: IPEDS Completions, GRAND TOTAL BY FIRST MAJOR, Bachelor's degrees. Table for 99.0000, all disciplines.

Table 6. Master's Degrees Awarded by Race

	NRA	B	AI/AN	A	H	NH/OPI	W	≥Two	UNK	TOTAL
AY 2018-19										
Male	3	0	0	0	1	0	2	0	0	6
Female	0	0	0	1	0	0	0	0	0	1
Total	3	0	0	1	1	0	2	0	0	7
Category % of Total	43%	0%	0%	14%	14%	0%	29%	0%	0%	100%
AY 2017-18										
Male	3	0	0	1	0	0	2	0	0	6
Female	2	0	0	0	0	0	0	0	0	2
Total	5	0	0	1	0	0	2	0	0	8
Category % of Total	63%	0%	0%	13%	0%	0%	25%	0%	0%	100%
AY 2013-14										
Male	0	0	0	0	0	0	0	0	0	0
Female	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0
Category % of Total	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Source: IPEDS Completions, GRAND TOTAL BY FIRST MAJOR, Master's degrees. Table for 99.0000, all disciplines.

Table 7. Doctoral Degrees Awarded by Race

	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO	UNK	TOTAL
AY 2017-18										
Male										0
Female										0
Total	NOT APPLICABLE									0
Category % of Total										0%
AY 2016-17										
Male										0
Female										0
Total	NOT APPLICABLE									0
Category % of Total										0%
AY 2012-13										
Male										0
Female										0
Total	NOT APPLICABLE									0
Category % of Total										0%

Source: IPEDS Completions, GRAND TOTAL BY FIRST MAJOR, Doctoral degrees. Chart for 99.0000, all disciplines.

Table 8. First Professional Degrees Awarded by Race

	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO	UNK	TOTAL
AY 2017-18										
Male										0
Female										0
Total	NOT APPLICABLE									0
Category % of Total										0%
AY 2016-17										
Male										0
Female										0
Total	NOT APPLICABLE									0
Category % of Total										0%
AY 2012-13										
Male										0
Female										0
Total	NOT APPLICABLE									0
Category % of Total										0%

Source: IPEDS Completions, GRAND TOTAL BY FIRST MAJOR, First Professional degrees. Chart for 99.0000, all disciplines.

Student Services

This section will present current data, services provided and initiatives for each office within student services at Florida Poly.

Student Affairs

Florida Poly Student Affairs encompasses the student experience, beginning with academic advising, continuing through student support and development and culminating in career development. Student Affairs strives to enhance the opportunities for our students to participate fully in the University experience. Guided by the values of leadership, collaboration, innovation, and adaptability, Student Affairs encourages, supports and provides guidance for students' collegiate experience beyond the classroom.

Student Affairs functions to ensure non-discrimination on the basis of race, color, national origin, gender, religion, age, disability, marital status, veteran status or any other basis protected by law. As a collection of student-facing services, Student Affairs, values the individual diversity that each student brings to campus and seeks to provide opportunities for all students to develop a sense of belonging and connection to Florida Polytechnic University.

Student Affairs is organized into five areas, each with distinct services and goals:

1) Advising and Success Coaching: The Associate Director of Student Success and Retention leads the "Academic Success Center" which supports students with guidance on pathways to graduation, and also provides students with coaching to help them succeed at the University. Tutoring services are supported by the Academic Success Center, and all students are encouraged to utilize the free service. An Academic Improvement Program also operates through the Academic Success Center, directly supporting students who are on Academic Probation. The program aims to support and encourage students who have struggled academically in the past.

2) CARE Services: CARE Services student support for any issue that a student may have, ranging from loss of a family member to personal mental health support. CARE services are led by the Campus CARE Manager (Associate Director of Health and Wellness). CARE is supported by an on-campus licensed mental health counselor, as well a 24/7 Student Assistance Hotline. Counseling sessions are free, private and confidential. Disability Services provides support for students who self-identify that they have a disability.

Disability Services further coordinates academic and campus accommodations for students with mental, physical and developmental disabilities. CARE Services also leads a campus Behavioral Intervention Team which seeks to organize support for students who may be struggling on campus. Disability Services is housed within CARE Services.

3) Student Development and Student Life: Campus programming and activities that aim to connect the student to the campus community are organized through Student Development and Student Life. Located in the Student Development Center and organized through the Director of Student Development.

The Student Development Center (SDC) includes a workout facility, pool, and multi-purpose room. The SDC creates a safe environment for providing fair, equitable, and non-discriminatory programs. These programs improve the health and welfare of students and value cultural diversity, gender equity, principles of fair play, and amateur athletic competition throughout the University community.

The Intramural Sports program provides students, and faculty/staff a non-intimidating, safe and engaging fitness environment, in order to pursue healthier lifestyle choices. Our goal is to encourage healthy interaction through active and safe lifestyle opportunities for students and the greater University community, which strengthens learning and personal growth.

Registered Student Organizations (RSOs) provide opportunities for students to be connected to their culture and interact with students from different cultures. RSOs include Student Diversity Club, National Society of Black Engineers Chapter and a Latin American Student Association. Each RSO hosts events that bring together all students to learn and share cultural activities.

In addition, faculty and staff created THRIVE operates to engage Florida Poly female students and encourage their success in STEM fields. THRIVE provides programming in three areas (1) professional development, (2) personal enrichment, and (3) community engagement.

4) Career Development: Led by the Associate Director of Career Development, Career Development provides opportunities for students to develop skills and strategies that will prepare them for employment. CODES workshops are held throughout the year, and specifically aim to help students from diverse backgrounds develop interview and career outreach skills that will help them identify and negotiate employment after graduation.

5) Residential Life: Residential Life plays an integral role in our students' education and development. "Res Life" supports the Florida Poly mission by providing services, policies and programs that enhance students' academic and social experiences in a residential community that combines essential elements for a success college experience. As a function of Student Affairs, Res Life partners with students to create a living-learning environment that encourages and fosters student learning, development, and personal growth. Res Life offers students a living-learning environment that supports and promotes leadership, collaboration, innovation, adaptability, and development.

Admission to Academic Program

The Admissions Office at Florida Polytechnic University has a mission to value diversity and has made conscious efforts through community outreach and campus events to increase female and minority student interest. The departmental goal is to use targeted recruitment efforts to increase interest and admissions applications. The following events have taken place and are continuing over the next academic year to increase female students:

Admissions Events

1. We attended recruitment events for 14 of the top 25 most diverse high schools in Florida.
2. FA 2019 and AP 2020 Recruitment events in highly diverse areas (top 5 diverse counties in Florida)
 - a. Broward County-49
 - b. Orange County-45
 - c. Hillsborough County-41
 - d. Duval County-25
 - e. Palm Beach County-16
3. FA 2019 Recruitment Events in New York: 46
4. FA 2019 and SP 2020 STEM Days
 - a. 13 schools from the top 5 diverse counties in Florida out of 35 total schools attended
5. Increase Communication with School counselors
 - a. School Counselor PD Day
 - b. SUS Events
 - c. Mailings to increase awareness
 - d. Nominations of students for “pathway” programs
6. Otronicon event at the Orlando Science Center in Orlando
7. Group tours through our office
 - a. DSC Trio Talent Search
 - b. Take Stock in Children Pinellas
 - c. Stewart Middle School AVID
 - d. Auburndale ESOL and Personal Career and School Development
 - e. Wolf Lake Middle School AVID
 - f. Neptune Middle School AVID
 - g. SFSC Trio
 - h. Urban League of Palm Beach County
8. Yield events were heavily impacted by COVID 19 therefore we could not continue our plans of matching up females students with current females students on campus
9. STEMpalooza and Camp CEO STEM were cancelled (our partnership with the Girl Scouts)

Recruitment Efforts

Admissions Counselors are targeting recruitment efforts toward female students. When recruiting in the high schools, counselors had conversations with guidance staff and administrators to talk about potential female students that might be a great fit for Florida Poly, and STEM programs.

- Tour Guide efforts are made to pair current female tour guides with incoming students for campus tours.
- Hosting Take Stock in Children and Upward Bound programs on campus for tours. We could tie that into Tech Days.
- 100 Black Men College Fair - [Black/African American Males](#)
- Attended annually by the Admissions Office for recruitment.
- National Hispanic College Fair - [Hispanic/Latino Students](#)

Attended annually by the Admissions Office for recruitment.

Campus Visits and Events: Strategic efforts are made to pair current female Admissions Ambassadors with incoming students for campus tours, Open House events, Florida Poly UX events, and Saturday Previews.

University Group Tours: Admissions continues to invite and host a diverse population to visit campus, including but not limited to Take Stock in Children and Upward Bound programs. Starting Fall 2019, Admissions will identify target schools and invite specific key classes such as physics,

calculus, and pre-calculus, to attend an immersive STEM day on campus. These events will be a coordination of faculty, staff, and students to showcase Florida Poly resources and student opportunities.

Admissions Ambassador Staff: The office increased the diversity of its Admissions Ambassador staff in an effort to increase connections with historically under-represented groups.

- Upward Bound Residential Summer Program – In collaboration with Polk State College (PSC), the University hosted more than 30 students from underrepresented groups in a one-week residential academic program developed and taught by Florida Poly faculty.

Counseling Services

The Office of Counseling Services provides mental health counseling for students needing help working through and overcoming personal problems. Counseling sessions are free, private and confidential. Sessions are tailored to accommodate each person's needs. Students are encouraged to ask any questions they may have about treatment. This office also coordinates academic and campus accommodations for students with mental, physical and developmental disabilities.

The office acknowledges the integral importance of background and culture in shaping all of us and values the individual diversity that each student brings to campus. We strongly support student diversity, social justice and inclusion of persons of different and/or disadvantaged backgrounds. We recognize the importance of multicultural awareness in creating a campus climate of acceptance and belonging. As such, we are committed to advocating for students who identify as persons of color, LGBTQIA students, persons with disabilities, low-income and first-generation college

students, international students, persons with diverse religious faiths or practices, military veterans and non-traditional aged college students, among others.

Other Initiatives

National Society of Black Engineers (NSBE) Middle School Partnership - Black/African American Students in NSBE, visited Southwest Middle School students to provide basic exposure to computer coding. Over several weeks NSBE students met with mostly underrepresented students.

University Diversity and Inclusion Committee - This committee works to encourage interaction, understanding and acceptance across cultural, demographic and nationalistic lines. The committee also seeks to connect university students, faculty and staff with various cultural communities in the area. The committee holds events throughout the year ranging from town hall discussions to events where the Florida Poly family exhibits and shares their culture. It also includes speakers brought to campus to engage in discussions that seek to enhance understanding and communication among the diverse people that make up the Florida Poly environment. Following are a list of events scheduled for the 2019-20 year.

National Hispanic Heritage Month – September 15 – October 15, 2019 LGBTQ + Month –

October 2019

Indigenous People's Day – October 14, 2019

International and Cultural Recognition Day – October 19, 2019

Black History Month – February 1 – 28, 2020

International Day of Women and Girls in Science – February 11, 2020

World Day of Social Justice – February 20, 2020

Women’s History Month – PANDEMIC CANCELLED

International Women’s Day – PANDEMIC CANCELLED

Asian Pacific American Heritage Month – PANDEMIC CANCELLED

Clubs and Intramural Athletics

The Florida Polytechnic Intramural Sports program provides students, and faculty/staff a non-intimidating, safe and engaging fitness environment, in order to pursue healthier lifestyle choices. Our goal is to encourage healthy interaction through active and safe lifestyle opportunities for students and the greater University community, which strengthens learning and personal growth.

The Florida Polytechnic University Campus Recreation and Fitness Department creates a safe environment for providing fair, equitable, and non-discriminatory programs. These programs improve the health and welfare of students and value cultural diversity, gender equity, principles of fair play, and amateur athletic competition throughout the University community.

We have supported the creation of student clubs that provide opportunities for students to be connected to their culture and interact with students from different cultures. There is a Student Diversity Club, National Society of Black Engineers Chapter and a Latin American Student Association on campus. Each organization hosts events that bring together all students to learn and share cultural activities.

In addition, faculty and staff created THRIVE operates to engage Florida Poly female students and encourage their success in STEM fields. THRIVE provides programming in three areas (1) professional development, (2) personal enrichment, and (3) community engagement.

Student Financial Assistance

The Office of Financial Aid at Florida Poly is a student-centered department dedicated to assisting students and their families with acquiring funds to pursue an education at Florida Poly.

Florida Poly currently participates in Institutional, Florida Department of Education, and Federal Student Aid programs. By being current participants in these student financial assistance programs the University agrees to comply with:

Comply with:

1. Federal and State Department of Education student aid program statutes, regulations, and policies governing each program used by Florida Poly.
 - a. Florida Polytechnic University Institutional Aid program statutes, regulations, and policies governing each individual program that the Office of Financial Aid awards to current students;
 - b. Title VI of the Civil Rights Act of 1964, barring discrimination on the basis of race, color, or national origin;
 - c. Title IX of the Education Amendments of 1972, barring discrimination on the basis of sex;
 - d. Section 504 of the Rehabilitation Act of 1973, barring discrimination on the basis of physical handicap; and
 - e. The Age Discrimination Act of 1975
2. Acknowledge that the Department, State, and Accrediting agencies share responsibility for maintaining the integrity of the SFA programs and that these organization may share

information about the institution without limitation; and

3. Acknowledge that the institution must, prior to any other legal action, submit any dispute involving the final denial, withdrawal, or termination of accreditation to final arbitration.

The Office of Financial Aid provides tools and information to all students, including underrepresented and first-generation students, that promote college access and affordability.

- Federal Pell Grant Eligible students: Florida Poly continues to demonstrate its commitment to assisting our students with economic disadvantages. Florida Poly began disbursing Federal Pell Grant in Spring 2017. In Fall 2019, 33% of our undergraduate degree-seeking students were eligible for the Pell Grant.
- First Generation Matching Grant: A grant available through the State of Florida that is matched by Florida Poly for the academic year.
- Institutional Need-Based Scholarships: Scholarships that assist students with proven financial need.
- Latin American / Caribbean Scholarship: Pursuant to FL Statute 1009.21(10)(e), Florida Poly offers scholarships to students from an eligible Latin American / Caribbean country to assist in the institutional fees.
- Cashcourse.org: A student centered website dedicated to teaching students about their personal finances while attending college. Students may sign up for free and utilize numerous tools to assist in their financial literacy.
- Financial Literacy Presentations: The Office of Financial Aid presents to the Academic & Professional Skills classes each fall to prepare students to make informed decisions about managing their current and future finances. The presentation provides information and presents programs that address financial literacy as it relates to financial aid renewal, loan borrowing, budgeting, savings and credit. In Fall 2019, the Financial Aid presented to over 50% of the FTIC population.
- FAFSA Assistance Workshops: The Office of Financial Aid regularly hosts FAFSA workshops to assist students navigate the yearly application.

Student Employment – Education and Work Environment

Florida Poly employs students for on-campus part-time jobs based on need, while ensuring equal opportunity and equity. Jobs are posted on the University HR Careers website. Students are able to gain work experience and develop professional skills, while at the same time keep their education as priority. The University has become eligible to provide federal work-study to students.

Student personnel, regardless of employee classification, are handled in a manner consistent with Florida Poly's non-discrimination, equal opportunity and diversity policies.

Overall Effectiveness in Enrollment

All student activities, from application through course completion, strived to not discriminate on the basis of race, color, religion, national origin, sexual orientation, veteran's status, disability, age, marital status, or gender identity/expression.

Gender equity will continue to be a challenge as it is with engineering programs nationally. However, the goal for Admissions is to use targeted recruitment efforts to increase interest and admissions of women students.

As the University sees the need to provide a supporting environment for female students, a group of faculty and staff have developed and currently leads THRIVE. The mission of the program is "to engage Florida Poly female students and encourage their success in STEM." The program provides opportunities for students to participate in professional development workshops, personal

enrichment and leadership activities, and involvement with the community.

EQUITY IN INTERCOLLEGIATE ATHLETICS

Florida Polytechnic University does not have intercollegiate athletics, nor does the University participate in any state and/or national athletics programs. This section is not applicable to the Institution.

4.
5.

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
1. Sports offerings		
2. Participation rates, male and female, compared with full-time undergraduate enrollment		
3. Availability of facilities, defined as locker room, practice, and competitive facilities		
4. Scholarships		
5. Funds allocated to		
a) the athletic department		
b) administrative		
c) travel and transportation		
d) recruitment		
e) comparison with other institutions		
f) publicity		
g) other support		
6. Provision of services		
7. Scheduling		
8. Opportunities for participation		
9. Compensation of coaches and tutors		
10. Medical and training services		
11. Housing and dining facilities and services		

Not Applicable to Florida Poly

Areas for improvement	Program for improvement	Timetable

	Male	Female	Total
Number			
Percent of Total			100%

EMPLOYMENT REPRESENTATION

Faculty and Staff – General Comments

The campus community is proud of the full spectrum of its diversity — encompassing differences in race, ethnicity, gender, age and more. We embrace the contributions that differences offer. We are committed to providing a working and learning environment in which all students and all members of the faculty and staff are able to realize their full potential.

Our diversity initiatives and strategies are designed to attract, develop, and advance the most talented individuals regardless of their race, sexual orientation, religion, age, gender, disability status or any other dimension of diversity. Our approach to diversity is based on a belief that we have accountability for success in this area. We provide our people with access to training and tools to help increase their awareness and understanding of differences and why they matter, so their actions can contribute to our high-performing workplace culture.

Diversity is a concept that implies the inclusion of many characteristics that differentiate us from each other. At Florida Poly, we value the many perspectives that arise from a variety of cultures, races, gender, religions, national origins, ages, physical and cognitive capabilities, sexual orientations, and other ways we identify ourselves. By our commitment to hiring a diverse staff, we will have access to different perspectives that can optimize team’s creativity and productivity.

The University implemented Workday, an Enterprise Resource Planning (ERP) human resource information system (HRIS) that included the development of an electronic recruiting module known as Careers. This has streamlined many manual processes and has also improved the candidate experience when applying for jobs at the University. The Careers recruiting module provides the ability for candidates to voluntarily self-identify when completing the job application to collect important recruiting data. In addition to this, the University has also established contracts with Inside HigherEd, HireEd, and the Chronicles to broaden our recruiting efforts to underrepresented groups.

Category Representation – Tenured Faculty

Florida Polytechnic University does not have a tenure process as all faculty follow a non-tenure model. Faculty are offered fixed term, multi-year contracts that are renewed based on performance.

Table 1. Category Representation – Tenured Faculty

INDICATOR	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO*	NOT REPORTED	FEMALE	MALE	TOTAL
Number, Fall 2017	Not Applicable to Florida Poly										0	0
Number, Fall 2016											0	0
1YR Percentage Change											0%	
Number, Fall 2012											0	0
5YR Percentage Change											0%	
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS Fall Staff, IPEDS Human Resources Data.

IPEDS Human Resource, instructional faculty only. Does not include Research or Public Service only faculty.

IPEDS Human Resource aligned with 2010 Standard Occupational Category (SOC) System.

Category Representation – Tenured-Track Faculty

Florida Poly does not follow a tenure system; therefore, no faculty is under tenure-track status.

Table 2. Category Representation – Tenure-Track Faculty

INDICATOR	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO*	NOT REPORTED	FEMALE	MALE	TOTAL
Number, Fall 2017											0	0
Number, Fall 2016											0	0
1YR Percentage Change											0%	
Number, Fall 2012											0	0
5YR Percentage Change											0%	
Area for improvement, compared with national standards? (Check if yes)												

Not Applicable to Florida Poly

Source: IPEDS Fall Staff, IPEDS Human Resources Data.

IPEDS Human Resource instructional faculty only. Does not include Research or Public Service only faculty.

IPEDS Human Resource aligned with 2010 Standard Occupational Category (SOC) System.

Category Representation – Non-Tenure Earning Faculty or Faculty at Non-Tenure Granting Universities

Full-time non-tenure earning faculty at Florida Poly increased by 11% from fall 2018. White racial/ethnic group continues to be most represented at 41% (a 5% decrease from fall 2018) and the one Black faculty resigned to take a faculty position at an out of state university. But there has been an increase in Asian and Hispanic faculty. An increase of 18% in female faculty is also observed when compared to fall 2018.

Table 3. Category Representation – Non-Tenure-Earning Faculty or Faculty at Non-Tenure Granting Universities

INDICATOR	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO*	NOT REPORTED	FEMALE	MALE	TOTAL
Number, Fall 2019	15	0	0	14	7	0	39	0	0	20	55	75
Number, Fall 2018	8	1	0	13	5	0	41	0	0	17	51	68
1YR Percentage Change	88%	-100%	0%	8%	40%	0%	-5%	0%	0%	18%	8%	10%
Number, Fall 2014	0	0	0	3	1	1	16	0	1	8	14	22
5YR Percentage Change	0%	0%	0%	367%	600%	-100%	144%	0%	-100%	150%	293%	241%
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS Fall Staff, IPEDS Human Resources Data.

IPEDS Human Resource instructional faculty only. Does not include Research or Public Service only faculty.

IPEDS Human Resource aligned with 2010 Standard Occupational Category (SOC) System.

Category Representation – Executive/Administrative/Management Employees

In 2019-20, Florida Poly had 65 employees categorized as executive, administrative and management (68 in the previous year). In fall 2019 female employees were 48% of the total population, compared to 46% the year before. White/Caucasian is the racial group with the highest representation among executives, administrators and managers, 75 compared to 74% last year. Hispanics and Black/African Americans are represented by 9% and 12% of the total population. A percent change was observed for Blacks (12% from 10%) and Hispanics (9% from 12%).

Table 4. Category Representation – Executive/Administrative/Managerial

INDICATOR	NRA	B	AI/AN	A	H	NH/OPI	W	≥ TWO*	NOT REPORTED	FEMALE	MALE	TOTAL
Number, Fall 2019	1	8	0	1	6	0	49	0	0	31	34	65
Number, Fall 2018	1	7	0	2	8	0	50	0	0	31	37	68
1YR Percentage Change	0%	14%	0%	-50%	-25%	0%	-2%	0%	0%	0%	-8%	-4%
Number, Fall 2014	0	6	1	1	0	0	31	0	0	17	22	39
5YR Percentage Change	0.0%	33%	-100%	0%	0%	0%	58%	0%	0%	82%	55%	67%
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS Fall Staff, IPEDS Human Resources Data.

IPEDS Human Resource instructional faculty only. Does not include Research or Public Service only faculty.

IPEDS Human Resource aligned with 2010 Standard Occupational Category (SOC) System.

AREAS OF IMPROVEMENT/ACHIEVEMENT

Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment (This Year)	Achievement Report for Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment Identified (Identified Last Year)

Areas of Improvement Pertaining to Gender Equity in Athletics (This Year)	Achievement Report for Areas of Improvement Pertaining to Gender Equity in Athletics (Identified Last Year)
Not Applicable	

Areas for Improvement Pertaining to Employment Identified (This Year)	Achievement Report for Areas of Improvement Pertaining to Employment (Identified Last Year)
<p>We continue to improve efforts to advertise all job opportunities to a broad variation of outlets for continued diversification of our applicant pools. This strategy helps us to reach applicants who possess diverse backgrounds and experiences.</p> <p>The University’s Enterprise Resource Planning (ERP) Human Resource Information System (HRIS), Workday, includes an electronic Careers recruiting module. This module has streamlined many manual processes and has improved the candidate’s experience when applying for jobs at the University. The Careers recruiting module provides the ability for candidates to voluntarily self-identify when completing the job application to collect important diversity-related data. In addition, the University has continued to maintain contracts with Inside HigherEd, HireEd Jobs, and The Chronicle of Higher Education to further broaden our recruiting efforts, including the addition of diversity-targeted advertisements with each vendor.</p> <p>The University has purchased LMS training modules/webinars to utilize as a tool for education of staff and faculty in its diversity and inclusion initiatives.</p>	<p>As with any newly established organization, diversity in our faculty and staff is a work in progress. We strive to distribute all of our job opportunities to many different outlets in order to reach the best diversity in our applicant pools.</p> <p>Many of our positions are advertised nationally and help us to reach applicants from many different backgrounds and experiences.</p> <p>With the University establishing Workday as an Enterprise Resource Planning (ERP) and a Human Resource Information System (HRIS), Florida Poly now has more of an opportunity for targeted retention and reporting. Part of this implementation included a module known as Careers with further development of this module over the next year. This streamlines the manual processes of recruiting, allows for better diversity data capture and improves the candidates experience when applying. The University has also established contracts with Inside HigherEd, HireEd, and the Chronicles to further broader our recruiting efforts. This includes researching additional diversity advertising sites and vendors to market our positions to specific groups and fields.</p>

Areas for Improvement Pertaining to Academic Services, Programs, and Student Enrollment

All student activities, from application through course completion, strived to not discriminate on the basis of race, color, religion, national origin, sexual orientation, veteran's status, disability, age, marital status, or gender identity/expression. Because of the nature of our STEM mission, gender equity will continue to be a challenge. It is the goal of Admissions and Academic Affairs to use targeted recruitment efforts in an effort to increase interest and applications from women.

Areas for Improvement Pertaining to Sex Equity in Athletics

Not applicable as Florida Poly does not have intercollegiate athletics, nor does the University participate in any state and/or national athletics.

Areas for Improvement Pertaining to Employment

As with any newly established organization, diversity in our faculty and staff is a work in progress. We strive to distribute all of our job opportunities to many different outlets in order to reach the best diversity in our applicant pools. Many of our positions are advertised nationally and help us to reach applicants from many different backgrounds and experiences.

With the University establishing Workday as an Enterprise Resource Planning (ERP) and a Human Resource Information System (HRIS), Florida Poly now has more of an opportunity for targeted retention and reporting. Part of this implementation included a module known as Careers with further development of this module over the next year. This streamlines the manual processes of recruiting, allows for better diversity data capture and improves the candidates experience when applying. The University has also established contracts with Inside HigherEd, HireEd, and the Chronicles to further broaden our recruiting efforts. This includes researching additional diversity advertising sites and vendors to market our positions to specific groups and fields.

PROTECTED-CLASS REPRESENTATION IN THE TENURE PROCESS

Florida Polytechnic University does not have a tenure process; therefore, this section is not applicable to our Institution.

Table 1. Protected-Class Representation in the Tenure Process, 2018-19

Sex, Race/Ethnicity	Applied	Withdrawn	Denied	Deferred	Nominated
MALES					
American Indian or Alaskan Native					
Asian					
Black or African American					
Hispanic					
Native Hawaiian/Other Pacific					
Two or More Races					
White					
Other, Not Reported					
TOTAL					
Not Applicable to Florida Poly					
Other, Not Reported					
Total Female (Number and Percent) (Include Other, Not Reported)					
GRAND TOTAL					

LEGEND:

APPLIED: Faculty whose names have been submitted for tenure review. Sum of Withdrawn, Denied, and Nominated (or provide explanation).

WITHDRAWN: Faculty who withdrew from tenure consideration after applying for review.

DENIED: Faculty for whom tenure was denied during the review process.

NOMINATED: Faculty for whom tenure is being recommended by the University

PROMOTION AND TENURE COMMITTEE COMPOSITION

Florida Polytechnic University does not have a tenure process, therefore there is no promotion and tenure committee in our Institution.

Table 1: Promotion and Tenure Committee Composition, AY 2018-19

Type of Committee	Total including Other, Not Reported		
	F	M	F
University Committee		0	0
Sample College 1		0	0
Dept in Sample College		0	0
Dept in Sample College		0	0
Sample College 2		0	0
(add lines as needed)		0	0

OTHER REQUIREMENTS

Florida Polytechnic University is committed to equal opportunity for students within its educational programs and services offered, and to a diverse environment for all faculty and staff. The information collected in Fall 2015 and presented in this report will be used as a benchmark for future improvements and goals.

Budget Plan

The University Budget Plan includes operating funds to effectively meet various commitments and expectations with respect to achieving equal educational opportunity goals for students, faculty, and staff.

President's Evaluation

The 2020/21 goals and objectives for the President include increasing the diversity of our students.

Top Administrator's Evaluations

Efforts will be made to be more systematic in incorporating outcomes in evaluations for specific administrators beyond the President.

DIVERSITY & INCLUSION COMMITTEE MEMBERS

Rick Maxey, Office of Diversity and Inclusion (Committee Chair)

Chandrasekaran Balasubramaniyan, Faculty Representative

Heather Freeman, Faculty Representative

Gloria Nelson, Human Resources

David Brunell, General Counsel Representative

Michelle Disson, Presidential Appointment

Lydia Guzman, University Relations Representative

Gabrielle Simms, Student Representative

Melissa Vazquez, Academic Affairs Representative

Ryan Darley, Student Development Representative

**Florida Polytechnic University
Strategic Planning Committee
Board of Trustees
September 9, 2020**

Subject: Campus Master Plan Update

Proposed Committee Action

Information only – no action required.

Background Information

Florida law requires that each public university adopt a campus master plan for building out facilities and infrastructure of the campus in the subsequent ten years. The plan shows the buildings, approximate location on campus, square footage, and impact to affected communities. Florida Poly's Campus Master Plan was adopted in 2016.

The law also requires that the plan be updated at least every five years or sooner to ensure that existing plans for the campus are still desired. Minor changes to the plan can be made at any time using an amendment process.

The law requires certain elements be included in the plan (e.g. transportation, roads, etc.) and that impacts to the host community and other affected communities be listed along with estimated cost. The host and affected communities along with specified agencies are provided an to review and comment on the plan. In addition, public hearings must be held to allow for anyone who may be affected to comment. All comments must be considered before the Campus Master Plan is adopted by the University Board of Trustees.

After adoption, the University and host community are required to negotiate a campus development agreement covering how impacts will be funded.

Supporting Documentation: Power Point Presentation

Prepared by: David Calhoun, Assistant Vice President, Facilities & Safety Services



**FLORIDA POLYTECHNIC
UNIVERSITY**

Campus Master Plan 2020-2030

David Calhoun

September 9, 2020



Campus Master Plan 2020-2030

- **Florida State Statutes**

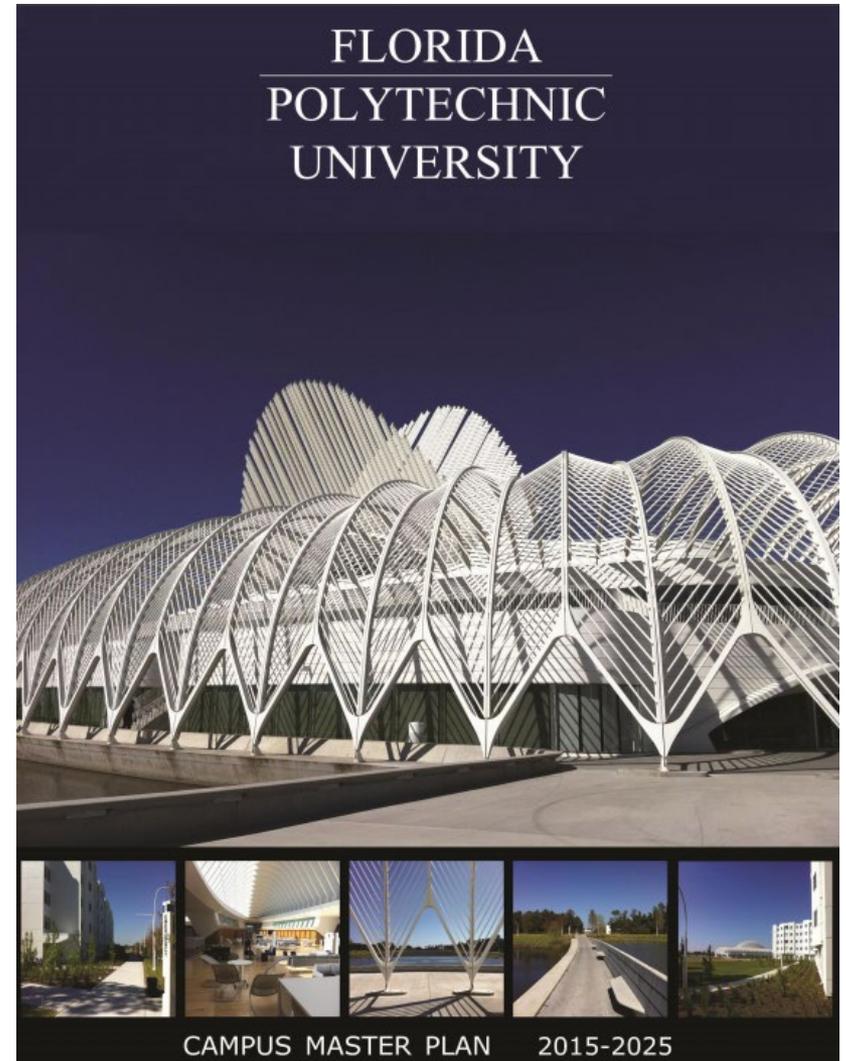
- Title XLVIII - K-20 Education
- Chapter 1013
- Section 1013.30

- **2015-2025 Master Plan**

- Adopted 9/7/2016

- **Master Plan Content**

- Academic Mission and Program
- Future Land Use
- Transportation
- Housing
- General Infrastructure
- Conservation
- Recreation and Open Space
- Intergovernmental Coordination
- Capital Improvement
- Figures, Data, Evaluation/Appraisal





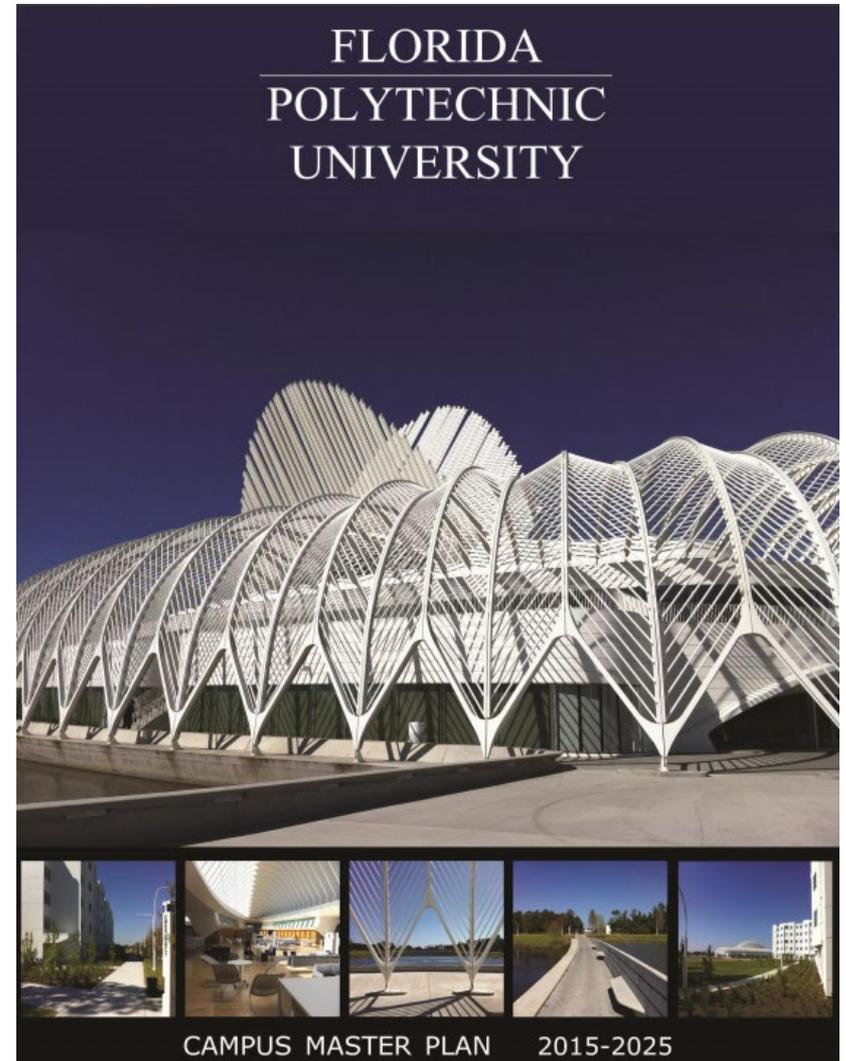
Campus Master Plan 2020-2030

- **Required Plan Elements (cont'd)**

- Environmental management
- Preservation of historic and archaeological resources
- Public transportation
- Figures, Data, Evaluation/Appraisal

- **Optional Plan Elements**

- Academic mission
- Academic program
- Utilities
- Public Safety
- Landscape architectural design
- Facilities maintenance



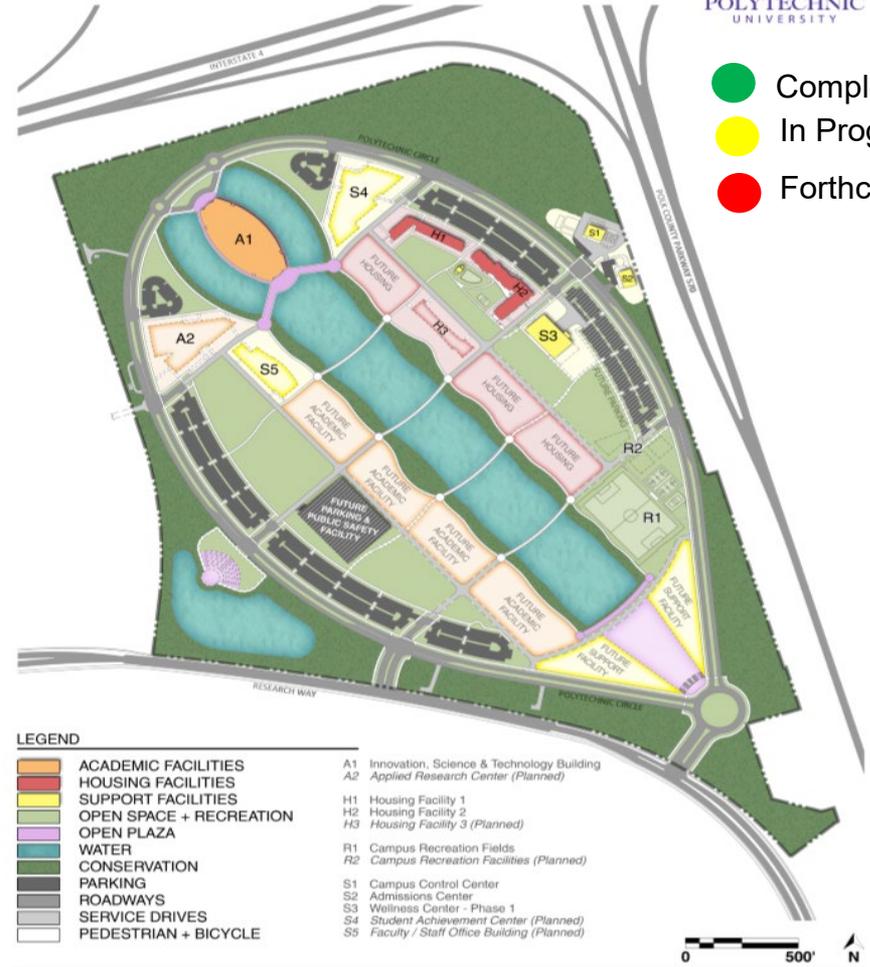


Campus Master Plan 2020-2030

FLORIDA POLY

- **Step 1 - Analysis**
 - In Progress
- **Step 2 - Update**
 - Proposed Progress review - May 2020, and September 2020
- **Step 3 - Master Plan Update**
 - Proposed October 2020
- **Step 4 - Draft Master Plan Agency Submission**
 - Proposed December 2020
- **Step 5 - Comments**
 - Proposed February 2021
- **Step 6 - CDA Review**
 - Upon completion

Figure 1.3: FUTURE LAND USE MAP



FLORIDA POLYTECHNIC UNIVERSITY

- Complete
- In Progress
- Forthcoming



Campus Master Plan 2020-2030

FLORIDA POLY

- Complete
- In Progress
- TBD

Applied Research Center

Parking Lots

● Eng. Shop

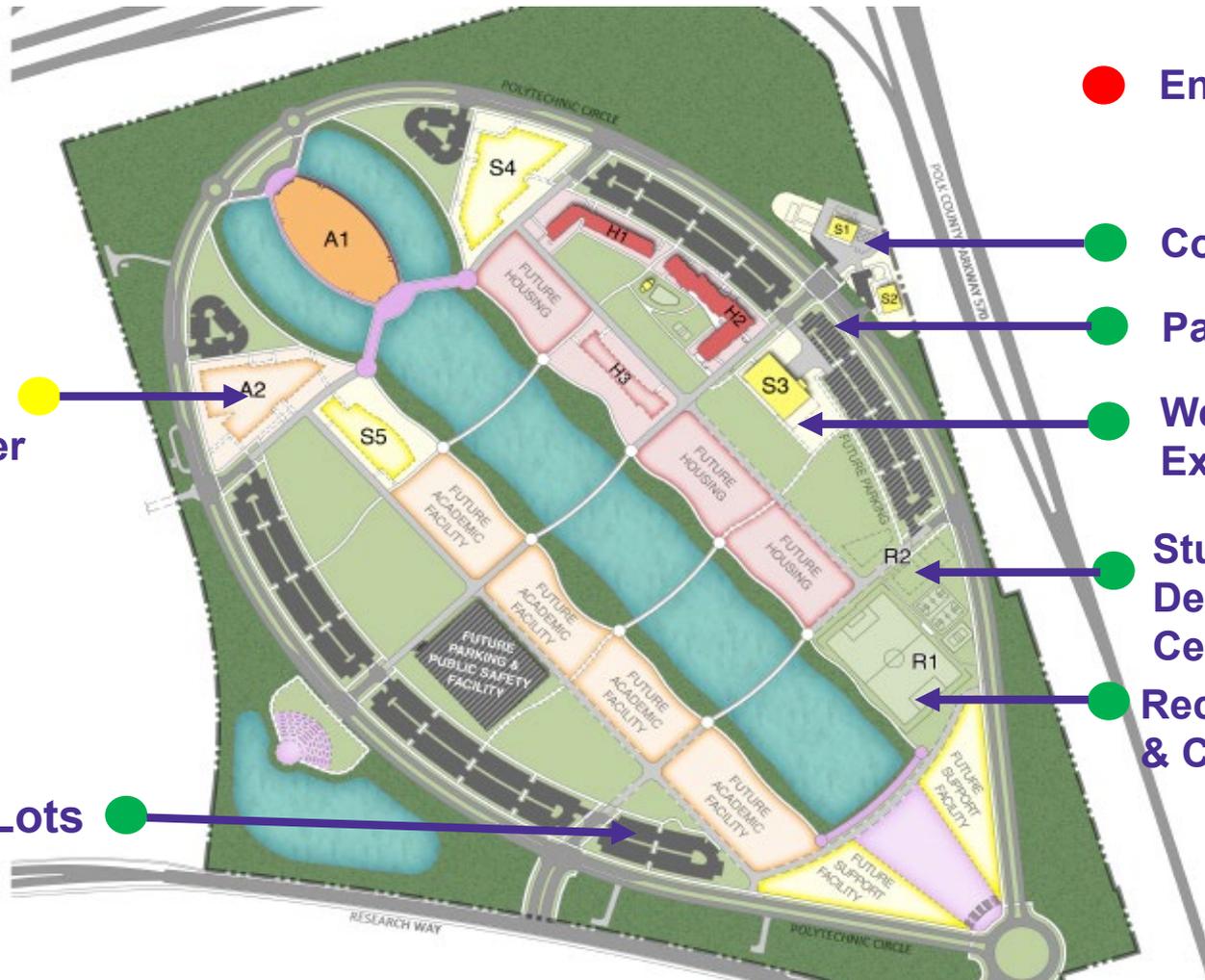
● Cooling Tower

● Parking Lot

● Wellness Center Expansion

● Student Development Center

● Recreation Field & Courts



**Florida Polytechnic University
Strategic Planning Committee
Board of Trustees
September 9, 2020**

Subject: Florida Industrial and Phosphate Research Institute (FIPR) Update

Proposed Committee Action

Information only – no action required.

Background Information

FIPR is providing this annual report to make the Board aware of expenditures by and activities of FIPR.

The Florida Industrial and Phosphate Research Institute, under Section 1004.346, Florida Statutes is required to do the following:

1. Establish methods for better and more efficient practices for phosphate mining and processing.
2. Conduct or contract for studies on the environmental and health effects of phosphate mining and reclamation.
3. Conduct or contract for studies of reclamation alternatives and technologies in phosphate mining and processing and wetlands reclamation.
4. Conduct or contract for studies of phosphatic clay and phosphogypsum disposal and utilization as a part of phosphate mining and processing.
5. Provide the public with access to the results of its activities and maintain a public library related to the institute's activities, which may contain special collections.

In addition to the requirements above, FIPR is authorized, but not compelled, to secure funds from sources other than state appropriations, provide education to the public, promote commercialization of its products, and enter into public-private partnerships.

Supporting Documentation: Florida Industrial and Phosphate Research Institute (FIPR) Annual Report – FY 2019-2020

Prepared by: Dr. James Mennie, Assistant Professor Business Analytics, Business Director Florida Industrial and Phosphate Research Institute



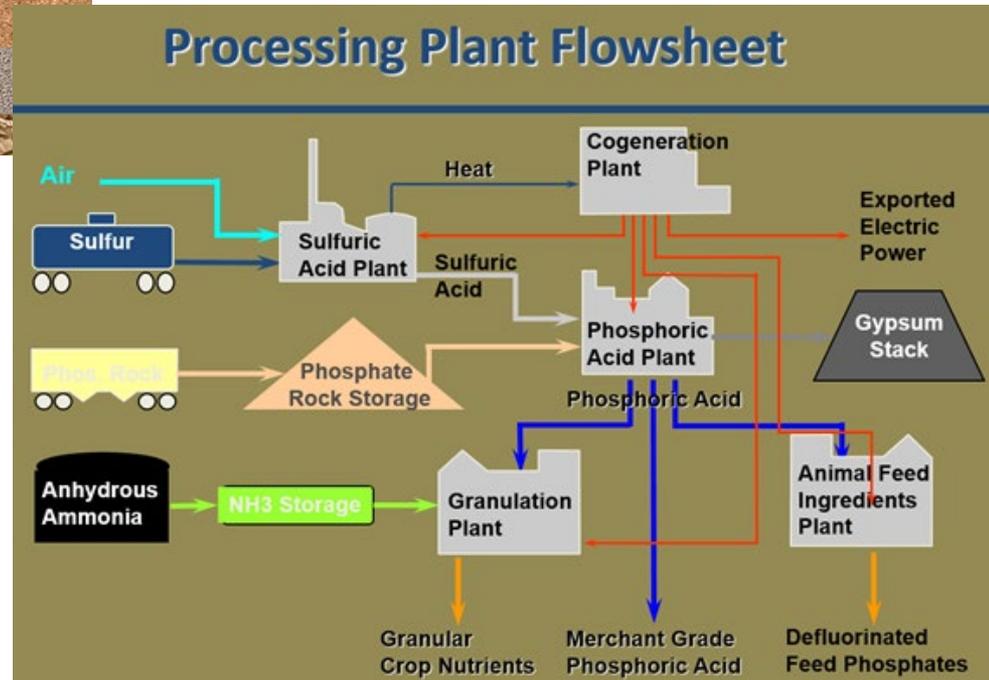
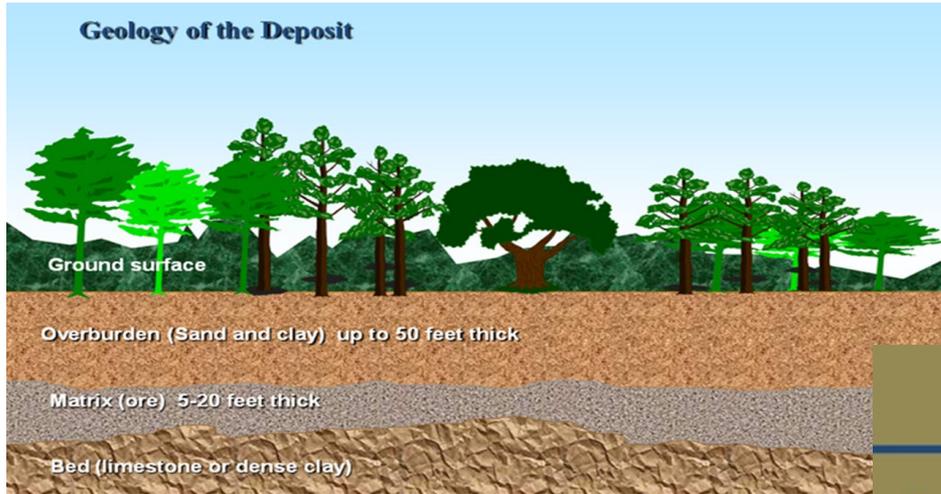
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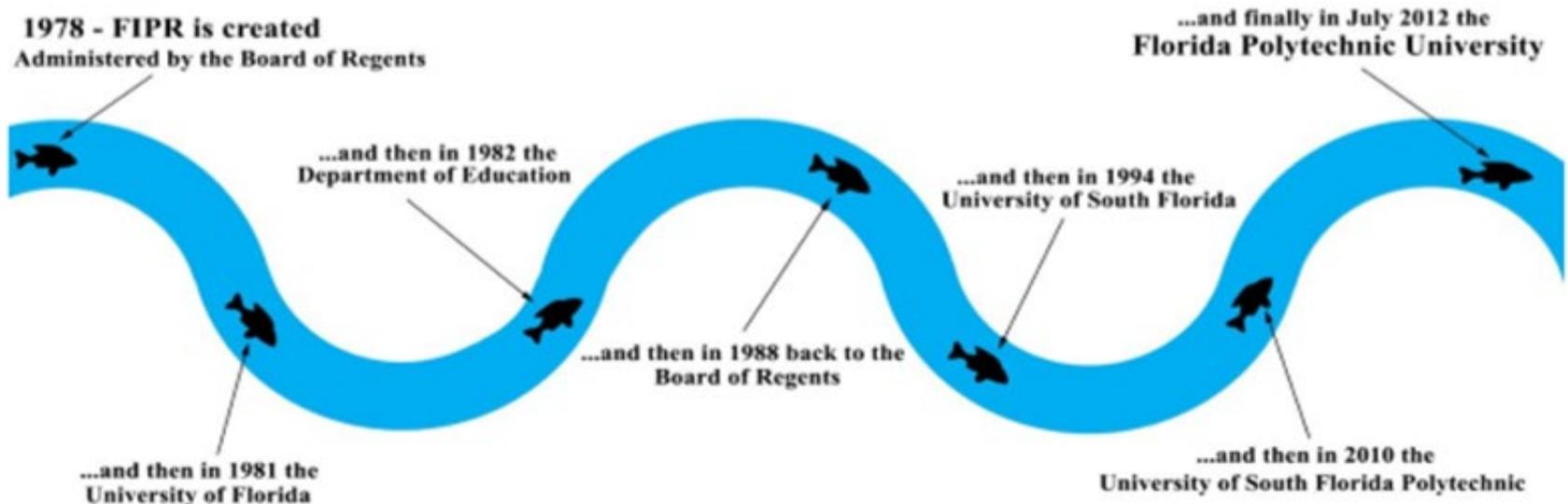
September 9, 2020

- **FIPR Institute Mission**
- **Historical Overview**
- **Technical Focus Areas**
- **Significant Efforts Project Status**
- **Environmental Engineering Program**
- **Business Opportunities Financial Overview**
- **Florida Poly 2.0**
- **University Engagement & Integration**

- **The mission of the FIPR Institute is to maintain a leadership role in identifying, conducting, funding, disseminating and assuring the scientific validity of phosphate and industrial research**



- **Formed in 1978**
- **Over \$100,000,000 allocated to phosphate and industrial research since our inception**



RESEARCH INITIATIVES:

- **WATER**- A water treatment & hydraulic engineering initiative tied to FIPR and the phosphate industry, that relates to the dual needs of environmental stewardship and requisite use of water for necessary use of water for commercial & residential purposes
- **PHOSPHOGYPSUM STACKS**- A phosphogypsum stack reduction effort tied to environmental imperatives and the development appropriate uses for the material and its safe and appropriate return to the supply chain
- **MINERALS PROCESSING/RARE EARTHS**- Development of improved separation technologies to optimize resource utilization which includes a rare earth elements separation effort. Additional efforts will focus on recovery from various industrial processing streams to develop creative technologies for separation into high value material streams
- **PHOSPHATIC CLAY**- Refocused research efforts on returning lands occupied by clay settling areas to viable economic property, as well as investigating the efficacy of detection, remediation and mitigation of red tide through the utilization of innovative technology

Significant Efforts Project Status

- **PCJ**
- **CMC – Phase 1**
- **CMI**
- **Smart Road**
- **CMC – Wastewater Clean-up**

- **Internally funded, the Packed Column Jig project is a gravity separation device that requires only water and air to achieve mineral separation based on their specific gravity differences**
- **Can separate minerals with very minor differentials in their specific gravities**



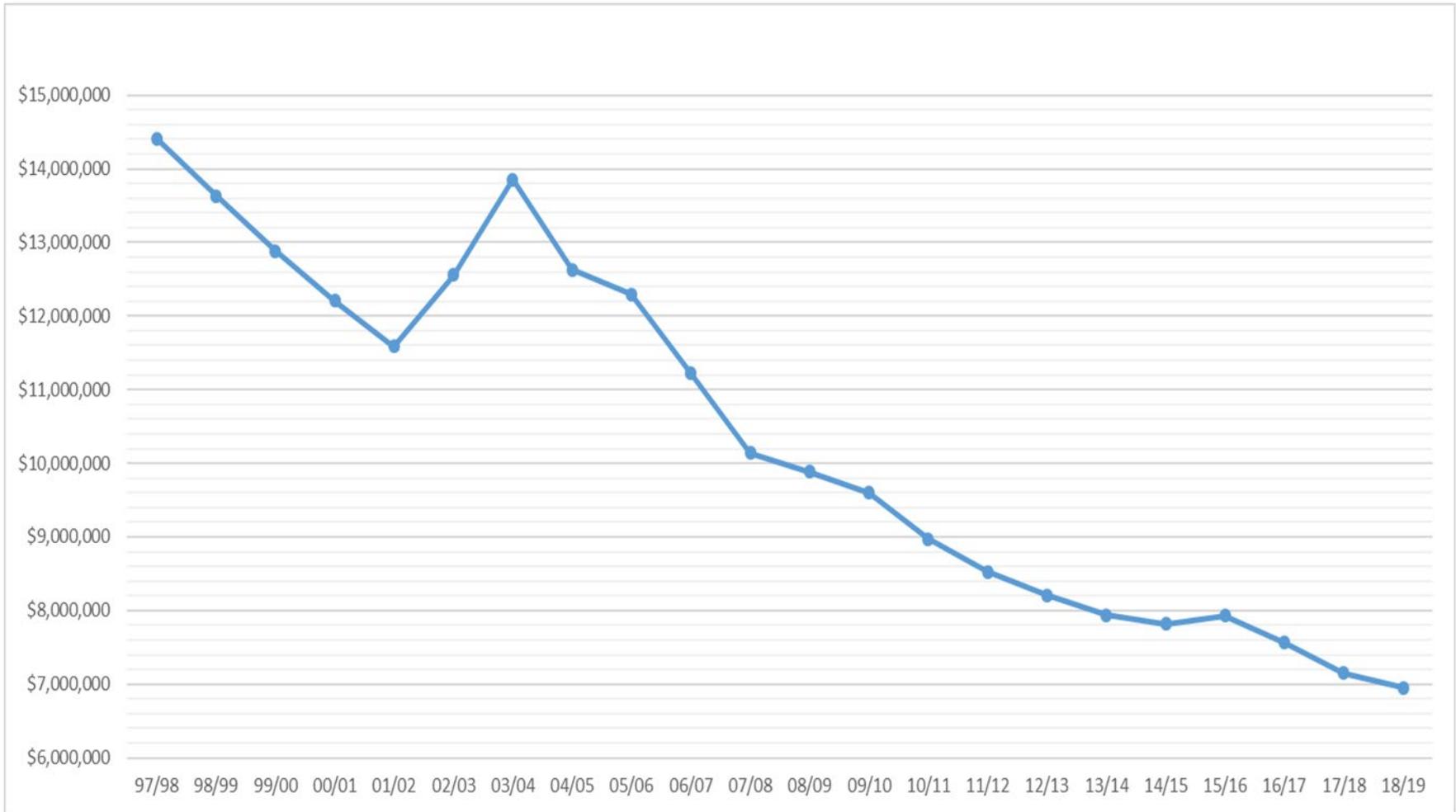
- **Significance:**
- **Increased production = lowered production cost**
- **For the phosphate industry, it is the most efficient means of separating dolomite from phosphate**
- **Can be universally applied**

- **In collaboration with University Academic Affairs, developed program to meet the needs of Florida employers and community at-large**
- **Professors with have joint research and academic responsibilities**
- **Search process currently underway**
 - Candidates recommended
 - Final vetting and decision pending

Business Opportunities Financial Overview

- **Current Financial Position**
- **Areas of Concern**
- **Efforts to Mitigate**

Current Financial Position



- **Combined balances Trust & Auxiliary Funds:**

(as of 8/27/2020) = \$6,857,669

Trust Fund \$6,158,059

Auxiliary \$699,610

- **Severance Tax receipts have declined 35% over the last 10 years**

- **Developing new sources of revenue through Industry collaboration**
 - **CMC**
 - **Hubei**
 - **Laboratory Services Agreements**
 - **International business**
 - **Solvay (consulting and laboratory services)**
 - **Madrid Engineering**
 - **FarmBot**
 - **Drone/LiDAR topographical mapping services**

FIPR is focused on developing alternative revenue streams to compensate for reduction of severance tax receipts:

- **Research initiatives are focused internally, not externally**
- **Efforts to engage and collaborate with industry are positive and continuing to grow with a focus on commercializing the research activities with the development of intellectual property endeavors**
- **This collaboration has generated new revenue streams and will provide employment opportunities for university undergraduate students, university graduate students and Florida Poly graduates**

- **FIPR is sponsoring two Capstone Projects this academic year**
 - Wastewater treatment remote monitoring – 6 students
 - Drone/LiDAR topographical analysis of the 4,000 acres surrounding Florida Poly – 6 students
- **University Student Interns**
 - Two interns over the summer, two more this semester
- **University Student Workers**
 - Four student workers this semester
- **Local High School Student Volunteers**
 - Two student volunteers
- **Website updates following University website updates**

**Strategic Planning Committee
CHARTER**

(Staff Liaison: Rick Maxey, AVP Office of Diversity and Inclusion)

- I. Purpose: The Strategic Planning Committee is responsible for making recommendations to the Board regarding strategic plans, goals and activities, related to the development of the University. This includes but is not limited to the University Strategic Plan, Campus Master Plan, Annual Accountability Report, Performance Based Funding, review of the annual report for the Florida Industrial and Phosphate Research Institute and any issues assigned by the Chair of the Board of Trustees. The Committee provides guidance on long-term University strategy and strategic initiatives related to economic development and job creation for our region and state.

The Strategic Planning Committee is a standing committee of the Board of Trustees.

II. Composition:

- The Committee will consist of no less than three members of the Board of Trustees.
- The University president will appoint a staff member as the primary liaison to the Committee.
- The Strategic Planning Committee Chair and members are appointed and removed by the Chair of the Board of Trustees.
- The Chair of the Strategic Planning Committee is the Committee's representative on the Board of Trustees' Executive Committee.

III. Meetings:

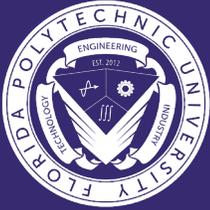
- The Committee will meet as required to address all issues under its authority.
- The meetings will be open to the public.
- A majority of Strategic Planning Committee members present at a committee meeting constitutes a quorum for purposes of committee business.
- The Committee will maintain written minutes of its meetings, and the Committee Chair will approve each meeting's agenda.

IV. Governance: To fulfill its oversight role, the Strategic Planning Committee will:

- Review the University's strategic plan, and make proposed revisions when appropriate
- Assess the progress made in achieving strategic goals and objectives
- Review the University's planning and planning related activities and any other issues assigned by the Board of Trustees Chair.
- Review the Committee charter at least every two (2) years and discuss any required changes with the Board.

Adoption of Charter: The Florida Polytechnic University Board of Trustees adopted the Strategic Planning Committee Charter on {date}.

History: Adopted {date}, reviewed and amended {date}



BOARD OF TRUSTEES Finance and Facilities Committee

**September 9, 2020
11:15 AM-12:00 PM**

Or upon the conclusion of the previous committee meeting

**Florida Polytechnic University
WEBEX TELECONFERENCE MEETING**

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

**Cliff Otto, Chair
Conner Coddington**

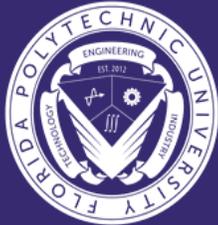
Gary Wendt, Vice Chair

Don Wilson

AGENDA

- | | |
|--|--|
| I. Call to Order | Cliff Otto, Chair |
| II. Roll Call | Kelly Beall |
| III. Public Comment | Cliff Otto, Chair |
| IV. Approval of the May 20, 2020 Minutes
<i>*Action Required*</i> | Cliff Otto, Chair |
| V. Approval of the 2020-2022 Finance and Facilities Committee Charter
<i>*Action Required*</i> | Cliff Otto, Chair |
| VI. 2020-2022 Finance and Facilities Committee Work Plan Review | Cliff Otto, Chair |
| VII. 2019-2020 University Year-End Financial Review | Mark Mroczkowski, VP and CFO |
| VIII. Approval of Carryforward and Fixed Capital Outlay Budgets
<i>*Action Required*</i> | Mark Mroczkowski, VP and CFO |
| IX. Review of Contracts Over \$200,000 | Mark Mroczkowski, VP and CFO |
| X. Review and Approval of Proposed P3 for Building on Campus and Related ITN
<i>*Action Required*</i> | Mark Mroczkowski, VP and CFO |
| XI. Applied Research Center (ARC) Update | David Calhoun, AVP of Facilities and Safety Services |

- XII. [2019-2020 Foundation Year-End Financial Review](#) Kathy Bowman, VP of Advancement and CEO, University Foundation
- XIII. [Approval of University Resources Used by the Foundation FY19-20 And To Be Used FY20-21](#)
Action Required Kathy Bowman, VP of Advancement and CEO, University Foundation
- XIV. [Approval of Foundation Board Appointments](#)
Action Required Kathy Bowman, VP of Advancement and CEO, University Foundation
- XV. Closing Remarks and Adjournment Cliff Otto, Chair



Finance & Facilities Committee Meeting

DRAFT MEETING MINUTES

Wednesday, May 20, 2020

10:45 AM – 11:15 AM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Committee Chair Frank Martin was unable to attend; therefore, Board of Trustees Chairman Don Wilson assumed the role of Committee Chair for the meeting. Board Chair Wilson called the Finance and Facilities Committee meeting to order at 11:46 a.m.

II. Roll Call

Michele Rush called the roll: Board Chair Don Wilson, Committee Vice Chair Henry McCance, Trustee Bob Stork, Trustee Victoria Astley, Trustee Philip Dur, and Trustee Gary Wendt were present (Quorum).

Committee members not present: Trustee Frank Martin

Other Trustees present: Board Vice Chair Cliff Otto, Trustee Mark Bostick, Trustee Earl Sasser, and Trustee Connor Coddington

Staff present: President Randy Avent, Provost Terry Parker, Mr. Mark Mroczkowski, Ms. Gina DeJulio, Mr. Rick Maxey, Mrs. Kathy Bowman, Mr. David Blanton, Mrs. Penney Farley, Mr. Larry Locke, Mr. David Calhoun, Mrs. Kris Wharton, Ms. Michele Rush, and Mrs. Winnie Hall

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Gary Wendt made a motion to approve the Finance and Facilities Committee meeting minutes of February 25, 2020. Trustee Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

V. Approval of Revision to FPU-4.001 Tuition and Related Fees Schedule

Mr. Mark Mroczkowski reviewed the proposed revision to Regulation FPU-4.001 which updates the information related to the excess hour fee to make it consistent with the revised Board of Governor's Regulation 7.003 Fees, Fines and Penalties. The changes provide the excess hour fee to be charged to

FTIC students entering in the 2019 summer term or thereafter when they exceed 120 percent of the credit hours required for the degree and indicate when a refund of the excess hour fees paid is warranted.

Committee Vice Chair Henry McCance made a motion to recommend approval to the Board of Trustees the revision to Regulation FPU-4.001 as proposed. Trustee Philip Dur seconded the motion; a vote was taken, and the motion passed unanimously.

Discussion and questions ensued but no further action was taken.

VI. 2021-2022 Capital Improvement Plan, Carry Forward and Change Order

Mr. David Calhoun, AVP of Facilities and Safety Services, reviewed the 2021-2022 Capital Improvement Plan, the request granting President Avent authority to sign a change order up to \$2.4M to Skanska to continue construction of the Applied Research Center (ARC), and the request to use Carry Forward to fund up to \$2.4M of construction costs for the ARC pursuant to the change order aforementioned.

Trustee Philip Dur made a motion to recommend approval of the 2021-2022 Capital Improvement Plan to the Board of Trustees. Committee Vice Chair Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

Trustee Bob Stork made a motion to recommend approval to the Board of Trustees the request granting President Avent authority to sign a change order up to \$2.4M to Skanska to continue construction of the Applied Research Center (ARC). Committee Vice Chair Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

Committee Vice Chair Henry McCance made a motion to recommend approval to the Board of Trustees the request to use Carry Forward to fund up to \$2.4M of construction costs for the Applied Research Center (ARC). Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

Discussion and questions ensued but no further action was taken.

VII. 2021-2022 Operating Legislative Budget Request

Mr. Rick Maxey reviewed the 2021-2022 Operating Legislative Budget Request which includes a \$3M increase to the base budget appropriation. The requested increase in funding is needed to successfully address critical areas of focus and meet the milestones in the 3-year, 5-year and 10-year plans. The University will succeed using a combination of personnel, infrastructure, process improvement, equipment, and a focused first-year program that leads to higher retention and graduation rates.

Trustee Gary Wendt made a motion to recommend approval to the Board of Trustees the 2021-22 Operating Legislative Budget Request to include a \$3M increase to the base budget appropriation of \$35.9M. Trustee Philip Dur seconded the motion; a vote was taken, and the motion passed unanimously.

Discussion and questions ensued but no further action was taken.

VIII. 2020-2021 University Operating Budget

Mr. Mroczkowski reviewed the 2020-2021 proposed University Operating Budget for the Committee's approval.

Trustee Philip Dur made a motion to recommend approval to the Board of Trustees the proposed University 2020-2021 Operating Budget. Vice Chair Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

Discussion and questions ensued but no further action was taken.

IX. 2020-2021 Foundation Operating Budget

Mr. Larry Locke presented the Foundation's proposed operating budget for the 2020-21 Fiscal Year beginning July 1, 2020. The Florida Polytechnic University Foundation Board of Directors unanimously approved the 2020-2021 Foundation Operating Budget during their May 1, 2020 meeting.

Trustee Gary Wendt made a motion to recommend approval of the 2020-2021 Foundation operating budget to the Board of Trustees. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

X. Memorandum of Understanding between University and Foundation

Mrs. Kathy Bowman reviewed the Memorandum of Understanding between the University and the Foundation. No further discussion occurred.

XI. Approval of Foundation Board Reappointments

Mrs. Bowman presented the two nominees for Foundation Board reappointment, Loretta Sanders and Victor Story.

Trustee Bob Stork made a motion to recommend approval to the Board of Trustees the reappointment of Loretta Sanders and Victor Story to the Foundation Board of Directors. Committee Vice Chair Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

XII. Closing Remarks and Adjournment

With no further business to discuss the meeting adjourned at 12:47 p.m.

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Review of Contracts Over \$200,000

Proposed Committee Action

Information only – no action required.

Background Information

1. Review and disclosure of new contracts over \$200,000 and less than \$500,000.
 2. Report on existing and active procurement contracts in excess of \$200,000 with spend-to-date information.
-

Supporting Documentation: Contracts over \$200K

Prepared by: Mark Mroczkowski, Vice President and CFO

Florida Polytechnic University
All active contracts in excess of \$200,000
Sep-20

Vendor	Contract Type	Start Date	End Date	Original Amt	Total Spend
Adobe, Inc.	Software - Adobe Pro and Adobe Sign; new contract combined both licenses	10/27/2019	10/26/2022	\$202,322	\$67,441
Bright House Networks LLC	High Speed Communications Service	10/28/2013	10/27/2023	\$1,444,400	\$745,898
CampusLogic	Comprehensive student financial success platform	9/5/2019	8/31/2024	\$284,200	\$52,400
Capture LLC	Recruitment Services	7/29/2019	6/30/2022	\$204,912	\$133,250
Clark Nikdel Inc.	Creative Services	7/1/2018	6/30/2023	\$1,500,000	\$679,736
Clarke Environmental Mosquito Management Inc.	Mosquito Control Services	7/1/2016	6/30/2021	\$222,915	\$188,947
Elliance, Inc.	Creative Services	3/19/2018	3/18/2023	\$375,000	\$237,410
Global University Systems (GUS)	International Student Recruitment (5 year)	12/6/2018	12/5/2023	\$3,047,682	\$0
Hellmuth Obata and Kassabaum Inc.	HOK - Applied Research Center	10/1/2017	5/30/2022	\$2,949,795	2,352,382.79
Higher One, Inc. (CashNet)	Cashiering functionality for the University	5/15/2018	5/14/2021	\$336,716	\$86,862
Huron Consulting Group Inc	Workday Student (IBM reassignment to Huron; ending IBM Balance)	10/01/2019	12/31/2020	\$1,898,089	\$18,437
Indie Atlantic LLC	Creative Services	7/1/2018	6/30/2023	\$375,000	\$221,600
International Business Machines Corporation	IBM Implementation Services - Workday Student	5/3/2017	12/31/2020	\$2,584,494	\$686,405
Lakeland Regional Medical Center	Student Health Care Services	8/21/2019	8/20/2022	\$225,386	\$54,654
Liberty Lawn Care LLC	Grounds Maintenance	1/28/2016	1/26/2021	\$2,317,965	\$2,075,044
NuPark by Passport	University Parking Management System	3/28/2019	3/27/2026	\$215,100.00	\$64,800
Potthast Studios, Inc.	Creative Services	4/24/2018	4/23/2020	\$375,000	\$16,473
Presidio Networked Solutions Inc.	Cisco SmartNet; Network equipment repair and maintenance (equipment added during course of year which was expected and slightly increased price allowable under contract)	7/1/2019	6/30/2020	\$131,951	\$136,904
Presidio Networked Solutions Inc.	Cisco SmartNet; Network equipment repair and maintenance	7/1/2020	6/30/2021	\$139,846	\$104,146
Salesforce.Org	Cloud-based software providing customer relationship management (CRM) services. Software has been utilized by multiple departments since 2015.	10/1/2016	annual renewals	\$82K Ann	\$328,293
Skanska USA Building Inc.	Applied Research Center CM/GMP	7/1/2018	8/13/2021	\$31M	\$8,000,000
Skanska USA Building Inc.	IST Building Reconstruction	5/22/2019	until work completed	\$9.6M	\$4,316,154
S3Media Group	Creative Services	3/20/2018	3/19/2020	\$375,000	\$0
Safari Micro	VMWare (Software/Hardware/Implementation)	7/16/2018	7/15/2021	\$376,752	\$96,699
Super Transportation of Florida LLC	TransDev Services Inc. - Student Transportation Services	8/12/2016	12/31/2020	\$558,002	\$443,136
Tinsley Creative	Creative Services	3/15/2018	3/14/2020	\$375,000	\$27,870
Tucker Hall Inc.	Public Relations	6/7/2019	6/6/2024	\$450,000	\$50,088
Unit4 Education Solutions Inc	CAMS Student Information System	9/17/2013	Until terminated	\$44 Ann	\$491,713
WFF Facility Services	Custodial Services	1/1/2019	2/15/2022	\$920,243	\$451,101
Workday Inc.	Workday Student (Subscription & Delivery Assurance)	7/29/2016	7/28/2021	\$1,371,867	\$1,151,186
Workday Inc.	Workday HCM & Finance (Subscription & Delivery Assurance (Renewal)	4/30/2015	4/29/2021	\$2,132,537	\$2,467,525

NOTES

1. "As budget allows" means there was no firm fixed Total Value for the Agreement, only estimates based on budget availability.
2. Continuing Service Contracts for architectural, engineering, & construction services are based on multiple releases for minor projects and are limited to \$2 million

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Approval of the 2020-2022 Finance and Facilities Committee Charter

Proposed Committee Action

Recommend approval of the 2020-2022 Finance and Facilities Committee Charter to the Board of Trustees.

Background Information

For University financial matters, the Finance and Facilities Committee will review actions to be presented to the Board and provide a recommendation. This includes, but is not limited to, the annual University budget and all tuition, room rents, and other student fees and fines that are required by state statute to be approved by the Board. The committee will schedule and periodically review financial reports from the university and its DSO(s).

For campus master planning and other real estate matters, the Committee will coordinate the campus master planning process and provide recommendations to the Board for action. The Committee will annually review the capital improvement plan submissions to the Board of Governors and State legislature, and periodically review programs that ensure the maintenance and safety of University facilities. The Committee will review any real estate related projects or facilities involving the University or any of its DSOs, or any other university entities that may arise in the future by whatever designation and make recommendations to the full Board. The Committee will participate in, review and approve the planning process for any DSO-initiated program that will materially affect the University either financially or in reputation, or involve any real estate related matters on or off campus.

Supporting Documentation: Proposed 2020-2022 Finance and Facilities Committee Charter

Prepared by: Mark Mroczkowski, Vice President and CFO

Finance and Facilities Committee
CHARTER
(Staff Liaison: Mark Mroczkowski, VP & CFO)

I. Purpose and objectives:

For University financial matters, the Committee will review actions to be presented to the Board and provide a recommendation. This includes, but is not limited to, the annual University budget and all tuition, room rents, and other student fees and fines that are required by state statute to be approved by the Board. The committee will schedule and periodically review financial reports from the university and its DSO(s).

For campus master planning and other real estate matters, the Committee will coordinate the campus master planning process and provide recommendations to the Board for action. The Committee will annually review the capital improvement plan submissions to the Board of Governors and State legislature, and periodically review programs that ensure the maintenance and safety of University facilities. The Committee will review any real estate related projects or facilities involving the University or any of its DSOs, or any other university entities that may arise in the future by whatever designation and make recommendations to the full Board. The Committee will participate in, review and approve the planning process for any DSO-initiated program that will materially affect the University either financially or in reputation, or involve any real estate related matters on or off campus.

II. Composition:

- The Committee will consist of no less than three members of the Board of Trustees
- The University's Vice President & CFO will serve as staff and primary liaison to the Committee
- The Finance & Facilities Committee Chair and members are appointed and removed by the Chair of the Board of Trustees
- The Chair of the Finance & Facilities Committee is the Committee's representative on the Board of Trustees' Executive Committee

III. Meetings:

- The Finance & Facilities Committee will meet at least four (4) times annually and shall correspond with the University's financial reporting cycle. The Committee may schedule additional meetings if needed
- The meetings will be open to the public
- A majority of Finance & Facilities Committee members present at a committee meeting constitutes quorum for purposes of committee business
- The Committee will maintain written minutes of its meetings, and the Committee Chair will approve each meeting's agenda

- The Committee may invite members of the administration, faculty, or others to attend meetings and provide pertinent information
- The Committee may request special presentations or reports that may enhance members' understanding of their responsibilities

IV. Responsibilities & Duties: To fulfill its oversight role, the Finance & Facilities Committee will carry out the following responsibilities and duties:

Finance:

Regarding each item listed below, the committee will:

- Review and approve the annual operating budget, Carryforward budget and Capital Outlay Budget of the University and recommend appropriate action to the Board
- Review and approve the financial statements of the university's DSOs, making recommendations for action to the board as needed
- Review and approve the annual Legislative Budget Request (LBR) of the University and recommend appropriate action to the Board
- Review and approve annual (or interim) changes to the University's tuition (including a tuition differential) and fees and any related policy changes, and recommend appropriate action to the Board
- Review and approve the annual financial statements of the University, making any recommendations regarding such reports deemed necessary to the Board
- Oversee investments of University cash balances and review quarterly

Facilities:

Regarding the Campus Master Plan, the committee:

- Is the principal body responsible for board familiarity with the current campus master plan and the philosophies behind its development
- Members must understand the statutorily required process and frequency of updates to the plan
- Will recommend amendments to the plan to the Board
- Will recommend appropriate action regarding the acquisition and disposition or encumbrance of real property and personal property of significant value

Regarding the Capital Improvement Plan, the committee will:

- Review, provide oversight with respect to, and provide recommendations to the Board for any actions that may be required for all new construction and renovation projects exceeding \$2 million
- Review all changes to projects that exceed \$2 million in construction costs or that increase project costs by more than 10 percent of the original estimate presented to the committee
- Review and recommend to the Board the annual list of capital improvements for funding by the Legislature, including the PECO list and the Capital Improvement Program for all other projects

- Periodically review and recommend to the Board matters and facilities relating specifically to student housing, both on and off campus and further review a long-term strategic planning program for said student housing

Regarding the Maintenance of Facilities, the committee will:

- Review the effectiveness of the University in maintaining the buildings and grounds that are responsibilities of the Board
- Review the effectiveness of University law enforcement in protecting the physical assets of the University and providing a safe environment for the various University constituencies
- Review the effectiveness of the campus organizations responsible for environmental health and safety both in the buildings and on the grounds

Direct Support Organizations:

- Participate in the planning process for any DSO involvement in capital projects that affect the University either financially or in reputation or involve any real estate
- Review, provide oversight with respect to, and provide recommendations to the Board for any actions that may be required stemming from a DSO-initiated capital project

General:

- Ensure the Board is aware of matters within the purview or responsibility of the Committee that may significantly impact the financial condition or legal liability of the University
- Review the Committee charter at least every two (2) years and discuss any required changes with the Board
- Ensure that the charter is approved or reapproved by the Board after each update

Adoption of Charter: The Florida Polytechnic University Board of Trustees adopted the Finance & Facilities Committee Charter on {date}.

History: Adopted {date}, reviewed and amended {date}

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: 2020-2022 Finance and Facilities Committee Work Plan Review

Proposed Committee Action

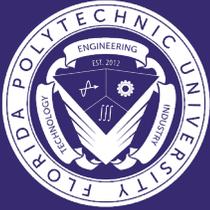
Information only – no action required.

Background Information

The Finance and Facilities Committee Work Plan provides members with an outline of upcoming meetings and the expected matters to be presented before the committee.

Supporting Documentation: 2020-2022 Finance and Facilities Committee Work Plan

Prepared by: Mark Mroczkowski, Vice President and CFO



Committee Work Plan

Finance & Facilities Committee Work Plan 2020-2022

SEPTEMBER

- Committee Charter *(review and approve)*
- 2021-2022 Legislative Budget Request *(review and approve)*
- Capital Outlay Budget *(review and approve)*
- Carryforward Budget *(review and approve)*
- University and Foundation Year-End Financial Update
- University Annual Financial Report (Unaudited)
- Contracts *(review and approve if needed)*
- Construction Update
- Foundation's Planned and Actual Uses of University Personnel and Property *(review and approve)*
- Foundation Board Appointments *(review and approve if needed)*

NOVEMBER

- University and Foundation Quarterly Financial Update
- Contracts *(review and approve if needed)*
- Construction Update
- Foundation Board Appointments *(review and approve if needed)*

FEBRUARY

- University and Foundation Quarterly Financial Update
- Contracts *(review and approve if needed)*
- Construction Update
- Foundation Board Appointments *(review and approve if needed)*

MAY

- 2021 Legislative Session Appropriations Update
- 2021-2022 University Operating Budget *(review and approve)*
- 2021-2022 Foundation Operating Budget *(review and approve)*
- Capital Improvement Plan (CIP) *(review and approve)*
- University and Foundation Quarterly Financial Update
- Contracts *(review and approve if needed)*
- Construction Update
- Foundation Board Appointments *(review and approve if needed)*

**The items listed above are standard items that occur in regular quarterly or annual cycles. However, other matters may be brought to the Committee for review and approval as required by law and regulation, as well as any other matters of interest.*

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: 2019-2020 University Year-End Review

Proposed Committee Action

Information only – no action required.

Background Information

Mark Mroczkowski, Vice President and Chief Financial Officer will provide the Committee with an update on the 2019-2020 university year-end financial review.

The University finished the fiscal year ended June 30, 2020 with a net loss of \$4.4 million but with a positive cash flow of approximately \$1.2 million. Non-cash items affecting net income or loss include depreciation and deferred costs related to pension and post-employment benefits.

The University enjoyed year over year (“YOY”) increases in revenue attributable to a \$72,570 or 25% increase in lottery appropriations and a \$176,543 or 13.8% increase in investment earnings. Unfortunately, YOY Auxiliary revenues from food service, vending and book store were down \$2.7 million or 39.7% largely due to the COVID response. Scholarships awarded by the University Foundation were also down 67.9% YOY declining \$613,071. Total revenue was down 4.9% and under budget estimates by 1.63%.

The University’s major expense is salaries and wages of \$31.1 million and constitutes 46.1% of total expenses of \$67 million. Salaries and wages increased 13.8% YOY but remained below budget by \$4.1 million or 4.5%.

Operating expenses were 10.96% higher than the budget of \$15.6 million at \$17.3 million which was \$397,703 or, 2.3% higher than the prior year.

Financial Aid received of \$9.7 million is a passthrough to the student recipients and the offsetting expenditure paid out to students also \$9.7 million. Small timing differences do occur, but eventually even out. The YOY change is not significant.

Carryforward and construction funds were available but not consumed during the year. For the fiscal year ended June 30, 2020 the University carried over \$3,721,575 and added it to the existing carryforward balance of \$7,719,765 for a new total fund balance of \$11,441,340. For details regarding the carryforward balance and the construction balance, please see Agenda Item VIII.

Supporting Documentation: FY 19-20 Year-end financial summary

Prepared by: Mark Mroczkowski, Vice President and CFO



FLORIDA POLYTECHNIC
UNIVERSITY

2019-2020
Annual Financial Review

Mark Mroczkowski

Outline

- Introduction
 - **Annual Financial Review**
 - **Summary**
-



University Financial Dashboard

12 Months YOY Summary			Financial Ratios	University	*Benchmark
Revenue	\$ 56,894,144	-16.79%	Primary Reserve Ratio	74.98%	40.00%
Expenses	\$ 61,319,333	-9.54%	Net Income Ratio	-7.29%	2-4%
Net Loss	\$ (4,425,189)	-652.27%	Return on Net Assets	-2.20%	3-4%
Assets	\$ 222,239,710	85.00%	Viability	43432.70%	125-200%
Liabilities	\$ 30,101,526	25.89%	Cash Ratio	7.29	1
Net Position	\$ 192,138,184	-2.20%	Income before depreciation	\$1,213,306	-



FLORIDAPOLY

Year End Balance Sheet

	<u>6/30/2020</u>	<u>6/30/2019</u>	<u>\$ Change</u>	<u>% Change</u>
Assets:				
Cash and Investments	27,656,847	38,022,965	(10,366,118)	-27.26%
Receivables	6,496,938	9,967,390	(3,470,452)	-34.82%
Total Current Assets	34,153,785	47,990,355	(13,836,570)	-28.83%
Property, Plant and Equipment, net	150,319,987	145,043,586	5,276,401	3.64%
Other Non Current Assets	27,310,532	19,570,734	7,739,798	39.55%
Total Non Current Assets	177,630,519	164,614,320	13,016,199	7.91%
Deferred Outflows	10,455,406	8,733,145	1,722,261	19.72%
Total Assets & Deferred Outflows	222,239,710	- 221,337,820	- 901,890	- 0.41%
Liabilities:				
Current Liabilities	7,540,864	5,269,397	2,271,467	43.11%
Noncurrent Liabilities	20,586,986	17,988,712	2,598,274	14.44%
Total Liabilities	28,127,850	23,258,109	4,869,741	57.55%
Deferred Inflows	1,973,676	1,516,339	457,337	30.16%
Total Liabilities & Deferred Inflows	30,101,526	24,774,448	5,327,078	21.50%
Net Position	192,138,184	196,563,372	(4,425,188)	-2.25%
Total Liabilities & Net Position	222,239,710	221,337,820	901,890	0.41%

Variance Analysis

- **Significant YOY Variances**

- Cash and investments (current and noncurrent) are down \$2.6m as we invest in construction.
- Accounts receivable has declined \$3.5m due to the timing of construction draws.
- Deferred outflows related to adjustments for future pensions and other postemployment benefits are based on current estimates for a near 20% increase.
- The 43.11% increase in current liabilities is a largely due to construction payables.
- Non-current liabilities include estimated increases in compensated absences of \$77k and the estimated pension liability of \$2.9m. Additionally, decreases include long term debt payments of \$292k.
- Deferred inflows related to adjustments for future pensions and other postemployment benefits are based on current estimates for a near 30% increase.



Operating Budget Update

	12 Months Budget 6/30/2020	12 Months Actual 6/30/2020	Budget Variance	12 Months Actual 6/30/2019	Changes
Summary of Sources					
Education & General (E&G)	36,532,306	37,010,489	1.31%	37,267,972	-0.7%
Educational Enhancement Trust Fund (Lottery)	363,360	363,360	0.00%	290,790	25.0%
Student Tuition & Fees Trust Fund	2,054,602	2,586,757	25.90%	2,408,661	7.4%
Financial Aid & Financial Aid Fee	10,095,901	9,691,181	-4.01%	9,590,395	1.1%
Activity & Service Fees	266,245	278,421	4.57%	285,489	-2.5%
Athletic Fees	213,348	228,726	7.21%	228,934	-0.1%
Health Fees	288,416	153,014	-46.95%	152,988	0.0%
Technology Fees	88,893	92,988	4.61%	87,139	6.7%
Auxiliaries (Dining, Bookstore, Parking etc)	4,549,142	4,072,405	-10.48%	6,748,336	-39.7%
Florida Industrial & Phosphate Research Institute (FIPR)	2,945,111	1,639,375	-44.34%	1,598,422	2.6%
FIPR shared services transfer	200,421	200,421	0.00%	200,421	0.0%
Other Unrestricted - Scholarships	250,000	290,000	16.00%	903,071	-67.9%
Grants & Contracts	472,500	783,153	65.75%	805,333	-2.8%
Investment Income	1,500,000	1,454,085	-3.06%	1,277,542	13.8%
Total E&G Sources	59,820,245	58,844,373	-1.63%	61,845,493	-4.9%
Summary of Uses					
Salary & Benefit	31,707,364	27,336,499	-13.79%	26,997,782	1.3%
Part-Time Employment (adjunct faculty, student workers etc)	2,486,735	2,718,878	9.34%	2,416,295	12.5%
Operating Expense	15,626,146	17,338,859	10.96%	16,941,156	2.3%
Scholarships/Federal Aids	10,000,000	9,735,966	-2.64%	9,924,947	-1.9%
Total E&G Uses	59,820,245	57,130,202	-4.50%	56,280,180	1.5%
Sources (Over)/ Under	-	1,714,171	2.87%	5,565,313	-6.4%



Carryforward and Capital Outlay Update

	12 Months Actual 6/30/20	12 Months Actual Prior year	YOY Changes
Education & General Carryforward Beginning Balance	14,515,765	38,684,000	-62.5%
Source:			
Interest	243,736	265,148	-8.1%
Uses:			
Non-recurring Operating Expenses	955,565	12,675,933	-92.5%
Restricted by Appropriation	62,126	9,924,947	-99.4%
Project - transfer out	6,022,045	1,567,355	284.2%
Total E&G Carryforward Uses	7,039,736	24,168,235	-70.9%
Education & General Carryforward Ending Balance	7,719,765	14,515,765	-46.8%
Capital Carryforward Beginning Balance	19,591,913	20,389,580	-3.9%
Sources:			
Interest	671,898	413,782	62.4%
Project - transfer in	5,925,000	150,000	3850.0%
Total PECO Carryforward Sources	6,596,898	563,782	1070.1%
Uses:			
ARC	4,404,093	1,211,449	263.5%
Reclaimed Water Infrastructure	161,260	150,000	7.5%
Pergola Replacement	-	-	
Door Closure Project	-	-	
	4,565,353	1,361,449	235.3%
PECO Carryforward Ending Balance	21,623,458	19,591,913	10.4%



Variance Analysis

- Lottery revenue of \$363,630 is a 25% increase over last year's receipts of \$290,790 due to an increase in appropriation.
- With a decrease in FTE at the fall census date from this year (1,339) to last (1,424), the University was able to strategically apply waiver/scholarships to keep tuition and fee revenue fairly stable.
- Grants and contracts remain stable in the YOY comparison with the receipt of \$366k of CARES funding.
- The current year had higher yields of investment income with a 13.8% increase over the prior year.
- Decreases in Auxiliary revenue of 39.7% were a result of COVID-19. Students leaving the campus early prior to semester's end led to retail sales venues closing.
- Funds from scholarships from the Foundation have decreased from prior years but was higher than budgeted by \$40k. During the year, the Foundation was reorganized and is executing on a sustainable plan.

Variance Analysis (continued)

- FIPR's spending authority and trust fund draws remained relatively constant with a small increase in YOY.
 - Salaries increased as we hired new faculty and health benefits rose slightly.
 - Part-Time Employment increased 12.5% due to an increase in adjunct faculty, faculty summer pay, training for online teaching and student workers.
 - A 2.3% YOY increase in operating expenses were a result of litigation, additional admissions expenses and online learning platforms.
-



Investment Analysis

Return on Investment For the Year Ended June 30, 2020

YTD Average Daily Balance	\$	47,578,750
YTD Investment Income Earned	\$	1,454,085
YTD Return on Investment Rate		3.16%

Cash & Investment Summary

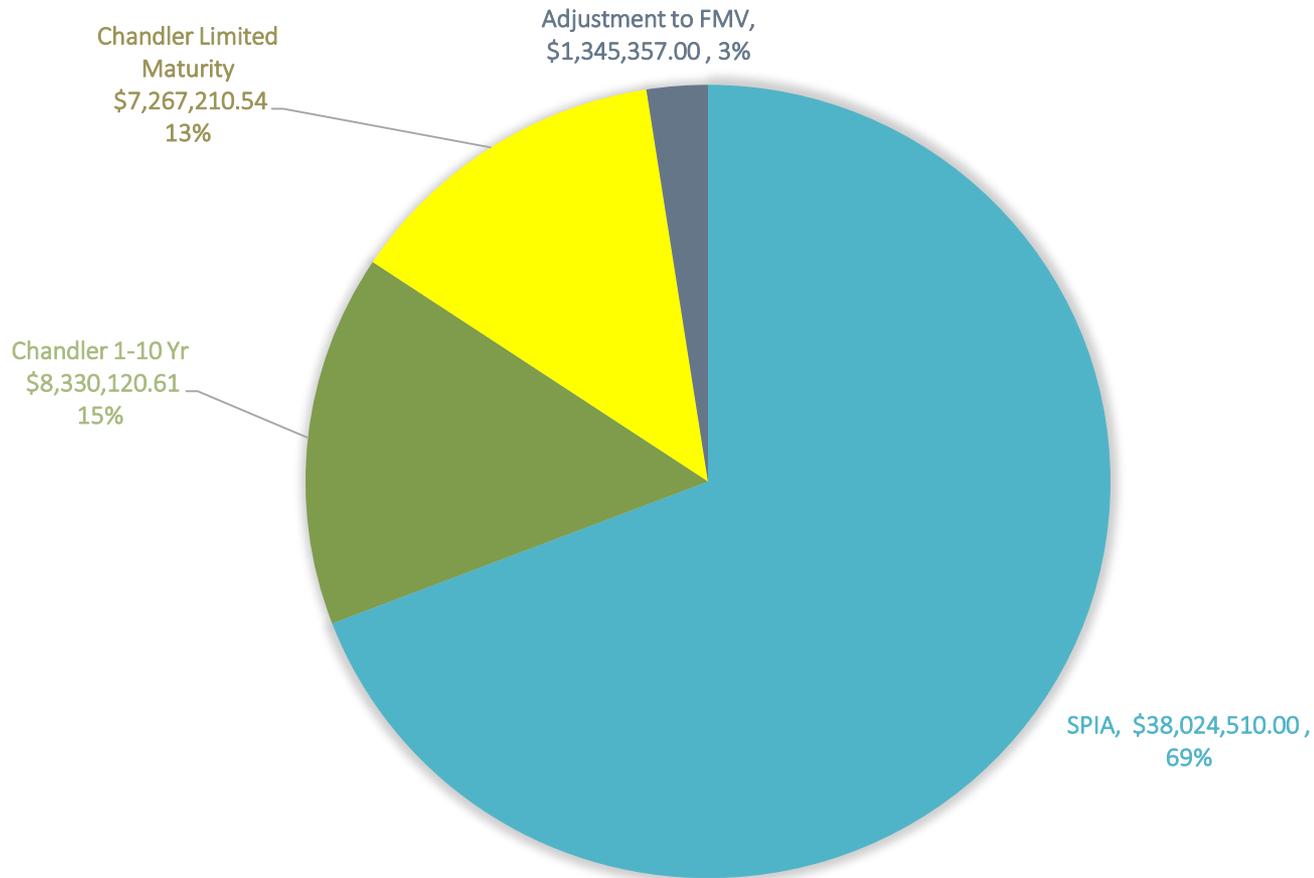
SPIA	\$	38,506,708
Chandler		16,242,986
Cash		217,504

Balance June 30, 2020	\$	<u>54,967,198</u>
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Current	\$	27,656,846
Non-current		27,310,352
	\$	<u>54,967,198</u>

Investment Analysis

INVESTMENTS SUMMARY JUNE 2020



Summary

- The University's primary reserve ratio remains high due to significant resources on-hand.
- Net income and return on net asset ratios are low due as we use a significant portion of our revenues.
- Viability ratio remains high due to very low debt levels.
- University's composite financial index remains strong at 441.81.
- The University has been working through budget cutting exercises and remains diligent in stewarding resources.

Summary (continued)

- The University is currently (FY21) subject to a 6% holdback of its State appropriation which could cause us to use our own cash reserves and has caused us to cut expenses.
- The State has requested and we have submitted a plan with an additional 2.5% cut in our operating budget for the current year.
- The State has requested and we have submitted a plan with an additional 10% cut to the operating budget for fiscal year 2022. With this exercise, we acknowledge that deep cuts in operations will impact the University.
- Fiscal year 2022 we will enter Performance Based Funding. We are confident we will receive PBF but there are many uncertainties around the total appropriation.

AGENDA ITEM: VIII.

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Approval of Carryforward and Fixed Capital Outlay Budgets

Proposed Committee Action

Recommend approval of the University Carryforward and Fixed Capital Outlay Budgets for the 2020-2021 fiscal year to the Board of Trustees.

Review and acknowledge the President and CFO certification.

Background Information

The Board of Governors requires that the University's fixed capital outlay, and carryforward budget information be approved by the Board of Trustees and provided to the Board of Governors who will review and approve each budget.

The President and the CFO in accordance with their fiduciary responsibility to the University must certify that the budgets are true and materially correct to the best of their knowledge. The President and the CFO must further certify that these budgets have been reviewed and approved by the board of trustees at its meeting held on September 9, 2020, and that funds will only be expended in accordance with the approved budget as well as all applicable Statutes, Board of Governors Regulations, and University regulations.

Carryforward Spending Plan

Carryforward are those education and general funds appropriated by the legislature each that are not expended during the year received. These funds are then carried over to the succeeding year and are available for use subject to certain restrictions.

For the fiscal year ended June 30, 2020 the University carried over \$3,721,575 and added it to the existing carryforward balance of \$7,719,765 for a new total fund balance of \$11,441,340. The University has committed those funds for uses described in the attached plan. These balances include estimates for pension and post-employment benefits and may change when the actual numbers are received from the State.

Fixed Capital Outlay Budget

The Fixed Capital Outlay budget identifies the sources and uses of all funds expended or to be expended on construction projects. Sources of such funds come

from a variety of sources including Public Education Capital Outlay ("PECO"), Capital Improvement Trust Fund ("CITF"), Carryforward, private donations, federal grants, or revenue bonds.

The University presently has the \$47.2 million Applied Research Center ("ARC") under construction. It has been partially funded from PECO \$7.0 million, and Carryforward \$25.3 million, leaving \$14.9 to be funded from PECO. The University was number one on the Board of Governors list of recommended projects last year, but did not receive PECO funding from the legislature.

Supporting Documentation:

- Carryforward Spending Plan
- Fixed Capital Outlay Budget
- President and CFO Certification

Prepared by: Mark Mroczkowski, Vice President and CFO

Florida Polytechnic University
Education and General
Carryforward Spending Plan Summary
Approved by University Board of Trustees
Balances and Spending Plans as of July 1, 2020

	<u>University E&G</u>	<u>Special Unit or Campus (Title)</u>	<u>Grand Total : University Summary</u>
A. Beginning E&G Carryforward Balance - July 1, 2020 :			
Cash	\$ 22,540	\$ -	\$ 22,540
Investments	\$ 11,418,800	\$ 5,954,704	\$ 17,373,504
Accounts Receivable	\$ -	\$ -	\$ -
Less: Accounts Payable	\$ -	\$ -	\$ -
Less: Deferred Student Tuition & Fees	\$ -	\$ -	\$ -
B. Beginning E&G Carryforward Balance (Net of Payables/Receivables/Deferred Fees) :	\$ 11,441,340	\$ 5,954,704	\$ 17,396,044
C. 7% Statutory Reserve Requirement (1011.45(1) F.S.):	\$ 2,549,008	\$ -	\$ 2,549,008
D. E&G Carryforward Balance Less 7% Statutory Reserve Requirement (Amount Requiring Approved Spending Plan) :	\$ 8,892,332	\$ 5,954,704	\$ 14,847,036
E. *Encumbrances			
Restricted by Appropriations	\$ 23,859	\$ -	\$ 23,859
Compliance, Audit, and Security			
Compliance Program Enhancements	\$ 132,764	\$ -	\$ 132,764
Audit Program Enhancements	\$ -	\$ -	\$ -
Campus Security and Safety Enhancements	\$ -	\$ -	\$ -
Academic and Student Affairs			
Student Services, Enrollment, and Retention Efforts	\$ -	\$ -	\$ -
Student Financial Aid	\$ -	\$ -	\$ -
Faculty/Staff, Instructional and Advising Support and Start-up Funding	\$ -	\$ -	\$ -
Faculty Research and Public Service Support and Start-Up Funding	\$ -	\$ -	\$ -
Library Resources	\$ -	\$ -	\$ -
Facilities, Infrastructure, and Information Technology			
Utilities	\$ -	\$ -	\$ -
Information Technology (ERP, Equipment, etc.)	\$ 236,334	\$ -	\$ 236,334
Minor Carryforward Fixed Capital Outlay Projects (Board of Governors Regulation 14.003(2))	\$ -	\$ -	\$ -
Major Carryforward Fixed Capital Outlay Projects (Board of Governors Regulation 14.003(2))	\$ -	\$ -	\$ -
ARC	\$ 4,135,417	\$ -	\$ 4,135,417
Other UBOT Approved Operating Requirements			
Coronavirus/COVID-19 Related Expenditures (Should agree with encumbrances column total on "Details - Covid-19" tab)	\$ -	\$ -	\$ -
Other Operating Requirements (University Board of Trustees-Approved That Support the University Mission)	\$ -	\$ -	\$ -
Operating Encumbrances : (Should agree with encumbrances column totals on "Details-Operating" tab)	\$ 4,528,374	\$ -	\$ 4,528,374
FCO Encumbrances : (Should agree with encumbrances column totals on "Details-Fixed Capital Outlay" tab)	\$ -	\$ -	\$ -
Coronavirus/COVID-19 Encumbrances: (Should agree with encumbrances column totals on "Details - COVID-19" tab)	\$ -	\$ -	\$ -
Grand Total Encumbrances :	\$ 4,528,374	\$ -	\$ 4,528,374
F. * Restricted / Contractual Obligations			
Restricted by Appropriations	\$ 619,834	\$ -	\$ 619,834
University Board of Trustees Reserve Requirement	\$ -	\$ -	\$ -
Restricted by Contractual Obligations :			
Compliance, Audit, and Security			
Compliance Program Enhancements	\$ -	\$ -	\$ -
Audit Program Enhancements	\$ -	\$ -	\$ -
Campus Security and Safety Enhancements	\$ -	\$ -	\$ -
Academic and Student Affairs			
Student Services, Enrollment, and Retention Efforts	\$ -	\$ -	\$ -
Student Financial Aid	\$ -	\$ -	\$ -
Faculty/Staff, Instructional and Advising Support and Start-up Funding	\$ -	\$ -	\$ -
Faculty Research and Public Service Support and Start-Up Funding	\$ -	\$ -	\$ -
Library Resources	\$ -	\$ -	\$ -
Facilities, Infrastructure, and Information Technology			
Utilities	\$ -	\$ -	\$ -
Information Technology (ERP, Equipment, etc.)	\$ 1,198,032	\$ -	\$ 1,198,032
Minor Carryforward Fixed Capital Outlay Projects (Board of Governors Regulation 14.003(2))	\$ -	\$ -	\$ -
Major Carryforward Fixed Capital Outlay Projects (Board of Governors Regulation 14.003(2))	\$ -	\$ -	\$ -
Other UBOT Approved Operating Requirements			
Coronavirus/COVID -19 Related Expenditures (Should agree with restricted column total on "Details - Covid-19" tab)	\$ -	\$ -	\$ -
Other Operating Requirements (University Board of Trustees-Approved That Support the University Mission)	\$ -	\$ -	\$ -
Contingencies for a State of Emergency Declared by the Governor (SB 72)	\$ -	\$ -	\$ -

Florida Polytechnic University
Education and General
Carryforward Spending Plan Summary
Approved by University Board of Trustees
Balances and Spending Plans as of July 1, 2020

	<u>University E&G</u>	<u>Special Unit or Campus (Title)</u>	<u>Grand Total : University Summary</u>
Operating Restricted : (Should agree with restricted column totals on "Details-Operating" tab)	\$ 1,817,866	\$ -	\$ 1,817,866
FCO Restricted : (Should agree with restricted column totals on "Details-Fixed Capital Outlay" tab)	\$ -	\$ -	\$ -
Coronavirus/COVID-19 Restricted : (Should agree with restricted column totals on "Details - COVID-19" tab)	\$ -	\$ -	\$ -
Grand Total Restricted / Contractual Funds :	\$ 1,817,866	\$ -	\$ 1,817,866
G. * Commitments			
Compliance, Audit, and Security			
Compliance Program Enhancements	\$ -	\$ -	\$ -
Audit Program Enhancements	\$ -	\$ -	\$ -
Campus Security and Safety Enhancements	\$ 200,000	\$ -	\$ 200,000
Academic and Student Affairs			
Student Services, Enrollment, and Retention Efforts	\$ -	\$ -	\$ -
Student Financial Aid	\$ -	\$ -	\$ -
Faculty/Staff, Instructional and Advising Support and Start-up Funding	\$ 398,630	\$ -	\$ 398,630
Faculty Research and Public Service Support and Start-Up Funding	\$ 185,000	\$ -	\$ 185,000
Library Resources	\$ -	\$ -	\$ -
Facilities, Infrastructure, and Information Technology			
Utilities	\$ -	\$ -	\$ -
Information Technology (ERP, Equipment, etc.)	\$ 762,462	\$ -	\$ 762,462
Minor Carryforward Fixed Capital Outlay Projects (Board of Governors Regulation 14.003(2))	\$ -	\$ -	\$ -
Major Carryforward Fixed Capital Outlay Projects (Board of Governors Regulation 14.003(2))	\$ -	\$ -	\$ -
Other UBOT Approved Operating Requirements			
Coronavirus/COVID-19 Related Expenditures (Should agree with committed column total on "Details - Covid-19" tab)	\$ 1,000,000	\$ -	\$ 1,000,000
Other Operating Requirements (University Board of Trustees-Approved That Support the University Mission)	\$ -	\$ 2,500,000	\$ 2,500,000
Contingencies for a State of Emergency Declared by the Governor (SB 72)	\$ -	\$ -	\$ -
Operating Commitments : (Should agree with committed column total on "Details-Operating" tab)	\$ 1,546,092	\$ 2,500,000	\$ 4,046,092
FCO Commitments : (Should agree with committed column total on "Details-Fixed Capital Outlay" tab)	\$ -	\$ -	\$ -
Coronavirus/COVID-19 Commitments : (Should agree with committed column totals on "Details - COVID-19" tab)	\$ 1,000,000	\$ -	\$ 1,000,000
Grand Total Commitments :	\$ 2,546,092	\$ 2,500,000	\$ 5,046,092
H. Available E&G Carryforward Balance as of July 1, 2020 :	\$ (0)	\$ 3,454,704	\$ 3,454,704

* Please provide supplemental **detailed descriptions** for these multiple-item categories in sections E, F, and G for operating, fixed capital outlay, and COVID-19 spending plans using Board of Governors templates provided (use worksheet tabs for "Details" included with this file).

Notes :

- Florida Polytechnic University amounts include the Phosphate Research Trust Fund.
- 2019 Senate Bill 190 amended 1011.45 F.S.** regarding university Education & General carryforward minimum reserve balances, reporting requirements, and allowable uses. 1011.45(2) states that "Each university that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall be submitted to the university's board of trustees for review, approval, or if necessary, amendment by September 1, 2020, and each September 1 thereafter. The Board of Governors shall review, approve, and amend if necessary, each university's carry forward spending plan by October 1, 2020, and each October 1 thereafter." 1011.45(3) adds "A university's carry forward spending plan shall include the **estimated cost per planned expenditure and a timeline for completion of the expenditure.**" Three additional tabs are provided with this file to allow reporting of university detailed expenditure plans for each planned expenditure or project, a completion timeline, and amount budgeted for expenditure during the reporting fiscal year.

Florida Polytechnic University
2020-2021 University E&G Carryforward Spending Plans - Supplemental Details (Operating Plans)
Pursuant to 1011.45, Florida Statutes
July 1, 2020

Line Item #	Carryforward Spending Plan Category	Specific Expenditure/Project Title	Budget				Project Timeline			Comments/Explanations	
			Total Amount to be Funded from Current Year E&G Carryforward Balance	ENCUMBRANCES Encumbrances Balance as of July 1, 2020	RESTRICTED Restricted Balance as of July 1, 2020	COMMITTED Committed Balance as of July 1, 2020	E&G Carryforward Amount Budgeted for Expenditure During FY21	Total # Years of Expenditure per Project	Current Expenditure Year #		Estimated Completion Date (Fiscal Year)
1.	Restricted by Appropriations	Advanced Mobility Institute	643,693	23,859	619,834	-	643,693	3	3	2021	Non-recurring E&G allocation funded in FY 2018-19 & 19-20
2.	Information Technology (ERP, Equipment, etc.)	Implementation of a Student System	1,314,136	116,104	1,198,032		600,000	2	1	2023	Student Information System - Contractual agreement
3.	Information Technology (ERP, Equipment, etc.)	Equipment Leases (Laptops/Hardware)	807,692	120,230	-	687,462	807,692	5	3	2024	One time acquisition of Capital Equipment paid in installments. These are not recurring expense operating leases.
4.	Faculty/Staff, Instructional and Advising Support and	Support training for faculty and staff	398,630	-	-	398,630	398,630	1	1	2021	To replace cuts for faculty and staff training, OPS, etc.
5.	Compliance Program Enhancements	Position Management System	132,764	132,764			132,764	1	1	2021	Implementation of Position Management System
6.	Contingencies for a State of Emergency Declared by ti	Univeristy emergencies due to either covid and/or budget reductions	1,000,000			1,000,000	1,000,000	1	1	2021	Funds needed for Covid and other emergencies. ___(see Tab "Details - COVID-19)
7.	Campus Security and Safety Enhancements	Campus Generators	200,000			200,000	200,000	1	1	2021	Generators are necessary due to the many hurricane threats in our area.
8.	Faculty/Staff, Instructional and Advising Support and	Faculty Start-up funds	185,000			185,000	185,000	2	1	2022	Faculty Start-up Funds
9.	Information Technology (ERP, Equipment, etc.)	Wireless Controller Upgrade	75,000		-	75,000	75,000	1	1	2021	one time replacement of outdated equipment.
Total as of July 1, 2020: *			\$ 4,756,915	\$ 392,957	\$ 1,817,866	\$ 2,546,092	\$ 4,042,779				

*Note: Should agree with respective encumbrances, restricted/contractual, or committed category totals on "Summary" tab.

FLORIDA POLYTECHNIC UNIVERSITY
2020-2021 University E&G Carryforward Spending Plans - Supplemental Details (Fixed Capital Outlay Plans)
Pursuant to 1011.45, Florida Statutes
July 1, 2020

Line Item #	Carryforward Spending Plan Category	Specific Project Title/Name	Description	Project(s) Cost to be Funded from Current Year E&G Carryforward Balance	Encumbrances	Restricted	Committed	E&G Carryforward Funds Budgeted for Expenditure During FY21	Carryforward Expenditure Timeline			Comments/Explanations
					Encumbrances Balance As of July 1, 2020	Restricted Balance As of July 1, 2020	Committed Balance As of July 1, 2020		Total # Years of Expenditure per Project	Current Expenditure Year #	Estimated Completion Date (Fiscal Year)	
1		Not Applicable		\$0	\$0	\$0	\$0	\$0				
2				\$0	\$0	\$0	\$0	\$0				
3				\$0	\$0	\$0	\$0	\$0				
4				\$0	\$0	\$0	\$0	\$0				
* Total Minor Carryforward As July 1, 2020 :				\$0	\$0	\$0	\$0	\$0				
Major Carryforward Projects (>\$2M)¹												
5	Major: Completion of a PECO project	Applied Research Center	Construction of the Applied Research Center	\$4,135,417	\$0	\$0	\$4,135,417	\$4,135,417	7	6	6/30/2022	In need of future PECO funds of \$14,900,000; using existing PECO funds of \$7,000,000.
6				\$0	\$0	\$0	\$0	\$0				
7				\$0	\$0	\$0	0	\$0				
* Total Major Carryforward As July 1, 2020 :				\$4,135,417	\$0	\$0	\$4,135,417	\$4,135,417				
Fixed Capital Outlay Totals :				\$4,135,417	\$0	\$0	\$4,135,417	\$4,135,417				

1. As defined in Board of Governors Regulation 14.003(2).

* Note: Should agree with respective encumbrances, restricted/contractual, or committed category totals on "Summary" tab.

Florida Polytechnic University
2020-2021 University E&G Carryforward Spending Plans - Supplemental Details (COVID - 19)
Pursuant to 1011.45, Florida Statutes
July 1, 2020

Line Item #	Carryforward Spending Plan Category	Specific Expenditure/Project Title	Budget				Project Timeline			Comments/Explanations	
			Total Amount to be Funded from Current Year E&G Carryforward Balance	ENCUMBRANCES <small>Encumbrances Balance as of July 1, 2020</small>	RESTRICTED <small>Restricted Balance as of July 1, 2020</small>	COMMITTED <small>Committed Balance as of July 1, 2020</small>	E&G Carryforward Amount Budgeted for Expenditure During FY21	Total # Years of Expenditure per Project	Current Expenditure Year #		Estimated Completion Date (Fiscal Year)
1.	Miscellaneous Covid-19 Related Expenditu	Covid testing, respiratory clinic, etc.	250,000	-	-	250,000	250,000	1	1	2021	
2.	Miscellaneous Covid-19 Related Expenditu	Online Learning, PPE, etc.	750,000	-	-	750,000	750,000	1	1	2021	
3.			-	-	-	-	-				
4.			-	-	-	-	-				
5.			-	-	-	-	-				
Totals as of July 1, 2020: *			\$ 1,000,000	\$ -	\$ -	\$ 1,000,000	\$ 1,000,000				

*Note: Should agree with respective encumbrances, restricted/contractual, or committed category totals on "Summary" tab.

**State University System
Education & General Carryforward Spending Plan
Reporting Definitions**

I. Carryforward Spending Plan - Budgetary Category Definitions

- | | | |
|-----|---|---|
| 1. | Encumbrances | Unpaid balances remaining in active purchase orders, travel authorizations, etc., to be paid using E&G carryforward funds. May also include nonrecurring employee compensation amounts through the end of the current fiscal year. |
| 2. | 7% Statutory Reserve Requirement | Required E&G reserve requirement per 1011.45 F.S. - amends previous 1011.40 F.S. requirement. Based on percentage of state operating budget. |
| 3. | Restricted/Contractual Obligations | Should generally be supported by documentation that memorializes an agreement with another party (e.g. contract, offer letter, construction contract/project number, etc.). |
| 4. | Commitments | Monies designated for a specific purpose which are not yet encumbered/contracted/restricted. Discretion may still be exercised with respect to the use of these funds. |
| 5. | University Board of Trustees Reserve Requirement | The amount of unrestricted funds set aside by the University Board of Trustees to address critical, unforeseen, or non-discretionary items that require immediate funding, such as unanticipated or uninsured catastrophic events, unforeseen contingencies, state budget shortfalls, or university revenue shortfalls. |
| 6. | Restricted by Appropriations | Funds appropriated by the Legislature for a specific purpose or intended use as identified by law or through legislative work papers. |
| 7. | Compliance Program Enhancements | Initiatives associated with being in compliance with federal law, state law, Board of Governors Regulations or any other entity with which the University must comply. |
| 8. | Audit Program Enhancements | Initiatives associated with implementing audit programs of the institution. |
| 9. | Campus Security and Safety Enhancements | The support of campus security and/or safety issues, such as the recruitment of police officers, vehicles, equipment, and investments which promote security and safety at the institution. This issue may also include mental health counseling and services. |
| 10. | Student Services, Enrollment, and Retention Efforts | Funds to promote student success through supporting student services programs, addressing enrollment, and assisting with retention efforts to support timely graduation. |
| 11. | Student Financial Aid | Funds allocated to reduce student costs and to provide an opportunity to obtain a degree in an affordable and timely fashion. |
| 12. | Faculty/Staff Instructional and Advising Support and Start-Up Funding | Funds identified to support instructional and advising activities, and/or start-up packages for new faculty. Start-up packages are often expended over a multi-year period. |
| 13. | Faculty Research and Public Service Support and Start-Up Funding | Funds identified to support research and public service, and any associated start up funding- Start-up packages are often expended over a multi-year period. |
| 14. | Library Resources | Materials and database access required to support programs of study and research. |
| 15. | Utilities | Support of nonrecurring utility costs throughout the university. |
| 16. | Information Technology (ERP, Equipment, Etc.) | Funds to improve operational productivity, educational improvements, and technological innovation, implementation and/or maintenance of ERP systems, and technological equipment purchases. |
| 17. | Other Operating Requirements | Other expenditures/projects that support the university's mission, are nonrecurring in nature, and are approved by the university board of trustees. |
| 18. | Contingencies for a State of Emergency Declared by the Governor | A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36, Florida Statutes. |

**State University System
Education & General Carryforward Spending Plan
Reporting Definitions**

- | | |
|---|---|
| 19. PECO Projects - Supplemental Funds to Complete Projects That Received Previous Appropriation | Commitment of funds to a public education capital outlay project for which an appropriation has previously been provided that requires additional funds for completion and which is included in the list required by s. 1001.706(12)(d), Florida Statutes. This category is valid for both major and minor carryforward projects. |
| 20. Completion of Renovation, Repair, or Maintenance Project up to \$5M | For projects that are consistent with the provisions of s. 1013.64(1), Florida Statutes, up to \$5 million per project. Refer to Board of Governors Regulation 14.001 for the definitions of renovation, repair, and maintenance. This category is valid for both major and minor carryforward projects. |
| 21. Replacement of Minor Facility (< 10,000 gsf) up to \$2M | Replacement of minor facility project that does not exceed 10,000 gross square feet in size, up to \$2 million. This category is valid for minor carryforward projects. |
| 22. Completion of a Survey-Recommended Remodeling or Infrastructure Project (Including DRS Schools) up to \$10M | Completion of a remodeling or infrastructure project, including a project for a developmental research school, up to \$10 million per project, if such project is survey recommended pursuant to s. 1013.31, Florida Statutes. Refer to Board of Governors Regulation 14.001 for the definition of remodeling. This category is valid for both major and minor carryforward projects. |

II. Column Definitions for Use With Details Tabs

- | | |
|---|---|
| 1. Carryforward Spending Plan Category | Functional category brought forward from the Carryforward Spending Plan reporting template. Categories are defined in Section I of this document. |
| 2. Specific Expenditure/ Project Title/Name | Detailed title of planned expenditure item or project, with sufficient details to be tracked individually through the expenditure cycle to completion. |
| 3. Total Amount to be Funded from Current Year E&G Carryforward Balance | The total estimated cost to be paid from current-year beginning E&G carryforward balance for the specific expenditure item or project. |
| 4. E&G Carryforward Amount Budgeted for Expenditure During FY21 | This column represents the current budgetary year's estimated disbursement of E&G carryforward towards the total planned expenditure item or project. |
| <u>Project Timeline</u> | |
| 5. Estimated Completion Date | Estimated date (year) for full expenditure of E&G carryforward funds for the specific expenditure plan item or project. |
| 6. Current Expenditure Year # | The current year in the project completion timeline, e.g. year 2 of a 4 year project. Input is number only. |
| 7. Total # Years of Expenditure per Project | The total number of years over which the expenditure item / project will span. |
| 8. Comments/Explanations | Additional information to assist the user of the report including, but not limited to, a description of the expenditure item / project and how it supports the university's mission and operations. |

Other Definitions

- | | |
|--------------------------|--|
| 9. Nonrecurring | Nonrecurring guidelines as vetted and approved by the Council for Administrative and Financial Affairs (CAFA) can be found on the Board of Governors' website. |
| 10. Coronavirus/COVID-19 | The use of E&G carryforward funds to address various university costs associated with COVID-19. |

Florida Polytechnic University
FIXED CAPITAL OUTLAY BUDGET for Fiscal Year 2020-21

As of July 1, 2020
(reference: Section 1013.61, F.S. and Board Reg. 14.003)

Category	Project Title/Name	Description	Total Project(s) Cost	Funding Source(s)		Funds Expended to Date	Funds to be Expended this Year	Remaining Balance	Project Timeline		Comments
				Source	Amount				Start Date	Completion Date	
Education & General (E&G) Operating Projects											
	<i>Consolidated line item of all FCO/capitalized projects funded from E&G operating funds, pursuant to Board regulations 14.003(2)(a) and 9.001. No individual project exceeds \$1M. This is a single line item in both Operating and FCO budgets.</i>		\$0	E&G Operating Funds	\$0	\$0	\$0	\$0	Not Applicable		These are current year funds to be spent in the current year.
Minor Carryforward (CF) Projects											
	<i>Consolidated line item of all FCO projects with a cost of less than \$2M funded from E&G CF funds, pursuant to Board regulation 14.003(2)(b). Includes replacement of facilities less than 10,000 gross sf. This is a single line item in both Operating and FCO budgets. For a detailed listing of projects, refer to the E&G Carryforward Spending Plan (CFSP).</i>		\$0	E&G CF Funds	\$0	\$0	\$0	\$0	Refer to detail in Carryforward Spending Plan		
Infrastructure	Auburndale Reclaimed Water Project	Connection to City of Auburndale Reclaimed Water Plant	\$2,000,000	CF	\$2,000,000	\$311,260	\$450,000	\$1,238,740	11/2/2015	12/31/2022	
Major Carryforward (CF) Projects											
	<i>Any FCO project funded in whole or in part from CF funds, where total individual FCO project cost exceeds \$2M, pursuant to Board regulation 14.003(2)(c).</i>										
	Pergola Replacement Project	Replacement of the pergolas on the IST building due to damage from Hurricane Irma.	\$9,557,855	CF & Ins Proceeds	\$9,557,855	\$4,342,931	\$5,214,924	\$0	5/28/2019	6/30/2021	CF funds \$1.4M Insurance \$8.15M
			\$0		0	\$0	\$0	\$0			
				Total:	\$0						
			\$0		0	\$0	\$0	\$0			
				Total:	\$0						
State Appropriated Projects											
	<i>Pursuant to Board Regulation 14.003(12)(d). All FCO projects using funds originally appropriated as FCO funds by the State of Florida, notwithstanding criteria in Board regulation 14.001. Never to be included in the operating budget. Examples, PECO and CITF.</i>										
	Applied Research Center	Construction of Applied Research Center	\$47,164,000	CF PECO	25,264,000 21,900,000	5,615,542 4,775,135	19,648,458 2,224,865	0 14,900,000	8/30/2017	6/30/2022	Remaining balance of \$14.9M is dependent upon future funding from PECO.
				Total:	\$47,164,000	\$10,390,677	\$21,873,323	\$14,900,000			
Non-Appropriated Projects											
	<i>Pursuant to Board Regulation 14.003(12)(e). All FCO projects that have not directly or indirectly used funds appropriated by the State. Examples include private donations, athletic revenues, federal grants, housing/parking revenue bonds, etc. For the purposes herein, please assume a threshold of \$5M or more for listing projects individually, otherwise consolidate all individual projects under \$5M into one line item.</i>		\$0		0	\$0	\$0	\$0			
				Total:	\$0						
TOTALS:			\$58,721,855		\$58,721,855	\$15,044,868	\$27,538,247	\$16,138,740			

Notes:

Pursuant to Regulation 14.003(3), Fixed Capital Outlay projects do not apply to those projects acquired, constructed, and owned by a Direct Support Organization or under a Public Private Partnership. The Fixed Capital Outlay Budget may be amended, subject to the requirements described in Regulation 14.003(4).



2020-2021 Operating Budget, Carryforward Spending Plan, & Fixed Capital Outlay Budget

University Name: Florida Polytechnic University

2020-2021 Operating Budget, Carryforward Spending Plan, & Fixed Capital Outlay Budget Certification Representations

I hereby certify to the Board of Governors that the referenced 2020-2021 Operating Budget, Carryforward Spending Plan, & Fixed Capital Outlay Budget provided to the Board of Governors in accordance with my fiduciary responsibility to the university is true and materially correct to the best of my knowledge. I further certify that these budgets have been reviewed and approved by the Board of Trustees at its meeting held on September 9, 2020, and that funds will only be expended in accordance with the approved budget as well as all applicable Statutes, Board of Governors' Regulations, and university regulations. I understand that any unsubstantiated, false, misleading, or withheld information relating to these statements may render this certification void. My signature below acknowledges that I have read and understand these statements.

Certification:  Date September 9, 2020
Mark Mroczkowski, Chief Financial Officer

Certification:  Date September 9, 2020
Randy Avent, President

I certify that the above referenced university budgets for fiscal year 2020-2021 has been approved by the University Board of Trustees and is true and materially correct to the best of my knowledge.

Certification: _____ Date September 9, 2020
Cliff Otto, Board of Trustees Chair

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Applied Research Center (ARC) Update

Proposed Committee Action

Information only – no action required.

Background Information

ARC is currently 33% complete with the construction currently under contract. The current contracted work affords the University a fully enclosed building with a completed exterior shell, portions of interior framed walls, and a portion of the mechanical, electrical, and plumbing. When the work currently under contract is complete, the total project will be approximately 68% complete at a cost of \$32.3 million with an interim completion date of May 2021. The 32% work remaining to be completed after May 2021 consists primarily of finishes, landscaping, furniture, fixtures, and equipment. Completion is contingent upon \$14.9 million of additional funding from the State of Florida. The amounts or timing of such funding is unknown.

The supporting documentation included gives a brief overview of the construction, schedule, and budget for the Applied Research Center.

Supporting Documentation: PowerPoint Presentation of construction progress

Prepared by: David Calhoun, Assistant Vice President of Facilities and Safety Services



**FLORIDA POLYTECHNIC
UNIVERSITY**

Applied Research Center Update (ARC)

David Calhoun

September 9, 2020



ARC Overview

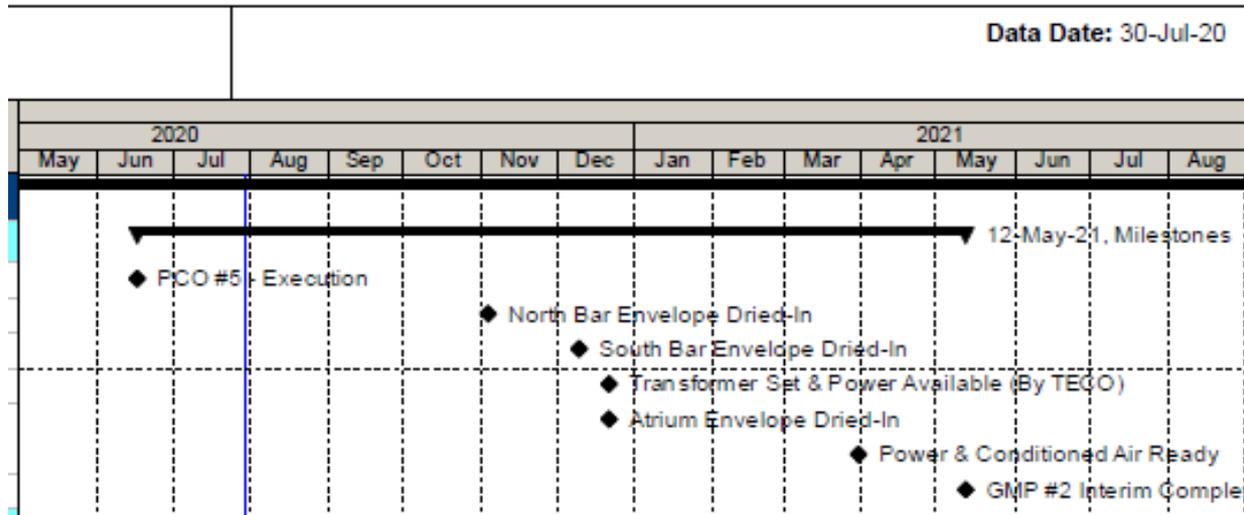
- **Total project budget (\$47.2M)**
- **Funded to Date**
 - PECO funding 16-17 (\$5.0M)
 - PECO funding 17-18 (\$2.0M)
 - CF funding 16-17 (\$5.0M)
 - CF funding 18-19 (\$15.9M)
 - CF funding 19-20 (\$4.4M)
- **Est. project cost remainder (\$14.9M)**
- **Est. Operation (\$2.0M)**
- **Proposed completion**
 - Contingent upon funding
- **Building size**
 - New NAS (66,861) vs. (60,786)
 - New GSF (96,600) vs. (85,100)





ARC Project Milestones

Florida Polytechnic Applied Research Center		Master Schedule			
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish
Florida Polytechnic Applied Research Center_CURRENT		540	431	23-Sep-19 A	04-Apr-22
Milestones		221	133	17-Jun-20 A	12-May-21
MS-04	PCO #5 - Execution	0	0		17-Jun-20 A
MS-17	North Bar Envelope Dried-In	0	0		03-Nov-20
MS-07	South Bar Envelope Dried-In	0	0		09-Dec-20
MS-11	Transformer Set & Power Available (By TECO)	0	0		21-Dec-20
MS-18	Atrium Envelope Dried-In	0	0		21-Dec-20
MS-08	Power & Conditioned Air Ready	0	0		30-Mar-21
MS-20	GMP #2 Interim Completion	0	0		12-May-21*



**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Review and Approval of Proposed P3 for Building on Campus and Related ITN

Proposed Committee Action

Recommend approval to the Board of Trustees to issue an Invitation to Negotiate ("ITN") to enter into a public-private partnership between the University and a private company to plan, design, fund, construct, maintain and operate an on-campus state of the art research building.

Background Information

Florida Poly needs private support to build out the campus to provide academic, research, and student development opportunities to the university community. Entering into a public-private partnership is the most viable means of building campus facilities that allow the University to continue the research anticipated when the University was created by the Legislature. This will ultimately lead to increased economic growth for Polk County and the State of Florida.

The University will lease real property on its main campus sufficient to construct and operate a privately funded and operated research facility. The amount of land and location of the project will be decided by the University.

The desired project will result in a facility containing at least 35,000 gross square feet and having a permanent staff of at least 25 on campus employees.

The contract for a ground lease will be for a maximum of thirty (30) years and will be renewable under terms and conditions negotiated with the chosen Responder. Florida Poly will have right of first refusal (ROFR) based on agreed upon criteria.

Respondents will demonstrate expertise in the planning, construction and operation of a research facility and management of the accompanying staff. As such, respondents will demonstrate experience in project planning, technical design and specification, and other relevant information.

Respondents will provide technical and financial information on the research facility to include but not be limited to the following: gross and net square footage; total acreage required, project time-line, infrastructure needs, project cost, financing capabilities, number and types/categories of employees and annual payroll, and other relevant information.

The Private Party is expected to pay for any and all costs and expenses pertaining to the performance of its obligations to the University and as will be outlined in the Agreement. This will include, but is not limited to, the cost of design review, permitting, code compliance, inspection services, construction (including all necessary site utility connections), management, security, emergency response, maintenance and all operational costs for the Project constructed under the Agreement. Total Project cost is contingent on the gross square feet (GSF), construction cost, financing costs, and operating costs.

The University must approve any and all potential tenants who may desire to lease space in the facility.

Respondents will provide information on the business nature/structure of the research facility with regard to leasing expectations including number of years, lease rate, profit sharing, any economic incentives, and other relevant information.

The University expects for the Private Party or Private Parties to introduce the cutting-edge innovation in the design and construction elements of the Project, including efficient energy utilization.

The Successful Respondent will have signage on the façade of the Facility that is consistent with University policy and subject to University approval and will also have the right to inclusion on campus maps and directional signage.

Respondents will explain how the research facility will enable Florida Polytechnic University to achieve the following goals.

- a. Develop strong academic and research programs related to areas of expertise of the University.
- b. Collaborate on potential degree program expansion that benefits the University's mission.
- c. Establish internship, graduate research assistant or similar programs and/or cooperative programs for University students.
- d. Provide consideration of University students for career opportunities related to their fields of study.
- e. Engage in collaborations with University faculty leading to enhanced education of students and advancement of research in fields related to University areas of focus.

Supporting Documentation: ITN 21-001 P3

Prepared by: Treasa McLean, Assistant Vice President, Procurement & Auxiliary Enterprises



**FLORIDA POLYTECHNIC
UNIVERSITY**

**FLORIDA POLYTECHNIC UNIVERSITY
COMPETITIVE SOLICITATION NUMBER: ITN 21-001**

**Public-Private Partnership (P3) to
Construct and Operate a Research Facility**



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INTRODUCTION

September 10, 2020

TO: Potential Participants

Florida Polytechnic University (hereinafter referred to as Florida Poly or University) is soliciting responses to an Invitation to Negotiate (ITN) to enter into a Public-Private Partnership (P3) with the University to Construct and Operate a Research Facility. The private company awarded this ITN would plan, design, fund, construct, maintain and operate an on-campus state of the art research building in a location chosen by the university on the main campus of Florida Polytechnic University located in Lakeland, Florida. Design of facility will be subject to approval by the Florida Polytechnic University Board of Trustees to ensure cutting-edge innovation in the design and construction elements of the facility for consistency with the other building on the campus and vision of the University.

Carefully review this Invitation to Negotiate. It provides specific technical information to aid participating firms in formulating a thorough response. Please note that there is a non-mandatory virtual pre-proposal conference on **September 23, 2020 at 10:00 a.m. Eastern Time** where staff will be available to review this solicitation process and share other information that may be critical to your response.

Should you elect to submit a proposal for this ITN:

1. Complete an original and the required copies of the requested information and return proposal binders all in a sealed box/envelope directly to Procurement Department before 2:00 p.m. ET, on November 4, 2020.
2. Digital copies must also be uploaded link below before 2:00 p.m. ET, on November 4, 2020. For more information, refer to "ITN Information and Instructions" below.

https://flpoly-my.sharepoint.com/:f:/g/personal/lmarrone_floridapoly_edu/EoAIFYJWvX5EIRK8oieO_KMBMm_r8cTcApuZf45hXpsXgKA

3. Late or incomplete responses will not be accepted.

Respondents are fully responsible for obtaining the complete ITN, Addenda (if applicable), and information concerning the ITN tabulations by visiting our web site:

<https://floridapoly.edu/procurement-auxiliary-enterprises/procurement/solicitations.php>

After the posting of award, Respondents may view the ITN files by contacting the Procurement Facilitator.

The name of the Respondent may be disclosed at a public proposal closing. Because purchases or contractual agreements of this nature require the expenditure of public funds and/or use of public facilities, respondents should be aware that portions (potentially all) of their proposal (including any final contracts) will become public record after its acceptance by the Florida Polytechnic University Board of Trustees.

Treasa McLean
Assistant Vice President
Procurement and Auxiliary Enterprises
Phone: 863-874-8428
E-mail: bids@floridapoly.edu

1.0 OVERVIEW

1.1 Statement of Objective

This competitive solicitation is an invitation to negotiate (ITN) with The Florida Polytechnic University Board of Trustees (hereinafter referred to as “**Florida Poly**” or as the “**University**”) to plan, design, fund, construct, maintain and operate an on-campus state of the art research facility in a location chosen by the University. The Facility should contain at least 35,000 gross square feet and having a permanent staff of at least 25 on campus employees. Potential Respondents should be qualified in P3 financing and delivery of projects. Respondents are asked to read this ITN carefully and submit proposals detailing their proposed approach and financial offering to fulfill the requirements outlined in this ITN. Design of facility will be subject to approval by the Florida Polytechnic University Board of Trustees to ensure cutting-edge innovation in the design and construction elements of the facility for consistency with the other building on the campus and vision of the University.

Florida Poly needs private support to build out the campus to provide academic, research and student development opportunities to the University community. Entering into a public-private partnership is the most viable means of building campus facilities that allow the University to continue the research anticipated when the University was created by the Florida Legislature. In addition, a corporate tenant on the University campus will provide opportunities for collaborative faculty research, student projects, internships, and future employment. The lease agreement for the facility will be revenue generating for the term of the lease with the University (30 years), and the University will have right of first refusal (ROFR) at the end of the lease term to acquire the facility. This will ultimately lead to increased economic growth for Polk County and the State of Florida.

The University desires to contract with a Private Party or Parties with appropriate qualifications, experience, financial capacity, and a proven track record of executing and delivering projects similar to this Project.

Respondents submitting proposals are required to respond to all University requirements as listed in the proposal specifications; however, such requirements are not intended to limit the scope or creativity of the Respondent’s proposal. Respondents are encouraged to include facility and equipment plans, services, revenue enhancing programs and other benefits not included in the proposal specifications in their proposals.

The information within this ITN is intended to provide the Respondent sufficient information to submit a proposal response based on their specific products supported.

1.2 Florida Poly Environment

Florida Polytechnic University is a public, research institution with a mission to educate students emphasizing Science, Technology, Engineering, and Mathematics (STEM) in an innovative, technology-rich, and interdisciplinary learning environment. The University collaborates with industry partners to offer students real-world problem-solving, work

experience, applied research and business leadership opportunities. Florida Poly prepares students to assume available leadership positions in the dynamic technological landscape in Florida, the nation, and the world. Florida Polytechnic University welcomed an Inaugural Class of 554 student on August 25, 2014.

The University’s website, <http://www.floridapoly.edu> provides additional information, which may be useful to the Respondent.

1.3 Calendar of Events

The anticipated dates and times by which stated actions will be taken or completed are listed below. If Florida Poly determines, in its sole discretion, that it is necessary to change any of these dates and times, an Addendum to this competitive solicitation may be issued and posted on the Website (as later defined). All times listed are Eastern Standard Time (EST).

Date/Time	Action
9/10/2020	Competitive solicitation advertised and released
09/23/2020	<p>Virtual Pre-Proposal Audio/Video Conference</p> <p>Florida Polytechnic University</p> <p>1-415-655-0001 - Join by Phone 1717967992 – Access Code 10:00 a.m. E.D.T. – Meeting Commences</p> <p>Link to Audio/Video Conference available on Solicitation website</p> <p>https://floridapoly.edu/procurement-auxiliary-enterprises/procurement/solicitations.php</p>
10/07/2020	Inquiry Deadline: Last day and time for Florida Poly to receive communications and/or inquiries from Respondents regarding the competitive solicitation via email to Authorized Florida Poly Representative (as later defined) as Treasa McLean at Bids@floridapoly.edu (“ Inquiry Deadline Date ”)
10/21/2020	Inquiry Response Deadline: Estimated date Florida Poly will respond to inquiries and requests for clarifications by posting an Addendum on the Website
11/04/2020	Response Due Date: Deadline for Florida Poly to receive solicitation responses (see Section 2 for more details) from Respondents is 2:00 p.m.

	(Note: Any solicitation responses received after the response Due Date and time will be deemed non-responsive)
TBD	Shortlisted Respondents (as later defined) will be contacted by Authorized Florida Poly Representative and posted to website.
TBD	Anticipated deadline for Florida Poly to receive response from Shortlisted Respondents (see Section 2 for more details)
TBD	Anticipated deadline for Florida Poly to receive Best and Final Offer (BAFO) from Shortlisted Respondents (Shortlisted Respondents will receive BAFO requirements during negotiations but the BAFO will be a complete response including materials for all tabs outlined in Section 2)
TBD	Anticipated deadline for conclusion of all Evaluation Committee (later defined) meetings; these meetings are NOT open to the public and the dates of the meetings are subject to change without notice
TBD	Anticipated completion of contract negotiations

The Florida Poly Procurement Department may post notice of changes to any of the above dates and will provide advance notice of any pre-proposal meetings by posting the information on the Florida Poly Procurement Department's Website.

<https://floridapoly.edu/procurement-auxiliary-enterprises/procurement/solicitations.php>

Respondent is solely responsible for checking the Website periodically in order to verify whether any changes have been made to the calendar or whether any meetings for informational purposes only are scheduled to take place. Florida Poly reserves the sole discretion over the conduct of any meetings and the extent, if any, that those attending may participate in such meetings.

1.4 Scope of Work and Deliverables

1. Basic Information

The University will lease real property on its main campus sufficient to construct and operate a privately funded and operated research facility. The amount of land and location of the project will be decided by the University.

The desired project will result in a facility containing at least 35,000 gross square feet and having a permanent staff of at least 25 on-campus employees.

The contract for a ground lease will be for a maximum of thirty (30) years and, if the ground lease is for fewer than 30 years, will be renewable under terms and conditions negotiated with the chosen Respondent. Florida Poly will have right of first refusal (ROFR) for leasing space based on agreed upon criteria. If not removed, the Facility will be transferred to the University at the expiration of the agreement and may be transferred sooner as may be required by law.

Respondents will demonstrate expertise in the planning, construction and operation of a research facility and management of the accompanying staff, or otherwise prepare a Response that addresses these concerns. As such, Respondents will demonstrate experience in project planning, technical design and specification, and other relevant information.

Respondents will provide technical and financial information on the research facility to include but not be limited to the following: gross and net square footage; total acreage required, project time-line, infrastructure needs, project cost, financing capabilities, number and types/categories of employees and annual payroll, and other relevant information. All costs related to the planning, financing, constructing, operating, and maintaining of the facility will be borne by the chosen Respondent. The University will approve any and all potential tenants who may desire to lease space in the Facility.

Respondents will provide information on the business nature/structure of the research facility with regard to leasing expectations including number of years, lease rate, profit sharing, any economic incentives, and other relevant information.

The chosen Respondent will have signage on the façade of the Facility that is consistent with University policy and subject to University approval and will also have the right to be included on campus maps and directional signage.

Respondents will explain how the research facility will enable Florida Polytechnic University to achieve the following goals.

- a. Develop strong academic and research programs related to areas of expertise of the University.
 - b. Collaborate on potential degree program expansion that benefits the University's mission.
 - c. Establish internship, graduate research assistant or similar programs and/or cooperative programs for University students.
 - d. Provide consideration of University students for career opportunities related to their fields of study.
 - e. Engage in collaborations with University faculty leading to enhanced education of students and advancement of research in fields related to University areas of focus.
2. **Private Party:** The University wishes to engage an experienced Private Party to design, develop, finance, construct and operate the Project.
 3. **Quality:** Developing high-quality buildings is an important consideration for Florida Poly given that the durability and energy efficiency of the premises will have an

impact on the on-going cost of operations and maintenance and the high quality of its existing academic spaces.

4. **Single Point of Responsibility:** The Project Documents for design and construction will require a single point of responsibility between the University and the Private Party. Not only will this structure provide risk insulation for the University, but it will ensure ease of contract administration.
5. **Schedule:** A description of the Facility, a schedule for the initiation and completion of the Facility, and the total Project cost based on the initially identified Project scope and conditions.
6. **Innovation:** The University expects for the Private Party or Private Parties to introduce the cutting-edge innovation in the design and construction elements of the Project, including efficient energy utilization and values innovation in programs affiliated with the Project.
7. **Provide a Safe, Secure Community Environment:** The Project must provide building access, lighting, circulation, and other safety and security features consistent with Florida Poly's standards. Florida Poly expects the Private Entity to actively partner with Florida Poly leaders, campus planners, environmental health and safety, and police to ensure that safety and security is prioritized in design options.
8. **Provide a Positive Impression during Florida Poly's Campus Tour:** The Project must have a positive impression on prospective students and visitors during the campus tour for both internal and external spaces. Achieving a balance between qualities and maintaining financial responsibility to the project is paramount.
9. **Achieve Sustainability through Facility Design Consistent with Florida Poly Standards:** The Project must at least meet minimum requirements set forth by Florida Poly Construction Projects Guide attached as **Attachment F**.
10. **Maintenance and Operation Objectives:** In alignment with the stated objectives, the delivery of maintenance and operations for the Project must be consistent with services currently provided on campus.

There are three (3) options that the University will consider from Private Parties for maintenance and operations of the Project:

- a. Private Party will self-operate the development in alignment with Florida Poly standards.
- b. Private Party will outsource to a third-party operator at the sole cost of the Private Party. The third-party operator will provide a level of service consistent with Florida Poly standards.
- c. A combination of any two (2) options listed above.

If maintenance and operations are to be delivered by the Private Entity or third-party operator, the University will work with the Private Entity to develop an agreement that delineates the standards for the management and maintenance responsibilities within and around the Project. Additional coordination will be required to ensure that the delivery of services is consistent with Florida Poly's vision for the Project.

If the Private Party is successful in petitioning governmental agencies for a reduction in property taxes as a result of the ground lease, the Private Party will pay a percentage of the savings (TBD) to the University on an annual basis in the form of additional rent.

- 11. Financial and Credit Impact Objectives:** The University's main campus constitutes state land and may not be liened for any purpose.

The University will be ground leasing to the selected Private Entity the site on which the Project will be constructed. This ground lease will be subject to various approvals.

- 12. Leased Parcels:** The University is prepared to offer the Private Party a ground lease for the site of the Project with a maximum term of thirty (30) years. The Private Party will be responsible for paying annual rent and additional rent in amounts to be negotiated with the University. The University intends to negotiate the terms of the Agreement with the Qualified Respondents.

The University will determine the actual location during the negotiations with the successful Respondent.

- 13. Ownership:** All improvements constructed by the Private Party on the ground leased parcel will be owned by the Private Party during the ground lease term and must revert to the University at the expiration of the ground lease.

The Agreement will specify the extent to which the Private Party will have the right to modify the Project during the term.

- 14. Parking for Building Occupants:** The Private Party will contribute to the University on a pro rata basis for the use of University's on-campus parking to accommodate an appropriate number of Occupants in the Facility. The parking spaces on campus will not be exclusively for the use of any occupants. Occupants working in the Facility and Private Party employees working at the Facility will park in the University's expanded parking system for the main campus, provided they pay parking fees established by the University.

- 15. Facility Access, Monitoring, and Security:** The exterior security door system of the Project must be compatible with and connected to the University's facility access control system. The Private Party may use a separate access system within the Project for suites / individual units. Access must be controlled at all exterior entrances as well as access to upper floors (elevators, stairwells). Video monitoring is also required at all entrance doors, public hallways, and certain exterior locations to be agreed with the University.

These monitoring systems must be capable of communicating with the University's monitoring system in its Campus Control Center. Campus security is performed by the University's Police Department, and the Facility will become a part of the Department's patrolled property. A monthly fee will be charged to the Project for such services.

- 16. Construction:** All construction pertaining to the Project must, at a minimum, comply with all applicable federal, state and local laws, rules and/or regulations, as may be amended from time-to-time. University construction and information technology standards will apply to this ITN. Furniture, fixtures and equipment in the Facility are considered part of the construction requirements under this ITN.

Note: Per the Florida Board of Governors regulation 14.020, during the design and construction of a project on University property, the University is the enforcing agency

for the requirements of codes and statutes. Under the Powers and Duties of the University President adopted by the Board of Trustees he has delegated this enforcement authority to the University's Building Code Administrator. As such the Private Party will be responsible for costs associated with design and construction related services, including, but not limited to, University internal permitting, inspection and other associated costs.

- 17. Financing:** The Private Party will finance the design, construction, furnishing, operation, and maintenance of the Project. The Private Party will bear any financial risk for the Project, and there can be no financial liability to the University, the Board of Trustees, the Florida Board of Governors, or the State of Florida. The University main campus constitutes state land and may not be liened or encumbered for any purpose.

A Financing Plan must be submitted by Respondent sufficient to determine the adequacy and expected type of revenues or assets to service the proposed debt or equity investment of the Private Party and related covenants or conditions. If the Private Party intends to use its own assets for the Project, sufficient information must be provided that substantiates the availability of the assets to be used for the Project (e.g., financial statements, etc.).

- 18. Project Cost:** The Private Party is expected to pay for any and all costs and expenses pertaining to the performance of its obligations to the University and as will be outlined in the Agreement. This will include, but is not limited to, the cost of design review, permitting, code compliance, inspection services, construction (including all necessary site utility connections), management, security, emergency response, maintenance and all operational costs for the Project constructed under the Agreement. Total Project cost is contingent on the gross square feet (GSF), construction cost, financing costs, and operating costs.
- 19. Signage:** Initial signage costs will be borne by the Private Party and will conform to the University's existing signage design requirements.
- 20. Campus Master Plan:** The project scope as defined in this document is within the allowable quantities in the existing Campus Development Agreement and current Campus Master Plan adopted by the Florida Polytechnic University Board of Trustees. The development needs to be consistent with the Campus Master Plan Goals, Objectives, and policies including pedestrian and bicyclist connectivity to the core academic areas of campus. Refer to **Attachment E**, Campus Master Plan.
- 21. Project Infrastructure:** The net proposed occupant growth for this Project is within the University's current capacity. For any proposals that go beyond this project concept, Florida Poly must absorb this additional impact and still meet the needs of the future campus population. Therefore, it would be subject to negotiation with the Private Party.

2.0 SOLICITATION RESPONSE

2.1 Solicitation Overview

Upon receipt of the responses to this solicitation, the University will review all responses to establish a short-list of Qualified Respondents to continue in the ITN process and further

develop the framework and structure for a P3 Agreement with the University. A response to this ITN is a prerequisite to participate in this phase of the procurement process. Following receipt of initial responses to this ITN the University will narrow the list of Qualified Respondents to no more than four respondents to continue in the ITN process to further develop the framework for a P3 with the University. To select a Respondent, Florida Poly will use a two-phase ITN process:

1. Phase One is the Florida Poly evaluation of written responses and/or presentations concerning qualifications and, based on the criteria outlined in this ITN, development of a “shortlist” of Respondents whose qualifications best meet the requirements of the project. Respondents will be required to provide conceptual design(s) and project planning.
2. Phase Two may require the Shortlisted Respondents to submit a response for advance conceptual design and construction which will be used in a series of detailed negotiations between Shortlisted Respondents and Florida Poly. As part of this process, it is anticipated that the Qualified Respondents will engage in the following activities:
 - a. Participate in a campus tour of the sites.
 - b. Conduct in-person interviews and present additional requested materials relevant to the services solicited in this ITN.
 - c. Review and discuss the proposed business terms that will form the relationship with the University.
 - d. Discuss and prepare BAFO proposals.
 - e. Following this due diligence process, final and binding proposals will be submitted in accordance with procedures and evaluation criteria to be provided to Qualified Respondents in this ITN.

Once the University reaches an agreement with the Private Party, the proposed Agreement will be submitted to the University’s Board of Trustees (“Board of Trustees”) to review and approve. If the Board of Trustees approves the Agreement, the University will submit the Agreement to the Florida Board of Governors (“Florida BOG”) for its review and approval. No agreement will be binding unless and until it is approved by the Board of Governors, the Board of Trustees, and signed by the President of the University.

2.2 Solicitation Information

1. Proposals must be made in the official name of the firm or individual under which business is conducted and must be signed by a person duly authorized to legally bind the person, partnership, company or corporation submitting the proposal. The submittal of a proposal by a Respondent will be considered by Florida Poly as constituting an offer by the Respondent to provide the services for Florida Poly at the rates provided therein.
2. Respondents will be of known reputation and will have sufficient experience and qualified personnel to adequately perform the prescribed service.

3. By submitting a proposal, the Respondent agrees to be governed by the terms and conditions as set forth in this document to include all attachments. Any proposal containing variations from terms and conditions set forth herein may, at the sole discretion of the University, render such proposal unresponsive.
4. All provisions of this Invitation to Negotiate and the successful Respondent's proposal, as mutually agreed upon by subsequent negotiation, provide the specifications for, and obligations of both parties to be executed by any duly authorized representative(s). The following will constitute the contract agreement.
 - a. Florida Poly ITN document
 - b. All addenda issued pursuant thereto
 - c. Private Party's proposal
 - d. Agreement between Florida Poly and Private Party
5. Each Respondent will organize its solicitation response in accordance with the following Submittal Instructions and Submittal Tab Content sections in the order stated below to assist Florida Poly in the selection and award process.

2.3 Submission Instructions

Respondents will format their responses utilizing the following Tabs, Topics, Lettering, and Numbering system with requested information contained in each. Failure to comply may result in a negative review of your response and may place your response in jeopardy.

Submit:

1. Each copy is to be submitted in a three-ring binder using index tabs with the appropriate tab identification.
2. One (1) original, clearly marked as original and will contain the original manual signature of the authorized person signing the proposal.
3. Four (4) hard copies; and
4. One (1) electronic copy of the original and all required documents must be uploaded to:

https://flpoly-my.sharepoint.com/:f:/g/person/lmarrone_floridapoly_edu/EoAIFYJWvX5EIRK8oieO_KMBMmr8cTcApuZf45hXpsXgKA

All electronic submittals must be contained in one (1) file and compatible with Windows 10 or PDF format. Respondents can only view/submit their solicitation response and will not have access to any other Respondent's submittals. Solicitation responses uploaded after the Initial Response Due Date at 2:00 p.m. ET will not be considered. It is the sole responsibility of the Respondent to ensure that its solicitation response is uploaded before such date and time. Florida Poly will **NOT** be responsible for delays caused by any power outages or internet failures. No exceptions will be made.

5. Respondent's Signature must contain Vendor's authorized representative's manual signature and title, in permanent ink, in the space provided or by digital signature.

Failure to include the original and all signed copies shall be grounds for rejection of your response without further evaluation.

6. Response must be submitted in a sealed container/envelope and must include on the outer carton the ITN number, ITN name, and due date.

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7. Response will include the information and required submittals described in the Tab Content section, tabbed, and numbered with all information appearing in the Tab in which it was requested.
8. Response cannot be submitted in long handwriting but must be submitted in MS Word or PDF formats.
9. All information and required submittals requested will be in hardcopy form and included in your written response. Responses will not refer the University to electronic media such as a website or hard media such as a flash drive or a CD in order to obtain the required information or submittals.
10. Information submitted that is not requested by the University may be supplemental, and not subject to evaluation by the committee members.
11. Any information or required submittals which due to size or binding cannot be incorporated following the proper tab may be submitted separately. The location of the information should be provided following the numbered tab.
12. All required signed and completed copies of the response with the signed ITN Certification Affidavit Form, **Attachment A**, must be either mailed or delivered to:

FLORIDA POLYTECHNIC UNIVERSITY

Procurement Department

Florida Polytechnic University

Wellness Center Mail Room

4700 Research Way

Lakeland, FL 33805-8531

13. CAUTION: The executed ITN Certification Affidavit Form, **Attachment A**, must be signed and submitted as part of your response. Failure to do so may disqualify your response.
14. All addenda must be signed and submitted with response.

15. Respondent should examine its solicitation response carefully for any errors prior to submission. The Respondent is solely responsible for the accuracy and completeness of its solicitation response. The Respondent's errors or omissions, if any, are solely at the risk of the Respondent and may be grounds for Florida Poly finding that the Respondent's solicitation response is non-responsive.

2.4 Submission Tab Contents

1. **Tab A: Essential Documents**

- a. ITN Certification Form (Affidavit), **Attachment A**, signed by authorized individual.
- b. Supplemental Solicitation Response Sheet, **Attachment H**, signed by authorized individual.
- c. Signed addenda, if any.
- d. Any required license or other required document(s).
- e. Contact information, including name(s), title(s), email address(es), mailing address(es) and phone number(s) for the individual(s) responsible for Respondent's proposal and negotiation during this process, as well as contact information for the individual(s) who should receive any notices related to the Contract if awarded to Respondent.
- f. Corporate Information/Structure of Respondent and Team.
- g. Affidavit of Trade Secret Certification, **Attachment G**, if applicable.

2. **Tab B: Executive Overview**

- a. Provide an overview and history of your company and your proposed team (e.g., proposed general contractor, management company, etc.), including, but not limited to, the following:
 - 1) Name and address of the entity.
 - 2) Business operated as individual, partnership, corporation or other (explain (include corporate/company documents, such as the bylaws, articles of incorporation, articles of organization, operating agreements, partnership agreements, etc. [all to the extent applicable to the corporate structure of the entity])).
 - 3) Length of time entity has been in business under same name.
 - 4) Primary location of entity's office which will have direct responsibility for this project.
 - 5) Provide a description of the standard services offered by the company.
 - 6) Provide a listing of professional organizations of which the firm is a member.
- b. Include copies of the two most recent financial and annual reports for the company.
- c. Disclose if the company has ever declared bankruptcy, otherwise been declared insolvent, has had a delinquency judgement issued against it in any court of competent jurisdiction, or been placed in receivership. If yes, attach a statement indicating the date, court jurisdiction, trustee or receiver's name, telephone number,

amount of liabilities, amount of assets, and current status of the bankruptcy, insolvency, delinquency, or receivership.

- d. Attach detailed information regarding any litigation or claims of more than \$5,000.
- e. Provide descriptions of the three (3) prior projects accomplished by the firm which most closely document the firm's capability to satisfy the University's requirements. Include overall project information. If any such projects involve a public/private partnership, please identify the public entities and the name, address, telephone and email of each such project's contract administrator.
- f. Describe in detail any projects within the last three years where liquidated damages, penalties, liens, judgments, defaults, cancellations of contract or termination of contract were imposed, sought to be imposed, threatened, or filed against your firm.

3. **Tab C: Design & Construction**

- a. Design illustrating Respondent's understanding of the scope of services, design intent, other goals and considerations and highlighting overall qualifications.
- b. A narrative describing how the Project will be designed to meet the University's objectives stated in the ITN.
- c. Conceptual Design and Programming - conceptual plans for floor plans, typical room floor plans, and elevations.
- d. Response is a confirming statement that the Qualified Respondent's Project design will result in the constructed Project having a useful life of at least the term of the Agreement, provided the Project is properly maintained and operated.
- e. Respondents must provide the following information regarding their implementation plan.
 - 1) A brief description of the major steps in the implementation process.
 - 2) Any major activity that will involve University coordination.
 - 3) The time frames for critical activities and other tasks.

4. **Tab D: Other Considerations**

- a. A narrative, not to exceed two pages in length, that addresses the Respondent's overall vision tying design intent with project planning and construction and which will deliver a facility meeting Florida Poly's requirement as specified in this ITN.
- b. Provide a thorough description of other considerations firm will provide in support of the University's mission such as scholarships, internships, student capstone projects, sponsorship of University activities, University promotional opportunities, etc.

5. **Tab E: References**

Provide at least three references to whom you have provided the same or similar service within the last 3–5 years. Each reference should include the Company Name, Contact Name and Title, Mailing Address, Current Phone Number, and E-mail address.

6. Tab F: Description of P3 Delivery Business Model

Describe in great detail the responsibilities of both the University and the Private Party for the function of the Facility, and the Respondent's proposed relationship with the University. Review Tab D, section b, for example (but not exhaustive) considerations, and review of Attachment C, University's standard lease agreement.

If applicable, list any objections to specific contract terms and provide requested replacement contract language. The University reserves the right to accept or reject any suggested replacement contract language and to consider such replacements in scoring the proposals. Although subject to minor revisions to include all clarifications and negotiated modifications, the successful firm will be required to execute the University's agreement.

7. Tab G: Proposed Team/Staffing

a. Provide a description of the qualifications of the Private Party, the qualifications of any other entities that will provide services on the Project, and key persons who will be responsible for the Project working on the programming, financial analysis, design, construction and management of the Facility. Be sure to specify:

- 1) Building type experience of similar size and complexity;
- 2) Experience with the planning and design research facilities;
- 3) Experience with Central Florida design and construction requirements; and
- 4) Experience managing, operating and maintaining research facilities:
 - a) Specifically highlight facilities of similar size and complexity completed within the last seven (7) years.

8. Tab H: Financial Proposal

a. The Financial Proposal should include:

- 1) Financial Terms
- 2) Respondents will propose at least one financial plan that details how it will enable the University and the Respondent to attain the desired vision for the Facility. The response must include an option for the Respondent to operate, maintain and manage the Facility, delineating in detail the costs and expenses associated with this option. Each proposed plan should include at a minimum the following:
 - a) Evidence that the Respondent has the financing capacity or has the capability to quickly obtain the necessary financing to accomplish the Project and describe how this financing might be obtained and repaid (pro-forma).
 - b) Detailed construction estimate including a separate breakout of building construction cost per square foot, furniture/fixtures/equipment (FF&E) for common space separate from office units, design fees, developer fees, legal fees, permit and all inspection fees, fire marshal fees, financing costs, soft costs, site work (landscape and hardscape), assumed parking space and Chilled Water System contributions to the University, usage

reimbursement to the University for water, sewage, chilled water, and other contingencies.

- c) Detailed financial analysis/schedule of projected revenues, expenses, debt service, excess cash flow, the distribution of excess cash flow to the university, DSO or Private Party, and the anticipated return on investment and internal rate of return to the Private Party for the term of the P3, and maintenance of the Project in good condition throughout the life of the Project.
 - d) The financial analysis will include a calculation of the Net Present Value of the entire Project life cycle from construction through the end of the initial Project term and through the end of any additional term.
- 3) The financial plan should clearly delineate between any revenue offerings, lease offerings, investments, commissions to the University, and other forms of compensation, if applicable. The Respondent should consider that commissions to the University are subject to the State of Florida sales tax and the Developer will be expected to remit the appropriate tax along with commissions. Also include any non-financial compensation contributions such as equipment, marketing, advertising, student employment, sponsorships, in-kind services (clearly identified), scholarships and/or other financial investments, internships, and other such programs.

9. **Tab I: Disclosure**

Disclosures regarding: (a) Respondent employees having employment relationship with (or holding an office at) Florida Poly, State of Florida or any State of Florida agencies AND/OR (b) any Florida Poly, or State employee(s) or officers owning an interest of 5% or more of Respondent's company or its affiliates or branches. See Conflict of Interest Provision set forth in this ITN for further conflict related disclosures required.

10. **Tab J: Insurance**

The respondent will include written evidence of the appropriate insurance coverage with the proposal. During the term of the contract, the successful Respondent must provide, pay for and maintain professional insurance in accordance with Attachment D which is incorporated by reference herein.

Upon notification of intent of award to the successful Respondent, an original ACORD certificate of insurance for the coverage described above must be received by Florida Poly Procurement with the appropriate identification.

11. **Tab K: Additional Information**

Additional pertinent information Respondent would like to provide.

2.5 **Exceptions to Specifications**

Respondent's failure to accept the terms and conditions outlined in this competitive solicitation document and attachments can be grounds for Florida Poly's rejection of Respondent's solicitation response. Florida Poly may accept alternative language proposed by the Respondent at its own discretion to the best interest of the University, but this is not a

guarantee. Respondent is encouraged to limit the amount of exceptions in order to prevent the potential rejection of Respondent's solicitation response.

2.6 Definitions

The terms used in this Invitation to Negotiate will have the following meaning.

1. **"BAFO"** Best and Final Offer.
2. **"Customer"** Anyone that utilizes the requested services including but not limited to faculty, staff, and students.
3. **"Facility"** A building or other facility and related improvements (but not landscaping or appurtenances alone) that: (i) is for purposes related to the housing, transportation (including parking), health care, research or research-related activities, food service, retail sales or student activities of the University or, if authorized by specific legislation, hotels, convention centers, stadiums or other facilities; (ii) is being constructed primarily for use by the university and/or its students, faculty, or staff; and/or is located on land under the jurisdiction of a state university, including property leased from the Florida Polytechnic University Board of Trustees or Board of Trustees of the Internal Improvement Trust Fund.
4. **"Fiscal year"** The 12-month period beginning July 1 through the following June 30.
5. **"ITN"** Invitation to Negotiate, a method of formal competitive solicitation.
6. **"Public Private Partnership" or "P3"** An agreement or agreements between a University Board of Trustees, or DSO, and a Private Party whereby the Private Party will, at the least, be responsible for the construction and capital financing of a Facility.
7. **"Private Party"** A natural person, developer, corporation, general partnership, limited partnership, joint venture, business trust, public-benefit corporation, nonprofit entity, or other private business entity.
8. **"Project"** A Private Party's construction and capital financing of a Facility on the campus of a state university or on other real property directly owned by, or under the jurisdiction of, the University, accomplished through a Public-Private Partnership, with the Project costs being paid for, whether up front or over time, with revenues generated by the Project or other university or revenues allowable for such purpose pursuant to section 1010.62, Florida Statutes. Project costs will include construction and financing and may include design and/or operational costs of the Facility.
9. **"Respondent"** A Private Partner/Party who responds in full to the requests of this ITN and wishes to be considered as a candidate for products and/or services agreement as described herein.
10. **"Response"** The material submitted by the Respondent in answering this ITN.
11. **"University Contract Administrator"** The University's single point of contact for the Respondent. Responsible for overseeing day-to-day operations of the contract on behalf of the University.

12. **“University/Florida Poly”** Florida Polytechnic University, its Board of Trustees, employees, officers and agents.
13. **“Authorized Florida Poly Representative/University Sole Point of Contact”** means the Florida Poly Procurement Department representative, or his/her designee, assigned to handle all Respondent/Vendor communications related to this competitive solicitation (See Section 3.1).
14. **“Vendor/Contractor”** The company, its employees, and officers, engaged by Florida Polytechnic University to provide the required development project.
15. **“Vendor Contract Administrator”** The Contractor’s single point of contact for the University. Responsible for overseeing day-to-day operations of the contract for the Contractor.

3.0 PROCESS

3.1 Authorized Florida Poly Representative

The Authorized Florida Poly Representative for this competitive solicitation is:

Treasa McLean
 Assistant Vice President
 Procurement & Auxiliary Enterprises
 Email: bidst@floridapoly.edu
 Phone: 863-874-8428
 Web address:
<https://floridapoly.edu/procurement-auxiliary-enterprises/procurement/solicitations.php>

3.2 Respondent Communications and/or Inquiries

The Respondent is fully responsible for obtaining the complete ITN, Addenda (if applicable), and any other related information by visiting our web site. It is recommended that Respondent bookmark this web site and visit it frequently.

<https://floridapoly.edu/procurement-auxiliary-enterprises/procurement/solicitations.php>

The Respondent will review this competitive solicitation in its entirety to determine whether Florida Poly’s objectives, scope of services, conditions and requirements are clearly stated. If Respondent has any questions regarding this competitive solicitation, Respondent must submit such inquiries and requests for clarification via email only to the Authorized Florida Poly Representative. The Respondent’s inquiries or requests for clarification must provide the questions along with the relevant Section(s), Subsection(s), Paragraph(s) and page number(s) of the competitive solicitation being questioned by the Respondent.

Florida Poly will consider only those communications and/or inquiries submitted via email and received by the Authorized Florida Poly Representative on or before the Inquiry Deadline Date specified in **Section 1.3, “Calendar of Events.”** Unless the Authorized Florida Poly Representative specifically requests Respondent to provide additional communications, Florida Poly will not accept or consider any of Respondent’s written or

other communications and/or inquiries (except solicitation responses) received between the Inquiry Deadline Date and the posting of an award, if any, under this competitive solicitation.

To the extent Florida Poly determines, in its sole discretion, to respond to any communications, inquiries or requests for clarification, Florida Poly's response (as applicable) will be made in an addendum to this competitive solicitation and posted on the Website.

Florida Poly will consider the Respondent's failure to communicate inquiries or request clarifications by the Inquiry Deadline Date to constitute the Respondent's acceptance of all the conditions and requirements as stated in the competitive solicitation documents.

Only those communications that are in writing from the Authorized Florida Poly Representative will be considered as duly authorized expressions on behalf of Florida Poly.

3.3 Restricted Respondent Communications

From the date of issuance of this competitive solicitation until Florida Poly takes final action, the Respondent must not communicate with any Florida Poly employees or Evaluation Committee members regarding this competitive solicitation or Respondent's solicitation response except as provided herein or as expressly requested by the Authorized Florida Poly Representative. Violation of this restriction may result in rejection of the Respondent's solicitation response.

3.4 Addenda

The Florida Poly Procurement Department will post any Addenda to this competitive solicitation on the website. The Respondent's authorized representative must sign and date the Addenda Acknowledgment Form(s), if any, and include the form(s) in the Respondent's solicitation response. All Respondents, including known interested vendors, are solely responsible for checking the website periodically to verify whether any such Addenda and forms were issued.

3.5 Protests – Intent to Award

Any Respondent/interested person who is disputing the specifications or is adversely affected by a decision or intended decision concerning this competitive solicitation or contract award and who wants to protest such specifications, decision, or intended decision will file a protest in compliance the Florida Board of Governors' regulations. Failure to file a protest in accordance with Florida Board of Governors' regulation 18.002, or failure to post the bond or other security as required in BOG regulations 18.002 and 18.003 will constitute a waiver of protest proceedings.

The intent to award to a Respondent, if any, will be posted on the website for review by interested parties, and will remain posted for a period of seventy-two (72) hours; excluding weekends, federal holidays, and Florida Poly holidays. Failure to file a protest in accordance with the above stated regulations will constitute a waiver of protest proceedings.

3.6 Solicitation Response Validity Period

Respondent's solicitation response will, in its entirety, remain valid for 180 calendar days after the Solicitation Response Due Date.

3.7 Solicitation Response

At 2:00 p.m. on the Solicitation Response Due Date, Florida Poly will open all timely submitted solicitation responses for the sole purpose of recording the names of the Respondents submitting solicitation responses.

4.0 SELECTION PROCESS

4.1 Evaluation Process

1. Each response will be reviewed by the Procurement Department to determine whether it is responsive to the submission requirements outlined in the ITN. A responsive submittal is one which has followed the requirements of the ITN, includes all documentation (including, but not limited to, the signed Affidavit Form, **Attachment A**), is submitted in the format outlined in the ITN, was submitted prior to the due date and time and has the appropriate signatures as required on each document. Failure to comply with these requirements may put Respondent's response at risk of being rejected as "non-responsive".
2. Submittals fulfilling the basic requirements shall be referred to an Evaluation Committee for review and further consideration. The responses to this ITN will be independently evaluated by an Evaluation Committee based on the written submittals and additional written information as requested. If they are determined to be necessary, the Evaluation Committee will conduct additional oral interviews.

4.2 Evaluation Criteria

1. The Evaluation Committee will rank each submittal utilizing the following criteria:

a. Experience of Private Partner Team with similar P3 projects	15 pts
b. Evidence the project is feasible, and Financing is available	20 pts
c. Design Narrative	10 pts
d. Partnership Type Proposed meets University Best Interest	20 pts
e. Financial Strength/Lease & Business Terms Proposal	35 pts
3. The Evaluation Committee will carefully review and evaluate the solicitation responses. Each member will independently review all responses and Respondent presentations (if any). The Committee will meet to collectively discuss their analyses of the responses and to then formulate recommendation.
4. All Respondents are hereby advised that the University may determine that oral interviews, additional written information and/or any other information may be requested at any time during the evaluation process. Internal staff analysis and presentations, outside consultants and any other resources may be utilized to assist in the selection of the Best Value Respondent(s).
5. The Evaluation Committee determines a short list of Respondents ("**Shortlisted Respondents**"). Those Shortlisted Respondents will continue in the evaluation process.

4.3 Negotiations

1. Representatives of the respondent(s) selected to participate in negotiation(s) will be first required to submit written authorization from the company CEO or CFO attesting to the fact that the company's lead negotiator is authorized to bind the company to the terms and conditions agreed to during negotiations and as contained in the offeror's BAFO. Such authorization will be requested prior to meeting with the Negotiation Committee, and the provision of such authorization will be a prerequisite to continuation in the ITN process. Company negotiators will enter the negotiations prepared to speak on behalf of the company. The University reserves the right to immediately terminate negotiations with any company whose representatives are not empowered to, or who will not, make decisions during the negotiation session. Companies are reminded that the University may elect not to solicit a BAFO from any company whose representative(s) have been unable or unwilling to commit to decisions reached during the verbal negotiation process.
2. Negotiations with Shortlisted Respondents may involve Shortlisted Respondent presentations, site visits, oral interviews, additional written information, internal staff analysis and presentations, feedback from outside consultants, discussions with the Shortlisted Respondents about their capabilities and plans for servicing Florida Poly and/or any other information deemed helpful to more fully evaluate the Respondents.
3. Time is of the essence and, therefore, the University retains the right to cease negotiations with any/all firms that do not respond to negotiation issues on a timely basis. Florida Poly may reject offers that are determined to not be reasonably supportable. Florida Poly reserves the right to select, and subsequently recommend for award, the proposed equipment/service which best meets its required needs, quality levels, and budget constraints.
4. The Negotiation Committee will evaluate each financial proposal within the context of each Respondent's complete response. The Negotiation Committee may enter into negotiations with multiple Respondents in order to achieve the most effective contract for the University.
5. The University reserves the right to negotiate concurrently or separately with competing Respondents. The University reserves the right to reject any and all proposals or portions thereof.
6. The University reserves the right to withdraw this ITN or a portion of this ITN without making an award.
7. The University will not be required to select the lowest cost Respondent. Florida Poly may award a contract based on initial offers received, without discussion. Therefore, each initial offer should contain the Respondent's best terms from a cost, price and technical standpoint. The University reserves the right to award without negotiation if deemed in the best interest of the University.
8. Negotiations offer an opportunity for the selected Respondents to discuss their offers with the Florida Poly negotiators and ultimately present a BAFO and details that support their business model. The goal of this negotiation process is to identify the optimal outcome or the solution that best meets the needs of Florida Poly.

9. After negotiations have been completed to the satisfaction of the Evaluation Committee, or if no negotiations are held following the evaluation, the Shortlisted Respondents will be given a deadline for submission of a BAFO. The negotiation process will stop upon submission of the BAFO. Shortlisted Respondents will not be allowed to make further adjustments to their offer or communicate further with the University.
10. The BAFO and solicitation responses are reviewed taking into account all information gained from any site visits, Respondent presentations, Vendor management team interviews, and discussions with the Respondents about their capabilities and plans for servicing the University according to the evaluation criteria and develops a ranked order of Respondents.
11. The award recommendation will be made on a Best Value basis to the firm deemed to have an advantageous BAFO presented.
12. The recommendation of the Evaluation Committee will be reviewed and approved by the Assistant Vice President Procurement and Auxiliary Enterprises who will also serve as the Chief Procurement Officer (CPO) for this solicitation. The CPO will then send the recommendation to the Vice President/Chief Financial Officer, and the University President for a final decision regarding award.

4.4 Contract Award

1. Florida Poly intends to award a Contract or Contracts resulting from this competitive solicitation to the Successful Respondent(s) whose solicitation response(s) represent the best value to the University.
2. Florida Poly may reject all solicitation responses if such action is in the University's best interest. Florida Poly is not obligated to make an award under or as a result of this competitive solicitation and may make multiple awards if it, in its sole discretion, deems it is in the University's best interest to do so.
3. Florida Poly reserves the right and sole discretion to reject any solicitation response at any time on grounds that include, but are not limited to, Respondent's solicitation response being found to be nonresponsive, incomplete, or irregular in any way; or when Respondent's solicitation response is not in Florida Poly's best interest. The University may waive informalities and minor irregularities in solicitation responses.
4. If the University determines that a company awarded a contract based on this ITN does not honor all agreements reached during the negotiations, and as contained in the subsequent BAFO, the University reserves the right to immediately cancel the award, and to place the company on the University's suspended Vendor list.

5.0 LIST OF ATTACHMENTS, APPENDIX, AND EXHIBITS

5.1 Attachment A - ITN Certification Form (Affidavit)

Completion of Attachment A is required for submission by all Respondents. Refer to Section 2.3.

Respondents must acknowledge review of Attachment A - ITN Certification Form on Attachment H to be submitted by Respondent as part of the submission package.

5.2 Attachment B - ITN Information and General Conditions

Respondents must acknowledge review of Attachment B - ITN Information and General Condition on Attachment H to be submitted by Respondent as part of the submission package.

5.3 Attachment C – University Standard Ground Lease Agreement

Respondents must comply with Section 2.4.6 as well as acknowledge review of Attachment C - University Standard Ground Lease Agreement, on Attachment H to be submitted by Respondent as part of the submission package.

5.4 Attachment D - Insurance Requirements

The Respondent must submit proof of insurance in accordance with Section 2.4.10, and Attachment D.

Respondents must acknowledge review of said document on Attachment H to be submitted by Respondent as part of the submission package.

5.5 Attachment E – 2015-2025 Campus Master Plan

Respondents must acknowledge review of Attachment E – 2015-2025 Master Plan, on Attachment H to be submitted by Respondent as part of the submission package.

The amount of land and location of the project will be decided by the University in consultation with the chosen Respondent(s).

5.6 Attachment F - Florida Poly Construction Projects Guide

Respondents must acknowledge review of Attachment F – Florida Poly Construction Projects Guide, on Attachment H to be submitted by Respondent as part of the submission package.

5.7 Attachment G – Affidavit of Trade Secret Certification

Respondents must acknowledge review of Attachment G – Affidavit of Trade Secret Certification, on Attachment H to be submitted by Respondent as part of the submission package. If applicable, Attachment G should be completed and submitted with proposal package.

5.8 Attachment H - Supplemental Solicitation Response Sheet

The Supplemental Solicitation Response Sheet indicate that the Respondent understands and agrees or does not agree to each Section of the competitive solicitation and must be submitted with proposal package.

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: 2019-2020 Foundation Year-End Financial Review

Proposed Committee Action

Information only – no action required.

Background Information

The Florida Polytechnic University Foundation will provide an update on the 2019-2020 foundation year-end review as of August 10, 2020:

- Budget to Actuals – Revenue
- Budget to Actuals – Expenses
- TIAA CREF Investment Summary
- Cash Summary

Supporting Documentation:

- Fiscal Year 20 Financials (Draft)
- Fiscal Year 20 Net Production

Prepared by: Kathy Bowman, VP, Advancement and CEO, University Foundation

FOUNDATION FY20 BUDGET TO ACTUALS

FY20 Actuals - through June 30, 2020 DRAFT Analysis on August 10, 2020

	<u>1101- Endowment Fund</u>	<u>1102 - Unrestricted Fund</u>	<u>1901 Investment Fund</u>	<u>1104/1105 - Temp. Restricted Fund</u>	<u>Combined Fund Totals</u>	<u>FY20 Budget</u>
Revenue						
Donations & Other operating revenue	\$ 200,068.00	\$ 296,727.24	\$ -	\$ 290,487.00	\$ 787,282.24	\$ 1,283,111.00
Interest & Realized Gain or Loss on Investments	\$ -	\$ 28,306.00	\$ -	\$ 111,778.00	\$ 140,084.00	\$ 354,296.00
Unrealized Gain on Investments	\$ -	\$ -	\$ (14,654.30)	\$ -	\$ -	\$ -
In-Kind Salaries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Net Assets Released from Restrictions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 200,068.00	\$ 325,033.24	\$ (14,654.30)	\$ 402,265.00	\$ 927,366.24	\$ 1,637,407.00

FOUNDATION FY20 BUDGET TO ACTUALS

FY20 Actuals - through June 30, 2020 DRAFT Analysis on August 10, 2020

	<u>1101- Endowment Fund</u>	<u>1102 - Unrestricted Fund</u>	<u>1901 Investment Fund</u>	<u>1104/1105 - Temp. Restricted Fund</u>	<u>Combined Fund Totals</u>	<u>FY20 Budget</u>
Expenses (Update Quarterly)						
<i>Operational Expenses</i>						
Expenses : Services (non-detailed spend category)		\$ 318,039.41			\$ 318,039.41	\$ 775,920.00
Expenses : Advocates		\$ 36,000.00			\$ 36,000.00	\$ 12,150.00
Expenses : Contracted Services		\$ 36,860.71			\$ 36,860.71	\$ 12,850.00
Expenses : Bank Charges & Custodial Fees		\$ -			\$ -	\$ -
Expenses : Other Services-Non Employee		\$ -			\$ -	\$ -
Expenses : Office Supplies-General		\$ 19,617.35			\$ 19,617.35	\$ 6,050.00
Expenses : Community Engagement & Sponsorships		\$ 9,532.90			\$ 9,532.90	\$ -
Expenses : Misc Operating Expenses		\$ 648.96			\$ 648.96	\$ 8,080.00
Expenses : Software		\$ -			\$ -	\$ -
Expenses : Uniforms		\$ -			\$ -	\$ -
Expenses : Memberships, Licenses & Dues		\$ 89.95			\$ 89.95	\$ 7,700.00
Expenses : Rentals - Equipment		\$ 40.00			\$ 40.00	\$ 4,500.00
Expenses : Rentals - Other		\$ -			\$ -	\$ -
Expenses : Printing Reproduction - Other		\$ 7,906.67			\$ 7,906.67	\$ 10,500.00
Expenses : Postage/Courier Service		\$ 2,675.19			\$ 2,675.19	\$ 10,250.00
Expenses : Insurance		\$ -			\$ -	\$ -
Expenses : Awards & Commendations		\$ -			\$ -	\$ -
Expenses : Food & Beverages Human Consumption		\$ 4,328.61			\$ 4,328.61	\$ -
Expenses : Entertainment Expense		\$ 2,795.00			\$ 2,795.00	\$ 9,500.00
Expenses : Meeting/Program Expenses		\$ -			\$ -	\$ -
Expenses : In-Kind Salaries		\$ -			\$ -	\$ -
Expenses : Janitorial Services		\$ -			\$ -	\$ -
Expenses : Lecturers		\$ -			\$ -	\$ -
Expenses : Advertising & Marketing		\$ 47.98			\$ 47.98	\$ 24,500.00
Expenses : Computer equipment		\$ 1,193.01			\$ 1,193.01	
Expenses : In-state/out of state travel		\$ 4,571.67			\$ 4,571.67	\$ 31,000.00
Total Operational Expenses:	\$ -	\$ 444,347.41	\$ -		\$ 444,347.41	\$ 913,000.00
<i>Scholarship/Salary Expense</i>						
Expenses : Component Unit Transfer to FPU <i>(salary exp. In 1102/scholarship exp. In 1104)</i>	\$ -	\$ 241,797.00	\$ -	\$ 290,000.11	\$ 531,797.11	\$ 724,407.00
Total Expenses:	\$ -	\$ 686,144.41	\$ -	\$ 290,000.11	\$ 976,144.52	\$ 1,637,407.00
Net Profit:	\$ 200,068.00	\$ (361,111.17)	\$ (14,654.30)	\$ 112,264.89	\$ (48,778.28)	\$ -

TIAA-CREF INVESTMENT SUMMARY

	Average Investment	Total Income Earned	Fees	Unrealized Gain or Loss	Total Return on Investment	Net Annualized ROR
FY18 (start July 17, 2017)	\$ 6,613,760.50	\$ 217,177.32	\$ 28,601.18	\$ 89,396.15	\$ 277,972.29	4.2146%
FY19	\$ 5,759,376.85	\$ 303,249.17	\$ 28,754.12	\$ 24,677.48	\$ 299,172.53	5.8032%
FY20	\$ 6,006,841.18	\$ 165,021.68	\$ 29,993.94	\$ (14,654.30)	\$ 120,373.44	3.2274%

Balance of TIAA Cref account (June 30, 2020) \$ 5,573,148.15 Note: Withdrew unrestricted monies of \$545,725.93 in May - Dep. In new bank account

CASH SUMMARY

1901 - Investment Fund balance June 30, 2020

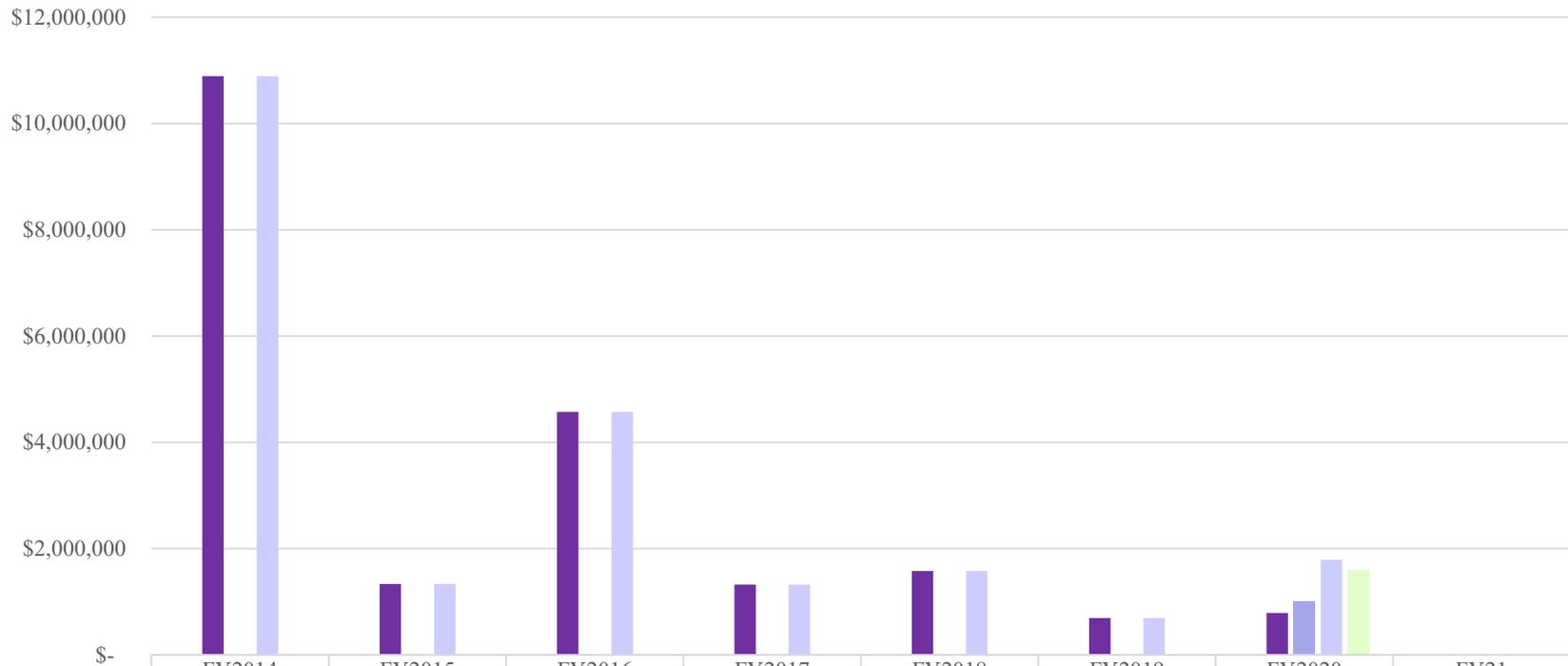
* Book value	\$ 5,582,768.49
* Accrued interest	<u>\$ 5,033.96</u>
Total Book Value	<u>\$ 5,587,802.45</u>
* Unrealized gain or loss	\$ (14,654.30)
Total TIAA Cref Market Value - March 31, 2020	<u><u>\$ 5,573,148.15</u></u>

Cash in Investment

	<u>Jun-20</u>
1101 - Endowment Fund less Quasi-Endowment	\$ 1,642,168.26
1101 - Quasi -Endowment Unrestricted	<u>\$ 534,404.82</u>
1101 - Total Endowment Fund:	\$ 2,176,573.08
1103 - Facility Fund	\$ -
1104 - Scholarship Fund	\$ 492,412.51
1105 - Restricted Donation *	\$ 2,972,152.12
1106 - Restricted Interest	\$ 42,398.46
1102 - Unrestricted/Oper. Fund	<u>\$ (95,733.72)</u>
Total Cash in Investment	<u>\$ 5,587,802.45</u>
Adj. Wells Fargo Oper. Fund Check Bal. June 30, 2020:	\$188,074.87
Adj. BoCF Oper. Fund Check Bal. June 30, 2020:	<u>\$595,725.93</u>
Total FOUNDATION Cash Balance June 30, 2020:	<u><u>\$ 6,371,603.25</u></u>

* \$2,750,000.00 - Health and Infomatics restricted money

Foundation Net Production



	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY21
Total Planned Gifts	\$-	\$-	\$-	\$-	\$-	\$-	\$-	
Current/Pledge Payments/GIK/GIS	\$10,891,546	\$1,337,241	\$4,576,011	\$1,322,719	\$1,579,190	\$692,382	\$790,109	
Pledges	\$-	\$-	\$-	\$-	\$-	\$-	\$1,000,000	
Net Production	\$10,891,546	\$1,337,241	\$4,576,011	\$1,322,719	\$1,579,190	\$692,382	\$1,790,109	
FY Goal							\$1,600,000	

■ Total Planned Gifts
 ■ Current/Pledge Payments/GIK/GIS
 ■ Pledges
 ■ Net Production
 ■ FY Goal

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Approval of University Resources Used by the Foundation FY19-20 And To Be Used FY20-21

Proposed Committee Action

Recommend approval for Florida Polytechnic University Foundation's use of Florida Polytechnic University Resources for fiscal year 2020 is \$192,647.38.

Recommend approval of estimated use of Florida Polytechnic University resources for the Florida Polytechnic University Foundation's in the amount of \$225,000 for fiscal year 2021.

Background Information

Mark Mroczkowski, VP/CFO, reported for FY2020 the estimated amount would be \$257,551 and was approved by the Board of Trustees in May 2019. The final fiscal year report for the amount is \$192,647.38. In future years, we developed an automated reporting system in Workday to accurately capture the hours from the University employees working on Foundation business. Additionally, we held a University-wide training program to define what is Advancement business and what is Foundation business. We expect this to resolve any potential future audit findings for inaccurate reporting.

Supporting Documentation:

- University Resources for Foundation FY20
- What is Advancement Foundation?
- Interdepartmental Training Memo

Prepared by: Kathy Bowman, VP, Advancement and CEO, University Foundation

Florida Poly
Human Resources provided to the Foundation
FY 6/30/20

Name	Position	% time	University Service Provided
Kathy Bowman	VP, Advancement	31%	\$53,256.35
Joel Helm	Director of Development, Major Gifts	22%	\$18,915.94
Kristen Spiker-Brenneman	Prospect Research & Events Manager	2%	\$1,356.14
Cherie Bryant	Donor Relations & Stewardship Manager	26%	\$5,663.71
Kim Kennedy	Executive Assistant to the VP of Advancement	4%	\$2,704.64
Lidia Vigil	Director of Corporate Foundation Relations	23%	\$19,033.98
Nick Abraham	Alumni Relations & Annual Fund Manager	1%	\$752.82
Larry Locke	Financial Analyst	63%	\$17,921.59
Larry Locke	Director, Finance & Development Operations	20%	\$8,336.45
Penelope Farley	AVP & University Controller	5%	\$2,500.93
Regina Siewert	Budget Director	1%	\$1,723.29
Jill Hernandez	Assistant Director Treasury Management	3%	\$2,456.24
Walter Mackoon	Accounting Coordinator	10%	\$7,196.34
Emily Tidwell	A/P Coordintor	13%	\$6,763.80
Regina Delulio	General Counsel	1%	\$2,976.95
David Brunell	Asst General Counsel	3%	\$2,522.13
Derek Horton	AVP, F&A/Foundation Treasurer	13%	\$6,565.68
John Sprenkle	Director, Finance & Accounting	5%	\$3,720.66
Andrew Strazi	Director Reporting & Analytics	50%	\$28,279.76
			<u>\$192,647.38</u>



FLORIDA POLYTECHNIC UNIVERSITY

Date: June 16, 2020

To: Florida Polytechnic University Employees who may provide time in support of or on behalf of the Florida Polytechnic University Foundation.

From: Kathleen (Kathy) Bowman, VP Advancement

Re: Training: What is Advancement and what is Foundation?

Background: The background summary and documentation in this memo provides information defining the difference between Advancement or Foundation relative to expenses, time working on behalf of, tasks, or budgets for both the Florida Polytechnic University (FPU) Advancement Division and the Florida Polytechnic Foundation Inc. (Foundation) as the 501(3)c Direct Support Organization (DSO) for Florida Polytechnic University.

The Council for the Advancement in support of Higher Education (CASE) defines Advancement as a strategic, integrated method of managing relationships to increase understanding and support among an educational institution's key constituents, including alumni and friends, government policy makers, media, members of the community and philanthropic entities of all kinds. The primary core disciplines of educational advancement include alumni relations, communications, marketing and fundraising. Many areas of responsibility within an Advancement Division support the mission of the university through the scope of work outlined above.

Through collaboration and conversations with General Counsel, Finance and Administration, Academic Affairs, and the President's office, we developed a process ensuring we educate employees for awareness and adherence on documenting any time an employee spends working or supporting the Foundation only. The information in the memo, the Spending Directive, and instructions on how to certify your time are included with this memo.

1. Finance and Administration
 - a. Expenses included for the Advancement Division travel budget are directly related to Advancement work done on behalf of the University. Any budget amounts directly related to fundraising are included in the budget for the Foundation according to Florida statute.
 - b. Time spent by Procurement to review and approve contracts specific to the Foundation.
2. General Counsel
 - a. Documentation of any time spent on Foundation could include review of policies, attendance at Foundation Board of Director meetings, drafting of endowments, scholarships or gift agreements for the Foundation, and providing legal advice for the benefit of the Foundation.
3. Academic Affairs
 - a. Documentation of any time spent on Foundation could include time spent for collaborating on donor visits, assisting with proposal details for grants, and potential entertainment of donors while on campus.
4. President's Office
 - a. Any expenses related directly to advocates on behalf of the Foundation, any expenses related to donor visits for the purposes of asking for support for the Foundation by the President, and agreed upon expenses for the support of Presidential Ambassadors expenses,
 - b. Time spent by University Relations department specifically on behalf of the Foundation which could include, marketing, photography, communications, and social media.
5. Spending Directive
 - a. A spending directive was created to provide governance and guide the Advancement Division. The Advancement Division established an approval process for expenditures for travel and other expenses requiring final approval from the Director of Finance and Development Operations. This level of accountability provides a foundation to ensure we navigate within the parameters of the governance provided by the State of Florida.



FLORIDA POLYTECHNIC UNIVERSITY

Date: June 16, 2020

To: Florida Polytechnic University Employees who may provide time in support of or on behalf of the Florida Polytechnic University Foundation.

From: Kathleen (Kathy) Bowman, VP Advancement

Re: Training: What is Advancement and what is Foundation?

Background: The background summary and documentation in this memo provides information defining the difference between Advancement or Foundation relative to expenses, time working on behalf of, tasks, or budgets for university divisions and the Florida Polytechnic Foundation Inc. (Foundation) as the 501(3)c Direct Support Organization (DSO) for Florida Polytechnic University (FPU).

The Council for the Advancement in Support of Higher Education (CASE) defines Advancement as a strategic, integrated method of managing relationships to increase understanding and support among an educational institution's key constituents, including alumni and friends, government policy makers, media, members of the community and philanthropic entities of all kinds. The primary core disciplines of educational advancement include alumni relations, communications, marketing and fundraising. Many areas of responsibility within an Advancement Division support the mission of the university through the scope of work outlined above.

Through collaboration and conversations with General Counsel, Finance and Administration, Academic Affairs, and the President's office, we created a process ensuring we educate employees for awareness and adherence on documenting any time an employee spends working or supporting the DSO. The information in this memo, the Spending Directive, and instructions on how to certify your time are included with this training presentation.

1. Finance and Administration

- a. Expenses included for the Advancement Division travel budget are directly related to Advancement work done on behalf of the University. Any budget amounts directly related to fundraising are included in the budget for the Foundation according to Florida statute.
- b. Time spent by Procurement to review and approve contracts specific to the Foundation.

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3. Academic Affairs

- a. Documentation of any time spent on Foundation could include time spent for collaborating on donor visits, assisting with proposal details for grants, and potential entertainment of donors while on campus.

4. President's Office

- a. Any expenses related directly to advocates on behalf of the Foundation, any expenses related to donor visits for the purposes of asking for support for the Foundation by the President, and agreed upon expenses for the support of Presidential Ambassadors expenses,
- b. Time spent by University Relations department specifically on behalf of the Foundation which could include, marketing, photography, communications, and social media.

5. Spending Directive

- a. A spending directive was created to provide governance and guide the Advancement Division. The Advancement Division established an approval process for expenditures for travel and other expenses requiring final approval from the Director of Finance and Development Operations. This level of accountability provides a foundation to ensure we navigate within the parameters of the governance provided by the State of Florida.

**Florida Polytechnic University
Finance and Facilities Committee
Board of Trustees
September 9, 2020**

Subject: Foundation Board of Directors Re-election and New Nominee

Proposed Committee Action

Request confirmation of the following Foundation Board of Directors re-election and new nominee:

- Phillipa Greenberg – Re-election *(9/7/20)
- Jack Harrell III – Re-election *(9/7/20)
- Ford Heacock – Re-election *(9/7/20)
- Joshua McCoy – Re-election *(11/16/20)
- Ivette O’Doski – Re-election *(11/16/20)
- Blake Paul – Re-election *(9/7/20)
- Donna Slyster – Re-election *(9/7/20)
- Hailey Skoglund – New nominee

*Expiration date of current term

Background Information

These Directors and one new nominee went before the Florida Polytechnic University Foundation Nomination Committee on August 10, 2020 and September 8, 2020, and the full Board on August 28, 2020, and September 8, 2020, and each was unanimously approved. These candidates now come before the Board of Trustees for final confirmation.

Supporting Documentation: Bios for re-election and new nominee

Prepared by: Kathy Bowman, VP, Advancement and CEO, University Foundation



Phillipa Greenberg

Phillipa Greenberg – Semi-Pro cyclist turned CEO, and Founder of Next Machine, a supercomputing firm which brings cluster computing and machine learning to the forefront. An early pioneer in commercializing computation, Phillipa Co-Founded a supercomputing app which provides a ‘Single Source of Truth’ for Distributed Computation.

She joined an Alzheimer’s clinical research firm as Quality Assurance Director, overseeing the Regulatory/Biometrics & safety division for three years prior to making the transition to Bio-Pharma as a leader in Portfolio Bio-Asset Analytics, specializing in the oncology precision medicine analytics division.



Fiercely committed to sharing transformational systems and methodology and inspirational stories to audiences around the world, she remains a huge advocate for STEM and STEAM and women in science & tech initiatives.

Next Machine is a full scope predictive analytics decision lab – We provide end-to-end solutions from: Infrastructure that supports big data initiatives to providing robust predictive/prescriptive outcome-driven data analysis, which will facilitate the acceleration of the most appropriate, personalized therapies for patients, quicker.

Precision medicine is rapidly evolving and as we continue to leverage new genomic datasets and knowledge, Phillipa is committed to leveraging AI, machine learning and other forms of computation to address the outcomes, affordability and accessibility of precision medicine.

Phillipa places a strong emphasis on women and diversity in STEM education..



Jack Harrell, III

Jack Harrell, III is the Senior Vice President of Sales, Marketing, and R&D at Harrell's LLC, Lakeland, Florida. In addition to being one of the nation's largest distributors of branded fungicides, herbicides and insecticides, Harrell's produces top-quality, custom blended fertilizers, specialty liquids, and wetting agents for golf course, sports turf, landscape management, horticulture and specialty agriculture industries.

Prior to his current position with Harrell's LLC, Jack served as the company's Director of Inventory and Business Development, as well as Territory Sales Manager.

Harrell holds a Master's Degree in Turf and Turfgrass Management from Clemson University and a Bachelor's Degree in Business Administration and Management from Samford University.

Jack Harrell, III brings to the Foundation a vast global network and a passion for STEM education.





Ford Heacock

Ford Heacock of Lakeland, FL, is recently retired as President of Heacock Insurance Group, Inc. He is a native Floridian and fourth-generation owner of his family's insurance business which was founded by his great grandfather in 1922. Today, the company has offices in Sebring and Lakeland, FL with 50 employees.

Ford is a former Chairman of the Lakeland Area Chamber of Commerce, Lakeland Downtown Development Authority, Downtown Lakeland Partnership and Junior Achievement of Polk County. He has served on the boards of Florida Polytechnic University Foundation, Lakeland Kiwanis Club, Aerospace Center for Excellence (Sun N' Fun) and Lakeland Regional Health Foundation. In 2014, the Lakeland Area Chamber of Commerce presented Ford with the George Jenkins Award, its highest honor for community service by an individual.



Ford is an avid car collector and enjoys racing vintage sports cars. He is the founder of the Sportscar Vintage Racing Association, Vintage Motorsport magazine and Lake Mirror Classic Auto Festival. In 2013, he received the prestigious Lee Iacocca Award for his national contributions to the collector car hobby and was the first inductee into the Vintage Racing Hall of Fame. During his term as owner of Heacock Insurance, Ford established a national insurance program for the collector car hobby.

Heacock attended Clemson University. He is an Accredited Advisor in Insurance (AAI) with over 40 years experience. He and his wife, Kate, have lived in Lakeland since 1980 and have three children.



Joshua (Josh) McCoy

Josh McCoy is an experienced Community Leader and a C&I, Institutional and Government Banking professional. Mr. McCoy serves as BB&T|SunTrust now Truist Bank's Middle Market Banking Team Lead responsible for managing a team of senior bankers covering the Commercial and Industrial, Healthcare, Education and Government sectors. Prior to this his current role, Mr. McCoy managed a team of bankers covering Municipal, Local and State Government sector across the State of Florida. Prior to this experience, in 2014, Mr. McCoy was appointed the Manatee County Market Executive for SunTrust Bank.



Prior to entering the banking industry, his large corporate and consulting experiences include positions as Internal Auditor at The Limited, Inc. in Columbus, Ohio, Project Controller at Accenture in St. Petersburg, Florida, and as a Consolidated Corporate Financial Analyst at Tech Data in Clearwater, Florida.

Josh has a Bachelor in Business Administration from the University of Cincinnati with a double major in Finance and Treasury Management, a MBA with honors from the University of South Florida and a member of Beta Gamma Sigma.

Josh is actively involved in multiple community affairs in addition to his role on the Florida Polytechnic Foundation Board of Trustees. Most recently serving as: Florida Chamber of Commerce member, Florida Tax Watch Citizenship Institute (2019), and a member of the Orlando Economic Partnership's Central Florida Political Leadership Institute Selection Committee.

Josh has previously served the community as: Chair-Elect of the Bradenton Area EDC Board, Ringling College of Art and Design Special Event Committee member, a Goodwill Industries Manasota Ambassador (2016 Ambassador of the Year), School Board President of St. Martha Catholic School, Treasurer of the Sarasota Opera Company Board of Trustees, The Boys & Girls Clubs of Sarasota County Corporate Board member, The Boys & Girls Clubs of Sarasota County Foundation Board member, United Way of Sarasota Healthcare Chair, The University of Cincinnati Foundation, Florida Advisory Committee member, and Sarasota YMCA Berlin Board member.



Ivette A. O'Doski

Ivette A. O'Doski is a native to Miami-Dade County and resides with her husband Rhett and their two children RJ and Ive in Coral Gables, Florida as well as in Tallahassee, Florida. Ivette is the President and sole member of Ivette O'Doski Consulting (IOC), a private and independent government relations firm founded in 2015. Ivette became a practicing attorney in 2000 after graduating that year from the University of Miami School of Law. Ivette has accumulated over 15 years of experience working as a government consultant with a focus on state and local affairs in Miami-Dade County.



She began her legal career at the law firm of Fowler, White, Burnett in Miami-Dade where she worked for five years before venturing into the public, public-private and non-profit business sectors. Ivette was a Senior Government Advisor for the Tallahassee Government Relations Group of Buchanan Ingersoll and Rooney and was the Vice President of Corporate, Government and Community Relations for The Miami-Dade Beacon Council, the official economic development organization for Miami-Dade County, a position she held for over 5 years before establishing IOC.

Ivette has worked to create and maintain key relationships that increase visibility of her clients in order to effectively advocate on matters of interest. Ivette has represented clients within the community, statewide and at all levels of government to provide private and public sector perspective and strategic input on issues with a primary focus on economic development. Ivette has been responsible for advising top level CEOs on matters of public policy and political relevance as well as implementing strategies for creating relationships and alliances to strengthen client connections. Prior to her tenure at The Miami-Dade Beacon Council, Ivette worked for Miami-Dade County's Office of Intergovernmental Affairs where she worked in coordination with the Miami-Dade County Attorney's office to compile the County's state legislative agenda and coordinate and manage state contract and subcontract lobbying firms for Miami-Dade County.

Ivette has been active in the Miami-Dade business community and has been a member of a number of professional associations. Ivette is Board member of the Florida Board of Architecture and Interior Design since her appointment in 2014 by Florida Governor Rick Scott. Ivette also is a member of Leadership Florida.

Ivette is fluent in English and Spanish.



FLORIDA POLYTECHNIC UNIVERSITY
FOUNDATION

E. Blake Paul (Blake)

E. Blake Paul (Blake) was born in Eustis, Florida. He is a senior shareholder in the law firm of Peterson & Myers, P.A where he has worked for twenty-four years. Blake is a trial attorney with a varied practice and has represented clients in nearly every type of civil dispute, including personal injury and wrongful death, products liability, probate litigation, business disputes and breakups, employment disputes and non-compete agreements, child welfare and foster care litigation, land use litigation and divorce proceedings. Blake also represents the firm's educational clients in Title IX compliance matters.



In 2006, Blake was named a Florida Up and Coming Attorney by Florida Trend magazine, and was also recognized as a Rising Star by Florida Super Lawyers magazine. Most recently, he was named to the Best Lawyers in America in 2017, 2018 and 2019.

Blake received a Bachelor's degree, *Magna Cum Laude*, from Auburn University, and a Juris Doctorate, *Magna Cum Laude*, from Florida State University College of Law.

Blake is currently a member of the Florida Bar, the Utah Bar, the Polk County Trial Lawyers Association and the Florida Justice Association. He is a member of the Board of Directors for the Lake Wales Family YMCA where he has served as Board President in 2000. Since 2004, he has been a member of the All Saints Academy Board of Trustees, acting as Board Chair from 2010 to 2014 and again in 2018. In addition to serving on the Board of Directors for the Florida Polytechnic University Foundation, he also serves on the Board of Directors of the Lakeland Regional Medical Center Foundation.

Blake enjoys tennis, spending time with his wife and three boys, and Auburn football.



FLORIDA POLYTECHNIC UNIVERSITY
FOUNDATION

Donna Slyster

Donna Slyster is the Senior Vice President and CIO at Saddle Creek Logistic Services. She oversees Information Services and Technology across the company. She joined Saddle Creek in August 2014. She has 17 years experience with manufacturing, 20 years in supply chain and has been a CIO for over 14 years. She has worked at CHEP and EDS previously where she held significant leadership roles in IT, Finance, Sales, Customer Service, Account Management, Quality and Operations supporting customers around the globe.

Donna has a Bachelors degree in Information Systems and a Master degree in Management from the State University of New York. She was recognized by Computer World as a top 100 CIO.

Donna has been an active member of the Florida Polytechnic University Foundation Board of Directors since 2016.





Hailey Skoglund

Hailey Skoglund is a Junior at Florida Polytechnic University majoring in Business Analytics (Quantitative Economics and Econometrics). Her academic strengths have garnered a position on the President's List in Fall 2019 and Spring 2020. She is also a current Associate Justice of the Student Government Association and past Student Representative.

Hailey is Vice President of Phi Theta Kappa Honor's Society and a member of Psi Beta Honors Society.

Hailey's community involvement is wide-spread as she has volunteered with HPH Hospice, Oak Hill Hospital, Brooksville Courthouse, Co-founder of Hospice Fundraiser and RPOF event violinist.

Hailey resides in Spring Hill, Florida. In addition to the attributes listed, she is also a professional event violinist.

Hailey plans to become a Patent Attorney specializing in STEM innovations and intellectual property. "I love how Business Analytics at Florida Poly has been the perfect bridge to connect my passions for STEM and Law. In my future, I will defend and protect the rights of brilliant minds to create a positive impact on the world."





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FLORIDA POLYTECHNIC UNIVERSITY
FOUNDATION

**CANDIDATE FOR CONSIDERATION BY
FLORIDA POLYTECHNIC FOUNDATION BOARD
NOMINATION COMMITTEE**

NOMINATOR'S NAME: _____

NOMINEE'S NAME: _____

COMPANY OR ORGANIZATION: _____

POSITION TITLE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

EMAIL ADDRESS: _____ PHONE: _____

***** PLEASE ATTACH NOMINEE'S RESUME AND/OR BIO AND PHOTO*****

Current or Previous Service to Higher Education: _____

Please list boards and committees the candidate currently serves on, or has served on (higher education, non-profit, business, civic, community, fraternal, political, professional, recreational, religious, and social). Please submit an attachment if there is not enough room provided.

Organization	Role/Title	Dates of Service

AREAS OF EXPERIENCE AND INTEREST

Please check all that apply:

Skill/Experience	
	Finance/Accounting
	Personnel/Human Resources
	Administration/Management
	Policy Development
	Program Development/Evaluation
	Public Relations/Communications
	Special Events
	Grant Writing
	Major Gifts/Planned Giving
	Sponsorships
	Outreach/Advocacy
	Government Relations
	Other: _____

Areas of Interest for Board Service	
	Audit Committee
	Finance Committee
	Investment Committee
	Nomination Committee
	Policy & Governance Committee
	Other: _____

Why should the nominee be considered for the Foundation Board of Directors?

PLEASE RETURN FORM TO:

Kim Kennedy, 4550 Polytechnic Circle, Lakeland, FL 33805
 Office: 863.874.8514 Email address: kskennedy@floridapoly.edu

Hailey Skoglund

Honors & Scholarships:

- President's List: Fall 2019, Spring 2020
- Florida Poly Scholarship
- Bright Futures Florida Academic Scholar
- Business and Professional Women Scholarship
- U.S. Presidential Scholars Program Nominee
- Ronald Reagan Scholarship

Activities/Clubs:

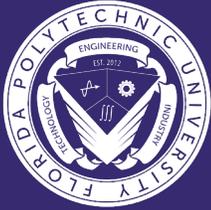
- Student Government Association (SGA): Associate Justice (current); Student Representative (past)
- Professional Event Violinist
- Phi Theta Kappa Honor's Society: Vice President
- Psi Beta Honors Society
- Swim Team

Community Service:

- HPH Hospice Volunteer
- Oak Hill Hospital Volunteer
- CoFounder of Hospice Fundraiser
- Brooksville Courthouse Volunteer
- RPOF Event Violinist

Career Plans:

I aspire to become a Patent Attorney specializing in STEM innovations and intellectual property. I love how Business Analytics at Florida Poly has been the perfect bridge to connect my passions for STEM and Law. In my future, I will defend and protect the rights of brilliant minds to create a positive impact on the world.



Governance Committee

September 9, 2020

12:00 - 12:45 PM

Or upon the conclusion of the previous committee meeting

**Florida Polytechnic University
WEBEX TELECONFERENCE MEETING**

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

Mark Bostick, Chair

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 May 20, 2020 Minutes
<i>*Action Required*</i> | Mark Bostick, Chair |
| V. 2020-22 Governance Committee Work Plan | Mark Bostick, Chair |
| VI. Governance Committee Charter
<i>*Action Required*</i> | Mark Bostick, Chair |
| VII. Legislative Advocacy Plan
<i>*Action Required*</i> | Rick Maxey |
| VIII. President's FY19-20 Operational Goals: Outcome Metrics | Randy K. Avent, President |
| IX. President's FY20-21 Operational Goals: Progress Report | Randy K. Avent, President |
| X. Closing Remarks and Adjournment | Mark Bostick, Chair |



Governance Committee Meeting

DRAFT MEETING MINUTES

Wednesday, May 20, 2020
10:15 AM – 10:45 AM

Florida Polytechnic University
WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Committee Chair Philip Dur called the Governance Committee meeting to order at 11:14 a.m.

II. Roll Call

Michele Rush called the roll: Committee Chair Philip Dur, Trustee Frank Martin, Trustee Henry McCance, Vice Chair Cliff Otto, and Trustee Bob Stork were present (Quorum).

Other Trustees present: Board Chair Don Wilson, Trustee Victoria Astley, Trustee Mark Bostick, Trustee Connor Coddington, Trustee Earl Sasser, and Trustee Gary Wendt

Trustees not present: Vice Chair Louis Saco

Staff present: Ms. Gina Delulio

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Henry McCance made a motion to approve the Governance Committee meeting minutes of February 25, 2020. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

V. Slate of Officers for 2020-2022

Ms. Gina Delulio provided an update to the Governance Committee request for the General Counsel to communicate with each trustee who is eligible to serve as an officer and to determine whether they were willing to be considered for Chair or Vice Chair. She reported that Trustee Cliff Otto was willing to serve as the Chair and Trustee Mark Bostick was willing to serve as either.

Trustee Frank Martin made a motion to recommend to the Board of Trustees, a slate indicating the nominees for Board Chair (Trustee Cliff Otto) and Vice-Chair (Trustee Mark Bostick) for the term of

August 1, 2020 through July 31, 2022. Trustee Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

VI. Renewal of President's Employment for 2020-21

Trustee Phil Dur reminded the committee that the President's current contract for employment ends in July and noted that the President has provided an Interim Report on his Operational Goals.

Trustee Frank Martin made a motion to recommend renewal of the President's Employment for 2020-21 to the Board of Trustees. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

VII. President's Employment Agreement

Trustee Dur stated the committee has been discussing revisions to the existing President's Employment Agreement for the past few meetings, with the latest version of the redlined agreement available in Diligent.

Ms. Delulio provided a summary of the substantive changes to the contract.

Trustee Dur pointed out that he had asked President Avent to add a footnote in his operational plan regarding accountability goals approved by the Board of Governors that appear to be heroic and unattainable given the size and history of the University. As trustees, these items should not impact the evaluation of the President.

Trustee Cliff Otto made a motion to recommend approval of the new President's Employment Agreement which would be effective July 2020 to the Board of Trustees. Trustee Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

VIII. President's Goals 2020-21

Trustee Dur recognizes that due to COVID-19, there will be an impact on today's approval of the President's Goals for 2020-21. Modifications will need to be made as the year progresses.

President Avent gave an overview of his proposed goals for 2020-21.

Trustee Bob Stork made a motion to recommend approval of the President's proposed goals for the 2020-21 to the Board of Trustees. Trustee Cliff Otto seconded the motion; a vote was taken, and the motion passed unanimously.

VII. Closing Remarks and Adjournment

With no further business to discuss the meeting adjourned at 11:48 a.m.

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 9, 2020**

Subject: 2020-2022 Governance Committee Work Plan

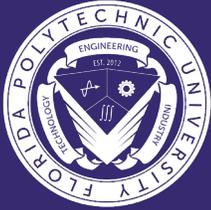
Approve 2020-2022 Governance Committee Work Plan.

Background Information

The 2020-2022 Governance Committee's Work Plan is attached for consideration. The prior work plan is provided for reference.

Supporting Documentation: 2020-2022 Governance Committee Work Plan Draft
2018-2020 Governance Committee Work Plan

Prepared by: Gina DeIulio, VP and General Counsel



Committee Work Plan

Governance Committee Work Plan 2020-2022

SEPTEMBER

- Governmental Relations Legislative Advocacy Plan
- Charter review
- Board self-evaluation 2023 (every 5 years)
- Review President's employment agreement (periodically)

NOVEMBER

- Board training needs
- Recommendations to the Board on President's evaluation outcome and compensation
- Recommendation to Board on renewal of President's employment agreement

FEBRUARY

- Bylaws review 2021
- Board Chair and Vice Chair nomination process 2022 (every 2 years)

MAY

- Recommendation to Board on President's proposed goals

**Florida Polytechnic University
Governance Committee
Work Plan 2018-2020**

February 28, 2018	May 22-23, 2018	September 5, 2018	December 5, 2018
	<ul style="list-style-type: none"> • Make recommendations to Board on President's proposed goals for 2018-2019, President's 2017-2018 evaluation outcome and compensation • Consultant report on BOT self-assessment survey 	<ul style="list-style-type: none"> • 2019 Government Relations Plan • Discussion on BOT self-assessment 	<ul style="list-style-type: none"> • Discuss board training needs
March 13, 2019	May 21-22, 2019	September 11, 2019	December 10-11, 2019
<ul style="list-style-type: none"> • Make recommendation on renewal of President's employment agreement 	<ul style="list-style-type: none"> • Make recommendations to Board on President's proposed goals for 2019-2020, President's 2018-2019 evaluation outcome and compensation 	<ul style="list-style-type: none"> • 2020 Government Relations Plan 	<ul style="list-style-type: none"> • Discuss board training needs
February 25, 2020	May 19-20 2020	September 8, 2020	Conference Call November 2020 December 1, 2020
<ul style="list-style-type: none"> • Start process of making nominations for Board Chair and Vice Chair 	<ul style="list-style-type: none"> • Make recommendations to Board on President's proposed goals for 2020-2021 • Make recommendation on renewal of President's employment agreement (July 2020 – July 2021) 	<ul style="list-style-type: none"> • 2021 Government Relations Plan 	<ul style="list-style-type: none"> • Discuss board training needs • Make recommendations to Board on President's 2019-2020 evaluation outcome and compensation • Make recommendation on renewal of President's employment agreement (July 2021 – July 2022)

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 9, 2020**

Subject: Governance Committee Charter

Proposed Action

Make a recommendation to the Board of Trustees on the new Governance Committee Charter.

Background Information

The current charter is responsible for periodically reviewing the Board's By-laws, initiating board training, facilitating nominations related to the Board Chair and Vice-Chair elections, recommending goals for the President's performance, recommending Board regulations pertaining to the employees of the University, and overseeing public and governmental relations.

A more detailed charter is being presented to the Governance Committee for consideration.

Supporting Documentation: Governance Committee Charter Draft

Prepared by: Gina DeIulio, VP and General Counsel

**Governance Committee
CHARTER**
(Staff Liaison: VP & General Counsel)

- I. Purpose: The Governance Committee is responsible for reviewing and making recommendations to the Board on various Board functions, including periodically reviewing the Bylaws; evaluating the Board's performance; initiating Board training; facilitating nominations related to the Board Chair and Vice-Chair elections; overseeing presidential personnel matters, including the annual evaluation of the President and recommending goals for the President's performance; recommending Board regulations pertaining to the employees of the University; and overseeing public and governmental relations.

The Governance Committee is one of the standing committees of the Board of Trustees.

II. Composition:

- The Committee will consist of no less than three members of the Board of Trustees
 - The Chair and Vice Chair of the Board of Trustees are eligible as members per Bylaws
- The University's General Counsel will serve as staff and primary liaison to the Committee
- The Governance Committee Chair and members are appointed and removed by the Chair of the Board of Trustees.
- The Chair of the Governance Committee is the Committee's representative on the Board of Trustees' Executive Committee

III. Meetings:

- The Governance Committee will meet at least three (3) times annually. The Committee may schedule additional meetings if needed
- The meetings will be open to the public
- A majority of Governance Committee members present at a committee meeting constitutes quorum for purposes of committee business
- The Committee will maintain written minutes of its meetings, and the Committee Chair will approve each meeting's agenda
- The Committee may invite members of the administration, faculty, or others to attend meetings and provide pertinent information
- The Committee may request special presentations or reports that may enhance members' understanding of their responsibilities

IV. Responsibilities & Duties: To fulfill its oversight role, the Governance Committee will:

- Evaluate its own performance on a regular basis
- Review Board bylaws annually and recommend changes as necessary to the full Board
- Nominate a chair and vice chair of the Florida Polytechnic University Board of Trustees for consideration by the full Board
- Inform members of corporate governance best practices and make recommendations to the Board and its committees.
- Oversee an annual evaluation of the performance of the President
- Oversee and approve changes to President's supplemental retirement plan
- Provide recommendations to the Board regarding Board member education, including regularly scheduled board member training and attendance at Board of Governors meetings

- Review the Committee charter and discuss any required changes with the Board

Adoption of Charter: The Florida Polytechnic University Board of Trustees adopted the Governance Committee Charter on {date}.

History: Adopted {date}, reviewed and amended {date}

DRAFT

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 9, 2020**

Subject: Legislative Advocacy Plan

Proposed Committee Action

Recommend approval of the 2020 Legislative Advocacy Plan to the Board of Trustees.

Background Information

The vast majority of the University's revenue is appropriated by the Legislature. That makes it critical that we have an effective advocacy plan for helping members of the Legislature, the Governor and the Board of Governors of the State University System understand the value of funding the University at appropriate levels.

The proposed plan takes several components into account, state revenue levels, competition for those resources, and the Florida Poly's importance to the State as determined by those involved in providing funds to operate the University.

The goal is to maximize the amount of funds that are appropriated to Florida Poly and work to secure legislation that is beneficial to its development.

Supporting Documentation:

1. Legislative Advocacy Approach
2. Legislative Advocacy Plan PowerPoint presentation

Prepared by: Rick Maxey, Assistant VP, Office of Diversity and Inclusion

Florida Polytechnic University

Advocacy Approach

Florida Poly collects just over \$2 million in tuition and fees from its students out of a total budget of over \$50 million. The vast majority of the University's revenue is appropriated by the Legislature. That makes it critical that we have an effective advocacy plan for helping members of the Legislature, the Governor and the Board of Governors of the State University System understand the value of funding the University at appropriate levels. Florida Poly therefore needs a plan for advocating effectively.

Each year the plan has to take several components into account, state revenue levels, competition for those resources, and the Florida Poly's importance to the state as determined by those involved in providing funds to operate the University.

The Legislature will convene its next regular session March 2, 2021 and adjourn April 30, 2021. They are required to meet for 60 days during that period and within those 60 days we must gain support from the three entities listed earlier for an appropriate level of funding. In the previous two sessions, Florida Poly has seen its appropriation decreased mostly because of philosophical issues related to the structure of the state's public university system.

During the 2020 Legislative session, there was a significant effort to merge Florida Poly with the University of Florida. While there has been no known effort to continue that effort during the 2021 session it is critical that we do all that we can to protect the University's independence as a top tier academic institution.

The Office of Economic and Demographic Research (EDR), an independent Legislative unit, is tasked with providing state leaders with reliable estimates of revenue in the coming year. These estimates serve as the basis for creating the state's annual budget. The model used normally provides reliable estimates, however in times like these when there are many unknown and unknowable factors the estimates are less reliable. Since its January 2020 revenue estimates for the 2021-2022 Fiscal Year, EDR has reduced its estimate by \$3.4 billion in the current fiscal year (2020-2021) and \$2.0 billion in the coming fiscal year (2021-2022). During the Great Recession of 2008, EDR had to revise its revenue estimates downward several times within the year.

There will be more pressure to reduce the revenue estimates even further. No one knows what future impacts of Covid-19 will be on the health of Floridians and the state's economy. We are also well into hurricane season and they can have an extremely negative effect on state revenue collections. In addition, the State will have to replenish reserves because it is depending in part on using the state's \$4.0 billion in reserves to help it get through the remainder of this fiscal year and the coming fiscal year.

Critical to a successful advocacy plan is meeting with key state leaders in the Legislature, Governor's Office and the Board of Governors. These meetings will include Dr. Avent, Trustees and our partners. Getting these meetings this year is a lot more difficult for several reasons. First, key players are heavily engaged in guiding the state through an unprecedented world-wide pandemic that is consuming a tremendous amount of their time. Second, this is a major election year when the ballot includes candidates for President of the United States, a change in legislative leadership and uncertainty about political control of the Legislature than is usual. Add to that a third issue concerning the nature of any meetings that occur, which is the inability to bring these key players to the Florida Poly

Florida Polytechnic University

Advocacy Approach

campus because of severe restrictions on face to face contact because of the Covid-19 virus.

A significant tool in any year is bringing key state leaders to campus to see first-hand the work being done here and talk with the students about how the University is providing them with a top-notch education leading to high paying careers. We are using videoconferencing platforms and virtual tours of the campus in an effort to provide these key players with an experience of our institution that is more than listening on a phone call or reading a document.

Trustees are always an important part of the advocacy plan and we will be talking with each of you about ways that you can help. In addition to understanding the primary relationships that you have we want to discuss secondary and possibly tertiary relationships, political and industry.

Finally, the Florida Polytechnic University Foundation contracts with several well-known firms to help create and implement our advocacy approach and represent the University with members of the Legislature and Governor's Office.

Our goal this year, as it is each year, is to maximum the amount of funds that are appropriated to Florida Poly and work to secure legislation that is beneficial to its development. The Board of Trustees voted to request \$3 million in operating funds and \$15 million to complete construction of the Applied Research Center.



FLORIDA POLYTECHNIC
UNIVERSITY

Legislative Advocacy Plan

Rick Maxey

September 9, 2020

Legislative Request

- **Universities of Distinction**
 - Grow Student Enrollment
 - Improve student success metrics
 - Top 10 engineering school
- **Applied Research Center**

\$3 million



\$15 million



Anticipated State Revenues

Collections

- Revised downward by **\$3.4 billion** in FY 2020-21 and
- Revised downward by **\$2.0 billion** in FY 2021-22
- Two-year combined decrease of **\$5.4 billion**

CARES Act Allocation

- **\$8,328.2 million**
Unanticipated Coronavirus Expenditures
- **\$5.856 billion**
General Revenue Fund

State Reserves

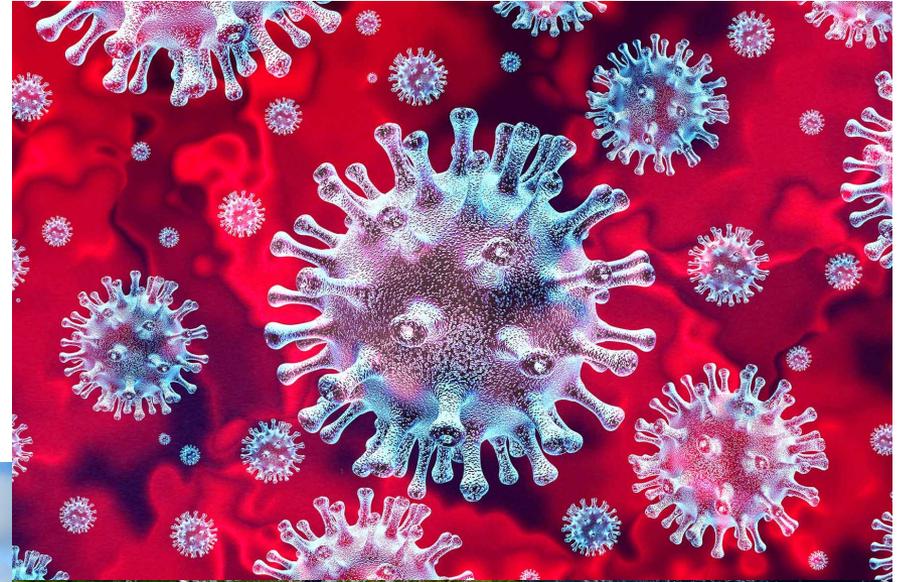
- **\$4.0 billion**
- **\$1.0 billion**
Veto Savings



FLORIDAPOLY

Instability of Estimates

- **Further Covid-19 impacts**
- **Hurricanes**
- **Rebuild reserves**





FLORIDAPOLY

Key Elected Officials



Impacts on Meetings



Virtual meetings are the norm. This election will bring in a new House Speaker and Senate President. They will appoint new leadership.

Meeting Approaches

Virtual Meetings





FLORIDAPOLY

Trustees Role



Advocacy Team



**Florida Polytechnic University
Governance Committee
Board of Trustees
September 9, 2020**

Subject: FY 19-20 Operational Goals: Outcome Metrics

Proposed Committee Action

Information only – no action required.

Background Information

The supporting document contains current outcome metrics on the FY 2019-2020 Operational Goals.

The President will give a more detailed and final assessment of the FY 2019-2020 Operational Goals at the November 2020 meeting. At that time, the Governance Committee will assess the President's accomplishments and make a recommendation on the President's salary and bonus to the full Board.

Supporting Documentation: FY 20 Operational Goals

Prepared by: Dr. Randy K. Avent, President

FY20 Operational Goals Outcome Metrics

	2019-2020	Peer Group	SUS Average	2020-2021	FY20 Actuals	
Academic Reputation						
USNWR Ranking	N/A			introduced	TBD	
Academic Productivity						
US Incoming Class Size	330			436	392	●
G Incoming Class Size	25			28	35	●
Average SAT	1270	1321	1266	1270	1327	●
Average ACT	29	29	26	29	30	●
% Academic Progress Rate (GPA >2.0)	72%	81%	82%	74%	76%	●
4- year Graduation Rate	37%	32%	41%	40%	33%	●
6-Year Graduation Rate		62%		58%	51%	●
% Degrees without Excess Hours	95%		75%	>75%	83%	●
% University Access Rate (UG with Pell)	30%	24%	38%	30%	27%	●
Financial Resources						
Unrestricted Funds	\$460K			\$800K	\$1,026,105	●
Scholarship Funds	(\$122K)			\$1.3M	\$935,666	●
Endowment	\$463K			\$150K	\$568,932	●
Academic Expenditures						
% Expenditures on Instruction	28%	30%	32%	30%	15%	●
Student: Faculty	18.01	14.01	21.01	18.01	15:01	●
% Hours taught by Adjunts	12%			<20%	12%	●
Average Cost to Students (120 Hours)	\$9.5K	\$21.9K	\$13.9K	<\$14K	(\$5,790)	●
Graduate Demand						
% BS Graduates Employed			67%	70%	67.50%	●
Median Wages for BS Grads			\$36.8K	\$45K	\$54,800	●
% BS Awarded in Strategic Areas	100%	78%	51.37%	100%	100%	●
% Graduate Degrees in Strategic Areas	100%	74%	61.20%	100%	100%	●
% Industry Internships	83%			80%	79%	●
% Industry Capstone Projects	97%			80%	74%	●

**Florida Polytechnic University
Governance Committee
Board of Trustees
September 9, 2020**

Subject: FY 20-21 Operational Goals: Progress Report

Proposed Committee Action

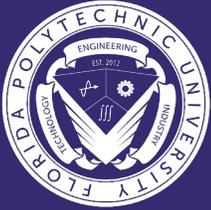
Information only – no action required.

Background Information

The supporting document reflects the progress of the University’s operational goals for FY 2020-2021. It reviews progress to date on the six focus areas agreed to by the Board at the May 20, 2020 Board meeting. A new area has been added related to Resiliency during the COVID pandemic, which has naturally required most of our attention this fiscal year.

Supporting Documentation: Operational Goals FY 21

Prepared by: Dr. Randy K. Avent, President



OPERATIONAL PLAN 2020-21

FLORIDA POLYTECHNIC UNIVERSITY

Fall Report
to the Board of Trustees

Randy K. Avent
September 2020



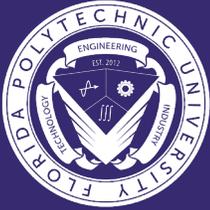
BOARD OF TRUSTEES Operational Goals Progress Report

OPERATIONAL GOALS 2020-2021

ADMISSIONS

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

1. Grow transfer students through new policies
 - 1.1. Developed new One-Year Transfer Program
 - 1.2. Revised transfer application for improved user experience
 - 1.3. Developed new scholarship outreach campaign
 - 1.4. Used NSC data to identify qualified students at state colleges and universities for targeted marketing and outreach
2. Grow unrestricted funds to better leverage scholarships
 - 2.1. With permission, transferred \$534,405 of left-over restricted funds to unrestricted account
3. Create a new STEM summer academy as a pipeline
 - 3.1. Discussion meetings paused due to Covid-19
4. Increase interactions with Florida high school calculus and physics teachers
 - 4.1. Brought over 40 high school calculus and physics classes to campus for new STEM-Tech days
 - 4.2. Partnered with KNACK to begin providing math and science teachers with our own Learning Assistants who will work with their students to supplement the work being done within their curriculum.
5. Pivot all recruitment efforts for 24/7 remote accessible digital mobile apps to meet students where they "live"
 - 5.1. Moved recruitment strategies to online and digital vehicles for spring that included video, virtual tours, Zoom meetings and tours, paid and unpaid social media that included TikTok, Snapchat, Google Ad Words, Instagram, YouTube, text messaging, digital financial aid packaging (CampusLogic), and some geofencing, where, for example, we are able to retarget banner ads to mobile devices at certain state college to announce transfer scholarships.
6. Diversify academic offerings around new popular programs and industries, new concentrations, certificate programs, combined BS/MS degrees
 - 6.1. Added Health Systems Engineering as concentration
 - 6.2. Added Robotics as a master's concentration
 - 6.3. Held initial meetings concerning additional engineering degree program
 - 6.4. Partnered with Outlier.org and added two market-facing online foundational courses for summer and pre-matriculated students
7. Strategically increase the number of student affinity groups like scatter band, esports, club soccer, table tennis, chess, water polo
 - 7.1. Esports arena built by Student Affairs, organizational structure developed
 - 7.2. Florida Poly Band launched and has signed up 40 students for inaugural launch

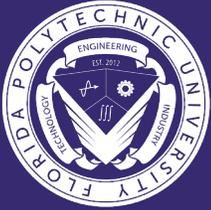


- 7.3. Nuclear Propulsion pipeline program launched in collaboration with US Navy and signed up 27 inaugural students
8. Create “The Digital Life” that interactively serves content in quick entertaining bites
 - 8.1. Virtual Digital Life currently being designed in collaboration with three external vendors for a recruitment experience that delivers exciting content through multi-media and digital mediums.
 - 8.2. Designing Admissions virtual open house
9. Consider a mobile admissions office
 - 9.1. Completely changed group tours to personalized, CDC-guided one-on-one family visits
 - 9.2. All SUS recruitment travel has been suspended due to Covid.

STUDENT PROGRESSION

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

1. Revise financial aid policy to align with APR standards
 - 1.1. Financial aid policies and historic protocols updated and changed to support student progress based on analyses of national best practices and academic strategic goals.
 - 1.2. Successfully piloted scholarship probation initiative that provided an additional term for students to demonstrate academic progress resulting in lower attrition.
2. Improve support services in gateway courses
 - 2.1. Refined and strengthened the foundation sequence that includes: Collaboration, Adaptability, Leadership and Innovation. This sequence establishes the groundwork for more complex STEM topics. CALI @ FL Poly prepares students for success in STEM.
 - 2.2. Launched a tutoring platform that includes scheduling and notetaking
 - 2.3. Organized central training system for tutors and student education assistants. Faculty further centrally support tutoring through their connections with the tutors, and guidance on the academic principles used for tutoring.
3. Improve advising services with early alerts for student disengagement
 - 3.1. Implemented early alert system with an early alert advisory committee that reviews and follows through on all early alert cases.
 - 3.2. Tutoring platform also integrates advising and is shared by the Academic Success Coaches and tutors. This system allows students to schedule time with advisors and advising notes can be added to the system.
4. Improve course availability, provide term-by-term roadmaps
 - 4.1. Working with Technology Services to create a report for course demand. It was moved from a high priority in SP 2020 due to COVID-19 needs.
5. Create a co-curricular council to address co-curricular learning
 - 5.1. Co-curricular council created, and first endorsement (leadership) in place. Campus Labs (Phoenix Link) provides a tool which will result in a co-curricular transcript that includes approved endorsements.
6. Develop a leadership institute that teaches business and soft skills

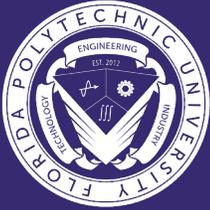


- 6.1. Several drafts based on best practices at other universities have been created and are in review, with a longer-term vision and a plan for what can be done during COVID
7. Limit the number of course withdrawals
 - 7.1. This was in progress for approval by the APPC in SP 2020 and ready for vote when COVID-19 happened. It will be resurrected this fall for final approval and review by stakeholders.
8. Formalize an Academic Improvement Program
 - 8.1. Academic Improvement Program created for students on probation and consists of an agreement to participate in regular meetings with Success Coach Ryan Darley
9. Incentivize summer for those students falling behind
 - 9.1. This was a strong financial aid initiative in SU 2020
10. Grow digital resources for enhanced tutoring and academic advising at distance
 - 10.1. The ConexEd platform allows for enhanced tutoring and academic advising at a distance.
11. Increase efforts in identifying and addressing student disengagement and remote intrusive advising
 - 11.1. This is an ongoing effort that is handled through early alerts, the campus CARE team, the first year Foundation Sequence, as well as on-campus engagement.

STUDENT EXPERIENCE

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

1. Grow and mature the senior capstone project to be more multi-disciplinary
 - 1.1. Preliminary numbers show that 20 of the 40 projects this upcoming academic-year are multidisciplinary (50%) compared to 16 of 37 (43%) in the 19-20 academic-year.
 - 1.2. Industry sponsored projects have also grown to 39 out of 40 (98%) this upcoming academic-year from 32 of 37 (86%) in the 19-20 academic-year.
2. Continue growing the external internship program
 - 2.1. Launched an online Career & Internship Fair to maximize students’ connection with STEM focused industries
 - 2.2. Leveraged the institution’s relationship with Handshake and utilized their offer to host the Virtual Career Fair for free
3. Develop key hiring pathways for Florida Poly graduates with a select group of employers
 - 3.1. Continue to streamline the recruitment process for companies that desire to exclusively recruit from FL Poly such as Accusoft.
4. Continue removing obstacles for students to navigate admissions, registration
 - 4.1. More and better communication between Admissions and Registrar offices and collaborative efforts to understand each other processes is creating a better experience for students. Admissions is able to set expectations that are realistic, and both departments are able to manage these expectations and make changes as necessary. This term has proven to all of us that we are on the right track.
5. Provide avenues for students to share thoughts on a Florida Poly student experience
 - 5.1. Beginning Spring 2020, Teams meetings have been held regularly for all students. Further, Dr. Miller attends all SGA Executive Meetings.

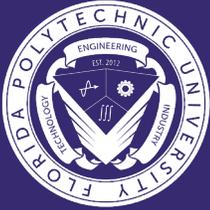


6. Provide incoming students with a student engagement coach
 - 6.1. All incoming students were able to schedule a meeting with their Orientation Leader to discuss and plan for student engagement opportunities.
7. Grow the number of internal research opportunities
 - 7.1. Setting baseline based on activity through end of 2019-2020 Academic Year for future comparison.
8. Grow digital resources to enhance the student experience
 - 8.1. Campus Labs is a key new resource that has been renamed on campus as “Phoenix Link”. This tool will support club involvement, finances, as well as provide information on who is involved in what on campus (and who is not...).
9. Expand the virtual student union to organize services and connect students
 - 9.1. Completed Summer 2020: <https://floridapoly.edu/virtual-student-union/index.php>
10. Develop new approaches for remote capstone delivery
 - 10.1. The team of capstone instructors are working to build a skeleton curriculum that can apply to all capstone disciplines. For example, content and assessment for Project Management as a topic are being developed by DSBA for all departments to use, while Optimization Methods are being developed by ME. All of the curriculum is designed for online delivery and assessment
11. Ensure ADA resources are available to all students remotely
 - 11.1. This is an ongoing effort, led by the ADA Coordinator and supported by the Office of Disability Services.

GRADUATE PROGRAM

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

1. Expand targeted domestic recruiting efforts
 - 1.1. Increased outreach to graduating SUS seniors with GPA above a 3.0 and in specific majors
 - 1.2. Acquired the list of Florida Poly students graduating in Spring and Summer 2020 and curated targeted outreach to those students.
2. Target increased enrollment in each program
 - 2.1. Designed and printed new Graduate Admissions brochure
 - 2.2. Increased Graduate Assistantships and realigned resources for graduate student scholarships
 - 2.3. Developed economic nudges/incentives within the application process
 - 2.4. Began the process of piloting a process by which students can take coursework as non-degree seeking students prior to matriculating full-time as degree-seeking, with the intention being to prepare students for success in their specific track once they’ve matriculated.
3. Develop strong distribution of students across all degree program tracks
 - 3.1. Increased graduate student applications and deposits for wider distribution among all tracks compared to last year.
 - 3.2. Used academic indicators (GPA, undergraduate area of study, etc) to determine the graduate programs / tracks in which our graduating baccalaureate students would be best suited and sent detailed information to those students about their best-fit track.



4. Complete revisions of key program documents including thesis manual
5. Continue growing FIPR Institute, Advanced Mobility Institute and Health Systems Engineering Programs
6. Develop faculty-driven seminar series around graduate school topics to facilitate student culture, progression and work quality
 - 6.1. Seminar planning underway in M.S. Engineering program for fall 2020.
7. Leverage role of Director of Industry Engagement and Capstone Projects to connect students and faculty to relevant opportunities within our core academic programs
8. Develop and market an Agile Manufacturing Center that leverages our current degrees
 - 8.1. A preliminary Agile Manufacturing Center proposal was shared with Senator Rubio's staff with some reception. Additional lawmakers have also been contacted about initial meetings, but as of now no meetings have been set. Initial discussions were also held with representatives of the Economic Development Administration and the Central Florida Development Council. Moving forward we will be reviewing the proposal with select industry partners.
9. Position at least one track to deliver some or most of its courses via distance or using hybrid delivery models
 - 9.1. One course in Data Science Track designed expressly for online delivery, launching in spring 2021. Development of Program prospectus for SACSCOC approval under study.

UNIVERSITY FUNDING

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

1. Continue briefing legislators through site, district and session visits on our state impact and Return on Investment
2. Prepare for entry into Performance Based Funding and Universities of Distinction
3. Advocate for Applied Research Center capital funding and restoration of our base budget
 - 3.1. Progress continues on the Applied Research Center as the shell nears completion. Additional Carryforward funding was allocated to keep the project moving and avoid a work shut down, hoping that the building will be fully funded this session and can continue uninterrupted.
4. Develop a "thank you" campaign for key stakeholders and grow our support network
5. Develop and share a growth plan that address student, faculty and facility growth to meet targeted USNWR rankings
 - 5.1. The first phase of the growth plan has been developed and presented to the BOT for discussions. It addresses three goals around rankings, student success and student growth. Faculty, program and facility growth will be next.
6. Address administrative overhead calculations
 - 6.1. Reviewed all positions characterized as administrative by the BOG and worked to reclassify them accordingly. New administrative overhead calculations are better, but need to be further improved by hiring more faculty.



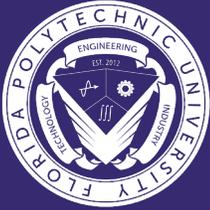
- 6.2. Review of positions led to an “HR re-engineering” effort in which we can regularize positions and the organizational structure. A flat structure has been confirmed and new positions and titles are being created that match the BOG structure.
7. Consider new ways to increase revenues through executive education, certifications, Professional Science Masters programs, international programs
8. Further develop and update resiliency plan that: 1) preserves liquidity; 2) protects and grows the academic enterprise; 3) increases revenues through campus growth; and 4) invests in university advancement and the foundation
 - 8.1. A recent bill limits recurring costs from being paid out of carryforward, so we absorbed roughly \$1.2M in yearly IT infrastructure costs into our Division budgets.
 - 8.2. Governor vetoed the University of Distinction plan and instituted an additional 6% holdback that we had to absorb into our Division budgets. We were also asked to do an 8.5% cut plan for this year in additional to our yearly 10% cut plan for next year.

FACULTY DEVELOPMENT

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

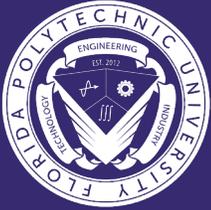
1. Strengthen professional development connection to peer-reviewed research
 - 1.1. We completed our first full round of reappointments, reviewing 15 of our early faculty hires. Of those 15, 10 were reappointed. One of the non-reappointments resigned immediately, and we had another faculty member that left the state this summer and refused to return to teach in person, so she resigned as well.
 - 1.2. We had two faculty that applied for early promotion and both were denied
2. Continue providing teaching & learning workshops & one-on-one consultations
 - 2.1. 88% of fall 2020 faculty underwent summer training to deliver our new instructional models. Those who didn’t were adjuncts hired in the last week or so of the summer to fill in due to higher than expected enrollment or unexpected vacancies and received training during orientation and ongoing support throughout the term. Note: training was a four-week course. Cost impact around \$¼ million.
3. Grow academic infrastructure, tools and technology that support pedagogy
4. Grow academic programs and faculty lines
5. Consider hiring a VP of Research
6. Conduct workshops on proposal development and grant writing
7. Consider offering internal grant opportunities as seed funds for larger externally funded grants
8. Strengthen faculty development for blended, online and multi-modal delivery
9. Explore opportunities for targeted development and improvement in specific Departments
10. Create new programs for faculty development and train 75% of the faculty for remote instruction

COVID RESILIENCY PLAN (New task added)

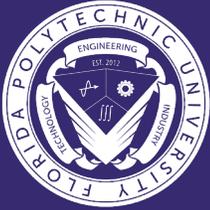


Goal: Develop and implement plans to keep growing the university and its operations during the COVID pandemic

1. Develop, implement and adapt policies and plans for reopening campus
 - 1.1. Created protocols with the goal of keeping our campus community healthy that included mandatory face coverings, frequent facility cleaning, temperature kiosks, managing the building population, signage, increased building air exchanges and others.
 - 1.2. Created a campus commitment that all students and employees had to sign signifying they understood our rules and the code of conduct consequences for non-compliance.
 - 1.3. Adopted a required training program aimed at keeping our campus community healthy
 - 1.4. Built a self-assessment screening application that every member of the community must take regularly.
 - 1.5. Converted the IST entry and exit points to touchless entry to minimize touching frequently used door handles.
 - 1.6. Took inventory of heavy traffic areas and installed partitions where appropriate.
 - 1.7. Increased the number of cleaning and hand sanitation stations
 - 1.8. Implemented surveillance protocols that include the daily health assessment, temperature kiosks and reporting website that launches several actions (cleaning/disinfecting, notification to supervisor/faculty, close contact information, ...) based on certain symptoms.
 - 1.9. Created a new respiratory clinic that is distinct and separate from the health clinic for anyone experiencing COVID-like symptoms.
2. Develop, implement and adapt policies and plans for Academics
 - 2.1. Managed and distributed CARES funding according to federal guidelines
 - 2.2. Changed the academic calendar to begin and end earlier than planned so as to align with the expected increase in cases. This required changing dorm, food service and move-in dates for the campus.
 - 2.3. Defined needed computer resources (minimum recommended standard) for this year based on last-year's experiences. Funded some of these purchases through CARES funding for low-income students and provided long-term loaners from Technology Services to others.
 - 2.4. Created three different instructional formats that helps us manage class sizes to maintain 6' physically distancing. Built a custom seat reservation application for Flex classes where students can sign up for seats to attend in person classes.
 - 2.5. Developed faculty training programs to help them adjust and prepare for the new class formats.
3. Develop, implement and adapt policies and plans for Dining and Housing
 - 3.1. Made changes to Chartwells food service program; rearranged inside seating to maintain the 6' rule and added additional seating outside in the Oak Grove.
 - 3.2. Worked with Vestcor and Coastal Ridge to manage students interested in canceling their leases. Cancelled the international students that could not return, as well as students with health concerns. Developed and negotiated a plan for students that had a change in their family financial status and those that did not feel comfortable returning because of COVID.
 - 3.3. We developed and implemented an appointment system that spanned four days for students to return to campus and move into their dorms.
4. Develop, implement and adapt policies and plans for Student Activities



- 4.1. Added virtual academic support services, virtual student union, eSports, group fitness classes outside and reopened the Student Development Center with new rules and a reservation system.
- 4.2. Rearranged furniture throughout the entire building, to include the commons, to maintain 6' physical distancing rules.
5. Develop, implement and adapt policies and plans for Returning to work
 - 5.1. To limit the spread of COVID and protect our employees, the majority of campus transitioned to remote work early Spring 2020. We then created three categories of employees: 1) leadership, 2) employees that dominantly work on campus and 3) employees that can work remotely with little interruption. We brought leadership back early August and employees that needed to be on campus just before students arrived. To allow us to continue focusing on those employees and students that are on campus, we have not yet brought back employees that can work remotely. This is a month-by-month decision.
 - 5.2. We developed an "Accommodation matrix" that helps us make consistent decisions regarding accommodations for employees that request to stay at home. This matrix weighs the health risk to the employee versus the impact to the institution.
 - 5.3. We signed a new contract with the vendor that provides mental health services to our students for our Employee Assistance Program (EAP), which provides professional, confidential advice to help manage employee's troubles.



Board of Trustees Meeting

September 9, 2020

12:45 PM-1:15 PM

Or upon the conclusion of the previous committee meeting

**Florida Polytechnic University
WEBEX TELECONFERENCE MEETING**

Dial in: 1-415-655-0001 | Access code: 171 599 4704#

MEMBERS

Cliff Otto, Chair

Dr. Ala J. Alnaser

Connor Coddington

Mark Bostick, Vice Chair

Frank Martin

Don Wilson

Dr. W. Earl Sasser

Bob Stork

Gary C. Wendt

AGENDA

- | | |
|--|--|
| I. Call to Order | Cliff Otto, Chair |
| II. Roll Call | Kristen Wharton |
| III. Public Comment | Cliff Otto, Chair |
| IV. Chairman's Remarks | Cliff Otto, Chair |
| V. President's Remarks | Randy K. Avent, President |
| VI. Revisions to FPU-1.005P Sexual Harassment | Gina DeIulio, Vice President and General Counsel |
| VII. Consent Agenda
Action Required | Cliff Otto, Chair |
| A. Academic & Student Affairs Committee | |
| 1. Approve Academic & Student Affairs Committee Charter | |
| 2. Approve FPU-5.003 Textbook Adoption and Affordability - Amendment and Repeal of BOT Resolution 2017-001 | |
| 3. Approve FPU-BOT COVID19 MOU 2 | |
| B. Audit & Compliance Committee | |
| 1. Approve Audit & Compliance Committee Charter | |
| 2. Approve Auditor General Operational Audit | |
| 3. Approve UAC Annual Report – FYE 6/30/20 | |

4. Approve UAC Audit Plan and Risk Assessment -
FYE 6/30/21
 5. Approve UAC Compliance and Ethics Program
Plan - FYE 6/30/21
- C. Strategic Planning Committee
1. Approve Strategic Planning Committee Charter
- D. Finance & Facilities Committee
1. Approve Finance & Facilities Committee
Charter
 2. Approve Carryforward and Fixed Capital
Outlay Budgets
 3. Approve University Resources Used by the
Foundation FY19-20 and to be Used FY20-21
 4. Approve Foundation Board Appointments
- E. Governance Committee
1. Approve Governance Committee Charter
- F. Board of Trustees
1. Approve May 20, 2020 Board of Trustees
Meeting Minutes

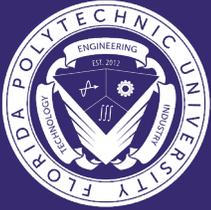
VIII. Committee Reports

- | | |
|---|-------------------------------|
| A. Executive Committee Report (June 12, 2020) | Cliff Otto, Chair |
| B. Academic & Student Affairs Committee | Dr. W. Earl Sasser, Chair |
| C. Audit & Compliance Committee | Bob Stork, Committee Chair |
| D. Strategic Planning Committee
Action Required
1. Approve 2019-2020 Florida Polytechnic
University Equity Report | Gary Wendt, Committee Chair |
| E. Finance & Facilities Committee
Action Required
1. Approve Proposed P3 for Building on Campus
and Related ITN | Cliff Otto, Committee Chair |
| F. Governance Committee
Action Required
1. Approve Legislative Advocacy Plan | Mark Bostick, Committee Chair |

IX. Board of Trustees Meeting Schedule

Cliff Otto, Chair

- November 17-18, 2020
- February 16-17, 2021



- May 3, 2021 (*May 2: Commencement*)

X. Board of Governors' Meetings

Cliff Otto, Chair

- September 16, 2020 (*USF, Tampa*)
- **November 4-5, 2020 (*UNF, Jacksonville*)**
- January 20-21, 2021 (*NCF, Sarasota*)
- March 24-25, 2021 (*FAMU, Tallahassee*)
- June 22-24, 2021 (*USF, Tampa*)

XI. Closing Remarks and Adjournment

Cliff Otto, Chair



FLORIDA POLYTECHNIC
UNIVERSITY

Chairman's Remarks

Clifford K. Otto, Board Chair

September 9, 2020

Rear Admiral Philip Dur



Term of service:
3/24/16 – 6/30/20



Dr. Lou Saco



Term of service:
11/9/17 – 7/5/20



Henry McCance



Term of service:
3/24/16 – 6/30/20



Adrienne Perry



Term of service:
3/29/18 – 5/5/20



**Florida Polytechnic University
Board of Trustees
September 5, 2018**

Subject: Revisions to FPU-1.005P Sexual Harassment

Proposed Committee Action

Information only – no action required.

Background Information

Effective August 14, 2020, the U.S. Department of Education adopted final regulations that govern sexual discrimination under Title IX that resulted in numerous changes to the way educational institutes address sexual discrimination, and more specifically sexual harassment, on campus. A summary of these changes is included in supporting documentation. The University has revised FPU-1.005P Sexual Harassment to comply with the new Title IX regulations.

Revisions include:

- Name of policy changed from "Sexual Harassment" to "Sexual Misconduct" to more accurately reflect the content and scope of the policy.
- Definitions added and revised to reflect terms as defined in the new Title IX regulations.
- Clarifies that except for students employed in Residential Life, OPS student employees are not required to report suspected sexual misconduct.
- Clarifies confidential reporting sources.
- Clarifies that allegations of sexual misconduct where the respondent is a student will be resolved using the Student Code of Conduct.
- Clarifies that allegations of sexual misconduct where the respondent is an employee, vendor, or contractor, will be resolved using the procedures outlined in FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures.
- Adds procedures that will be followed, in addition to the respective grievance process, for allegations of sexual harassment that are within the jurisdiction of Title IX. This includes procedures for filing a formal complaint, providing notice of the allegations, informal resolution, conducting a formal investigation, conducting a live hearing with cross examination conducted by a party's advisor, reaching and issuing a written determination, and appealing a determination.

Supporting Documentation:

Summary of New Title IX Regulation

Approved FPU-1.005 Sexual Misconduct
Track Changes FPU-1.005 Sexual Harassment

Prepared by: Melaine Schmiz, Assistant General Counsel

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

Issue	The Title IX Final Rule: Addressing Sexual Harassment in Schools
<p><i>1. Notice to the School, College, University (“Schools”): Actual Knowledge</i></p>	<p>The Final Rule requires a K-12 school to respond whenever <i>any</i> employee has notice of sexual harassment, including allegations of sexual harassment. Many State laws also require all K-12 employees to be mandatory reporters of child abuse. For postsecondary institutions, the Final Rule allows the institution to choose whether to have mandatory reporting for all employees, or to designate some employees to be confidential resources for college students to discuss sexual harassment without automatically triggering a report to the Title IX office.</p> <p>For all schools, notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient’s behalf, charges a school with actual knowledge and triggers the school’s response obligations.</p>
<p><i>2. Definition of Sexual Harassment for Title IX Purposes</i></p>	<p>The Final Rule defines sexual harassment broadly to include any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect: Any instance of <i>quid pro quo</i> harassment by a school’s employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).</p> <p>- The Final Rule prohibits sex-based misconduct in a manner consistent with the First Amendment. <i>Quid pro quo</i> harassment and Clery Act/VAWA offenses are <u>not</u> evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such misconduct is sufficiently serious to deprive a person of equal access.</p> <p>- The Final Rule uses the Supreme Court’s <i>Davis</i> definition (<i>severe and pervasive and objectively offensive</i> conduct, effectively denying a person equal educational access) as one of the three categories of sexual harassment, so that where unwelcome sex-based conduct consists of speech or expressive conduct, schools balance Title IX enforcement with respect for free speech and academic freedom.</p> <p>- The Final Rule uses the Supreme Court’s Title IX-specific definition rather than the Supreme Court’s Title VII workplace standard (<i>severe or pervasive</i> conduct creating a hostile work environment). First Amendment concerns differ in educational environments and workplace environments, and the Title IX definition provides First Amendment protections appropriate for educational institutions where students are learning, and employees are teaching. Students, teachers, faculty, and others should enjoy free speech and academic freedom protections, even when speech or expression is offensive.</p>

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

<p><i>3. Sexual Harassment Occurring in a School’s “Education Program or Activity” and “in the United States”</i></p>	<p>The Title IX statute applies to persons in the United States with respect to education programs or activities that receive Federal financial assistance. Under the Final Rule, schools must respond when sexual harassment occurs in the school’s education program or activity, against a person in the United States.</p> <ul style="list-style-type: none"> - The Title IX statute and existing regulations contain broad definitions of a school’s “program or activity” and the Department will continue to look to these definitions for the scope of a school’s education program or activity. Education program or activity includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution (such as a fraternity or sorority house). - Title IX applies to all of a school’s education programs or activities, whether such programs or activities occur on-campus or off-campus. A school may address sexual harassment affecting its students or employees that falls outside Title IX’s jurisdiction in any manner the school chooses, including providing supportive measures or pursuing discipline.
<p><i>4. Accessible Reporting to Title IX Coordinator</i></p>	<p>The Final Rule expands a school’s obligations to ensure its educational community knows how to report to the Title IX Coordinator.</p> <ul style="list-style-type: none"> - The employee designated by a recipient to coordinate its efforts to comply with Title IX responsibilities must be referred to as the “Title IX Coordinator.” - Instead of notifying only students and employees of the Title IX Coordinator’s contact information, the school must also notify applicants for admission and employment, parents or legal guardians of elementary and secondary school students, and all unions, of the name or title, office address, e-mail address, and telephone number of the Title IX Coordinator. - Schools must prominently display on their websites the required contact information for the Title IX Coordinator. - Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. - Such a report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.
<p><i>5. School’s Mandatory Response Obligations: The Deliberate Indifference Standard</i></p>	<p>Schools must respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, which means a response that is not clearly unreasonable in light of the known circumstances. Schools have the following mandatory response obligations:</p> <ul style="list-style-type: none"> - Schools must offer supportive measures to the person alleged to be the victim (referred to as the “complainant”).

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

	<ul style="list-style-type: none"> - The Title IX Coordinator must promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. - Schools must follow a grievance process that complies with the Final Rule before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. - Schools must not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, when complying with Title IX. - The Final Rule requires a school to investigate sexual harassment allegations in any formal complaint, which can be filed by a complainant, or signed by a Title IX Coordinator. - The Final Rule affirms that a complainant’s wishes with respect to whether the school investigates should be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. - If the allegations in a formal complaint do not meet the definition of sexual harassment in the Final Rule, or did not occur in the school’s education program or activity against a person in the United States, the Final Rule clarifies that the school must dismiss such allegations <i>for purposes of Title IX</i> but may still address the allegations in any manner the school deems appropriate under the school’s own code of conduct.
<p>6. School’s Mandatory Response Obligations: <i>Defining</i> <i>“Complainant,”</i> <i>“Respondent,”</i> <i>“Formal Complaint,”</i> <i>“Supportive Measures”</i></p>	<p>When responding to sexual harassment (e.g., by offering supportive measures to a complainant and refraining from disciplining a respondent without following a Title IX grievance process, which includes investigating formal complaints of sexual harassment), the Final Rule provides clear definitions of complainant, respondent, formal complaint, and supportive measures so that recipients, students, and employees clearly understand how a school must respond to sexual harassment incidents in a way that supports the alleged victim and treats both parties fairly.</p> <p>The Final Rule defines “complainant” as an individual <i>who is alleged to be the victim</i> of conduct that could constitute sexual harassment.</p> <ul style="list-style-type: none"> - This clarifies that any third party as well as the complainant may report sexual harassment. - While parents and guardians do not become complainants (or respondents), the Final Rule expressly recognizes the legal rights of parents and guardians to act on behalf of parties (including by filing formal complaints) in Title IX matters. <p>The Final Rule defines “respondent” as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.</p>

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

	<p>The Final Rule defines “formal complaint” as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment and states:</p> <ul style="list-style-type: none"> - At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed. - A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under the Final Rule, and by any additional method designated by the school. - The phrase “document filed by a complainant” means a document or electronic submission (such as by e-mail or through an online portal provided for this purpose by the school) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. - Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or a party during a grievance process, and must comply with requirements for Title IX personnel to be free from conflicts and bias. <p>The Final Rule defines “supportive measures” as individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.</p> <ul style="list-style-type: none"> - The Final Rule evaluates a school’s selection of supportive measures and remedies based on what is not clearly unreasonable in light of the known circumstances, and does not second guess a school’s disciplinary decisions, but requires the school to offer supportive measures, and provide remedies to a complainant whenever a respondent is found responsible.
<p>7. <i>Grievance Process, General Requirements</i></p>	<p>The Final Rule prescribes a consistent, transparent grievance process for resolving formal complaints of sexual harassment. Aside from hearings (see Issue #9 below), the grievance process prescribed by the Final Rule applies to all schools equally including K-12 schools and postsecondary institutions. The Final Rule states that a school’s grievance process must:</p> <ul style="list-style-type: none"> - Treat complainants equitably by providing remedies any time a respondent is found responsible, and treat respondents equitably by not imposing disciplinary sanctions without following the grievance process prescribed in the Final Rule. - Remedies, which are required to be provided to a complainant when a respondent is found responsible, must be designed to maintain the complainant’s equal access to education and may include the same individualized services described in the Final Rule as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. - Require objective evaluation of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person’s status as a complainant, respondent, or witness.

Summary of Major Provisions of the Department of Education's Title IX Final Rule

- Require Title IX personnel (Title IX Coordinators, investigators, decision-makers, people who facilitate any informal resolution process) to be free from conflicts of interest or bias for or against complainants or respondents.
- Training of Title IX personnel must include training on the definition of sexual harassment in the Final Rule, the scope of the school's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- A school must ensure that decision-makers receive training on any technology to be used at a live hearing.
- A school's decision-makers and investigators must receive training on issues of relevance, including how to apply the rape shield protections provided only for complainants.
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- Recipients must post materials used to train Title IX personnel on their websites, if any, or make materials available for members of the public to inspect.
- Include reasonably prompt time frames for conclusion of the grievance process, including appeals and informal resolutions, with allowance for short-term, good cause delays or extensions of the time frames.
- Describe the range, or list, the possible remedies a school may provide a complainant and disciplinary sanctions a school might impose on a respondent, following determinations of responsibility.
- State whether the school has chosen to use the preponderance of the evidence standard, or the clear and convincing evidence standard, for all formal complaints of sexual harassment (including where employees and faculty are respondents).
- Describe the school's appeal procedures, and the range of supportive measures available to complainants and respondents.
- A school's grievance process must not use, rely on, or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- Any provisions, rules, or practices other than those required by the Final Rule that a school adopts as part of its grievance process for handling formal complaints of sexual harassment, must apply equally to both parties.

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

<p><i>8. Investigations</i></p>	<p>The Final Rule states that the school must investigate the allegations in any formal complaint and send written notice to both parties (complainants and respondents) of the allegations upon receipt of a formal complaint. During the grievance process and when investigating:</p> <ul style="list-style-type: none"> - The burden of gathering evidence and burden of proof must remain on schools, not on the parties. - Schools must provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence. - Schools must not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no “gag orders”). - Parties must have the same opportunity to select an advisor of the party’s choice who may be, but need not be, an attorney. - Schools must send written notice of any investigative interviews, meetings, or hearings. - Schools must send the parties, and their advisors, evidence directly related to the allegations, in electronic format or hard copy, with at least 10 days for the parties to inspect, review, and respond to the evidence. - Schools must send the parties, and their advisors, an investigative report that fairly summarizes relevant evidence, in electronic format or hard copy, with at least 10 days for the parties to respond. - Schools must dismiss allegations of conduct that do not meet the Final Rule’s definition of sexual harassment or did not occur in a school’s education program or activity against a person in the U.S. Such dismissal is only for Title IX purposes and does not preclude the school from addressing the conduct in any manner the school deems appropriate. - Schools may, in their discretion, dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein, if the respondent is no longer enrolled or employed by the school, or if specific circumstances prevent the school from gathering sufficient evidence to reach a determination. - Schools must give the parties written notice of a dismissal (mandatory or discretionary) and the reasons for the dismissal. - Schools may, in their discretion, consolidate formal complaints where the allegations arise out of the same facts. - The Final Rule protects the privacy of a party’s medical, psychological, and similar treatment records by stating that schools cannot access or use such records unless the school obtains the party’s voluntary, written consent to do so.
<p><i>9. Hearings:</i></p>	<p>The Final Rule adds provisions to the “live hearing with cross-examination” requirement for postsecondary institutions and clarifies that hearings are optional for K-12 schools (and any other recipient that is not a postsecondary institution).</p>

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

<p>(a) <i>Live Hearings & Cross-Examination (for Postsecondary Institutions)</i></p>	<p>(a) For postsecondary institutions, the school’s grievance process must provide for a live hearing:</p> <ul style="list-style-type: none"> - At the live hearing, the decision-maker(s) must permit each party’s advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. - Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party’s advisor of choice and never by a party personally. - At the request of either party, the recipient must provide for the entire live hearing (including cross-examination) to occur with the parties located in separate rooms with technology enabling the parties to see and hear each other. - Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker must first determine whether the question is relevant and explain to the party’s advisor asking cross-examination questions any decision to exclude a question as not relevant. - If a party does not have an advisor present at the live hearing, the school must provide, without fee or charge to that party, an advisor of the school’s choice who may be, but is not required to be, an attorney to conduct cross-examination on behalf of that party. - If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions. - Live hearings may be conducted with all parties physically present in the same geographic location or, at the school’s discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. - Schools must create an audio or audiovisual recording, or transcript, of any live hearing.
<p>(b) <i>Hearings are Optional, Written Questions Required (for K-12 Schools)</i></p>	<p>(b) For recipients that are K-12 schools, and other recipients that are not postsecondary institutions, the recipient’s grievance process may, <i>but need not</i>, provide for a hearing:</p> <ul style="list-style-type: none"> - With or without a hearing, after the school has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.
<p>(c) <i>Rape Shield Protections for Complainants</i></p>	<p>(c) The Final Rule provides rape shield protections for complainants (as to all recipients whether postsecondary institutions, K-12 schools, or others), deeming irrelevant questions and evidence about a complainant’s prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove consent.</p>

Summary of Major Provisions of the Department of Education’s Title IX Final Rule

<p><i>10. Standard of Evidence & Written Determination</i></p>	<p>The Final Rule requires the school’s grievance process to state whether the standard of evidence to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard. The Final Rule makes each school’s grievance process consistent by requiring each school to apply the same standard of evidence for all formal complaints of sexual harassment whether the respondent is a student or an employee (including faculty member).</p> <ul style="list-style-type: none"> - The decision-maker (who cannot be the same person as the Title IX Coordinator or the investigator) must issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. - The written determination must be sent simultaneously to the parties along with information about how to file an appeal.
<p><i>11. Appeals</i></p>	<p>The Final Rule states that a school must offer both parties an appeal from a determination regarding responsibility, and from a school’s dismissal of a formal complaint or any allegations therein, on the following bases: procedural irregularity that affected the outcome of the matter, newly discovered evidence that could affect the outcome of the matter, and/or Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter.</p> <ul style="list-style-type: none"> - A school may offer an appeal equally to both parties on additional bases.
<p><i>12. Informal Resolution</i></p>	<p>The Final Rule allows a school, in its discretion, to choose to offer and facilitate informal resolution options, such as mediation or restorative justice, so long as both parties give voluntary, informed, written consent to attempt informal resolution. Any person who facilitates an informal resolution must be well trained. The Final Rule adds:</p> <ul style="list-style-type: none"> - A school may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment. Similarly, a school may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. - At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. - Schools must not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Summary of Major Provisions of the Department of Education's Title IX Final Rule

<p><i>13. Retaliation Prohibited</i></p>	<p>The Final Rule expressly prohibits retaliation.</p> <ul style="list-style-type: none">- Charging an individual with code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.- The school must keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.- Complaints alleging retaliation may be filed according to a school's prompt and equitable grievance procedures.- The exercise of rights protected under the First Amendment does not constitute retaliation.- Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.
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FLORIDA	OFFICIAL
POLYTECHNIC	UNIVERSITY
UNIVERSITY	POLICY

Subject/Title: Sexual Misconduct
FPU Policy Number: FPU-1.005P
<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Major Revision of Policy <input type="checkbox"/> Minor Technical Revision of Policy
Date First Adopted: October 30, 2013
Date Revised: February 27, 2015; August 14, 2020
Responsible Division/Department: Office of the President
Initiating Authority: President

A. APPLICABILITY/ACCOUNTABILITY:

Florida Polytechnic University is committed to ensuring that each member of the University Community is permitted to work, study, live and interact with each other in a dignified learning environment, free from any form of unlawful sexual misconduct. This policy provides guidance regarding conduct that constitutes sexual misconduct, reporting responsibilities regarding such behavior, and specific information on where to go to seek supportive measures or file a complaint of sexual misconduct. Complaints of sexual misconduct will be handled following the procedures listed within this policy and/or, as appropriate, the procedures in FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures. In instances where the Respondent is a student, the procedures in FPU-3.006 Student Code of Conduct will also be followed. If this policy and another University regulation or policy conflict, this policy controls.

B. POLICY STATEMENT:

Sexual misconduct violates University policy, federal and state laws and may also be subject to criminal prosecution. The University is committed to fostering an environment that promotes prompt reporting of all types of sexual harassment and timely and fair resolution of sexual misconduct complaints.

The University does not discriminate on the basis of sex in its educational programs and activities. Title IX of the Higher Education Amendments of 1972, 20 USC 1681 et seq. and The Violence Against Women Act of 1994 (VAWA), prohibits such misconduct, in any form, including sexual harassment. The University has designated a Title IX Coordinator (see contact information below) to handle all complaints alleging sexual misconduct and to conduct investigations of such complaints in a manner that ensures a prompt and equitable resolution. Additionally, as an employer, the University is required to comply with Title VII of the Civil Rights Act of 1964 and other federal and state laws regarding sexual harassment.

C. DEFINITIONS:

1. **Advisor.** A person chosen by either party who may assist and/or accompany the individual throughout the process. An advisor may be a family member, friend, faculty member, staff member, or other advisor/support. An advisor may be an attorney but may not act as legal counsel during the grievance process. An advisor cannot directly

participate in the grievance process nor speak on behalf of the party except for administering cross examination questions during a live hearing if the conduct alleged is within the jurisdiction of Title IX. An advisor is not permitted to submit any written requests (including appeals) on behalf of a party. The advisor cannot serve as a witness during the grievance process. A University representative may remove any advisor that does not adhere to these expectations or other established decorum rules during the formal hearing.

2. **Complainant.** An individual who is alleged to be the victim of conduct that could constitute sexual misconduct under this policy.
3. **Consent.** An understandable exchange of affirmative actions or words that indicate an active, knowing, and voluntary agreement to engage in mutually agreed upon sexual activity.
 - a. Silence or previous history does not indicate consent. Consent must be given for every instance of every act.
 - b. Consent can be withdrawn at any time.
 - c. A person cannot consent if the person is incapacitated from alcohol or drugs, asleep, or is otherwise mentally or physically unable to consent to sexual activity. A person must reasonably know or should have known the person was incapacitated for there to be a lack of consent.
 - d. A person cannot consent if the person is under the age of consent pursuant to Florida law.
 - e. Consent must be freely given and cannot be granted under psychological, emotional, or physical force, manipulation, coercion, persuasion or threats.
4. **Dating Violence.** As defined in the Violence Against Women Act of 1994, violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
5. **Domestic Violence.** As defined in the Violence Against Women Act of 1994, any felony or misdemeanor crime of violence committed:
 - a. By a current or former spouse or intimate partner of the victim;
 - b. By a person with whom the victim shares a child in common;
 - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
 - e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
6. **Formal Complaint.** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment.
7. **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 determining whether conduct is a violation of this policy.

8. **Reporter.** A person who reports a violation of this policy to the Title IX Coordinator or their supervisor/manager.
9. **Respondent.** An individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct under this policy.
10. **Sexual Assault.** As defined in the Violence Against Women Act of 1994 is any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent. This includes, but is not limited to, attempted sexual assault and the following:
 - a. Rape. The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - b. Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - c. Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. Statutory Rape. Sexual intercourse with a person who is under the statutory age of consent.
11. **Sexual Harassment.** As defined in Title IX, conduct on the basis of sex that satisfies one or more of the following:
 - a. A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
 - i. For instances where the conduct is outside the scope of Title IX but is within the purview of the University jurisdiction or Title VII as it pertains to employment law, the definition of sexual harassment is severe, pervasive, or objectively offensive.
 - c. Sexual assault, dating violence, domestic violence, or stalking as defined herein and consistent with federal law.
12. **Sexual Misconduct.** An umbrella term used to refer to a broad range of sexually inappropriate behaviors that includes sexual violence (rape/sexual battery/sexual assault); sexual harassment; intimate partner violence (domestic violence, dating violence, relationship violence); stalking; sexual exploitation; and other forms of sexually exploitative behavior that can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by any person and can occur between people of the same or different sex, sexual orientation, and gender identity or gender expression.
13. **Stalking.** As defined in the Violence Against Women Act of 1994, a course of conduct directed at a specific person that would cause a reasonable person to:
 - a. Fear for the person's safety or the safety of others; or
 - b. Suffer substantial emotional distress.

- c. For the purposes of this definition:
 - i. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

14. Student.

- a. Persons taking courses at the University (full-time or part-time) in undergraduate, graduate, or professional studies;
- b. Persons who withdraw from the University after allegedly violating this policy;
- c. Persons who were previously enrolled but are not officially enrolled for a particular term and have a continuing relationship with the University;
- d. Persons who have been notified of their acceptance for admission to the University

15. Supportive Measures. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

16. University Community. For purposes of this policy, includes individuals applying for enrollment at or employment with the University, University students, University employees, visitors, and contracted agents and vendors.

D. SEEKING GUIDANCE OR FILING A COMPLAINT:

Any member of the University Community who believes that they have been subjected to sexual misconduct, retaliation related to an allegation of sexual misconduct, or any member of the University Community who believes that others have been subjected to sexual misconduct in violation of this policy may seek guidance, supportive measures, or file a complaint by contacting:

Title IX Coordinator
4700 Research Way
Lakeland, Florida 33805-8531
(863) 874-8484
titleixcoordinator@floridapoly.edu
Online Report Form – www.floridapoly.edu/titleix

Allegations of a violation of this policy, including complaints of retaliation, will be addressed by the Title IX Coordinator, in accordance with the applicable regulations, policies and procedures. Members of the University Community may contact the Title IX Coordinator to seek assistance in informally resolving the complaint or in a formal investigation. Allegations

of sexual misconduct reported to the University's Title IX Coordinator in no way affect the right of the complainant to file a criminal complaint, even in the event an internal University investigation has already commenced.

E. ACTIONS THAT DO NOT CONSTITUTE SEXUAL MISCONDUCT:

The University educational environment is unique in that there must be the freedom to express ideas and to foster communication on subjects that enhance the University's educational mission. Accordingly, while the University is committed to providing a learning environment that is free from sexual harassment, the purpose of this policy is not intended to abridge academic freedom or to interfere with speech, as guaranteed by the First Amendment. As such, pursuant to this policy, sexual misconduct does not include:

1. The expression of ideas in an academic context to provoke thought or discussion on topics germane to the course and advancement of the University's educational mission.
2. Engagement in debate or discourse over issues that society may find to be unpopular, offensive, or disagreeable.
3. Discussing, using, or displaying views, words, symbols or thoughts in an academic setting, which are germane to the course and which some persons may find to be offensive.

F. VIOLATIONS:

In determining whether alleged conduct constitutes sexual misconduct, and a violation of this policy, the conduct will be evaluated from the perspective of a reasonable person, considering the totality of the circumstances, such as the nature of the alleged conduct and the context in which the alleged conduct occurred. A determination on the allegations is made from the facts on a case-by-case basis, using the preponderance of the evidence standard. In an academic setting, consideration will be given to free speech and academic freedom. Those members of the University Community who are found to have violated this policy may be subject to disciplinary sanctions, including but not limited to:

1. Students: Alteration of class schedule, alternation of housing assignment, restriction from entering specific buildings/areas, loss of privilege, restitution, University probation, educational sanctions, removal from on-campus housing, suspension, dismissal, and expulsion.
2. Employees: Reassignment of duties, mandatory training, verbal reminders, written reprimand, suspension, and termination.

G. RESPONSIBILITY TO REPORT SEXUAL MISCONDUCT:

To maintain an environment free from sexual misconduct, the responsibility for reporting incidents of sexual misconduct rests with all members of the University Community. Any employee, student, applicant or other member of the University Community who believes another member is being subjected to sexual misconduct in violation of this policy is strongly encouraged, if not required, to report the matter to their supervisor, manager, or directly to the Title IX Coordinator. Once the Title IX Coordinator receives the report the University is deemed to have actual knowledge.

1. **Supervisors and Managers.** All supervisors and managers, defined as persons supervising one or more employees, are required to promptly report to the Title IX Coordinator (either verbally or through written communications) allegations, reports or

- instances of alleged sexual misconduct by or against any person covered by this policy.
2. **Faculty Members.** All faculty members are required to promptly report to the Title IX Coordinator or, alternatively, to their department chair, dean, or applicable academic administrator any and all allegations, reports, or instances of alleged sexual misconduct by or against a student in violation of this policy. Persons to whom alleged acts of sexual misconduct are reported by faculty, must promptly report the matter to the Title IX Coordinator (either verbally or through written communications).
 3. **Student Employees.** Except for students who are employed in Residential Life, students who are employed by the University in an OPS position are strongly encouraged, but not required, to report suspected sexual misconduct in violation of this policy to their supervisor, manager, or directly to the Title IX Coordinator. Students who are employed in Residential Life are required to promptly report to their supervisor, manager, or directly to the Title IX Coordinator (either verbally or through written communications) allegations, reports or instances of alleged sexual misconduct by or against any person covered by this policy.
 4. **Members of the University Community.** An individual who feels uncomfortable and/or harmed by offensive behavior should try to remove themselves from the offending situation and seek help as quickly as possible by reporting the offending conduct to an individual designated in this policy. However, failure for an individual to take affirmative steps to stop sexual misconduct, in no way, bars the individual from seeking relief through filing a claim under this policy.
 5. **Confidential Employees.** Employees, vendors, and contractors working in counseling services, medical services, and the University Ombudsperson are confidential resources and are not required to report any information regarding an incident of sexual misconduct. These individuals should:
 - a. Inform an individual of their right to file a complaint with the University and/or a complaint with campus or local law enforcement;
 - b. Inform the student or employee about available resources for counseling, medical, academic, and other supports;
 - c. Indicate that they are available to assist an individual in filing a complaint; and
 - d. Explain that University policies and regulations include protections against retaliation.

H. GRIEVANCE PROCESS:

1. **Responsibility of Title IX Coordinator.** The Title IX Coordinator is responsible for administering the grievance process for sexual misconduct. Reports or allegations covered in this policy will be processed upon receiving the report. The Title IX Coordinator makes an initial assessment of whether the complaint falls within the scope of this policy and/or Title IX.
2. **Respondent is an Employee, Vendor, or Contractor.** If the Respondent is an employee, a vendor, or a contractor, the complaint will be resolved using the procedures outlined in FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures.
3. **Respondent is a University Student.** If the Respondent is a student, the complaint will be resolved using the procedures outlined in FPU-3.006 Student Code of Conduct.
4. **Title IX Grievance Process.** Complaints that allege conduct that is within the scope of

Title IX will also follow the additional provisions in section (9) below.

I. ADDITIONAL GRIEVANCE PROCESS PROVISIONS FOR TITLE IX:

Title IX of the Higher Education Amendments of 1972, 20 USC 1681 et seq., a Federal civil rights law, prohibits sex discrimination, in any form, including sexual harassment, sexual assault, dating violence, domestic violence and stalking. The following provisions apply to allegations that conduct constitutes Sexual Harassment under Title IX.

1. **Title IX Coordinator and Jurisdiction.** The University has designated a Title IX Coordinator to address complaints alleging sexual harassment in a manner that ensures a prompt and equitable resolution. The Title IX Coordinator will assess each report received to determine whether the reported incident is within the jurisdiction of Title IX.
 - a. To be considered under the jurisdiction of Title IX jurisdiction, the alleged Sexual Harassment must have occurred to persons participating or attempting to participate in the University's education program or activity in the United States.
 - i. Education program or activity includes locations, events, or circumstances over which the University has exercised substantial control over both the Respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
 - b. The University must have jurisdiction over the Respondent and the Complainant during the time of reporting, this includes both students and employees.
2. **Supportive Measures.** The Complainant and Respondent may request and receive supportive measures without filing a formal complaint and at any time during the grievance process.
3. **Formal Complaint.** The Complainant or Title IX Coordinator must sign a document acknowledging the process moving forward with an informal resolution or formal investigation. There is a presumption of innocence that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
 - a. If a formal complaint has been signed, the Complainant can choose an Informal Resolution or Formal Investigation.
4. **Notice of Allegations.** A Notice of Allegation will be sent to the both parties, if a Formal Complaint has been filed. The notice will provide sufficient time to prepare a response before the initial meetings. The Notice of Allegation will include, but not limited to:
 - a. The identity of the Complainant and Respondent;
 - b. An explanation of the Grievance Process;
 - c. Information regarding the allegations of sexual misconduct, providing sufficient details known at the time, time and location if available.
 - d. Right to have an Advisor of the party's choice to accompany them through the grievance process (can, but does not need to be an attorney)
 - e. A statement that knowingly making false statements or submitting false information is prohibit.
 - f. Right to present witnesses, including fact and expert witnesses, and other evidence and to review all evidence collected.
5. **Informal Resolution.** Informal Resolution is a process that will allow for both parties to work on a resolution outside of an investigation. This can include mediation, restorative

justice, or an alternative format agreed upon by both parties. Informal Resolution will not result in a policy violation but rather an agreed upon resolution by both parties.

- a. This process can be used at any time before or during an investigation of a complaint and allows parties to resolve a complaint through informal means such as mediation or restorative justice.
 - b. In order to resolve complaints through Informal Resolution, both parties must agree to resolve the complaint through Informal Resolution.
 - c. A Complainant or Respondent may, at any time, end the Informal Resolution process.
 - d. If a complaint is not resolved through Informal Resolution, the Grievance Process, as described in this policy, will continue.
 - e. Informal Resolution cannot be used in sexual harassment allegations that involve an employee sexually harassing a student.
 - f. Once an Informal Resolution has been reached and both parties sign the agreed upon terms, the Grievance Process is complete.
 - g. However, if a party violates the agreed upon terms, the parties have the option to re-enter Informal Resolution or continue with a Formal Investigation. The party that violates the terms, may receive additional charges under University policies.
6. **Formal Investigation and Investigative Report.** Prior to completion of the Formal Investigative Report, the Complainant and Respondent are both provided an equal opportunity to inspect and review any evidence obtained as part of the Formal Investigation that is directly related to the allegations raised in the Formal Complaint so that each party can meaningfully respond to the evidence prior to conclusion of the Formal Investigation.
- a. This includes evidence that is not intended to be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source. This means evidence that favors both the Complainant (inculpatory) and Respondent (exculpatory).
 - b. The evidence subject to inspection and review is provided to each party and their advisors in an electronic format or a hard copy. Each party has ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report.
 - c. The Investigative Report fairly summarizes relevant evidence determined by the Investigator and, is provided to each party and the party's advisor in electronic format or hard copy at least ten (10) business days prior to the live hearing for their review and written response.
7. **Live Hearing.** A live hearing must be conducted for all Formal Complaints unless the Formal Complaint has been dismissed or resolved through the Informal Resolution process. This includes allegations between employees, employees and students, and students. For Formal Complaints where the Respondent is a student, the following provisions also apply to the Formal Hearing process in FPU-3.006 Student Code of Conduct.
- a. **Remote Participation.** Live hearings may be conducted virtually, with technology enabling participants simultaneously to see and hear each other.
 - b. **Hearing Body.** The Hearing Body is comprised of up to three (3) staff and/or faculty members that have been trained to be a part of this process and are appointed by the

- President or President's designee. The Title IX Coordinator, investigator, or other person who participated in the informal resolution process, if any, may not be a member of the Hearing Body.
- i. The parties may opt to waive a Hearing Body for a single Hearing Officer. Both parties must agree and a written request must be made outlining the reason.
 - ii. Both parties may have an advisor of their choice at the live hearing. An Advisor may conduct cross examination only. An Advisor may not participate in any other part of the live hearing.
 - iii. During the Live Hearing, if either party does not have an advisor with them, the University will provide an advisor of the University's choosing at no cost to the party.
- c. **Cross Examination.**
- i. Before a Complainant, Respondent, or Witness answers a cross-examination or other question from the respective Advisor, the Hearing Body must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
 - ii. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
 - iii. Repetitive questions to the Complainant, Respondent, or Witness may be deemed not relevant if the questions have already been answered throughout the Hearing.
 - iv. If a Complainant, Respondent, or Witness does not participate in cross examination, the Hearing Body will not be able to use any of the statements or information that the individual previously provided. This includes statements made to the investigator, documentation provided by the party, and police reports that include the specific individual's statements alone.
- d. **Conduct of Live Hearing.**
- i. Reading of charge(s) by Hearing Body.
 - ii. Respondent's response of "responsible" or "not responsible."
 - iii. Hearing Body presents information regarding the charges.
 - iv. Complainant's opening statement and presentation of information.
 - v. Respondent's opening statement and presentation of information.
 - vi. Hearing Body questions the Complainant, Respondent, and/or witnesses.
 - vii. Complainant's advisor questions the Complainant, Respondent, and/or witnesses.
 - viii. Respondent's advisor questions the Complainant, Respondent, and/or witnesses.
 - ix. Hearing Body's final questions of the Complainant, Respondent, and/or witnesses.
 - x. Complainant's closing remarks.
 - xi. Respondent's closing remarks.
 - xii. Hearing is brought to a close.
8. **Determination of Responsibility and Written Determination.** The Hearing Body determines whether alleged conduct constitutes a policy violation and will determine sanction(s) as appropriate. The conduct will be evaluated based on the facts gathered

from the live hearing on a case-by-case basis. The Hearing Body will consider the totality of the circumstances and use the preponderance of the evidence standard in its determination. The Hearing Body must issue a written determination regarding responsibility. The written determination must include:

- a. Identification of the allegations potentially constituting sexual harassment;
 - b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - c. Findings of fact supporting the determination;
 - d. Conclusions regarding the application of FPU-3.006 Student Code of Conduct to the facts if the Respondent is a student;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant; and
 - f. The procedures and permissible bases for the Complainant and Respondent to appeal.
9. **Appeal.** A Complainant or Respondent may appeal the findings and sanction(s) after receiving the Notice of the Determination or a dismissal of the Final Complaint or any allegations in a Formal Complaint.
- a. An appeal must be submitted to the Title IX Office, in writing, within ten (10) business days of receipt of the issued findings and sanction(s) and must specify the basis of the appeal.
 - b. Appeals must be based on one or more of the following provisions and that had an effect on the outcome of the matter:
 - i. Procedural irregularity;
 - ii. New evidence that was not reasonably available at the time of the Live Hearing or when the determination regarding responsibility or dismissal was made; and
 - iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent.
 - c. Written notice of an appeal is provided to the other party. The Complainant or Respondent may submit a written response to an appeal to the Title IX Office. Such response will be attached to the final report and maintained in the same file.
 - d. The President or designee may designate a person with appropriate training to serve as an appellate officer to review the appeal and issue a written decision that describes the result of the appeal and the rationale for the result. A person that reached the determination regarding responsibility (Hearing Body) or dismissal, the investigator(s), nor the Title IX Coordinator can be an appellate officer.
 - e. The written decision is provided to both parties simultaneously.

J. RETALIATION PROHIBITED:

Retaliation, or otherwise taking adverse employment or educational action, against a member of the University Community because the member, in good faith, reported an allegation of

sexual harassment, participated in an investigation or review regarding a complaint, participated in the resolution process, supported a Complainant or Respondent, or assisted in providing information relevant to an investigation is strictly prohibited and a violation of this policy. Retaliation includes adverse action, harassment, intimidation, threats or coercion in any employment, educational, program or activity.

K. FRIVOLOUS OR MALICIOUS COMPLAINTS:

In the event that a claim of sexual misconduct is found to be frivolous or malicious, the person making the frivolous or malicious complaint may be subject to disciplinary and other action.

L. EDUCATION AND NOTIFICATION:

Copies of this policy are widely disseminated to the University Community so that all members are aware of acts which constitute sexual misconduct and shall recognize that the University regards sexual misconduct to be a serious offense and will not be tolerated. Periodic workshops and other educational programs are offered to University personnel regarding the topic of sexual misconduct.

For Title IX purposes, those that are part of the process must be appropriately trained. This may include the Title IX Coordinator, investigators, decision makers, appellate officers, and advisors. All trainings for these individuals are located on the Title IX Webpage.

POLICY APPROVAL	
Policy No.: FPU-1.005P <u>Mave</u>	<u>8.13.2020</u>
Initiating Authority <u>[Signature]</u>	Date <u>8/13/20</u>
Policies & Procedures Review Committee Chair <u>Mave</u>	Date <u>8.13.2020</u>
President/Designee	Date
Approved by FPU BOT, if required	Date

**EXECUTED SIGNATURE PAGES ARE AVAILABLE IN THE
OFFICE OF THE GENERAL COUNSEL**

FLORIDA	OFFICIAL
POLYTECHNIC	UNIVERSITY
UNIVERSITY	POLICY

Subject/Title: Sexual Harassment Misconduct
FPU Policy Number: FPU-1.005P
_____ New Policy _____ X Major Revision of Policy X Minor Technical
Date First Adopted: October 30, 2013
Date Revised: February 27, 2015
Responsible Division/Department: Chief Operating Officer Office of the President
Initiating Authority: General Counsel President

A.(1) APPLICABILITY/ACCOUNTABILITY:

Florida Polytechnic University ("~~FPU~~") is committed to ensuring that each member of the University Community ~~shall be~~is permitted to work, study, live and interact with each other in a dignified learning environment, free from any form of unlawful sexual ~~harassment~~misconduct. This policy provides guidance regarding conduct that constitutes sexual ~~harassment~~misconduct, reporting responsibilities regarding such behavior, and specific information on where to go to seek ~~guidance~~supportive measures, or file a complaint of sexual ~~harassment~~misconduct. All complaints of sexual harassment misconduct will be handled in accordance with following the University's grievance and disciplinary procedures listed within this policy and/or, as appropriate, the procedures in FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures. In instances where the Respondent is a student, the procedures in FPU-3.006 Student Code of Conduct will also be followed. If this policy and another University regulation or policy conflict, this policy controls.

B.(2) POLICY STATEMENT:

Sexual ~~harassment~~misconduct violates University policy, federal and state laws and may also be subject to criminal prosecution. The University is committed to fostering an environment that promotes prompt reporting of all types of sexual harassment and timely and fair resolution of sexual ~~harassment~~misconduct complaints.

~~FPU~~The University does not discriminate on the basis of sex in its educational programs and activities. Title IX of the Higher Education Amendments of 1972, 20 USC 1681 et seq., ~~a Federal civil rights law,~~ and The Violence Against Women Act of 1994 (VAWA), prohibits such ~~discrimination~~misconduct, in any form, including sexual harassment, ~~sexual violence and gender based discrimination~~. The University has designated a Title IX Coordinator (see contact information below) to handle all complaints alleging sexual ~~harassment~~misconduct and to conduct investigations of such complaints in a manner that ensures a prompt and equitable resolution. Additionally, as an employer, the University is required to comply with Title VII of the Civil Rights Act of 1964 and other federal and state laws regarding ~~sex-based~~sexual harassment ~~and sex discrimination~~.

C.(3) DEFINITIONS:

~~1. Sexual Harassment: Sexual harassment, a form of sex discrimination, includes, but is not limited to, sexual violence, gender based discrimination, and conduct in the form of unwelcome sexual advances, requests for sexual favors, or other verbal (including written and electronic communications) or physical conduct of a sexual nature from any person when such behavior:~~

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- ~~(i) Makes submission to or rejection of such conduct either an explicit or implicit basis for employment and/or academic decisions affecting the individual;~~
- ~~(ii) Unreasonably interferes with the individual's employment or academic performance by creating an intimidating, hostile or offensive environment; or~~
- ~~(iii) Creates an intimidating, hostile, or offensive work or academic environment.~~

~~2. **Sexual Violence:** Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of acts fall into the category of sexual violence, including, but not limited to, rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment.~~

~~3. **Gender-based Harassment:** Gender-based harassment, a form of sexual harassment, may include acts of verbal, non-verbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.~~

~~4. **University Community:** The University Community includes any Florida Polytechnic University officer, university employee, student, applicant, visitor, agent, vendor, or contractor.~~

~~**D. EXAMPLES OF SEXUAL HARASSMENT:**~~

~~Conduct which falls into the definition of sexual harassment, and may constitute a violation of this policy, includes, but is not limited to:~~

- ~~1. Inappropriate touching or brushing against the body of another including, but not limited to patting, fondling, massaging, caressing, pinching, attempted kissing or actual kissing.~~
- ~~2. Requesting sex or sexual acts in exchange for an occupational or educational benefit.~~
- ~~3. Repetitive propositions, invitations, or pressure for sexual activity.~~
- ~~4. Suggestive or inappropriate communications, notes, letters, e-mail, text messages, contact through social media, or other written materials.~~
- ~~5. Displaying, transmitting, or sending suggestive or inappropriate photographs, videos, computer images, slides, calendars, cartoons, or drawings through any medium.~~
- ~~6. Sexual innuendo, comments, or remarks about a person's clothing, body, or activities.~~
- ~~7. Making suggestive or obscene gestures or making suggestive or insulting sounds.~~
- ~~8. Whistling in a suggestive manner.~~
- ~~9. Actual or implied sexual threats or intimidation which places an individual in fear of imminent physical or psychological harm or injury.~~
- ~~10. Hazing, when of a sexual nature meaning acts likely to cause physical or psychological harm or social ostracism when related to admission, initiation, pledging, joining a University group, club, or organization.~~
- ~~11. Bullying, when of a sexual nature meaning repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally (excluding speech or other conduct protected by the First Amendment).~~

~~(a) **Advisor.** A person chosen by either party who may assist and/or accompany the individual throughout the process. An advisor may be a family member, friend, faculty member, staff member, or other advisor/support. An advisor may be an attorney but may not act as legal counsel during the grievance process. An advisor cannot directly participate in the grievance process nor speak on behalf of the party except for administering cross examination questions during a live hearing if the conduct alleged is within the jurisdiction of Title IX. An advisor is not permitted to submit any written requests (including appeals) on behalf of a party. The advisor cannot serve as a witness during the grievance process. A University representative may remove any advisor that does not adhere to these expectations or other established decorum rules during the formal hearing.~~

~~(b) **Complainant.** An individual who is alleged to be the victim of conduct that could constitute sexual misconduct under this policy.~~

~~(c) **Consent.** An understandable exchange of affirmative actions or words that indicate an active,~~

- knowing, and voluntary agreement to engage in mutually agreed upon sexual activity.
- (i) Silence or previous history does not indicate consent. Consent must be given for every instance of every act.
 - (ii) Consent can be withdrawn at any time.
 - (iii) A person cannot consent if the person is incapacitated from alcohol or drugs, asleep, or is otherwise mentally or physically unable to consent to sexual activity. A person must reasonably know or should have known the person was incapacitated for there to be a lack of consent.
 - (iv) A person cannot consent if the person is under the age of consent pursuant to Florida law.
 - (v) Consent must be freely given and cannot be granted under psychological, emotional, or physical force, manipulation, coercion, persuasion or threats.
- (d) **Dating Violence.** As defined in the Violence Against Women Act of 1994, violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- (e) **Domestic Violence.** As defined in the Violence Against Women Act of 1994, any felony or misdemeanor crime of violence committed:
- (i) By a current or former spouse or intimate partner of the victim;
 - (ii) By a person with whom the victim shares a child in common;
 - (iii) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
 - (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- (f) **Formal Complaint.** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment.
- (g) **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 determining whether conduct is a violation of this policy.
- (h) **Reporter.** A person who reports a violation of this policy to the Title IX Coordinator or their supervisor/manager.
- (i) **Respondent.** An individual who has been reported to be the perpetrator of conduct that could constitute sexual misconduct under this policy.
 - (j) **Sexual Assault.** As defined in the Violence Against Women Act of 1994 is any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent. This includes, but is not limited to, attempted sexual assault and the following:
 - (i) **Rape.** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - (ii) **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - (iii) **Incest.** Sexual intercourse between persons who are related to each other within the degrees

wherein marriage is prohibited by law.

(iv) Statutory Rape. Sexual intercourse with a person who is under the statutory age of consent.

(k) Sexual Harassment. As defined in Title IX, conduct on the basis of sex that satisfies one or more of the following:

(i) A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;

(ii) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or

(1) For instances where the conduct is outside the scope of Title IX but is within the purview of the University jurisdiction or Title VII as it pertains to employment law, the definition of sexual harassment is severe, pervasive, or objectively offensive.

(iii) Sexual assault, dating violence, domestic violence, or stalking as defined herein and consistent with federal law.

(l) Sexual Misconduct. An umbrella term used to refer to a broad range of sexually inappropriate behaviors that includes sexual violence (rape/sexual battery/sexual assault); sexual harassment; intimate partner violence (domestic violence, dating violence, relationship violence); stalking; sexual exploitation; and other forms of sexually exploitative behavior that can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by any person and can occur between people of the same or different sex, sexual orientation, and gender identity or gender expression.

(m) Stalking, ~~when of a sexual nature meaning repetitive and/or menacing pursuit, following, harassing and/or interfering with the peace and/or~~ As defined in the Violence Against Women Act of 1994, a course of conduct directed at a specific person that would cause a reasonable person to:

(i) Fear for the person's safety or the safety of others; or

(ii) Suffer substantial emotional distress.

(iii) For the purposes of this definition:

(1) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

(3) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

(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 this policy;

(iii) Persons who were previously enrolled but are not officially enrolled for a particular term and have a continuing relationship with the University;

(iv) Persons who have been notified of their acceptance for admission to the University

(o) Supportive Measures. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

(p) University Community. For purposes of this policy, includes individuals applying for enrollment at or employment with the University, University students, University employees, visitors, and contracted agents and vendors.

(4) SEEKING GUIDANCE OR FILING A COMPLAINT:

42. Any member of the University Community who believes that they have been subjected to sexual misconduct, retaliation related to an allegation of sexual misconduct, or any member of the University Community, who believes that others have been subjected to sexual misconduct in violation of this policy may seek guidance, supportive measures, or file a complaint by contacting:

Title IX Coordinator
4700 Research Way
Lakeland, Florida 33805-8531
(863) 874-8484
titleixcoordinator@floridapoly.edu
Online Report Form – www.floridapoly.edu/titleix

Allegations of a violation of this policy, including complaints of retaliation, will be addressed by the Title IX Coordinator, in accordance with the applicable regulations, policies and procedures. Members of the University Community may contact the Title IX Coordinator to seek assistance in informally resolving the complaint or in a formal investigation. Allegations of sexual misconduct reported to the University's Title IX Coordinator in no way affect the right of the complainant to file a criminal complaint, even in the event an internal University investigation has already commenced.

E,(5) ACTIONS THAT DO NOT CONSTITUTE SEXUAL HARASSMENT MISCONDUCT:

The University educational environment is unique in that there must be the freedom to express ideas and to foster communication on subjects that enhance the University's educational mission. Accordingly, while the University is committed to providing a learning environment that is free from sexual harassment, the purpose of this policy is not intended to abridge academic freedom or to interfere with speech, as guaranteed by the First Amendment. As such, pursuant to this policy, sexual ~~harassment~~misconduct does not include:

(c) **Student Employees.** Except for students who are employed in Residential Life, students who are employed by the University in an OPS position are strongly encouraged, but not required, to report suspected sexual misconduct in violation of this policy to their supervisor, manager, or directly to the Title IX Coordinator. Students who are employed in Residential Life are required to promptly report to their supervisor, manager, or directly to the Title IX Coordinator (either verbally or through written communications) allegations, reports or instances of alleged sexual misconduct by or against any person covered by this policy.

3.(d) **Members of the University Community:** An individual who feels uncomfortable and/or harmed by offensive behavior should try to remove themselves from the offending situation and seek help as quickly as possible by reporting the offending conduct to an individual designated in this policy. However, failure for an individual to take affirmative steps to stop sexual harassment/misconduct, in no way, bars the individual from seeking relief through filing a claim under this policy.

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(e) **Confidential Employees.** Employees, vendors, and contractors working in counseling services, medical services, and the University Ombudsperson are confidential resources and are not required to report any information regarding an incident of sexual misconduct. These individuals should:

- (i) Inform an individual of their right to file a complaint with the University and/or a complaint with campus or local law enforcement;
- (ii) Inform the student or employee about available resources for counseling, medical, academic, and other supports;
- (iii) Indicate that they are available to assist an individual in filing a complaint; and
- (iv) Explain that University policies and regulations include protections against retaliation.

(8) GRIEVANCE PROCESS:

- (a) **Responsibility of Title IX Coordinator.** The Title IX Coordinator is responsible for administering the grievance process for sexual misconduct. Reports or allegations covered in this policy will be processed upon receiving the report. The Title IX Coordinator makes an initial assessment of whether the complaint falls within the scope of this policy and/or Title IX.
- (b) **Respondent is an Employee, Vendor, or Contractor.** If the Respondent is an employee, a vendor, or a contractor, the complaint will be resolved using the procedures outlined in FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures.
- (c) **Respondent is a University Student.** If the Respondent is a student, the complaint will be resolved using the procedures outlined in FPU-3.006 Student Code of Conduct.
- (d) **Title IX Grievance Process.** Complaints that allege conduct that is within the scope of Title IX will also follow the additional provisions in section (9) below.

(9) ADDITIONAL GRIEVANCE PROCESS PROVISIONS FOR TITLE IX:

Title IX of the Higher Education Amendments of 1972, 20 USC 1681 et seq., a Federal civil rights law, prohibits sex discrimination, in any form, including sexual harassment, sexual assault, dating violence, domestic violence and stalking. The following provisions apply to allegations that conduct constitutes Sexual Harassment under Title IX.

- (a) **Title IX Coordinator and Jurisdiction.** The University has designated a Title IX Coordinator to address complaints alleging sexual harassment in a manner that ensures a prompt and equitable resolution. The Title IX Coordinator will assess each report received to determine whether the reported incident is within the jurisdiction of Title IX.
 - (i) To be considered under the jurisdiction of Title IX jurisdiction, the alleged Sexual Harassment must have occurred to persons participating or attempting to participate in the University's education program or activity in the United States.
 - (1) Education program or activity includes locations, events, or circumstances over which the University has exercised substantial control over both the Respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
 - (ii) The University must have jurisdiction over the Respondent and the Complainant during the time of reporting, this includes both students and employees.

- (b) **Supportive Measures.** The Complainant and Respondent may request and receive supportive measures without filing a formal complaint and at any time during the grievance process.
- (c) **Formal Complaint.** The Complainant or Title IX Coordinator must sign a document acknowledging the process moving forward with an informal resolution or formal investigation. There is a presumption of innocence that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- (i) If a formal complaint has been signed, the Complainant can choose an Informal Resolution or Formal Investigation.
- (d) **Notice of Allegations.** A Notice of Allegation will be sent to the both parties, if a Formal Complaint has been filed. The notice will provide sufficient time to prepare a response before the initial meetings. The Notice of Allegation will include, but not limited to:
- (i) The identity of the Complainant and Respondent;
- (ii) An explanation of the Grievance Process;
- (iii) Information regarding the allegations of sexual misconduct, providing sufficient details known at the time, time and location if available.
- (iv) Right to have an Advisor of the party's choice to accompany them through the grievance process (can, but does not need to be an attorney)
- (v) A statement that knowingly making false statements or submitting false information is prohibit.
- (vi) Right to present witnesses, including fact and expert witnesses, and other evidence and to review all evidence collected.
- (e) **Informal Resolution.** Informal Resolution is a process that will allow for both parties to work on a resolution outside of an investigation. This can include mediation, restorative justice, or an alternative format agreed upon by both parties. Informal Resolution will not result in a policy violation but rather an agreed upon resolution by both parties.
- (i) This process can be used at any time before or during an investigation of a complaint and allows parties to resolve a complaint through informal means such as mediation or restorative justice.
- (ii) In order to resolve complaints through Informal Resolution, both parties must agree to resolve the complaint through Informal Resolution.
- (iii) A Complainant or Respondent may, at any time, end the Informal Resolution process.
- (iv) If a complaint is not resolved through Informal Resolution, the Grievance Process, as described in this policy, will continue.
- (v) Informal Resolution cannot be used in sexual harassment allegations that involve an employee sexually harassing a student.
- (vi) Once an Informal Resolution has been reached and both parties sign the agreed upon terms, the Grievance Process is complete.
- (vii) However, if a party violates the agreed upon terms, the parties have the option to re-enter Informal Resolution or continue with a Formal Investigation. The party that violates the terms, may receive additional charges under University policies.
- (f) **Formal Investigation and Investigative Report.** Prior to completion of the Formal Investigative Report, the Complainant and Respondent are both provided an equal opportunity to inspect and review any evidence obtained as part of the Formal

Investigation that is directly related to the allegations raised in the Formal Complaint so that each party can meaningfully respond to the evidence prior to conclusion of the Formal Investigation.

(i) This includes evidence that is not intended to be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source. This means evidence that favors both the Complainant (inculpatory) and Respondent (exculpatory).

(ii) The evidence subject to inspection and review is provided to each party and their advisors in an electronic format or a hard copy. Each party has ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report.

(iii) The Investigative Report fairly summarizes relevant evidence determined by the Investigator and, is provided to each party and the party's advisor in electronic format or hard copy at least ten (10) business days prior to the live hearing for their review and written response.

(g) **Live Hearing.** A live hearing must be conducted for all Formal Complaints unless the Formal Complaint has been dismissed or resolved through the Informal Resolution process. This includes allegations between employees, employees and students, and students. For Formal Complaints where the Respondent is a student, the following provisions also apply to the Formal Hearing process in FPU-3.006 Student Code of Conduct.

(i) **Remote Participation.** Live hearings may be conducted virtually, with technology enabling participants simultaneously to see and hear each other.

(ii) **Hearing Body.** The Hearing Body is comprised of up to three (3) staff and/or faculty members that have been trained to be a part of this process and are appointed by the President or President's designee. The Title IX Coordinator, investigator, or other person who participated in the informal resolution process, if any, may not be a member of the Hearing Body.

(1) The parties may opt to waive a Hearing Body for a single Hearing Officer. Both parties must agree and a written request must be made outlining the reason.

(2) Both parties may have an advisor of their choice at the live hearing. An Advisor may conduct cross examination only. An Advisor may not participate in any other part of the live hearing.

(3) During the Live Hearing, if either party does not have an advisor with them, the University will provide an advisor of the University's choosing at no cost to the party.

(iii) **Cross Examination.**

(1) Before a Complainant, Respondent, or Witness answers a cross-examination or other question from the respective Advisor, the Hearing Body must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

(2) Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior

with respect to the Respondent and are offered to prove consent.

(3) Repetitive questions to the Complainant, Respondent, or Witness may be deemed not relevant if the questions have already been answered throughout the Hearing.

(4) If a Complainant, Respondent, or Witness does not participate in cross examination, the Hearing Body will not be able to use any of the statements or information that the individual previously provided. This includes statements made to the investigator, documentation provided by the party, and police reports that include the specific individual's statements alone.

(iv) Conduct of Live Hearing.

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

(2) Respondent's response of "responsible" or "not responsible."

(3) Hearing Body presents information regarding the charges.

(4) Complainant's opening statement and presentation of information.

(5) Respondent's opening statement and presentation of information.

(6) Hearing Body questions the Complainant, Respondent, and/or witnesses.

(7) Complainant's advisor questions the Complainant, Respondent, and/or witnesses.

(8) Respondent's advisor questions the Complainant, Respondent, and/or witnesses.

(9) Hearing Body's final questions of the Complainant, Respondent, and/or witnesses.

(10) Complainant's closing remarks.

(11) Respondent's closing remarks.

(12) Hearing is brought to a close.

(h) Determination of Responsibility and Written Determination. The Hearing Body determines whether alleged conduct constitutes a policy violation and will determine sanction(s) as appropriate. The conduct will be evaluated based on the facts gathered from the live hearing on a case-by-case basis. The Hearing Body will consider the totality of the circumstances and use the preponderance of the evidence standard in its determination. The Hearing Body must issue a written determination regarding responsibility. The written determination must include:

(i) Identification of the allegations potentially constituting sexual harassment;

(ii) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

(iii) Findings of fact supporting the determination;

(iv) Conclusions regarding the application of FPU-3.006 Student Code of Conduct to the facts if the Respondent is a student;

(v) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant; and

(vi) The procedures and permissible bases for the Complainant and Respondent to appeal.

(i) Appeal. A Complainant or Respondent may appeal the findings and sanction(s) after receiving the Notice of the Determination or a dismissal of the Final Complaint or any

allegations in a Formal Complaint.

- (i) An appeal must be submitted to the Title IX Office, in writing, within ten (10) business days of receipt of the issued findings and sanction(s) and must specify the basis of the appeal.
- (ii) Appeals must be based on one or more of the following provisions and that had an effect on the outcome of the matter:
 - (1) Procedural irregularity;
 - (2) New evidence that was not reasonably available at the time of the Live Hearing or when the determination regarding responsibility or dismissal was made; and
 - (3) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent.
- (iii) Written notice of an appeal is provided to the other party. The Complainant or Respondent may submit a written response to an appeal to the Title IX Office. Such response will be attached to the final report and maintained in the same file.
- (iv) The President or designee may designate a person with appropriate training to serve as an appellate officer to review the appeal and issue a written decision that describes the result of the appeal and the rationale for the result. A person that reached the determination regarding responsibility (Hearing Body) or dismissal, the investigator(s), nor the Title IX Coordinator can be an appellate officer.
- (v) The written decision is provided to both parties simultaneously.

I.(10) RETALIATION PROHIBITED:

Retaliation, or otherwise taking adverse employment or educational action, against a member of the University Community because the member, in good faith, reported an allegation of sexual harassment, ~~or~~ participated in an investigation or review regarding a complaint, participated in the resolution process, supported a Complainant or Respondent, or assisted in providing information relevant to an investigation is strictly prohibited. ~~Those found to have violated and a violation of this prohibition against retaliation may be subject to disciplinary and other policy. Retaliation includes adverse action, up to and including termination, harassment, intimidation, threats or coercion in any employment, educational, program or activity.~~

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J.(11) FRIVOLOUS OR MALICIOUS COMPLAINTS:

In the event that a claim of sexual ~~harassment~~ ~~misconduct~~ is found to be frivolous or malicious, the person making the frivolous or malicious complaint may be subject to disciplinary and other action.

K.(4) ~~SEEKING GUIDANCE OR FILING A COMPLAINT:~~

~~Any member of the University Community who believes that he or she has been subjected to sexual harassment; any member of the University Community who believes that he or she has been subjected to retaliation related to an allegation of sexual harassment; or any member of the University Community who believes that others have been subjected to sexual harassment, in violation of this policy, may seek guidance, counseling, or file a complaint, in accordance with this policy, by contacting:~~

~~Title IX Coordinator 4700 Research Way
Lakeland, Florida 33805-8534~~

(863)-583-9050
TitleIXCoordinator@floridapolytechnic.org

~~Allegations of a violation of this policy, including complaints of retaliation, will be addressed by the Title IX Coordinator, in accordance with the University's Complaint and Investigation Procedures. Members of the University Community may contact the Title IX Coordinator to seek assistance in informally resolving the complaint or in filing a formal complaint or grievance. Allegations of sexual harassment reported to the University's Title IX Coordinator in no way affect the right of the complainant to file a criminal complaint, even in the event an internal Title IX investigation has already commenced.~~

(12) N-EDUCATION AND NOTIFICATION:

Copies of this policy ~~shall be~~ widely disseminated to the University Community so that all members are aware of acts which constitute sexual ~~harassment~~ misconduct and shall recognize that the University regards sexual ~~harassment~~ misconduct to be a serious offense and will not be tolerated. Periodic workshops and other educational programs are offered to University personnel regarding the topic of sexual ~~harassment~~ misconduct.

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POLICY APPROVAL

Policy No.: FPU-1.005P

Initiating Authority

Date

Policies & Procedures Review Committee Chair

Date

President/Designee

Date

Approved by FPU BOT, if required

Date

**EXECUTED SIGNATURE PAGES ARE AVAILABLE IN THE
OFFICE OF THE GENERAL COUNSEL**

For Title IX purposes, those that are part of the process must be appropriately trained. This may include the Title IX Coordinator, investigators, decision makers, appellate officers, and advisors. All trainings for these individuals are located on the Title IX Webpage.

POLICY APPROVAL

Policy No.: FPU-1.005P

Initiating Authority

Date

Policies & Procedures Review Committee Chair

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Approved by FPU BOT, if required

Date

EXECUTED SIGNATURE PAGES ARE AVAILABLE IN THE
OFFICE OF THE GENERAL COUNSEL

DRAFT

**Florida Polytechnic University
Board of Trustees Meeting
September 9, 2020**

Subject: Academic & Student Affairs Committee: Consent Agenda Items

Proposed Action

Approve the following items:

1. Approve Academic & Student Affairs Committee Charter
2. Approve FPU-5.003 Textbook Adoption and Affordability – Amendment and Repeal of Board of Trustees Resolution 2017-001
3. Approve FPU-BOT COVID19 MOU 2

Background Information

Please see background information in the materials for the Academic & Student Affairs Committee.

Supporting Documentation: Please see supporting documentation under "Academic & Student Affairs Committee"

**Florida Polytechnic University
Board of Trustees Meeting
September 9, 2020**

Subject: Audit & Compliance Committee: Consent Agenda Items

Proposed Action

Approve the following items:

1. Approve Audit & Compliance Committee Charter
2. Approve Auditor General Operational Audit
3. Approve UAC Annual Report – FYE 6/30/20
4. Approve UAC Audit Plan and Risk Assessment - FYE 6/30/21
5. Approve UAC Compliance and Ethics Program Plan - FYE 6/30/21

Background Information

Please see background information in the materials for the Audit & Compliance Committee.

Supporting Documentation: Please see supporting documentation under "Audit & Compliance Committee"

**Florida Polytechnic University
Board of Trustees Meeting
September 9, 2020**

Subject: Strategic Planning Committee: Consent Agenda Items

Proposed Action

Approve the following items:

1. Approve Strategic Planning Committee Charter

Background Information

Please see background information in the materials for the Strategic Planning Committee.

Supporting Documentation: Please see supporting documentation under "Strategic Planning Committee"

**Florida Polytechnic University
Board of Trustees Meeting
May 20, 2020**

Subject: Finance & Facilities Committee: Consent Agenda Items

Proposed Action

Approve the following items:

1. Approve Finance & Facilities Committee Charter
2. Approve Carryforward and Fixed Capital Outlay Budgets
3. Approve University Resources Used by the Foundation FY19-20 and to be Used FY20-21
4. Approve Foundation Board Appointments

Background Information

Please see background information in the materials for the Finance & Facilities Committee.

Supporting Documentation: Please see supporting documentation under "Finance & Facilities Committee"

**Florida Polytechnic University
Board of Trustees
September 9, 2020**

Subject: Governance Committee: Consent Agenda Items

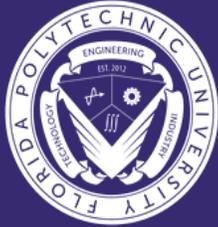
Proposed Action

1. Approve Governance Committee Charter

Background Information

Please see background information in the materials for the Governance Committee.

Supporting Documentation: Please see supporting documentation under "Governance Committee"



Board of Trustees Meeting

DRAFT MEETING MINUTES

Wednesday, May 20, 2020

11:15 AM – 11:45 AM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Chair Don Wilson called the meeting to order at 12:47 p.m.

II. Roll Call

Michele Rush called the roll: Chair Don Wilson, Vice Chair Cliff Otto, Trustee Mark Bostick, Trustee Connor Coddington, Trustee Henry McCance, Trustee Victoria Astley, Trustee Earl Sasser, Trustee Bob Stork, Trustee Philip Dur, and Trustee Gary Wendt were present (Quorum).

Trustees not present: Trustee Lou Saco, Trustee Frank Martin

Staff present: President Randy Avent, Provost Terry Parker, Mr. Mark Mroczkowski, Ms. Gina Delulio, Ms. Kathy Bowman, Mr. Rick Maxey, Mrs. Kris Wharton, Ms. Michele Rush, Mrs. Kim Abels, and Mr. David Blanton were present.

III. Public Comment

There were no requests received for public comment.

IV. Chairman's Remarks

Chair Don Wilson welcomed Trustee Connor Coddington to the Board of Trustees. Trustee Coddington was elected as Student Government Association (SGA) president for 2020-2021. Chair Wilson also stated his appreciation to Adrienne Perry, whose service to the Board ended May 4, 2020, and to Trustee Henry McCance, who has served the Board since 2016.

V. President's Remarks

President Randy Avent also expressed his appreciation to Adrienne Perry and Trustee McCance for their service. Trustee McCance stated he enjoyed his experience on the Board as well as getting to know President Avent, Provost Parker, and the other Trustees. He affirmed his belief in the mission of Florida Poly and stated he will continue to follow the University's success.

VI. Consent Agenda

Action Required

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

- A. Academic & Student Affairs Committee
 - 1. Approve Cyber Security Engineering degree
 - 2. Approve Collective Bargaining Agreement Revised Article 12: Salaries
 - 3. MOU “Memorandum of Understanding re: COVID-19 Health Emergency”
 - 4. Approve revised Regulation FPU-3.006 Student Code of Conduct
- B. Audit & Compliance Committee
 - 1. Approve University Financial Audit – (FYE 6/30/19)
 - 2. Approve Foundation Form 990 (FYE 6/30/19)
 - 3. Approve UAC Quality Assurance Review (QAR) – Self Assessment (Report No. FPU 2020-07)
- C. Finance & Facilities Committee
 - 1. Approve revised FPU-4.001 Tuition and Related Fees Schedule
 - 2. Approve the 2021-2022 Capital Improvement Plan (CIP)
 - 3. Approve granting Dr. Avent authority to sign a change order up to \$2.4 million to Skanska to continue construction of the Applied Research Center until additional funding is received from the State of Florida
 - 4. Approve amendment to the 2019-2020 Carry Forward Budget to use Carry Forward to fund up to \$2.4 million of construction costs for the Applied Research Center pursuant to the change order described above in #3
 - 5. Approve 2021-2022 Operating Legislative Budget Request (LBR)
 - 6. Approve 2020-2021 Foundation Operating Budget
 - 7. Approve Foundation Board Reappointments
- D. Governance Committee
 - 1. Approve President’s Proposed Goals FYE 2021
- E. Board of Trustees
 - 1. Approve the February 26, 2020 Board of Trustees Meeting Minutes

As each of the items comes before the Board with unanimous approval from the respective Committees, there is no need for a second. **Trustee Henry McCance made a motion to approve the Consent Agenda as presented. A vote was taken, and the motion passed unanimously.**

VII. Committee Reports

A. Executive Committee Report (April 13, 2020)

Chair Wilson reported the Executive Committee met on April 13, 2020 and approved the Annual Work Plan to be presented to the Board of Governors. No action is required on behalf of the full Board.

B. Academic & Student Affairs Committee.

As all trustees were present for the Academic & Student Affairs Committee meeting today, Chair Wilson did not give a formal report. No action is required on behalf of the full Board.

C. Audit & Compliance Committee

Action Required

Committee Chair Gary Wendt stated the Chief Audit Executive presented the Audit Charter; the Compliance and Ethics Charter; and the Audit and Compliance Committee Charter for review and approval. The Committee evaluated their performance relative to the Committee Charter requirements and determined that they were performing satisfactorily with respect to the duties outlined in the Audit & Compliance Committee Charter.

The Committee recommended the Board approve (1) the Audit and Compliance Committee (AACC) Charter, (2) the Internal Audit Charter, and (3) the Compliance and Ethics Charter and the Audit & Compliance Committee's satisfactory evaluation. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

D. Finance & Facilities Committee

Action Required

As all trustees were present for the Finance & Facilities Committee meeting today, Chair Wilson did not give a formal report. There is only one item for review and approval by the full Board:

The Committee recommended the Board approve the 2020-2021 University Operating Budget. Trustee Philip Dur seconded the motion; a vote was taken, and the motion passed unanimously.

E. Governance Committee

Action Required

Committee Chair Philip Dur reported the Governance committee reviewed the President's proposed goals for Fiscal Year 2020-21 which are on the consent agenda. The Committee reviewed President Avent's accomplishments thus far in this fiscal year and is recommending that the Board renew the President's employment for another year (2020-21).

The Committee recommended the Board approve the Renewal of President's Employment 2020-21. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed with one abstention by Trustee Victoria Astley.

The Committee has been reviewing the President's Employment Agreement which has resulted in several changes and a new Employment Agreement. The Committee is recommending that the Board approve the new Employment Agreement to go into effect in July 7, 2020.

The Committee recommended the Board approve the President's Employment Agreement 2020-21. Trustee Mark Bostick seconded the motion; a vote was taken, and the motion passed with one abstention by Trustee Victoria Astley.

VIII. Officer Elections

Action Required

Governance Committee Chair Dur stated the Committee discussed the slate of officers for the Board Chair and Vice Chair and is recommending Cliff Otto for the position of Chair and Mark Bostick for the position of Vice Chair.

With no nominations from the floor, the Committee recommended the Board approve Trustee Cliff Otto as Board of Trustees Chair for the term 2020-2022 and to approve Trustee Mark Bostick as Board

of Trustees Vice Chair for the term 2020-2022. Trustee Henry McCance seconded the motion; a vote was taken, and the motion passed unanimously.

IX. Board of Trustees Meeting Schedule

Action Required

Mrs. Kris Wharton reviewed the challenges surrounding certain established Board meeting dates for 2020-2021. After brief consideration, Trustees agreed to move the December meeting date back into November, and the late May meeting date to occur the Monday immediately after annual commencement.

A motion was made by Victoria Astley to amend the Board of Trustees meeting schedule to include moving the December 2020 meeting to November 17-18, 2020, and the late May 2021 meeting to Monday, May 3, 2021. Trustee Philip Dur seconded the motion; a vote was taken, and the motion passed unanimously.

X. Board of Governors' Meetings

Chair Wilson encouraged trustees to attend, or at the minimum listen to, the Board of Governors meetings.

XI. Closing Remarks and Adjournment

Trustee Cliff Otto thanked and recognized the work of President Avent, Rick Maxey, and Kathy Mizereck regarding the challenges that occurred in Tallahassee in February and March. Chair Wilson echoed Trustee Otto's remarks.

With no further business to discuss the meeting adjourned at 1:09 p.m.

**Florida Polytechnic University
Board of Trustees
September 9, 2020**

Subject: Approve 2019-2020 Florida Polytechnic University Equity Report

Proposed Action

Recommend approval of the 2019-20 Florida Polytechnic University Equity Report.

Background Information

Each university in the State University System of Florida is required to submit an annual equity report pursuant to Florida Board of Governors Regulation 2.003 Equity and Access. The regulation states that discrimination on the basis of race, color, national origin, sex, religion, age, disability, marital status, veteran status, or any other basis protected by applicable state and federal law against a covered individual at any university is prohibited.

The report summarizes the diversity of Florida Poly's student body, faculty and staff as well as trends. In addition, the equity report discusses efforts the university is taking to make education at the Florida Poly accessible to persons of all groups. Acceptable efforts include conducting targeted outreach and recruitment aimed at inclusion, creating training programs to increase capacity of diverse cohorts, and taking lawful action to remedy underutilization.

Supporting Documentation: Please see supporting documentation under "Strategic Planning Committee"

Prepared by: Rick Maxey, AVP, Office of Diversity & Inclusion

**Florida Polytechnic University
Board of Trustees
September 9, 2020**

Subject: Approve Proposed P3 for Building on Campus and Related ITN

Proposed Action

Approve issue of an Invitation to Negotiate ("ITN") to enter into a public-private partnership between the University and a private company to plan, design, fund, construct, maintain and operate an on-campus state of the art research building.

Background Information

Florida Poly needs private support to build out the campus to provide academic, research, and student development opportunities to the university community. Entering into a public-private partnership is the most viable means of building campus facilities that allow the University to continue the research anticipated when the University was created by the Legislature. This will ultimately lead to increased economic growth for Polk County and the State of Florida.

The University will lease real property on its main campus sufficient to construct and operate a privately funded and operated research facility. The amount of land and location of the project will be decided by the University.

The desired project will result in a facility containing at least 35,000 gross square feet and having a permanent staff of at least 25 on campus employees.

The contract for a ground lease will be for a maximum of thirty (30) years and will be renewable under terms and conditions negotiated with the chosen Responder. Florida Poly will have right of first refusal (ROFR) based on agreed upon criteria.

Respondents will demonstrate expertise in the planning, construction and operation of a research facility and management of the accompanying staff. As such, respondents will demonstrate experience in project planning, technical design and specification, and other relevant information.

Respondents will provide technical and financial information on the research facility to include but not be limited to the following: gross and net square footage; total acreage required, project time-line, infrastructure needs, project cost, financing capabilities, number and types/categories of employees and annual payroll, and other relevant information.

The Private Party is expected to pay for any and all costs and expenses pertaining to the performance of its obligations to the University and as will be outlined in the Agreement. This will include, but is not limited to, the cost of design review, permitting, code compliance, inspection services, construction (including all necessary site utility connections), management, security, emergency response, maintenance and all operational costs for the Project constructed under the Agreement. Total Project cost is contingent on the gross square feet (GSF), construction cost, financing costs, and operating costs.

The University must approve any and all potential tenants who may desire to lease space in the facility.

Respondents will provide information on the business nature/structure of the research facility with regard to leasing expectations including number of years, lease rate, profit sharing, any economic incentives, and other relevant information.

The University expects for the Private Party or Private Parties to introduce the cutting-edge innovation in the design and construction elements of the Project, including efficient energy utilization.

The Successful Respondent will have signage on the façade of the Facility that is consistent with University policy and subject to University approval and will also have the right to inclusion on campus maps and directional signage.

Respondents will explain how the research facility will enable Florida Polytechnic University to achieve the following goals.

- a. Develop strong academic and research programs related to areas of expertise of the University.
- b. Collaborate on potential degree program expansion that benefits the University's mission.
- c. Establish internship, graduate research assistant or similar programs and/or cooperative programs for University students.
- d. Provide consideration of University students for career opportunities related to their fields of study.
- e. Engage in collaborations with University faculty leading to enhanced education of students and advancement of research in fields related to University areas of focus.

Supporting Documentation: Please see supporting documentation under "Finance & Facilities Committee"

**Florida Polytechnic University
Board of Trustees
September 9, 2020**

Subject: Approve Legislative Advocacy Plan

Proposed Action

Approve the 2020 Legislative Advocacy Plan.

Background Information

The vast majority of the University's revenue is appropriated by the Legislature. That makes it critical that we have an effective advocacy plan for helping members of the Legislature, the Governor and the Board of Governors of the State University System understand the value of funding the University at appropriate levels.

The proposed plan takes several components into account, state revenue levels, competition for those resources, and the Florida Poly's importance to the State as determined by those involved in providing funds to operate the University.

The goal is to maximize the amount of funds that are appropriated to Florida Poly and work to secure legislation that is beneficial to its development.

Supporting Documentation: Please see supporting documentation under "Governance Committee"

Florida Polytechnic University
Board of Trustees

**2020-2022
Board of Trustees
MEETING CALENDAR**

- November 18, 2020 (*Virtual*)
- February 16-17, 2021
- May 3, 2021 (*May 2: Commencement*)
- September 14-15, 2021
- November 16-17, 2021
- February 15-16, 2022
- May 2, 2022 (*May 1: Commencement*)
- September 13-14, 2022
- November 15-16, 2022

Florida Polytechnic University
Board of Trustees

2020-2021
Board of Governors
MEETING CALENDAR

2020

- September 16, 2020 (*USF, Tampa*)
- November 4-5, 2020 (*University of North Florida, Jacksonville*)

2021

- January 20-21, 2021 (*NCF, Sarasota*)
- March 24-25, 2021 (*FAMU, Tallahassee*)
- June 22-24, 2021 (*USF, Tampa*)
- September 1-2, 2021 (*FAU, Boca Raton*)
- October 7, 2021 Facilities Committee; Budget & Finance Committee Workshops (*FGCU, Ft. Myers*)
- November 3-4, 2021 (*FIU, Miami*)