

**Florida Agricultural and Mechanical University  
Board of Trustees**



**Governance Committee Conference Call  
Wednesday, November 9, 2016  
Time: 2:30 p.m.**

**Committee Members:** Gary McCoy, Chair  
Trustees Perry, Mills, Moore, and Reed

**AGENDA**

- |     |               |                   |
|-----|---------------|-------------------|
| I.  | Call to Order | Trustee McCoy     |
| II. | Roll Call     | Linda Barge-Miles |

**ACTION ITEM**

- |      |  |                                  |
|------|--|----------------------------------|
| III. | Approval of Minutes – September 14, 2016 Meeting   | Trustee McCoy                    |
| IV.  | Approval of Amendments to BOT Operating Procedures<br>A. Article 4 Committees<br>B. Article 5 Meetings | Maria Feeley and<br>Ana McDonald |
| V.   | Approval of Collective Bargaining Agreements<br>A. PBA<br>B. AFSCME<br>C. UFF-FAMU-DRS                 | Maria Feeley and<br>Ana McDonald |
| VI.  | Adjournment  |                                  |

### **III. Approval of Minutes**

**Florida Agricultural and Mechanical University  
Board of Trustees**



**Governance Committee Minutes  
Gary McCoy, Chair  
Date: Wednesday, September 14, 2016  
Telephone Conference Call**

**Summary Minutes**

Trustee Gary McCoy convened the Board of Trustees Governance Committee meeting on September 14, 2016. Linda Barge-Miles called the roll and a quorum was present.

Approval of Minutes- May 11, 2016

The first action item was the approval of the minutes of the May 11, 2016 committee meeting. Trustee Mills moved approval of the minutes. It was seconded by Trustee Moore and the motion carried.

The Division of Audit and Compliance conducted an operational review of the Board's compliance with its Operating Procedures. The report concluded that overall the Board is in compliance. It recommended that the processes would be improved by requiring the Board to conduct an annual review of the Operating Procedures by a date certain. This would ensure that the review is done at least every 12 months. The Committee recommended approval of an amendment of Section 7.1 of the Operation Procedures, which requires the Board to complete its annual review no later than November 30 of each year.

Next, the Committee heard a presentation regarding the restructuring of the Board's committees. The Committee discussed the proposal and indicated that it would work on frameworks for the proposed committees and areas of focus for each committee, including recruitment and fundraising. There was also a discussion regarding committee assignment based upon trustees' interests and skill sets. The Committee will bring a finished proposal regarding restructuring to the Board at the next meeting.

The proposal includes the following:

Proposed Standing Committees

Academic and Student Affairs

Audit and Compliance

Budget and Facilities

Governance

Strategic Planning and Performance Measures

**Florida Agricultural and Mechanical University  
Board of Trustees**



Proposed Special Committees  
Direct Support Organizations  
Special Committee on Athletics

The Committee then discussed a proposed internal meeting preparation time standard, presented by Vice Chair Moore. It was clarified that this proposal was a goal and aspiration.

Finally, the Committee received an update on its action plan matrix.

## **IV. Approval of Revisions to BOT Operating Procedures**



# Comparison of Existing v. Proposed

## Existing Committees

### Standing

- Student Affairs
- Academic Affairs
- Governance
- Budget and Finance
- Facilities Planning
- Audit

### Special

- Presidential Evaluation
- DSO
- Athletics

## Proposed Committees

### Standing

- Academic and Student Affairs
- Governance (including Presidential Evaluation)
- Budget and Facilities
- Audit
- Strategic Planning (Performance Measures/Funding)

### Special

- DSO
- Athletics



# **Revisions to BOT Operating Procedures**

## **4.2**





**Florida Agricultural and Mechanical University  
Board of Trustees  
ACTION ITEM**

**Governance Committee**

**Date: November 9, 2016**

**Agenda Item: Revision of Board of Trustees Operating Procedures, Article 4:  
Committees to Reflect Reorganization of Committees**

Item Origination and Authorization				
Policy _____	Award of Bid _____	Budget Amendment _____	Change Order _____	
Resolution _____	Contract _____	Grant _____	Other _____	

Action of Board				
Approved _____	Approved w/ Conditions _____	Disapproved _____	Continued _____	Withdrawn _____

**Subject:** Revision of Board of Trustees (“BOT”) Operating Procedures, Article 4: Committees, to reflect reorganization of BOT Committees approved on consent agenda at September 15-16, 2016 BOT meeting.

**Rationale:** At the September 15, 2016 BOT meeting, the BOT voted to reduce the number of BOT Committees as recommended by the Governance Committee. The Governance Committee has revised the BOT Operating Procedures to reflect the committee changes.

**Attachments:** 1) Copy of slide Governance Committee presented at the September 14-15, 2016 BOT meeting showing BOT committees that existed at the time, and proposed committees that the BOT approved on the consent agenda at that meeting; 2) Red-lined BOT Operating Procedures, Article 4: Committees, showing proposed changes to reflect revised committee structure; and 3) Clean copy of Article 4 of BOT Operating Procedures including new committee structure approved by the BOT at the September 15, 2016 BOT meeting.

**Recommendation:** Recommend Governance Committee approve revised Article 4 of BOT Operating Procedures (see bullets summarizing revised committee responsibilities set forth below), and submit for inclusion on consent agenda for the November 18, 2016 BOT meeting.

**Academic and Student Affairs Committee**

- Oversee educational policies and programs, and policies relating to student affairs, including athletics.
- Review policies and make reports and recommendations to the Board relating to: degree programs; instruction; research; recruitment and retention of faculty; codes of conduct and penalties for violations of University regulations pertaining to academic dishonesty; student admissions, conduct, life, activities, and health; career resources; and student financial affairs.

**Audit and Compliance Committee**

- Review and recommend to the Board policies affecting internal controls, accountability, and audits.
- Review and advise the Board on: internal and external audits; the University’s responses and corrective actions; the adequacy of accounting procedures, systems, controls, and financial reporting in accordance with laws and regulations of the state; and compliance reports of the University.





**Florida Agricultural and Mechanical University  
Board of Trustees  
ACTION ITEM**

- Recommend changes to the Audit Charter as appropriate.

**Budget/Finance and Facilities Planning Committee**

- Oversee policies relating to the financial affairs of the University, and physical assets (e.g. land, buildings, infrastructure and equipment).
- Review and make recommendations to the Board on: annual budget and requests for appropriation of funds for the University as prepared by the President; policies relating to the external financing of projects; the schedule of tuition, fees, and other student charges; and other matters referred by the Board.
- Monitor the University's financial operations, debt level, and investment performance, if any.
- Review and consider proposed new facilities and proposed renovations of existing facilities.
- Review Capital Improvement Program list for funding by the Legislature, including the PECO list, and the Capital Improvement Program for all other projects.
- Recommend appropriate action with regard to real property acquisition, sale, or lease; naming of facilities.
- Reviewing and approving the Campus Master Plan, and debt financing for property.

**Governance Committee**

- Review and make recommendations to the Board on various Board functions.
- Periodically review Board Operating Procedures and Regulations and recommend changes when appropriate.
- Initiate Board training when appropriate.
- Evaluate the performance of the Board and the President.
- Oversee collective bargaining agreements.
- Make reports and recommendations to the Board as appropriate.

**Strategic Planning and Performance Measures Committee**

- Make recommendations to the Board regarding strategic planning, performance metrics, measures, and performance based funding initiatives.
- Review the University's strategic plan, and make proposed revisions when appropriate.
- Make recommendations to the Board regarding the implementation of the strategic plan.
- Assess the progress made in achieving strategic goals and objectives.
- Review the Board of Governors ten performance-based funding metrics, including the University-specific metric chosen by the Board of Governors and the University-specific metric chosen by the Board of Trustees.
- Assess the University's performance funding initiatives and metric scores to ensure that the University is striving to excel and improve on key metrics.
- Make additional recommendations and reports to the Board as appropriate.

FLORIDA  
AGRICULTURAL AND MECHANICAL  
UNIVERSITY



BOARD OF TRUSTEES

**OPERATING  
PROCEDURES**

*Adopted September 24, 2001  
Amendment Notes are provided as Appendix B*

including a record of all votes cast in accordance with Section 286.011(2), Florida Statutes; executing or attesting to all documents which have been approved by the Board and/or executed by the Chair, file and preserve all minutes, rules, orders, papers, and documents pertaining to the business and proceedings of the Board; be the custodian of the corporate seal; be the Board's records custodian; and in the absence of the Board Chair, accept service of process in all suits filed against the Board. The Corporate Secretary may designate an individual to serve as Assistant Corporate Secretary to the Board.

**3.5.1** The University President's specific powers and duties are enumerated in Board Regulation 1.012, as now or hereafter amended.

**3.5.2** As Executive Officer, the President shall serve as the principal liaison officer and official contact between the Board and the faculty, staff, students and direct support organizations of the University.

## **ARTICLE 4: COMMITTEES**

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The Board shall establish standing and ad hoc committees, as it deems appropriate to discharge its responsibilities. The Board Chair shall appoint members of committees and their Chairs. Members of the committees shall hold office until the appointment of their successors. Unless specifically delegated or as otherwise provided in these Operating Procedures, the authority to act on all matters is reserved to the Board and the duty of each committee shall be to consider and to make recommendations to the Board upon matters referred to it. Each committee shall have a written statement of purpose and primary responsibilities as approved by the Board.

**4.1 EXECUTIVE COMMITTEE** - The Executive Committee shall consist of seven (7) Trustees, which shall include the Board Chair, the Chairs of the Academic Affairs Committee, Audit and Compliance Committee, Budget/Finance Committee, Student Affairs Committee, Facilities Planning Committee and Direct Support Organization (DSO) Committee. The Corporate Secretary shall be an ex-officio member without a vote and not counted as part of a quorum for purpose of transacting business. Each Committee member shall serve for a term of two (2) years.

**4.1.1** The Executive Committee shall meet upon the call of the Board Chair to conduct its business as the Board Chair and Corporate Secretary may determine, and minutes shall be taken.

**4.1.2** The Executive Committee has the authority of the Board to act between regular Board meetings on matters which are either ministerial or which must be decided before the next Board meeting. The actions of the Executive Committee shall be reported to the Board at its next regular



Board meeting and shall be confirmed and approved by the Board, if required.

- 4.2 STANDING COMMITTEES** - Members of each standing committee shall be appointed by the Board Chair to serve for a term of two (2) years. Unless specifically delegated and except as otherwise provided in these Operating Procedures, authority to act on all matters is reserved to the Board, and the duty of each standing committee shall only be to consider and make recommendations to the Board upon matters referred to it.

~~**Academic Affairs Committee**—The Academic Affairs Committee shall be responsible for oversight of educational policies and programs. It shall review and consider policies relating to new and existing degree programs, instruction, research, and continuing education, conditions affecting recruitment and retention of faculty members, including tenure, academic freedom and academic responsibility, codes of conduct and appropriate penalties for violations of University rules pertaining to academic dishonesty, and student admissions. It shall make recommendations to the Board on these and other matters referred to it by the Board. It shall make reports to the Board.~~

**4.2.1 Academic and Student Affairs Committee** - The Academic and Student Affairs Committee shall be responsible for oversight of educational policies and programs, and policies relating to student affairs, including athletics. It shall review and consider policies relating to new and existing degree programs, instruction, research, and continuing education, conditions affecting recruitment and retention of faculty members, including tenure, academic freedom and academic responsibility, codes of conduct and appropriate penalties for violations of University regulationsrules pertaining to academic dishonesty, student admissions, student conduct, student life, extracurricular activities, student health, career resources, and student financial affairs. It shall make recommendations to the Board on these and other matters referred to it by the Board. It shall make reports to the Board.

**4.2.2 Audit and Compliance Committee** - The Audit and Compliance Committee shall be responsible for reviewing and recommending to the Board policies affecting internal controls, accountability, and audit. The Audit and Compliance Committee shall have access to internal and external auditors to assess their performance, the scope of audit activities and the adequacy of the system of internal accounting controls to ensure compliance with state and federal laws, regulations and requirements. Internal auditors shall report to the President for administrative support and shall report to the Board as to the process and content of their internal audit reports. The committee shall make reports to the Board. The committee's responsibilities shall include, but not be limited to:

- i. Reviewing internal audits of the University;
- ii. Reviewing external audits performed by the State Office of Auditor General and other independent auditors, together with the University's responses and corrective actions;
- iii. Advising the Board on all aspects of internal and external audit and the adequacy of accounting procedures, systems, controls, and financial reporting in accordance with laws and regulations of the state;
- iv. Reviewing compliance reports of the University of all laws and regulations pertaining to matters such as research, environment, occupational health and safety, fiscal affairs, including the system of reporting established by the University; and
- v. Recommending changes to the Audit Charter.

**4.2.3 Budget/Finance and Facilities Planning Committee** - The Budget/Finance and Facilities Planning Committee shall be responsible for oversight of all policies relating to the financial affairs of the University, and overseeing the University's physical assets (e.g. land, buildings, infrastructure and equipment). It shall review and consider the annual budget and requests for appropriation of funds for the University as prepared by the President, policies relating to the external financing of projects, and the schedule of tuition, fees, and other student charges, and make recommendations to the Board on these and other matters referred to it by the Board. This committee also shall monitor the University's financial operations, debt level, and investment performance, if any. It shall make reports to the Board. The Committee's responsibilities shall also include, but not be limited to:

- i. Reviewing proposed additions of and accepting new facilities, and reviewing proposed additions and renovations of existing facilities, after having evaluated appropriate utilization of existing available space and taking into consideration master plans, infrastructure, traffic, parking, appropriate land use and the effect upon overall University operations, both to include facilities of direct support organizations (DSOs), and other affiliated corporations of the University;
- ii. Reviewing annually the Capital Improvement Program list for funding by the Legislature, including the PECO list, and the Capital Improvement Program for all other projects;
- iii. Recommending appropriate action with regard to real property acquisition, sale, or lease;
- iv. Recommending the naming of facilities;
- v. Reviewing and approving the Campus Master Plan; and
- vi. Reviewing and approving debt financing for property.



~~4.2.4 **Student Affairs Committee**—The Student Affairs Committee shall be responsible for oversight of policies relating to student affairs, including athletics. It shall review and consider policies relating to student conduct, student life, extracurricular activities, student health, career resources, and student financial affairs, and make recommendations to the Board on these and other matters referred to it by the Board. It shall make reports to the Board.~~

~~4.2.5 **Facilities Planning Committee**—The Facilities Planning Committee shall be responsible for overseeing the University's physical assets (e.g. land, buildings, infrastructure and equipment), and shall make recommendations to the Board on these matters. The Committee's responsibilities shall include, but not be limited to:~~

- ~~— Reviewing proposed additions of and accepting new facilities, and reviewing proposed additions and renovations of existing facilities, after having evaluated appropriate utilization of existing available space and taking into consideration master plans, infrastructure, traffic, parking, appropriate land use and the effect upon overall University operations; both to include facilities of direct support organizations (DSOs), and other affiliated corporations of the University;~~
- ~~— Reviewing annually the Capital Improvement Program list for funding by the Legislature, including the PECO list, and the Capital Improvement Program for all other projects;~~
- ~~— Recommending appropriate action with regard to real property acquisition, sale, or lease;~~
- ~~— Recommending the naming of facilities;~~
- ~~— Reviewing and approving the Campus Master Plan; and~~
- ~~Reviewing and approving debt financing for property with the Budget/Finance Committee. **Governance Committee** - The Governance Committee is responsible for reviewing and making recommendations to the Board on various Board functions. The Committee's responsibilities shall include, but not be limited to:~~

- ~~i. Approving annually the charters for standing Board committees;~~
- ~~ii. Reviewing periodically Board Operating Procedures;~~
- ~~iii. Initiating Board training when appropriate;~~
- ~~iv. Evaluating the Board's performance;~~
- ~~v. Evaluating the President's performance;~~
- ~~vi. Periodically reviewing Board of Trustees' governance;~~
- ~~vii. Overseeing University collective bargaining agreements;~~
- ~~viii. Recommending Board regulations pertaining to the employees of the University and overseeing public and governmental relations; and~~
- ~~ix. Providing oversight concerning these matters and make reports to the Board as appropriate.~~

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4.2.5 Strategic Planning and Performance Measures Committee - The Strategic Planning and Performance Measures Committee is responsible for reviewing performance measures/funding, and making recommendations to the Board regarding strategic planning and the implementation of strategic plans at the University, performance metrics, measures, and performance based funding initiatives. The Committee's responsibilities shall include, but not be limited to:

- i. Reviewing the University's strategic plan, and making proposed revisions when appropriate;
- ii. Making recommendations to the Board regarding the implementation of the strategic plan;
- iii. Assessing the progress made in achieving strategic goals and objectives;
- iv. ~~i.~~ Reviewing the Board of Governors ten performance-based funding metrics, including the University-specific metric chosen by the Board of Governors and the University-specific metric chosen by the Board of Trustees;
- v. Assessing the University's performance funding initiatives and metric scores to ensure that the University is striving to excel and improve on key metrics; and
- vi. Making additional recommendations and reports to the Board as appropriate.

Periodically reviewing the current strategic plan;

ii. Assessing the progress made in achieving strategic goals and objectives;

iii. Making proposed revisions to strategic plans when appropriate; and

4.2.6 iv. Making reports and recommendations to the Board.**Direct Support Organization Committee**—The Direct Support Organization (DSO) Committee shall primarily serve as the advisory body to the President related to the areas of direct support organizations, media and communications, and anti hazing. It shall review and consider regulations, policies and procedures, and shall make recommendations to the Board concerning these areas and other matters referred to it by the Board. It shall further provide oversight concerning these matters and make reports to the Board as appropriate.

Governance Committee—The Governance Committee is responsible for reviewing and making recommendations to the Board on various Board functions. The Committee's responsibilities shall include, but not be limited to:

Approving annually the charters for standing Board committees;



- ~~\_\_\_\_\_ Reviewing periodically Board Operating Procedures;~~
- i. ~~\_\_\_\_\_ Initiating Board training when appropriate;~~
- i. ~~\_\_\_\_\_ Evaluating the Board's performance;~~
- i. ~~\_\_\_\_\_ Periodically reviewing Board of Trustees' governance;~~
- i. ~~\_\_\_\_\_ Overseeing University collective bargaining agreements; and~~
- i. ~~\_\_\_\_\_ Recommending Board regulations pertaining to the employees of the University and overseeing public and governmental relations.~~
- ii. ~~\_\_\_\_\_ providing oversight concerning these matters and make reports to the Board as appropriate.~~

**4.3 SPECIAL COMMITTEES** - The Board Chair may establish such Special Committees as deemed necessary for the orderly conduct of the business of the Board. Special Committees shall have powers and duties and period of service as the Chair may determine; however, no Special Committee shall be created to act upon matters within the purview of a standing committee.

## **ARTICLE 5: MEETINGS**

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All meetings of the Board and its committees shall be open to the public and all official acts of the Board or its committees shall be taken at public meetings, unless otherwise provided by law. The Board attorney or designee shall be present at all Board and Committee meetings, as appropriately noticed. The provisions of Section 24, Article I of the Florida Constitution and Chapter 286, Florida Statutes, shall govern Board and committee meetings.

- 5.1 REGULAR MEETINGS** - Regular meetings of the Board shall convene at least four (4) times each year, or as needed, at a date, time, and place designated by the Board.
- 5.2 SPECIAL MEETINGS** - Special meetings of the Board, including hearings and workshops, shall be held at the call of the Board Chair or upon request of seven (7) members of the Board. The Board Chair shall designate the date, time, and place of such meetings. The Corporate Secretary shall send written notice of such special meetings to all Trustees, along with a statement of the purpose of the meetings. No matter may be considered at any special meeting that was not included in the call of the special meeting.
- 5.3 EMERGENCY MEETINGS** - Emergency meetings of the Board or its Committees shall be called by the Board Chair or upon the request of seven (7)

## **Revisions to BOT Operating Procedures**

**5.3**

**5.4**



**Florida Agricultural and Mechanical University  
Board of Trustees  
ACTION ITEM**

**Governance Committee  
Date: Wednesday, November 9, 2106  
Agenda Item: IV**

Item Origination and Authorization			
Policy ____	Award of Bid ____	Budget Amendment ____	Change Order ____
Resolution ____	Contract ____	Grant ____	Other ____

Action of Board				
Approved ____	Approved w/ Conditions ____	Disapproved ____	Continued ____	Withdrawn ____

**Subject:** Approval of Amendment of the BOT Operating Procedures

**Rationale:** Currently the BOT Operating procedures require a 24-hour notice period for emergency meetings. It is being recommended that the Board eliminate the 24-hour period and provide reasonable notice to the public when an emergency meeting is called.

The notice provision for meetings is being updated to include publication on the University's website, in a major newspaper of general circulation in the area where the meeting will take place or through a press release issued by the University.

**Recommendation:** Approval of amendments to Sections 5.3 and Section 5.4 of the BOT Operating Procedures.

## Proposed Amendments to Operating procedures

- 5.3 EMERGENCY MEETINGS** - Emergency meetings of the Board or its Committees shall be called by the Board Chair or upon the request of seven (7) members of the Board, upon such notice as is reasonable under the circumstances, upon no less than twenty-four (24) hours' notice, whenever, in the opinion of the Board Chair or upon the request of seven (7) members of the Board, an issue requires immediate Board action. The Corporate Secretary shall notify the Board in writing upon the first and subsequent requests by members of the Board for an emergency meeting. The Board Chair shall notify the Corporate Secretary of such emergency meetings. The Corporate Secretary shall immediately serve verbal or written notice upon each Trustee, stating the date, time, and place of the meeting and the purpose for which the meeting has been called. No other business will be transacted at the meeting, unless additional emergency matters are agreed to by a majority of the Trustees in attendance. The minutes of each emergency meeting will reflect the manner and method by which notice of such emergency meeting was provided to each Trustee and will state the actions taken and the specific facts and reasons for calling the emergency meeting.
- 5.4 NOTICE OF MEETINGS** - Notice of regular meetings and special meetings shall be given by mail or email not less than seven (7) days prior to the meeting. Notice of an emergency meeting shall be given by posting a notice at the Florida Press Center, 336 East College Avenue, Tallahassee, Florida 32301, of time, place, date, and purpose of the meeting on the University's website or published in the Tallahassee Democrat newspaper, major newspaper of general circulation in the area where the meeting will take place. The media may also be notified through a press release issued by the University.

## **V. Approval of Collective Bargaining Agreements**



**Florida Agricultural and Mechanical University  
Board of Trustees  
ACTION ITEM**

**Governance Committee**

**Date: November 9, 2016**

**Agenda Item: AFSCME Collective Bargaining Agreement**

Item Origination and Authorization			
Policy ____	Award of Bid ____	Budget Amendment ____	Change Order ____
Resolution ____	Contract ____	Grant ____	Other ____

Action of Board				
Approved ____	Approved w/ Conditions ____	Disapproved ____	Continued ____	Withdrawn ____

**Subject:** AFSCME Collective Bargaining Agreement

**Rationale:** The AFSCME Union and the University have reached a tentative agreement and seek ratification of the agreement.

**Attachments:** Tentative Agreement

**Recommendation:** Recommend Governance Committee approve agreement, and submit for inclusion on consent agenda for full Board of Trustees ratification vote.



**Florida Agricultural and Mechanical University  
Board of Trustees  
and the  
American Federation of State County and  
Municipal Employees**

The parties agree to the following:

**WAGE INCREASES 2016-2017**

WHEREAS, the University and AFSCME agree to the following wage increase for 2016-2017;

Following ratification of this Agreement by both Parties, all AFSCME members employed on that date will receive a two percent (2%) recurring wage increase to their base pay; and

Upon ratification of this Agreement by both Parties, all AFSCME members employed on that date will receive a one-time, nonrecurring bonus payment equal to one percent (1%) of their base annual pay.

**ARTICLE 7  
JUST CAUSE AND DISCIPLINARY ACTIONS**

7.1 Policy. The University and AFSCME endorse the principle of progressive discipline. However, depending on the severity of the infraction, disciplinary action may be taken including termination at the discretion of the University. The purpose of this article is to provide a prompt and equitable procedure for disciplinary action taken with just cause. Supervisors shall provide privacy to the extent practicable when administering reprimands or conducting disciplinary actions.

7.2 Just Cause. Disciplinary actions administered to permanent status employees may be taken only for just cause.

7.3 Grievability.

A. Suspensions, demotions, reductions in base pay, and terminations administered to permanent status employees are subject to Article 6, Grievance Procedure.

B. Oral reprimands shall not be grievable under the provisions of this Agreement. Oral reprimands shall not be used as progressive discipline in later disciplinary actions provided the employee has maintained a discipline-free work record for at least two (2) years. Such oral reprimands shall be marked "invalid for future disciplinary actions due to a one (1) year discipline-free work period" any time after the one (1) year period upon written request of the employee.

C. Written reprimands shall be subject to the grievance procedure in Article 6 but only through Step 2. Written reprimands shall not be used as a basis for later disciplinary actions against an employee provided the employee has maintained a discipline-free work record for at least two



(2) consecutive years. Such written reprimands shall be placed in a sealed envelope and marked "Invalid in accordance with Section 7.3(C)" any time after that two (2) year period upon written request of the employee.

D. Neither the University's policies and procedures, nor disciplinary guidelines, are grievable except to the extent that they are allegedly applied arbitrarily and capriciously.

7.4 AFSCME Representation.

A. The employee has a right, upon request, to AFSCME representation during investigatory questioning that may reasonably be expected to result in disciplinary action, and during predetermination conferences.

B. When an AFSCME representative is selected to assist an employee, the representative may be allowed a reasonable amount of time off for this purpose, subject to the limitations provided in Articles 5 and 6.

7.5 Disciplinary Entries in Personnel Files. An employee shall be furnished with a copy of disciplinary entries placed in their official personnel file and shall be permitted to respond, and a copy of the response shall be placed in that file. The author of such document shall be responsible for providing the copy to the employee.

**ALL OTHER ARTICLES REMAIN STATUS QUO**

IN WITNESS THEREOF, the parties have set their signatures this \_\_\_ day of October, 2016.

FOR THE FLORIDA A&M UNIVERSITY  
BOARD OF TRUSTEES:

FOR THE AMERICAN FEDERATION OF  
STATE COUNTY AND MUNICIPAL  
EMPLOYEES

\_\_\_\_\_  
Larry Robinson, Ph.D.  
Interim President

\_\_\_\_\_  
Andre Madtes  
Negotiator  
AFSCME

*Andre Madtes T/A*  
10/31/2016

*Robert E. Larkin III*  
\_\_\_\_\_  
Robert E. Larkin III  
Chief Negotiator

\_\_\_\_\_  
Colleen Washington  
President AFSCME  
FAMU Chapter



**Florida Agricultural and Mechanical University  
Board of Trustees  
ACTION ITEM**

**Governance Committee**

**Date: November 9, 2016**

**Agenda Item: PBA Collective Bargaining Agreement**

Item Origination and Authorization			
Policy _____	Award of Bid _____	Budget Amendment _____	Change Order _____
Resolution _____	Contract _____	Grant _____	Other _____

Action of Board				
Approved _____	Approved w/ Conditions _____	Disapproved _____	Continued _____	Withdrawn _____

**Subject:** PBA Collective Bargaining Agreement

**Rationale:** The PBA Union and the University have reached a tentative agreement and seek ratification of the agreement.

**Attachments:** Tentative Agreement

**Recommendation:** Recommend Governance Committee approve agreement, and submit for inclusion on consent agenda for full Board of Trustees ratification vote.

**Florida Agricultural and Mechanical University  
Board of Trustees  
and  
The Florida Police Benevolent Association, Inc.  
Law Enforcement Bargaining Unit**

The Florida Agricultural and Mechanical University Board of Trustees (the "University") and the Florida Police Benevolent Association, Inc. Law Enforcement Bargaining Unit ("PBA") (hereinafter collectively referred to as the "Parties"), agree to the following:

WHEREAS, the Parties agree to the following wage increase for 2016-2017;

Following ratification of this Agreement by both Parties, all PBA members employed on that date of ratification will receive a one percent (1%) recurring wage increase to their base pay; for all PBA members who are eligible for this increase and who also were employed prior to the date of ratification of this Agreement, this increase will be retroactive to July 22, 2016, based upon each member's date of employment; and

Upon ratification of this Agreement by both Parties, all PBA members employed on or before July 1, 2016, who are employed on the date of ratification, will receive a one-time, nonrecurring bonus payment equal to one percent (1%) of their base annual pay


IN WITNESS THEREOF, the parties have set their signatures this \_\_\_ day of \_\_\_\_\_, 2016.

FOR THE FLORIDA A & M UNIVERSITY  
BOARD OF TRUSTEES:

FOR THE POLICE BENEVOLENT  
ASSOCIATION, INC.:

\_\_\_\_\_  
Larry Robinson, Ph.D.  
Interim President

  
\_\_\_\_\_  
Hal Johnson  
General Counsel  
Florida Police Benevolent Association

  
\_\_\_\_\_  
Robert E. Larkin, III  
Chief Negotiator



**Florida Agricultural and Mechanical University  
Board of Trustees  
ACTION ITEM**

**Governance Committee**

**Date: November 9, 2016**

**Agenda Item: DRS Collective Bargaining Agreement**

Item Origination and Authorization				
Policy ____	Award of Bid ____	Budget Amendment ____	Change Order ____	
Resolution ____	Contract ____	Grant ____	Other ____	

Action of Board				
Approved ____	Approved w/ Conditions ____	Disapproved ____	Continued ____	Withdrawn ____

**Subject:** UFF-FAMU-DRS Collective Bargaining Agreement

**Rationale:** The DRS Union and the University have reached a tentative agreement and seek ratification of the agreement.

**Attachments:** Tentative Agreement

**Recommendation:** Recommend Governance Committee approve agreement, and submit for inclusion on consent agenda for full Board of Trustees ratification vote.

**Florida Agricultural and Mechanical University  
Board of Trustees  
and the  
United Faculty of Florida  
FAMU Chapter  
Developmental Research School**

The Florida Agricultural and Mechanical University Board of Trustees (the "University") and the United Faculty of Florida FAMU Chapter Developmental Research School ("UFF-FAMU-DRS") (hereinafter collectively referred to as the "Parties"), agree to the following:

WHEREAS, the Parties agree to the following:

The University and UFF-FAMU-DRS agree to form a joint committee to review current promotion criteria and procedure and make recommendations to revise and clarify the process in Article 14. The joint committee shall consist of two (2) University administrators and two (2) UFF-FAMU-DRS representatives. The committee shall provide its recommendations by February 1, 2017 to the Parties.

**Article 7  
Professional Assignments and Working Conditions**

**Article 7.13** DRS agrees to fund two substitutes for UFF members to attend the FEA Delegate Assembly. UFF will reimburse the DRS for the cost of a substitute for a third delegate.

**Article 15  
Permanent Status**

This Article is deleted in its entirety and replaced with the following language:

**Article 15 – RESERVED.**

**Article 23  
Salaries**

**23.1** All faculty shall receive a one-time bonus of \$500 upon ratification of this agreement by the parties. The bonus will be paid to employees within 30 days after ratification of the Agreement by the parties. Each faculty member who was employed by DRS on June 8, 2016, and was subsequently re-employed for the 2016-17 school year, shall advance two steps on the salary schedule (Appendix F) effective August 9, 2016. Each faculty member who was employed by DRS on August 9, 2016, shall advance one step on the salary schedule (Appendix F) effective August 9, 2016.

**23.2** All faculty will be paid an annual salary in accordance with Appendix F, Faculty Salary Schedule.

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23.5 Supplemented Positions. Extra/supplemental pay for all extra/supplemental duty positions shall be bargained at the beginning of the fiscal year and every effort shall be made by both parties to conclude bargaining pertaining to Supplemental Pay prior to the beginning of the school year. Supplemented/extra duties shall be those set forth in Appendix G of this Agreement and shall be voluntary. Any additional supplements/extra duty positions must be bargained and agreed upon by both parties.

5. Personnel supplemented for athletics will be paid up to ten percent (10%) of their supplement for participation in post season athletic competition in the following manner: two percent (2%) will be paid for participation in each level of competition.

A. All head coaches shall have the supplement for that position adjusted by \$100.00 for each year of experience in the position of head coach at FAMU DRS, up to a maximum of \$500.00.

B. A primary assistant coach, as identified by the head coach of a varsity sports team, shall have that supplement adjusted by \$50.00 for each year in the position of primary assistant up to a maximum of \$250.00.


6. Personnel hired for the position of band director and/or choir director will automatically receive the supplement and will be expected to perform the duties described in order to retain that position. The band Director and Choral director will have will have the supplement for that position adjusted by \$100.00 for each year of experience in the position, at FAMU DRS, up to a maximum of \$500.00.

10. Teachers shall have priority in filling supplemental positions. In the event that there are no qualified teachers who have applied for the position, the Administration may fill the position with another applicant. Under no circumstances, however, shall the supplement be paid to an administrator.

11. All openings for supplements listed in Appendix G or other extra-compensated positions, with the exception of the Band and Choir Directors, will be posted on the district website at least five (5) work days prior to filling such vacancy. If no one is chosen from DRS Faculty, then the vacancy will be advertised outside DRS for an additional five (5) workdays.

- **Appendix G. is attached hereto.**
- **The parties will not open Article 23 – Compensation until 2017 for the 2017-2018 Academic Year.**

**ALL OTHER ARTICLES REMAIN STATUS QUO**

  
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**FLORIDA A & M UNIVERSITY  
BOARD OF TRUSTEES  
DEVELOPMENTAL RESEARCH SCHOOL**

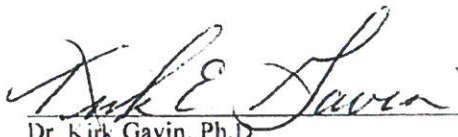
IN WITNESS THEREOF, the parties have set their signatures this \_\_\_ day of \_\_\_\_\_, 2016.

FOR THE FLORIDA A & M UNIVERSITY  
BOARD OF TRUSTEES:

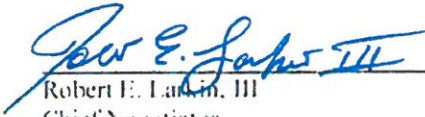
FOR THE UNITED FACULTY OF FLORIDA  
FAMU DRS CHAPTER:

\_\_\_\_\_  
Larry Robinson, Ph.D.  
Interim President

  
\_\_\_\_\_  
Tom Wazlavec  
Chief Negotiator  
United Faculty of Florida

  
\_\_\_\_\_  
Dr. Kirk Gavin, Ph.D.  
FAMU DRS Interim Superintendent

\_\_\_\_\_  
Elizabeth K. Davenport  
President United Faculty of Florida  
FAMU Chapter

  
\_\_\_\_\_  
Robert E. Latham, III  
Chief Negotiator



*Sh. Wright* 10/28/16

APPENDIX G  
FAMU DRS SUPPLEMENTS  
2016-2017

*Joe Falls* 10/31/16

GL#	Sports	Sports Activity	Amount
1	FB	Football Head Coach	\$2,200.00
2	FB	Football Head Coach Spring	\$900.00
3	FB	Football Summer Training	\$1,000.00
4	FB	Football Offensive Coordinator	\$1,200.00
5	FB	Football Defensive Coordinator	\$1,200.00
6	FB	Football Assistant Coach/Special Team Coordinator	\$1,000.00
	FB	Football Middle School Head coach	\$0.00
7	FB	Football Assistant Coach	\$800.00
8	FB	Football Assistant Coach	\$800.00
9	FB	Football Equipment Manager	\$800.00
10	FB	Football Videographer	\$800.00
<b>Boys Basketball</b>			
11	BBB	Basketball Boys Head Coach	\$1,600.00
12	BBB	Basketball Boys Assistant Coach	\$1,200.00
13	BBB	Basketball Boys Head Junior Varsity Coach	\$1,200.00
14	BBB	Basketball Boys, Head Coach Middle School	\$0.00
<b>Boys Baseball</b>			
15	BAB	Baseball Head Coach	\$1,600.00
16	BAB	Baseball Assistant Coach Varsity	\$1,200.00
	BAB	Middle School Baseball Head coach	0
<b>Boys Track</b>			
17	TRB	Track and Field Head Coach	\$1,600.00
18	TR	Track and Field Assistant Coach	
<b>Girls Track</b>			
19	TRG	Track and Field Head Coach	\$1,600.00
20	TRG	Track Assistant Coach	
21	GT	Cross Country Head coach	\$1,000.00
<b>Girls Basketball</b>			
22	GBB	Basketball Girls Head Coach	\$1,600.00
23	GBB	Basketball Assistant Coach Varsity	\$1,200.00
24	GBB	Basketball Girls Head Junior Varsity Coach	\$1,200.00
<b>Cheerleading</b>			
25	CHL	Cheerleading Head Varsity Coach	\$1,600.00
26	CHL	Cheerleading Sponsor	\$1,200.00
27	CHL	Cheerleading Head Junior Varsity Coach	\$0.00
28	CHL	Cheerleading Elementary	\$500.00
<b>Conditioning</b>			
29	WL	Weight Room/strength & Conditioning Coach	\$1,200.00
<b>Softball</b>			
30	SB	Softball Head Coach Varsity	\$1,600.00
31	SB	Softball Head Coach Junior Varsity/Varsity Assistant	\$1,200.00
<b>Volleyball</b>			
32	VB	Volleyball Head Coach	\$1,600.00

*10/28/16*

APPENDIX G  
FAMU DRS SUPPLEMENTS  
2016-2017

*9/25/16 12/31/16*

33	VB	Volleyball Assistant Coach	\$1,200.00
34	VB	Volleyball JV	\$0.00
<b>Flag Football</b>			
35	FF	Football Flag Head Coach	\$1,600.00
36	FF	Flag Football Assistant Coach	\$1,200.00
<b>Athletic Support Systems</b>			
37	AS	Athletic Director	\$4,000.00
38	AS	Assistant Athletic Director	\$3,000.00
39	AS	Transportation Director	\$3,000.00
40	AS	Band Director	\$1,600.00
41	AS	Dance Team/Majorettes	\$1,000.00
42	AS	Choral Director	\$1,600.00
	AS	<del>Gym Facilities Manager</del>	\$0.00
43	AS	Royal Court	\$1,000.00
<b>Academics</b>			
44	ACA	Department Chair (K-2)	\$1,000.00
45	ACA	Department Chair (3-5)	\$1,000.00
46	ACA	Department Chair P.E.	\$1,000.00
47	ACA	Department Chair (6-12 English/Language)	\$1,000.00
48	ACA	Department Chair (6-12 Math/Tech)	\$1,000.00
49	ACA	Department Chair (6-12 Science)	\$1,000.00
50	ACA	Department Chair (6-12 Social Studies)	\$1,000.00
51	ACA	Department Chair (Fine Arts/Chorus/Band/Technology)	\$1,000.00
<b>Class &amp; Clubs</b>			
52	CL	Student Government	\$1,000.00
53	CL	National Honor Society	\$1,000.00
54	CL	Beta Club Sponsor	\$1,000.00
55	CL	FBLA Sponsor (Future Business Leaders of America)	\$1,000.00
56	CL	FBLA Middle School	\$0.00
57	CL	FFEA	\$1,000.00
58	CL	Art Honor Society Sponsor	\$1,000.00
59	CL	JROTC Drill Team	\$1,000.00
60	CL	Elementary Math Club (x2)	\$500.00
62	CL	Science Fair Coordinator	\$500.00
64	CL	Spelling Bee Sponsor	\$500.00
66	CL	Senior Sponsors (3)	\$1,000.00
67	CL	Junior sponsors (3)	\$1,000.00
68	CL	YEARBOOK	\$1,000.00
69	CL	SECME Club Sponsor	\$1,000.00
70	CL	4-H Club	\$500.00