

Florida A & M University
Board of Trustees Meeting

October 6, 2005

Minutes/ Summary

Trustees Present: Challis M. Lowe, Chairperson; William Jennings, Vice-Chairperson; Ramon J. Alexander; Barney Bishop; Regina Benjamin; Laura Branker; Al Cardenas; Mary Diallo; Pamela Duncan; David Griffin; R. B. Holmes and Leerie Jenkins

Trustee Absent: W. George Allen

Chairperson Challis M. Lowe called the Board Meeting to order at 8:30 a.m. One Trustee was absent, W. George Allen. The Agenda was approved and Minutes (June 30, 2005) were adopted.

Chairperson Lowe stated that she was encouraged by the Board's "Visioning Session" which was convened by Trustee Branker. A myriad of Florida A&M University (FAMU) issues were discussed and the Session served as a great team-building experience. Additionally, Chairperson Lowe announced that Mr. Gerald Dunn, a financial executive from Lockheed Martin, is on loan to FAMU for a year. Further she stated that during the course of the meeting she would appoint the Presidential Search Committee, who will set policy and procedure for the search.

Presentations were made by Mr. Calvin Ross and Mr. Robert Nixon. Mr. Calvin Ross, Chair of the Emergency Committee for Hurricane Katrina, presented the Board with the comprehensive plan for students who enrolled at FAMU as a result of the disaster and students already enrolled at FAMU. The plan detailed the "One Stop Shop Center," which included community referrals and counseling. The plan was a total University effort. Eighty-three displaced students were admitted and forty-five enrolled.

Mr. Robert Nixon, Director of the Institute on Urban Policy and Commerce, reported that these are exciting times for the Institute. He has been busy reaching out to Institute Board Members and trying to resolve outstanding financial obligations. Also he reported that the equipment inventory had been completed and for the most part the equipment had been returned to agencies. He is in the process of determining the focus of the Institute by communicating with State Senators and by designing comprehensive development programs. The Small Business Development Center has shared space with the Institute, and as Director

of both, he reports to the President. Several questions followed such as the level of current funding; monies returned to funding agencies; the beginning date of the “new” Institute. Mr. Nixon explained that many of the grants had expired, and that many were not in line with the Mission of the University and that there are pending litigations in some instances. Trustee Bishop recommended that Mr. Nixon schedule an Institute Board meeting as soon as possible and requested that Mr. Nixon prepare a report of monies/funds returned to agencies.

The Institute on Urban Policy and Commerce Report was accepted.

President Castell Vaughn Bryant began her Report by announcing that the Hay Group is on campus to conduct and complete a classification and compensation study for Human Resources in accordance with **Resolution No. 18-05** [A resolution of the Board of Trustees of Florida Agricultural and Mechanical University ratifying a classification and compensation study for employees classified as administrative and professional and executive service for the University and USPS; providing an effective date and for other purposes]. President Bryant will provide a report, including recommendations, to the Board upon the conclusion of the study.

President Bryant shared the Atlanta Business Journal regarding the financial impact of the Classic featuring Florida A & M University and Tennessee State in Atlanta. She stated that FAMU’s contract with 100 Black Men of Atlanta Inc. for the Classic expires in December 2006.

Mr. Eddie Jackson, Chairperson for the Homecoming Gala, honoring Dr. LaSalle Leffall on Friday, October 21 at the Civic Center, gave a brief biographical sketch of the honoree. Dr. LeFall is a 1940 Summa Cum Laude graduate of Florida A&M University, who has a recent publication. Book sales will benefit the Gadsden County Schools. Blue Cross Blue Shield contributed \$25,000 to the event.

President Bryant continued by introducing Dr. Jesse Lutabingwa, Assistant Vice President for International Studies, who in turn presented the Diplomat in Residence, Mr. Hugh Williams, United States Department of State. Mr. Williams brought greetings on behalf of Secretary of State Condoleezza Rice. President Bryant followed with introduction of new members of her administrative staff:

- Dr. Debra Austin – Provost & Vice President for Academic Affairs
- Attorney Rufus Little – Vice President for Audit and Compliance
- Dr. Vincent June – Vice President for Student Affairs
- Mr. Gerald Dunn – CFO and Vice President for Budget and Financial Affairs
- Dr. Keith Jackson – Vice President for Sponsored Research
- Mr. Clarence Stallworth –Associate Vice President of Facilities and Construction
- Mr. Rubin Carter – Head Football Coach

Other new coaches introduced:

- Ms. Nicole Threats – Coach, Women’s Tennis
- Mr. Renato Diaz – Coach, Running Backs
- Mr. Kevin Thompson – Coach, Offensive Line

Trustee Barney Bishop inquired about the decline in University enrollment. President Bryant stated that the status of enrollment is a Discussion Item and that a full report will be issued before the conclusion of the meeting.

Trustee Bishop asked about the status of the retrieval of duplicate net checks that were erroneously issued to students earlier this year. President Bryant stated that there is a process in place to contact persons who owe Florida A & M University.

Trustee Bishop asked about Tallahassee Community College students in Florida A&M University’s Marching 100. Trustee Holmes called for a point of order and asked that the Agenda be followed. He suggested that many questions may be answered through presentations on the Agenda.

Chairperson Lowe thanked Trustee Branker for the “Visioning Session,” and Trustee Branker thanked the Board of Trustees and FAMU administrators. In review, Trustee Branker stated that the session was both meaningful and valuable. She stated that the 4-5 hours were intense as the following questions were addressed: What are we? Where are we? What can we be? Trustee Branker thanked the Chair and the President for allotting the time and stated that a report is forthcoming. Trustee Duncan agreed that it was a good session, and Trustee Holmes stated that he was impressed with the administrative staff and their knowledge and vision.

To begin the Committee Reports, Trustee Regina Benjamin, Chair of the Budget and Finance Committee, introduced Mr. Paul Stepusin, KPMG, and Mr. Herbert Bailey, Budget Director, who provided detailed, comprehensive reports on the financial status and the system in place for management and monitoring.

Mr. Stepusin’s 2005-2006 First Quarter Fiscal Update included year-end activities, unaudited financial statement summary, grant administration and People Soft/ERP for Fiscal Year 2004-2005; monthly close-out goals and an error status report for Fiscal Year 2005-2006; proposed policies and a policies and procedure update. Further, Mr. Stepusin advised that the system is not perfect and that instead of trying to change the system, use it as it was designed. He also feels that the structural changes approved by the Board account for the difference between a deficit and a surplus. Discussion ensued:

Trustee Branker feels that these procedures helped the University get a hold of the Budget.

Chairperson Lowe praised the efforts of KPMG and concluded that this is a different way of viewing how we spend money.

Trustee Benjamin stated that under the new procedures accountability is the standard.

Trustee Cardenas stated that we were in "crisis mode" before and that crisis brings discipline. He suggested that the University continue to operate in "crisis mode."

Trustee Alexander supported the changes and stated that the new system has made a lasting impression and that SGA has become more conscious of spending.

Trustee Benjamin thanked Mr. Stepusin for the Report.

Mr. Herbert Bailey presented the 2005-2006 Operating Budget Request Summary by Budget Entity. He reported that this Report was submitted on August 16, 2005, when due. The Report included all categories:

- A. Educational and General
- B. Contracts and Grants
- C. Auxiliaries
- D. Student Activities
- E. Financial Aid
- F. Concessions
- G. Intercollegiate Athletics

Chairperson Lowe thanked Mr. Bailey for an excellent report.

The 2005-2006 First Quarter Fiscal Update and The Operating Budget Request Summary were accepted.

Trustee Laura Branker, Chair Academic Committee, introduced Dr. Debra Austin, Provost and Vice President for Academic Affairs, who petitioned the Board to approve tenure for Dr. John West, Associate Professor, Chemistry Department, College of Arts and Sciences. Through an administrative error, his name was omitted from the list that was approved by the Board in June 2005.

Dr. John West was approved for tenure unanimously.

Vice President Austin introduced Dr. Vivian L. Hobbs, Director of SACS Reaffirmation, who walked the Board through the SACS Progress Report (a handout). The activities reported covered the period of July 1, 2005, when Dr. Hobbs was hired, to October 5, 2005. The Report included:

- A. SACS Teaching Credentials and a Task Force, that will review faculty transcripts and assignments of responsibility

- B. The appointment of the Commission on Distance Learning and International Programs, that will review all distance programs for compliance
- C. Unaddressed Compliance issues from the 1998 Reaffirmation Visit
- D. Standards and Process for Reaffirmation of Accreditation
- E. Role of the Board of Trustees
- F. SACS Core Requirements, Comprehensive Standards and Federal Mandates
- G. Timeline for Completion

The SACS Project will be housed in Rooms 204, 205, 207 and 208, School of Business and Industry as soon as renovations and staffing are complete.

Much discussion ensued. Chairperson Lowe, Trustee Branker and other Trustees welcomed the Report.

The SACS Reaffirmation Progress Report was accepted.

The Audit Committee met with Committee Chair Trustee Duncan on Monday, October 3, 2005. Mr. Michael Brown, CPA and Interim Inspector General, submitted the Annual Work Plan for projects proposed for Fiscal year 2005-2006 (a handout approved by President Bryant and Trustee Duncan). The Plan is based upon updated Risk Assessment and consideration of quantitative and qualitative factors. Also Mr. Brown stated that the development and implementation of new business processes in conjunction with the continuing implementation and stabilization of the ERP information system using PeopleSoft Applications for financial and student administration result in a higher risk environment for the University. It includes the following:

- A. Duties and Responsibilities of the Comprehensive University-Wide Compliance Program, which was adopted by the Board of Trustees of FAMU
- B. A Mission Statement
- C. Goals
- D. The Organizational Chart of the Office of Audit and Compliance
- E. Staffing hours (7 are on staff and there are 3 vacant positions)
- F. A list of Projects for FY 2005-2006

Attorney Rufus Little, Vice President for Audit and Compliance, commented on the ERP system and stated that he will provide President Bryant with in-depth reviews. Also he expressed his excitement about returning to his Alma Mater.

President Bryant stated that expenditures for ERP have far exceeded expectations and that assessment and evaluation meetings have already begun with staff. Also she stated that the payroll module for ERP has been placed on hold. Chairperson Lowe asked about

the outside date for implementation, and Audit Committee Chair Trustee Duncan requested a report of findings as soon as possible.

Trustee Alexander would like to see the same aggressive attack on financial aid that was used for the National Science Foundation resolution.

Mr. Brown, who has served as Interim Inspector General since 2004, stated that there is a continuation Audit of Athletics.

Trustee Bishop asked if the Inspector General has investigated the “net check” mistake.

The Audit Report was accepted.

Trustee Bill Jennings, a member of the Direct Support Organizations Committee (DSO) stated that the committee was unable to meet. It was requested that agenda items A. 2005-2006 FAMU Foundation Budget; B. 2005-2006 National Alumni Association Budget; and C. 2005-2006 FAMU Boosters Budget be placed on the December meeting agenda. Trustee Jennings recommended Board Approval for Items D. University Athletics Boosters Policy and E. Audits of University Athletics Policy.

The University Athletics Booster Policy and the Audits of Finances and University Athletics Finances Policy were approved unanimously.

Attorney Michael Buckner provided an overview of the upcoming NCAA meeting in Colorado Springs, Colorado. Trustee Jennings wanted to know how soon the findings will be received. President Bryant stated the response was expected in five to seven weeks and assured Trustee Jennings that the Board would be notified as soon as she receives word.

Trustee Al Cardenas, Chair of the Facilities Planning Committee, stated that he benefited from the “Visioning Session” and asked Mr. Clarence Stallworth, Associate Vice President for Facilities and Construction, to provide an update of the Campus Master Plan. Mr. Stallworth stated that there are corrections and changes to be made to the Plan and that he will work with consultants and bring the update to the next Board Meeting.

No action required.

Mr. Sam Houston, Director of Facilities and Construction, stated that the Student Recreation Center will be ready for occupancy in January, 2006. Trustee Alexander asked if the intramurals field would be relocated for closer proximity to the Center. President Bryant stated that she would re-negotiate with engineers to resolve the issue of the location of the field. The Committee sought authorization to negotiate an agreement for Architect/Engineer services for Phase II.

The University is in its second phase of electrical and technology infrastructure upgrades. Fred Wilson is the engineer of choice. Trustee Bishop asked if there were

minorities involved and that he would like for as much consideration as possible given to minority firms. The Committee sought authorization to enter into negotiations with Fred Wilson for the design of Phase II.

Project Change Orders for Carnegie Library/Black Archives, including the restoration of the existing 5,000 NSF Carnegie Library and the expansion to the north of the existing building site including landscaping and parking were discussed. The project change will be funded from the existing project budgeted funds of \$5,023,236. The Committee sought approval for C.O. #21 and the contractor's request for an additional 120 days for completion.

The Committee sought acceptance of the new Journalism Building, authorization for the release of the retainage to the contractor and approval of additional A/E Services in the amount of \$61,331.00 for delays due to four hurricanes and other unforeseen conditions.

Campus Master Plan Update Delay – Accepted unanimously
Student Recreation Center Phase II – Approved unanimously
Campus Electrical Upgrades Phase II – Approved unanimously
Project Change Orders for Carnegie Library and Black Archives – Approved unanimously
Construction Update and Acceptance of Journalism Building – Approved unanimously

President Bryant provided an Enrollment handout in fulfillment of a request by Trustee Bishop. Vice President Debra Austin explained FTE's to the Board. She explained the difference between Actual vs. Funded FTE Enrollment and the discrepancies in numbers. The Handout included enrollment data for 2002-2003, 2003-2004 and 2004-2005.

The following Consent Agenda Items were considered for approval:

1.
 - A. University's (Housing) requirement for all first year students to reside on Campus (Regulation 6C3-2.001)
 - B. Schedule of Tuition and Fees for 2005-2006 (Regulation 6C3-3.017)
 - C. Anti-hazing (Regulation 6C3-2.028)
 - D. University Code of Conduct (Regulation 6C3-1.019)
 - E. Misconduct in Research (Regulation 6C3-1.020)
 - F. Miscellaneous Fees (Regulation 6C3-3.018)
 - G. University Intercollegiate Athletics Policy
2. Resolution No.16-05 Establishing procedures for the University's Regulation Development
3. Resolution No. 17-05 Authorizing the University President to approve the settlement of any lawsuit or claim in an amount not to exceed \$100,000
4. Resolution No. 18-05 Ratifying and Authorizing classification and Compensation Studies for A & P, USPS and Faculty employees

5. Human Resources Policies:
 - A. Tuition Reimbursement
 - B. University Payroll
 - C. Additional Employment
 - D. Leave of Absence without pay
 - E. Consensual Sexual Relationships
 - F. Benefits and Leave

All of the above Consent Agenda Items were approved unanimously except Item 5E, which was pulled by President Bryant.

Trustee Leerie Jenkins introduced the News Media Relations Policy, which stipulates that the Chairperson of the Board of Trustees is the official spokesperson for the Board and that the President or her/his designee should provide official news about the University. Otherwise, responses from any others should be designated "opinion". Trustee Bishop stated that he will not relinquish his right to speak, but will make it known when interviewed that he is expressing his opinion.

Discussion of Evaluation of the Interim President

Chairperson Lowe began the discussion by indicating the need for a process to evaluate the Interim President. She provided background information to the Board on the length of the Interim President's contract; the amount of time the Interim President had been serving; the contract provided that the Board would consider providing a performance based bonus of at least \$25,000, if warranted; and the decision whether to grant a bonus would be determined in December 2005. Thus, she requested that the Board discuss a process for determining whether or not Dr. Bryant's performance warrants the consideration of a bonus; and if so, what would be the amount of the bonus.

Trustees Alexander and Jennings proposed some type of comprehensive framework. Trustee Benjamin suggested that criteria with goals should be developed. Trustee Cardenas proposed that criteria be sent to the General Counsel and that the Board meet telephonically and bring consensus to the next Board Meeting. It was decided that the Chair and General Counsel would work together to develop an evaluation process of the Interim President for submittal to Board members.

Trustee Bishop asked the President about the number of students and expenses associated with Tallahassee Community College students in FAMU's Band. President Bryant stated that there were a little over 40 students. She did not present a precise figure, but the 40 students would require an additional bus, per diem, lodging and uniforms. In addition, they are not in our database; they are not covered and, therefore, a liability.

Trustee Bishop inquired about the Board's call-in telephone number for committee meetings. Trustee Branker asked if it was not public policy to have access. Trustee Jenkins recalled the talking in the background, televisions, children and sometimes weak signals.

Vice President Austin stated that no universities in the system provide access to committee meetings; Board meetings are open to the public.

Trustee Bishop asked about the weekly publication of news. Legal news is in the Tallahassee Democrat and other news is posted on the web-site. Trustee Bishop suggested that we look into a conference calling service.

Trustee Bishop asked about the date for the next Board Meeting. Chairperson Lowe responded that it depended upon the availability of Board members.

Chairperson appointed the Presidential Search Committee:

Trustee R.B. Holmes, Chair
Trustee Leerie Jenkins
Trustee Laura Branker
Trustee Mary Diallo
Trustee Ramon Alexander

She suggested that the Committee spend several hours with Interim President Bryant and have a "visioning session" to discuss challenges and important tasks. Chairperson Lowe thanked the Committee for accepting the charge.

Trustee Alexander discussed the Black Student Summit hosted by FAMU last week.

Four speakers made public comments: Mrs. Toni Huggins, Dr. William Tucker, Dr. Maurice Holder and Dr. Dremeal Worthen. Topics ranged from financial aid to shared governance to FAMU's image.

The Meeting adjourned at 2:30 p.m.