

**Florida Gulf Coast University Board of Trustees
January 20, 2009**

SUBJECT: Minutes of October 21, 2008 Meeting

PROPOSED BOARD ACTION

Approve minutes

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees met on October 21, 2008. Minutes of the meeting were kept as statutorily required.

Supporting Documentation Included: Minutes of October 21, 2008 Meeting

Prepared by: Executive Assistant to the President Barbara Krell

Legal Review: N/A

Submitted by: President Wilson G. Bradshaw

MINUTES

FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES MEETING TUESDAY, OCTOBER 21, 2008

8:30 A.M. – STUDENT UNION BALLROOM

Chairman Lutgert convened the meeting of the University Board of Trustees with the following members present:

Brian Cobb
Lindsay Harrington
Larry Hart
Bernie Lester
David Lucas
Scott Lutgert
James Malone via conference call
Doug St. Cerny
Jerry Starkey
Jaynie Whitcomb
Sean Terwilliger
Halcyon St. Hill

Peter Sulick, Chair, Foundation Board of Directors

Members of Staff Present:

Wilson G. Bradshaw, President
Ronald Toll, Provost and Vice President for Academic Affairs
Joe Shepard, Vice President for Administrative Services and Finance
Steve Magiera, Vice President for Advancement
Mike Rollo, Vice President for Student Services
Susan Evans, Chief of Staff
Vee Leonard, General Counsel
Kathy Bottoms
Barbara Krell

Guest: Ms. Shelia McDevitt, Chair, Florida Board of Governors

1. Call to Order, and Roll Call – Chair Scott Lutgert

Chair Lutgert asked Ms. Evans to call the Roll and the results are indicated above. He reminded the audience that if anyone wants to speak today to any agenda item, they should see Ms. Bottoms, and if someone wished to speak to a non-agenda item,

to follow the procedures and preregister. Chair Lutgert greeted Mr. Sulick, Chair of the FGCU Foundation Board and Ex-Officio member of the Board to Trustees. He stated that we are happy to have Mr. Sulick here representing the Foundation Board. Chair Lutgert introduced Ms. McDevitt, the new Chair of the Board of Governors.

2. Board of Governors Greeting and Discussion – Board of Governors Chair Shelia McDevitt

Ms. McDevitt provided an overview of her experiences meeting with various boards throughout the State University System and FGCU is the ninth visit she has made. She stated the purpose of these visits is to build relationships and discuss what she hopes to accomplish in the next two years as Chair of the Board of Governors. She encouraged interaction during this presentation. Ms. McDevitt and Board members engaged in conversations regarding various areas of interest and concern to include access and affordability, tuition rates, support of faculty, local control and an achievable legislative agenda. Ms. McDevitt stated that she is here today to urge the University to work with the Board of Governors to achieve the goals established by the University System through the Forward by Design process. At the conclusion of this conversation, Chair Lutgert thanked Ms. McDevitt for the informative visit. President Bradshaw thanked Ms. McDevitt for her efforts to strengthen the system and stated that members of this Board are committed to that as well.

3. Remarks from FGCU Faculty Senate – President Halcyon St. Hill

President Bradshaw introduced Trustee St. Hill who updated Trustees regarding activities of faculty during the fall semester.

4. Remarks from FGCU Student Government – President Sean Terwilliger

President Bradshaw introduced Trustee Terwilliger who updated Trustees regarding Student Government activities during the fall semester.

5. Remarks from FGCU Staff Advisory Council, (SAC) – President Ruth Rodrigues

President Bradshaw introduced Ms. Rodrigues who is the new SAC President. Ms. Rodrigues updated Trustees regarding staff activities during the fall semester.

6. Remarks from FGCU Foundation Board of Directors – Chair Peter Sulick

President Bradshaw introduced Mr. Sulick who presented an update regarding University Foundation accomplishments in recent weeks.

7. President's Report – President Wilson G. Bradshaw

President Bradshaw reported on the upcoming grand openings of some of our new buildings and stated we are able to have Sugden Hall, Lutgert Hall and Holmes Hall

because of the great generosity of people here in this region. He stated FGCU stands out as a shining example when we look at local support of universities and the use of the matching program.

President Bradshaw reported that this fall we reached a milestone in our enrollment, with a student body of over 10,000, and as of yesterday, our student enrollment headcount was 10,219. He stated this number shows FGCU's significant growth pattern since the University opened in the fall of 1997 when we had 2,584 students. The breakdown of our enrollment this fall is 8,685 undergraduate, 988 graduate students, and 546 non-degree seeking students. He stated the overwhelming majority of these students come from Southwest Florida. The fall enrollment headcount is up 9% as compared to last year. President Bradshaw stated we are especially pleased with a 20% increase in our graduate student population and that FTE fall enrollment is up 12.5% as compared to last year. He reported we started two new graduate programs this fall, Doctorate of Physical Therapy which has 23 majors and our new Education Specialist Program with 17 majors.

President Bradshaw reported we opened the first phase of our new student residences this fall with Everglades Hall. He stated that it is designed specifically to enhance the first-year experience of our students. We have made significant progress on the second installment of housing in the southern part of campus which will be named Biscayne Hall. President Bradshaw stated Biscayne Hall will be our first LEED certified building and will have solar thermal to heat hot water.

President Bradshaw reported that we are continuing to collaborate with Edison State College on programs that would be mutually beneficial to our respective institutions, but more importantly, to the people in Southwest Florida. He stated he has enjoyed a great working relationship with Dr. Walker and we continue to collaborate on enhancing educational opportunities for students within our region.

President Bradshaw reported that during the 2008 Legislative Session, FGCU was successful in obtaining \$8.5 million to construct a solar field. He stated that in partnership with Regenesys Energy Services, FGCU will build two megawatts of solar arrays throughout the campus to significantly decrease the University's dependence on nonrenewable energy sources. He stated this \$17 million endeavor will make the FGCU solar project one of the largest in the world for a university. The solar panels will be placed on top of buildings and parking garages and on buildable land on campus. President Bradshaw stated the impacts of the solar project include the removal of an estimated 9,000 pounds of nitrogen oxide, over 14,000 pounds of sulfur dioxides, and over 5.1 million pounds of carbon dioxide annually from being introduced to our environment through conventional fuels. He stated the further renewable initiatives of solar thermal in the next phase of student housing to be completed fall 2009, and continued research, expansion, and implementation of other renewable energy technologies. The groundbreaking for the solar project will be October 28th and all Trustees are invited.

President Bradshaw reported there has been another great distinction by the Florida Gulf Coast College of Business as the Lutgert College of Business is recognized once again as one of the best business schools in the nation according to The Princeton Review. He stated the New York based education services company features the Lutgert College of Business in the recently published 2009 Edition of its best 296 business schools. President Bradshaw reported that the Lutgert College of Business was noted also in the 2007 edition. He stated according to the vice president of the Princeton Review, “We select schools for this book based on our high regard for their academic programs and the offerings, institutional data we collect from the schools and the candid opinions of students attending them who rate and report their campus experiences at the school.” President Bradshaw stated that Dr. Pegnetter is the founding Dean of the Lutgert College of Business and because of his visionary leadership, the hard work of the faculty, and success of our students, we have built a stellar college of business—one that we should all be very proud of. President Bradshaw stated that he would like to acknowledge the leadership that Dr. Pegnetter has shown over the years in making the Lutgert College of Business what it is today.

President Bradshaw reported that last weekend was family weekend and because of the hard work of faculty, staff and students, it was a rousing success. He stated we had over 240 families and approximately 1500 people showed up for this event. President Bradshaw acknowledged Dr. Rollo and his team who put this program together. President Bradshaw stated the parents and students he spoke with are very pleased with the educational experience.

President Bradshaw stated that he wanted to officially greet the new Provost and Vice President for Academic Affairs, Dr. Toll, who is attending his first Board of Trustees meeting. President Bradshaw stated Dr. Toll’s leadership is already being felt here at the University.

8. Consent Agenda – Chair Scott Lutgert

Chair Lutgert stated the only consent agenda item is the Minutes from the June 17, 2008 meeting (Addendum A). Motion was made by Trustee Cobb to approve the Minutes of June 17, 2008. Motion was seconded by Trustee Lester. Motion carried.

9. Academic/Student/Faculty Affairs Committee Meeting – Committee Chair Larry Hart

Chairman Hart stated there are two action items for presentation today and asked Dr. Toll to present both of those items:

- 2008-2009 Supplement to the 2007-2010 Collective Bargaining Agreement – Florida Gulf Coast University Board of Trustees and Florida Gulf Coast University/United Faculty of Florida-FGCU Chapter. (Addendum B) – Motion was made to approve the 2008-2009 Supplement to the 2007-2010 Collective Bargaining Agreement by Trustee St. Hill. Trustee Whitcomb stated that the raises, compensation

and paygrades should reflect the community during these economic times. Trustee Hart stated we knew when we started FGCU we paid faculty for a new institution in the sunshine and now to prevent “brain drain” we are attempting to bring up our salaries comparable to other faculty salaries. President Bradshaw stated the total number of faculty impacted by this action is very small compared to the total number of faculty. Motion was seconded by Trustee Cobb. Motion carried with Trustee Whitcomb opposed.

- Nomenclature Changes for Existing Curricula (Addendum C) – Motion was made to approve the Nomenclature Changes for Existing Curricula by Trustee St. Hill. Motion was seconded by Chair Lutgert. Motion carried.

10. Finance & Administration Committee Meeting – Committee Chair David Lucas

Committee Chair Lucas stated there are three information items which Dr. Shepard will share with Trustees:

- Annual Report on In-State Tuition Waivers (Addendum D)
- End-Of-Year Budget Report for 2007-08 (Addendum E)
- Finance/Budget Update (Addendum F)

Dr. Shepard presented the following Action Items:

- FGCU Foundation Independent Auditor’s Report (2007-2008) (Addendum G) – Motion was made by Trustee Hart to approve the FGCU Foundation Independent Auditor’s Report (2007-2008). Motion was seconded by Chair Lutgert. Motion carried.
- FGCU Financing Corporation Independent Auditor’s Report (2007-2008) (Addendum H) – Motion was made by Trustee Starkey to approve the FGCU Financing Corporation Independent Auditor’s Report (2007-2008) Motion was seconded by Chair Lutgert . Motion carried.
- Regulation: FGCU-PR7.001 2008-2009 Tuition and Fees (Addendum I)- Motion was made by Trustee St. Hill to approve Regulation FGCU PR7.001 2008-2009 Tuition and Fees. Motion was seconded by Trustee Hart. Motion carried.
- Regulation: FGCU-PR3.001 Accreditation (Addendum J) – Motion was made by Trustee Whitcomb to approve FGCU-PR3.001 Accreditation. Motion was seconded by Trustee Harrington. Motion carried.
- Regulation: FGCU-PR4.004 Student Grievances (Addendum K) – Motion was made by Trustee Whitcomb to approve FGCU-PR4.004 Student Grievances. Motion was seconded by Trustee Harrington. Motion carried.
- Regulations: FGCU-PR5.001 Employee Compensation and Classification Plans, and FGCU-PR5.005 Recruitment, Selection and Appointment (Addendum L) – Motion was made to approve FGCU-PR5.001 Employee

Compensation and Classification Plans, and FGCU-PR5.005 Recruitment, Selection and Appointment by Trustee Malone. Motion was seconded by Chair Lutgert. Motion carried.

- Regulation: FGCU-PR5.003 Employee Debt Collection (Addendum M). Motion was made by Trustee Malone to approve the FGCU-PR5.003 Employee Debt Collection. Motion was seconded by Trustee Hart. Motion carried.
- Regulation: FGCU-PR5.010 Nepotism (Addendum N) - Motion was made to approve FGCU-PR5.010 Nepotism by Trustee Malone. Motion was seconded by Trustee Hart. Motion carried.
- Regulation: FGCU-PR5.012 Outside Employment Activities (Addendum O) – Motion was made by Trustee St. Hill to approve FGCU-PR5.012 Outside Employment Activities. Motion was seconded by Chair Lutgert. Motion carried.
- Regulation: FGCU-PR5.014 Political Activity (Addendum P) – Motion was made by Trustee St. Hill to approve FGCU-PR5.014 Political Activity. Motion was seconded by Trustee Cobb. Motion carried.
- Regulation: FGCU-PR5.017 Overlap in Position (Addendum Q) – Motion was made by Trustee Lester to approve FGCU-PR5.017 Overlap in Position. Motion was seconded by Trustee Starkey. Motion carried.
- Regulations: FGCU-PR5.011 Complaint Review Procedure for USPS Employees, FGCU-PR5.016 Disciplinary Actions, and FGCU-PR5.020 Grievance Regulation (Addendum R) – Motion was made by Chair Lutgert to approve FGCU-Pr5.011 Complaint Review Procedure for USPS Employees, FGCU-PR5.016 Disciplinary Actions and FGCU-PR5.020 Grievance Regulation. Motion was seconded by Trustee St. Hill. Motion carried.
- Regulation: FGCU-PR6.008 Protests (Addendum S) Dr. Shepard stated the notice of protests must be filed with Director of Procurement Services. - Motion was made by Trustee St. Hill to approve FGCU-PR6.008. Motion was seconded by Trustee St. Cerny. Motion carried.
- Regulation: FGCU-PR6.015 Competitive Solicitations (Addendum T) - Motion was made by Trustee Whitcomb to approve FGCU-PR6.015 Competitive Solicitations. Motion was seconded by Trustee Harrington. Motion carried.
- Regulation: FGCU-PR6.017 Bonds (Addendum U) – Motion was made by Trustee St. Hill to approve FGCU-PR6.017. Motion was seconded by Trustee Whitcomb. Motion carried.
- Regulations: FGCU-PR6.021 Prompt Payment to Vendors, and FGCU-PR7.004 Prompt Payment to Vendors (Addendum V) – Motion was made by Trustee Hart to approve FGCU-PR6.021 Prompt Payment to Vendors and FGCU-PR7.004 Prompt Payment to Vendors. Motion was seconded by Chair Lutgert. Motion carried.
- Regulations: FGCU-PR8 University Police and Safety Department, and FGCU-PR5.004 University Police and Safety Department (Addendum W). Motion was made by Trustee Starkey to approve FGCU-PR8 University

Police and Safety Department and FGCU-PR5.004 University Police and Safety Department. Motion was seconded by Trustee Whitcomb. Motion carried.

- Fourth Amendment to the Campus Development Agreement (Addendum X) – Motion was made by Trustee Whitcomb to approve Fourth Amendment to the Campus Development Agreement. Motion was seconded by Trustee Cobb. Motion carried.

11. Old Business – Chair Scott Lutgert

There was no old business to come before the Board.

12. New Business – Chair Scott Lutgert

Chair Lutgert reminded Trustees that the next meeting of the Board will be on Tuesday, January 20, 2009.

13. Chair's Closing Remarks, & Adjourn Meeting – Chair Scott Lutgert

Chair Lutgert thanked Ms. McDevitt for taking the time to visit Florida Gulf Coast University. Trustee Lutgert thanked Dr. Pegnetter for his leadership regarding the Lutgert College of Business's record accreditation, praise from the Princeton Review, and the new building construction. The meeting adjourned at 10:17 a.m.

Addendum: