

Summary Minutes
FAMU BOARD OF TRUSTEES MEETING
Foster – Tanner Band Room
Wednesday, June 24, 2009

Chairman C. William Jennings called the meeting to order at 1:05 p.m. Mrs. Fuse-Hall called the roll and the following trustees were present: Chairman Jennings, Trustee Solomon Badger, Trustee Laura Branker, Trustee Gallop Franklin, Trustee Maurice Holder, Trustee Spurgeon McWilliams, Trustee Daryl Parks, and Trustee Richard Dent (via phone). A quorum was established.

Chairman Jennings noted that minutes would be approved at the next board meeting.

Chairman Jennings made brief remarks before the President's Report. He commended President Ammons on his presentation at the Southern Education Foundation on June 13th. The chairman and president were invited to attend and speak to other college presidents and board chairs about governance and accreditation. Information about the University's challenges and successes was timely and well received.

Next, the chairman commended the faculty and staff that worked with the board members on the strategic planning session on Tuesday. Focusing on our vision for FAMU in 2020 and beyond kept us engaged and attuned to the big issues facing this University. "We look forward to reviewing the final report in August."

Finally, each board member was asked to review proofs of the business cards, make any changes and return the information to the staff.

Chairman Jennings recognized President Ammons for his report. Since President Ammons provided highlights and accomplishments for the 2008-09 academic year at the Trustees Retreat, he made brief remarks. These included:

- Speakers at the three (3) spring commencements, which included former President William Jefferson Clinton, Congressman Kendrick Meek, and CNN Anchor/Special Correspondent Soledad O'Brien.
- Visit by Congressman Allen Boyd, who toured the Center for Plasma Science and Technology, the U.S. Army, and the Spheromak Turbulent Plasma Experiment in Innovation Park, speaking with FAMU researchers and to learn more about the federally funded research at FAMU.
- Ribbon-cutting ceremony at the new Animal Healthcare Complex which will support the veterinary technology program that will begin this fall. FAMU is one of only 11 such programs in the country.
- Noted that the College of Law was recently recognized by *US News and World Report* for having the most diverse law school in the nation, tied with Texas Southern University.

- Increase in student enrollment this fall in light of the 16.6% increase in the number of freshman applying for admission and 20 % increase in the number of freshmen admitted.
- Increases in transfer student and graduate student admissions.
- Success of the Rattler Reunion Weekend 2009, with the theme of “A Generation of Legends; A Generation of Champions” and included the National Alumni Association Distinguished Alumni Awards banquet.
- Upcoming summer commencement will feature Art Collins, a FAMU alumnus, founder, president and chief executive officer of Public Private Partnership, Inc.

In conclusion, President Ammons thanked the members of the administration, faculty, staff and students

...for their commitment and service to the University this fiscal year. They were supportive of many of our initiatives which required campus wide support despite the dire economic conditions. We could not have met our goals for 2008-09 without their support and hard work.

Chairman Jennings thanked the president for his report and appreciated the work of the FAMU employees also. He then recognized Trustee Dent for the Budget and Finance Committee Report.

BUDGET AND FINANCE COMMITTEE

Trustee Dent noted that the Budget and Finance Committee had three (3) action items and two (2) items for information.

The Committee heard from Ms. Carrie Gavin, Director of FAMU’s Equal Opportunity Program, who presented the University’s Equity Report for the Board’s approval. Action on this report was deferred until the August meeting to give the committee members more time to review the report.

Next, Vice President Teresa Hardee, Division of Administrative and Financial Services, presented the amendments to the Operating Budget for fiscal year 2008-2009. There are two (2) amendments to the operating budget:

- 1) The University has received SUS Allocation Amendment #9 from the Board of Governors. This amendment provides \$267,551 in general revenue to cover the health insurance rates that were increased by the 2008 Legislature effective May 1, 2009.
- 2) Additional budget authority of \$100,000 is requested in the Auxiliary Enterprises budget entity for orientation costs.

Trustee Dent moved that the Board of Trustees approve the committee’s recommendation to adjust the operating budget by the increases stated above. Trustee Parks seconded the motion and it carried

Next Vice President Hardee presented the committee’s consideration of the preliminary operating budget for FY 2009-2010 which included a base general revenue reduction of \$16.2

million. The total amount of the preliminary operating budget is \$429.4 million which consists of the following:

- Educational and General- \$164.9 million
- Contracts and Grants - \$63.4 million
- Auxiliaries - \$27.9 million
- Local Funds - \$173.1 million

Trustee Dent moved approval of the committee's recommendation to adopt the preliminary operating budget for FY 2009-2010 as stated above. The motion was seconded by Trustee Parks and it carried.

The last action item was the approval of Emergency Regulation 3.017 (Schedule of Tuition and Fees). This emergency regulation incorporated the tuition differential fee into Regulation 3.017 and makes two technical changes. The tuition differential fee was approved by the Board on May 26, 2009, and forwarded to the Board of Governors for final approval. The Board of Governors approved the tuition differential fee on June 18, 2009. Trustee Dent moved approval to post the notice of this emergency regulation and if there is no comment, then the regulation will take effect. Trustee Parks seconded the motion and it carried.

Trustee Dent informed the board of two additional items. He relayed that the Committee heard from Vice President Hardee, who presented information about the contracts for \$100,000 or more. Two contracts have been executed since the last board meeting. The first contract is for \$100,000 with Florida Memorial University for the Black Male College Explorer's Program. The second contract was for \$130,000 with Varacorp to provide professional consultant services for PeopleSoft.

Finally, in response to a request from the Board of Trustees, Vice President Hardee distributed a list of the tuition and fees comparisons for the State University System and select Historically Black Colleges and Universities.

AUDIT COMMITTEE

Chairman Jennings summarized the action of the Audit Committee. Since there were no action items, he noted that the committee received information regarding Title IV for Fall semester 2008, the U.S. Department of Education Report, an update on the iRattler Card Program; updates on the School of Law Student Bar Association; and an update on the Florida Bright Futures Scholarship.

ACADEMIC AFFAIRS COMMITTEE

Chairman Jennings recognized Trustee Badger for the committee report. He noted that the committee had five (5) action items and two (2) informational items.

The committee heard a recommendation for approval of tenure-upon-appointment for Professor Darryll Jones, a recent hire at the FAMU College of Law. Professor Jones is well-published and most recently served as a tenured professor of law at Stetson University College of Law. Professor Jones' credentials have been thoroughly reviewed in accordance with the FAMU tenure review process. He was recommended for tenure-upon-appointment by the College of

Law Retention Promotion and Tenure Committee, College of Law Dean Leroy Pernell, the University-wide Tenure and Promotion Committee, Provost Hughes Harris, and President Ammons.

Trustee Badger moved that the Board of Trustees approve tenure-upon-appointment for Professor Darryll Jones at the FAMU College of Law. Trustee Franklin seconded the motion and it carried.

Next, the committee sought approval of a three-year employment contract for Dr. Frederick S. Humphries. Since this is a multi-year contract, the Board of Trustees must approve it. Dr. Humphries will continue to work on several projects which include recruiting and fund-raising for the College of Law, Recruiting students to FAMU for undergraduate and graduate programs in the STEM areas, and to continue to represent the University at the American Association of Blacks in Higher Education. Dr. Humphries will report to the Provost and is evaluated annually. Approval of the three-year contract will also extend his status as a Regents Professor. This three-year contract is not automatically renewed upon expiration.

Trustee Badger moved that the Board of Trustees approve a three-year employment contract for Dr. Frederick S. Humphries. It was seconded by Trustee Parks and it carried.

The committee heard from Provost Hughes Harries regarding emeritus status for two former presidents and the former Dean of the College of Arts & Sciences. The University established a committee to review nomination for emeritus status for presidents and deans. The committee recommends that the University confer the title of "Dean Emeritus" upon Dr. Aubrey M. Perry. In 1984 Dr. Perry was named Dean of the College of Arts and Sciences and diligently served the University in that capacity for 13 years. In that capacity, he provided outstanding leadership and vision, resulting in the notable accomplishments including:

- Reorganizing the former division into a college with ten (10) departments,
- Adding three (3) new departments
- Establishing six (6) new BS degree programs, two (2) tracks and one (1) certificate program at the undergraduate level; and
- Launched several specialized programs.

The President/Dean Emeritus Committee, Dean Ralph Turner, Provost Cynthia Hughes Harris, President Ammons, and this committee recommend that the Board of Trustees confer the status of "Dean Emeritus".

Trustee Badger move that the Board of Trustees confer the status of Dean Emeritus upon Dr. Aubrey M. Perry, former Dean of the College of Arts and Sciences. The motion was seconded by Trustee Parks and it carried.

Trustee Badger noted that the next two (2) action items involved the conferral of "President Emeritus" status upon two "phenomenal individuals."

The first nominee was Dr. Frederick S. Humphries. In 1985, Dr. Frederick Humphries began his 16 year tenure as the eighth president of Florida A&M University. Former President Humphries

led the University and made significant contributions to FAMU. The conferral of this status does not provide any special compensation and the review committee will make a recommendation regarding the specific privileges associated with the conferral of this title. The President/Dean Emeritus Committee, Provost Hughes Harris, President Ammons and the BOT Academic Affairs Committee recommended that the Board of Trustees confer the status of "President Emeritus" upon Dr. Frederick S. Humphries.

Trustee Badger moved that the Board of Trustees confer the status of President *Emeritus* upon Dr. Frederick S. Humphries, the eighth president of Florida A&M University. The motion was seconded by Trustee Franklin and it carried.

The next nominee is Dr. Walter L. Smith. Dr. Walter L. Smith served as president of Florida A&M University from 1977 until 1985. The conferral of this title does not provide any special compensation and the review committee will make a recommendation regarding the specific privileges associated with the conferral of this title. In recognition of his significant contributions to Florida A&M University, the President/Dean Emeritus Committee, Provost Hughes Harris, President Ammons, and the BOT Academic Affairs Committee recommend that the Board of Trustees confer the status of "President Emeritus" upon Dr. Walter Smith, the seventh president of Florida A&M University.

Trustee Badger moved that the Board of Trustees confer the status of President *Emeritus* upon Dr. Walter L. Smith, the seventh president of Florida A&M University. The motion was seconded by Trustee Franklin and it carried.

The committee heard a report from Provost Hughes Harris, who presented an update on FAMU DRS. She reported that at the end of the school year, 35 of 43 DRS faculty members were informed that their employment contracts had expired due to their "visiting" status. FAMU has already advertised 21 DRS positions.

Provost Hughes Harris and Dr. Gennifer Bell, Dean of the School of Education, informed the Committee that DRS student performance on the FCAT and the overall school grade of "D" are major concerns. Dean Bell indicated that there were areas of significant gains, which were overshadowed by the overall scores. Superintendent Ronald Holmes has developed a three-year plan to improve the school's academic performance. The School Advisory Council is also working with the DRS to address these matters. The University is committed to improving the educational experiences at FAMU DRS, which should positively impact the FCAT scores and the school grade.

Further, the committee heard information regarding President Ammons and Dean Pernell travel plans to Montreal, Canada at the end of the week to make a personal appearance before the American Bar Association Accreditation Committee. This appearance is in connection with our application for full accreditation. A final answer regarding the accreditation may occur as early as August 2009.

TRUSTEE-STUDENT RELATIONS COMMITTEE

Chairman Jennings recognized Trustee Parks for this committee report. There are two informational items. Today, the Division of Student Affairs, through the New Student Orientation Office, hosted new student orientation as evidenced by the hundreds of student and parents/guardians on campus.

The committee heard from Trustee Gallop Franklin about with the Student Government Association Update. A few of the SGA's accomplishments included:

- Finalized the A&S Budget
- President Franklin was elected as Vice Chairman for the Florida Student Association
- Leasing two (2) buses over the next five (5) years. The buses will be used extensively in the recruitment endeavors, as well as be available to different entities on campus for use.
- Currently filling vacancies in the Executive Branch of the SGA
- Partnered with Ramon Alexander, former SGA President, to support a new program, Distinguished Young Gentlemen to work with
- Recently installed Sonitrol Security System in the Student Government Association's offices
- In the process of establishing leadership seminars for incoming freshmen
- Tentative date for SGA Inauguration is September 3, 2009 and everyone is invited to attend.
- Will place BOT members' addresses on SGA's mailing list to keep Trustees informed of SGA's scheduled activities.

The Committee also heard a report from Mr. Oscar Crumity, the Director of University Housing, who provided a synopsis of residential life assignments. The Housing staff was introduced and he noted that the division's motto is PRIDE – Providing Residential Initiatives to Develop Excellence. Currently, there are 13 facilities, of which, three (3) are off-line (Polkinghorne Village, Sampson Hall and Young Hall). Based on historic trends, Housing expects 99% occupancy in fall 2009.

A comparative assignment data chart was presented spanning from June 23, 2005 to June 18, 2009. The information demonstrated significant increases. The staff is confident that current waiting lists demonstrate that the University will have the residents for the off-line facilities once that become operational. Currently, Housing is addressing some life safety and quality of life initiatives, but nothing insurmountable, such as installing fire alarms in each apartment at Palmetto South, refurbishing furniture, replacing carpet, upgrading elevators, and installing video surveillance cameras in the basement hallway of McGuinn Hall.

DIRECT SUPPORT ORGANIZATION COMMITTEE

Chairman Jennings recognized Trustee Parks for the report of the Direct Support Organization (DSO) Committee. Since there was no quorum at the committee meeting, presentations were for information only.

The DSO Committee presented the operating budgets for FY 2009 – 2010 from the various organizations. The FAMU National Alumni Association (NAA) representative, Mr. Lenard

Franklin, presented the Annual Operating Budget for FY July 2009 – June 2010 to the committee. Mr. Franklin informed the Committee that the NAA have a balanced budget, and total projected revenues of \$505,013.

Mr. Mickey Clayton presented the FAMU Boosters FY 2009 – 2010 budget, and its total projected revenue of \$433,000. Mr. Clayton informed the committee that there has been an increase in membership, \$200,000 donated to the Athletic Department, and that there is a balanced budget for the upcoming year.

Vice President Carla Willis presented the FAMU Foundation's budget and \$1,620,900 is the total projected revenue for 2009-2010. Vice President Willis informed the committee that this is 5.5% less than it was last year, due to a budget reduction requested by the FAMU Foundation Board of Directors.

Further Vice President Carla Willis provided the committee with an update on the Division of University Relations. She introduced the newest member of her staff, Ms. Katina Williams, who is the Director of Advancement for corporate, foundation, and governmental proposals. Vice President Willis provided the Committee with a fiscal year-to-date fundraising comparison graph, donor count by fiscal year graph, and the state of Florida matching gifts graph. Vice President Willis stated that the state of Florida has suspended the Matching Gifts program, but donor requests are still submitted for consideration when/if the program is reinstated. Vice President Willis informed the committee that despite the downturn in the economy and external factors faced; this has been a good year.

The committee also heard from Mrs. Carmen Cummings Martin on the 2009 Rattler Reunion Weekend. Mrs. Cummings Martin reported that hundreds of alums celebrating their 50th collegiate anniversary joined other alumni in the years ending in "4" and "9," who returned to "the Hill." President Ammons celebrated his 35th class anniversary during the reunion. Alumni participated in a series of events, including a remembrance to fallen Rattlers at a special memorial service, and culminated the reunion with a worship service in Lee Hall.

FACILITIES COMMITTEE

Chairman Jennings recognized Trustee McWilliams for the report of the Facilities Planning Committee. Since there was no quorum at the committee meeting, presentations were for information only.

The Committee received information comparing Public Education Capital Outlay (PECO) funding for the past four years among SUS institutions. All institutions have received significant reductions in funding for fiscal year 2009-10

The Committee next heard a presentation on the five-year Capital Improvement Plan and the fiscal year 2010-11 Legislative Budget Request for PECO funds. The highlight of the presentation was the following priority list of the top four capital projects for the 2010-11:

1. *Utilities, infrastructure, capital renewal, and roofs - \$8.0 million*
2. *Pharmacy Phase II building - \$30.96 million*

3. *FAMU/FSU College of Engineering Phase III - \$17 million*
4. *New Student Affairs Center - \$3,255,000 for planning*

Funding levels for the FAMU/FSU College of Engineering will be coordinated between FAMU and FSU at the next Joint Management Council meeting in July 2009.

Trustee McWilliams moved approval of the Five-year Capital Improvement Plan (CIP) and the 2010–2011 Legislative Budget Request in accordance with the agreement to be made with Florida State University on the funding schedule for the College of Engineering; and authorized the President to forward the revised five-year Capital Improvement Plan and 2010–2011 Legislative Budget Request to the Board of Governors. Trustee Holder seconded the motion and it carried.

Trustee McWilliams reported that the Facilities Planning Committee reviewed a request for the approval of Change Order Request #4 for Phase II of the campus-wide electrical upgrades. This Change Order Request increases the scope of work for the project to include, for the Dyson Pharmacy Building and the Banneker "A" and "B" Buildings:

- Removal of existing main electrical distribution panels and breakers;
- Modification of the existing pads to fit the new panels
- Installation and reconnection of the new panels and new breakers

The cost of this increased scope of work is \$305,292 and if approved, will result in a revised contract amount of \$6,861,746. The project budget can accommodate this request. The change order has been reviewed and recommended for approval by the University's engineering consultant and the University's Construction and Facilities Management staff.

Trustee McWilliams moved that the Board approve Change Order Request #4 for the campus-wide electrical upgrades for \$305,292 and authorize the President to execute the change order. The motion was properly seconded and it carried.

The committee heard information regarding the ranking of the short-listed firms for the University's Invitation to Negotiate (ITN) with companies who are interested in designing, building and renovating University housing. An eight-member Selection Committee, appointed by the President, reviewed the proposals and ranked the firms in the following order (highest ranking first):

1. *Premier Construction and Development, Inc., Tallahassee, Florida.*
2. *Ambling University Development Group, Valdosta, Georgia.*
3. *Capstone Development Corp., Birmingham, Alabama.*

Trustee McWilliams moved that the Board of Trustees:

- (a) **authorizes the President to begin negotiations with the top-ranked firm subject to the financing and approval of the General Counsel's office, and should those negotiations not result in a final contract, directs the President to come back to the Board for further direction; and**

(b) directs the President to bring any final contract negotiated back to the Board for final approval.

The motion was seconded by Trustee Badger. Trustee Parks inquired about the president coming back to the board instead of proceeding with the next ranked firm. Chairman Jennings responded that some concerns had been expressed about the second ranked firm; therefore, if negotiations do not occur, then the board should review the next steps. There being no further discussion, the motion carried.

Trustee McWilliams informed the board that the Facilities Committee heard an overview of the University's environmental, health, and safety program. The report included information on fire safety, lab safety, hazardous waste management, recycling, public health and safety, insurance and risk management, building code compliance, and emergency response. The Committee also heard a report on the on-going major construction projects.

PUBLIC COMMENT

No one signed up for public comment.

Chairman Jennings asked members if they had any comments. Trustee Parks noted that he was encouraged by the news regarding enrollment. Trustee Franklin asked for a personal privilege and introduced his mother, Mrs. Franklin. Chairman Jennings commended President Ammons and Vice President Hardee in addressing the budget cuts. "We were concerned with the layoffs. This will be a tough year." The chairman invited the audience to join the president for a press conference on the budget cuts.

There being no further business, the meeting adjourned at 1:55 p.m.

Submitted,

Rosalind Fuse-Hall

Rosalind Fuse-Hall
Assistant Secretary