

MINUTES
FLORIDA A&M UNIVERSITY
BOARD OF TRUSTEES SPECIAL MEETING
VIA CONFERENCE CALL
July 1, 2013
2:00 p.m.

Chairman Solomon Badger called the meeting to order and asked Associate Vice President Jackye Maxey to call the roll. The following Trustees were present: Chairman Solomon Badger, Trustee Torey Alston, Trustee Glen Gilzean, Trustee Kelvin Lawson, Trustee Spurgeon McWilliams, Trustee Rufus Montgomery, Trustee Kimberly Moore, Trustee Narayan Persaud, Trustee Belinda Reed Shannon, Trustee Anthony Siders, Trustee Cleve Warren. Trustee Marjorie Turnbull and Trustee Karl White were absent. A quorum was established.

Chairman Badger informed the Board that there were two items that required action. He then asked Mrs. Maxey to be prepared to take a roll call vote on each item.

Trustee Badger called upon Trustee Montgomery, Chair of the Budget and Finance Committee, to present the first item. Trustee Montgomery indicated that the first item was the approval of an agreement with the City of Tallahassee regarding providing bus service to FAMU students. Mr. Byron Williams, Director of Business and Auxiliary Services, was recognized to present the specific details of the agreement. Mr. Williams indicated that the City Commission approved the three-year agreement with the University on June 26, 2013. The total cost of the agreement is \$1,619,575.00. The service includes the Venom Route and the University Pass program. The programs are funded by the Student Transportation and Access Fee. He stated that the agreement provides that representatives from the University and the City will meet quarterly to discuss the effectiveness of the agreement. In the event the data shows a significant increase or decrease in ridership, adjustments will be made to the agreement on an annual basis. The negotiation team consisted of students, representatives from Procurement Services, Parking Services, and the Office of the General Counsel.

Trustee Warren moved approval of the agreement. It was seconded by Trustee Alston. Trustee Montgomery stated that he was not convinced that FAMU was totally protected. He asked if a consultant had been involved in negotiating this agreement. Mr. Williams indicated that a consultant will start the review process the week of July 29, 2013. The consultant will review the agreement and the parking services organization. Trustee Montgomery expressed concern that a consultant was being brought in after the contract was being presented to the Board for approval. He asked if the existing services could continue, without any interruption, while the contract was fully vetted by the Budget and Finance Committee at its August 7, 2013 meeting. Mr. Bakker, interim

Vice President for Administrative Services, indicated that he had a letter from the City of Tallahassee stating that they were willing to continue service until such time as the Board makes a decision. Trustee Persaud expressed concern that the interruption of services could adversely impact students.

Trustee Montgomery offered a substitute motion for the Board to authorize the President to execute a temporary agreement of 60 days or less, with the City of Tallahassee StarMetro, to provide bus transit services for FAMU students. The motion was seconded by Trustee Gilzean. Upon a roll call vote, there were 10 yays and no one opposed. (*Note: Trustee Warren did not respond to the voice vote*).

Dr. Robinson expressed concern regarding whether the process would be completed within that 60-day timeframe. Trustee Montgomery indicated that the Board would approve additional time, if needed. Trustee Persaud stated that he did not know how the University would be able to finish a study, as it was the first of July and the next meeting is in August. He said that he did not want them to delay a decision, if it would impede services to the students.

Dr. Robinson reiterated that Board had a letter from the City, indicating that they would continue with the existing agreement until a new agreement could be approved by the BOT and the City. The study by the consultant is expected to take six weeks. Trustee Montgomery explained that if the study is not completed by the next meeting, the University can ask the Board for more time.

Attorney McKnight asked whether a vote had been recorded for Trustee Warren, as he was in attendance. Trustee Warren stated that he had been dropped from the call and missed the vote. Trustee Montgomery restated the motion and Trustee Warren noted he was in favor of the motion. The updated vote for the motion was 11 yays, 0 nays.

Next, Chairman Badger recognized Trustee Montgomery to present the next agenda item. Trustee Montgomery stated that the Board needed to consider the 1.7% tuition increase for undergraduate students and the associated notice and intent to amend Regulation 3.017, Schedule of Tuition and Fees. He asked Mr. Bakker to present additional information regarding the proposed increase. Mr. Bakker stated that the legislatively mandated increase is \$1.75 per credit. The increase will yield \$450,000.00 annually. The University planned to use the money to promote key initiatives that were approved in the 2013/2014 Work Plan. The initiatives include removing the University from SACS probation, increasing retention and graduation rates and increase passage rates on licensure examinations. He stated that the BOT has the option of neutralizing the impact of the tuition increase to students by 1) reducing a similar amount of the

tuition for a period of time or permanently or 2) by reducing other fees that are earmarked for specific purposes. He indicated that two SUS institutions have opted to waive the 1.7% from their tuition to off-set the impact to students. The other nine institutions plan to implement the increase without an off-set.

Chairman Badger recognized Trustee Lawson, who moved that the Board accept the mandatory 1.7% increase; but, that the University also look for an alternative off-set for the increase, as two other SUS institutions were successful in doing. The motion was seconded by Trustee Montgomery.

Trustee Gilzean offered a substitute motion to accept the \$1.75 increase in the base tuition, with the understanding that the financial aid fee would be reduced by \$1.75. Attorney McKnight interjected and suggested that the Board separate the motions for clarity of the record. Trustee Lawson explained his motion and stated that there was no concern with combining it into one motion, as the Board had the authority to approve the 1.75 and to find a source to off-set that amount. Trustee Gilzean then withdrew his substitute motion.

Trustee Alston asked Vice President McKnight if the Board was mandated to agree to the first motion. He said it was not. Vice President McKnight further replied that in order to revise the regulation, the Board needed to use the language included on the action form.

Trustee Montgomery asked if the Board could vote on the off-set, prior to voting on the 1.75 tuition increase. Vice President McKnight responded that if the Board desired to take these motions up in separate parts, it was within the purview of this special meeting.

Trustee Badger asked that the original motion be restated. Trustee Lawson restated his motion, which was to accept, as they were legally bound the 1.75% with the understanding that the Board would look for a specific off-set, so that the actual cost is not passed along to the student. Trustee Montgomery then offered a substitute motion that would break the motion into two and would require a discussion and vote on the off-set, prior to a vote on the 1.7 increase. It was seconded by Trustee Moore. Trustee Gilzean asked for clarification regarding whether they were voting to separate the motion. Trustee Montgomery explained that his motion was to require two separate actions. He said it requires the first vote on the off-set and the second vote on whether to approve the 1.7. Trustee Gilzean called the question. Trustee Montgomery offered a point of clarification regarding the motion. He restated the motion: That the Board vote separately on a specific off-set that would off-set tuition and fees by 1.7% and that the

Board then vote on whether to accept the 1.7 increase as mandated by laws or by the State. The substitute motion passed unanimously through a voice vote.

Trustee Montgomery asked to be recognized. He suggested that Trustee Lawson move in separate parts, his original motion. Trustee Lawson agreed to restate the second part of his original motion.

Chairman Badger recognized Trustee Lawson. Trustee Lawson moved that the Board look for a specific off-set within the existing budget for the 1.7% mandated increase. The second motion was to accept as legally mandated the 1.7 tuition increase, as required by the State. The motion was seconded by Trustee Montgomery.

Dr. Robinson shared that staff recommended that the Board waive the fee across the board and let the fee schedule go out accordingly. Then, Trustee Shannon inquired about the impact of the lost revenue on the Work Plan. Dr. Robinson stated that following initiatives would be impacted without this additional revenue:

- SACS probation initiative: \$50,000
- Initiative regarding retention, progression and debt reduction: \$300,000
- Licensure Passage: \$100,000

Dr. Robinson stated that the \$450,000 was a new revenue source and that the University would be impacted to the extent of the planned usage for the identified initiatives. Dr. Robinson also confirmed that tuition differential was not increased for 2013/2014. In response to Trustee Shannon's query, Dr. Robinson stated that the 1.7% tuition increase would amount to students paying \$1.75 more per credit hour than they did last year.

Trustee Lawson restated his motion, "To specifically find the off-set for the 1.7 tuition increase, such that that increase is not passed on to the student". Trustee Badger asked for a roll call vote:

Trustee Alston	Yes
Trustee Badger	Yes
Trustee Gilzean	No
Trustee Lawson	Yes
Trustee McWilliams	Yes
Trustee Montgomery	Yes
Trustee Moore	Yes
Trustee Persaud	Yes

Trustee Shannon	No
Trustee Siders	Yes
Trustee Warren	Yes

There were 9 yays and 2 nays, and the motion carried.

Trustee Lawson then moved to accept the legally mandated 1.7% tuition increase. Trustee Badger asked for a roll call vote:

Trustee Alston	No
Trustee Badger	Yes
Trustee Gilzean	No
Trustee Lawson	Yes
Trustee McWilliams	Yes
Trustee Montgomery	No
Trustee Moore	No
Trustee Persaud	Yes
Trustee Shannon	Yes
Trustee Siders	No
Trustee Warren	Yes

The roll call vote was 6 yays and 5 nays. The motion passed.

With there being no further business, the meeting adjourned.