



**Full Board Meeting Minutes
Tuesday, February 14, 2023
Live and Virtual Meeting**

I. Call to Order and Roll Call

Chair Brad Levine convened the full board meeting of the Florida Atlantic University Board of Trustees with the following members participating:

Mr. Piero Bussani, Mr. Daniel Cane, Mr. Shaun Davis, Dr. Kimberly Dunn, Mr. Earnie Ellison, Mrs. Barbara Feingold, Mr. Robert Flippo, Mr. Pierce Kennamer, Mrs. Elycia Morris, Mrs. Sherry Murphy, and Mrs. Linda Stoch.

The following university officials participated: Dr. Stacy Volnick, University President; Mr. David Kian, VP Legal Affairs, and Mr. Andrew LaPlant, Board of Trustees Operations.

Roll was taken and a quorum was present.

II. Chairman's Update

Chair Levine opened that the Fall Commencement was another success. There was an honorary doctorate and president's medallions given out. He is starting a chair's medal, where we will be looking for people from a variety of places to expand our footprint. (State of Florida Board of Governors) Chancellor Ray Rodrigues visited FAU a few weeks ago. The university was in Tallahassee last week for FAU Days. We will have more listening sessions for the presidential search. The first sessions are taking place tomorrow.

III. President's Update

President Volnick said that an anti-Semitic group came on campus a couple of weeks ago. Within an hour of finding out, we issued a statement from (President Volnick) to the campus. The statement

was well received. She stated that as the trustees know, the university can't remove these groups from campus. She continued that in conversations with the legislators last week, they are looking at legislation that allows these groups to come on campus.

President Volnick mentioned a lot of focus has been on Diversity, Equity & Inclusion (DEI). She wants to focus on what those requests were and our responses. The first request came from the Office of Policy & Budget in the Executive Office of the Governor. The first topic was DEI instruction and activity. The state universities had results in between 4 and 30 classes, with most being on the lower end, including FAU. None are required, it was the choice of the students to take these classes. The second request was about health care services administered to transgendered individuals. At FAU, there were reported 54 encounters where individuals sought or received treatments for gender dysphoria. Many of those encounters were by the same patients. A total of seven individuals were diagnosed and given prescriptions for hormone or hormone therapy. We also sent copies of the gender affirming care policy from FAU's Student Health Services as requested by the governor's office. The third request came from Florida House Speaker Paul Renner and was the most cumbersome. It included 16 questions, where most were not related to what the university does, as the university does not have a central DEI office. The university also does not have a Chief Diversity Officer. The university responded to the memo with a list of 18 of the university's current employees whose duties or responsibilities include creating or developing DEI programs. FAU included job descriptions, annual wages and benefits, and the sources of funds for each employee. The university also reported 56 contracts between the university and DEI contractors totaling \$278 that was expended between January 2020 and January 2023, the reporting period of this request. Lastly, the university submitted documents and communications for 15 different DEI committees that exist across our colleges and departments. This memo specifically asked for anything containing or reflecting DEI assessments, proposals, recommendations, curriculum content or course development. In total, more than 18,000 documents and emails were shared with Speaker Renner's office. President Volnick stated that she can't emphasize enough the time it took to prepare these documents. Trustee Cane asked if the university was required by law to submit the documents under Speaker Renner's request. President Volnick said they were sent in a form of a public records request, which the university has an obligation to answer. Trustee Cane asked if anyone can ask for a public record. David Kian, VP Legal Affairs, stated that is correct. Anyone can ask for a public record and we are obligated to answer. Trustee Cane then asked if there is any sort of policy group

that we can create as the board of trustees that we can filter or constrain these discovery requests. The level of the response needs to be appropriately sized for what the individual is asking. Mr. Kian said no we cannot do that. Under the Florida Constitution, every person has a right of access to all records received during official business. The university had to do a little more formatting than we typically do for other types of public records requests. In this case, we had tens of thousands of documents because the request was seeking emails and these emails had chains. For some of our sister institutions, they had hundreds of thousands of documents. Trustee Flippo asked if there was a stated goal with the request. President Volnick replied no, they were simply public records requests. Trustee Ellison asked about the morale of the faculty and staff. President Volnick replied that they are concerned, but we need to keep the focus on graduating students. Trustee Dunn said we are the most diverse public institution in the State of Florida. FAU provides support that each person needs to be successful. Trustee Dunn pointed out that the university's faculty are contributing to this very diverse community. There is a lot of research that its important that seeing people that look like you are successful. It's important for a student to see faculty members that look like them. Trustee Feingold said that this is an overall assessment of people and where they are coming from. Trustee Ellison said we need to look at disparity. If you look at graduation rates, when we look at DEI, that is important. Trustee Cane finished with his issue with the request was that it was cost oriented. It had nothing to do with success or if they were doing anything good, with, for example, mental health issues.

President Volnick finished her report by thanking the trustees during the transition.

IV. Public Comment

No public comments

V. Consent Agenda

Chair Levine stated that all items were discussed and approved unanimously in their respective committees. **A motion was made and seconded to approve the Audit and Compliance Committee, Committee on Academic and Student Affairs, Budget and Finance Committee, and the Governance Committee consent agendas. With no further discussion or amendments, the motion passed unanimously.**

VI. Old Business

a. SACSCOC Required Board Evaluation Discussion

Mr. Kian presented the item. He noted that at the board retreat last fall they did a self-survey. This is required by the university's accrediting agency. Mr. Kian went through the survey with trustees. He noted that the board is very comfortable with the processes and engagements, but there are areas of improvements. Trustee Levine asked if we are the only university in the state system with a second vice chair. Mr. Kian replied that they checked all the other state universities policies and procedures, and we are the only university with that in place. **Trustee Morris made a motion to wave the requirement of noticing and a second motion to amend the operating procedures to remove the second vice chair position.** Trustee Cane said that the second vice chair position was created before last year's retreat and he was voted as the second vice chair at the retreat. A title he relishes. With this position being a unique one to FAU, he is good with the will of the board. Trustee Ellison noticed it was kind of embarrassing to have this discussion. He said the board made a decision to go down this path and it's too early to make this kind of abrupt decision. We haven't even given it a chance to work. Trustee Dunn asked why this position was created in the first place as she didn't remember. Chair Levine replied to make consistency with the board. With greater scrutiny giving by the governor to the universities, it is better to be in line with the other SUS institutions. Trustee Ellison suggested that since we are going through a strategic cycle, now is the time to look at all of it, not just ad hoc taking away a position. Trustee Feingold disagreed and said we don't want to rock the boat with the board of governors or the legislature. It's not about a person, it's about what were our policies in place and now maybe the change was not the right thing. Trustee Dunn said the faculty noted the reason was about security clearance for the Department of Defense. Mr. Kian noted that the logic of the position was redundancy, due to transitions in membership of the board. **Chair Levine asked for a vote of the board. A roll call vote was taken. With no other discussion or amendments, the motions passed 8-4.**

VII. New Business

a. Approval of Full Board Minutes

i. November 15, 2022

Chair Levine asked for a motion to approve the minutes as written. **A motion was made and seconded to approve the November 15, 2022 Full Board Minutes. With no further discussion or amendments, the motion passed unanimously.**

ii. December 8, 2022

Chair Levine asked for a motion to approve the minutes as written. **A motion was made and seconded to approve the December 8, 2022 Full Board Minutes. With no further discussion or amendments, the motion passed unanimously.**

b. Approval of University Elements

a) FPL Center for Intelligent Energy in College of Engineering

A motion was made and seconded to approve the naming of the FPL Center for Intelligent Energy in College of Engineering. With no further discussion or amendments, the motion passed unanimously.

b) Swisher Family Innovation Center at AD Henderson & FAU High School

A motion was made and seconded to approve the naming of the Swisher Family Innovation Center at AD Henderson & FAU High School. With no further discussion or amendments, the motion passed unanimously.

c) Flippo Family SRO Office at AD Henderson & FAU High School

A motion was made and seconded to approve the naming of the Flippo Family SRO Office at AD Henderson & FAU High School. With no further discussion or amendments, the motion passed unanimously. Trustee Flippo abstained.

d) Flagpole at AD Henderson & FAU High School after Andrew M. Herbst

A motion was made and seconded to approve the naming of the Flagpole at AD Henderson & FAU High School after Andrew M. Herbst. With no further discussion or amendments, the motion passed unanimously.

c. Presidential Search Update

Chair Levine opened that the presidential search committee meet last month. We had the review of Sunshine Laws and approval of AGB as the search consultant. There will be listening sessions tomorrow. The results will be through AGB and that will help shape the (presidential profile). Trustee Ellison asked if the specifications for the president have

been finalized yet. Chair Levine said no, that they will get a lot from AGB and the listening sessions. Once AGB gets all of the comments and comes up with a profile, the search committee will review and approve, before it comes to the board of trustees for approval. Trustee Dunn noted that its important to state the faculty go off contract in the summer and back in mid-August. She said anything involving faculty needs to be done when they are on contract.

Trustee Feingold said we are in good shape with Dr. Stacy Volnick as interim. We don't need to rush the process. Trustee Dunn echoed her comments added that the faculty are in full support of Dr. Volnick as interim.

Trustee Feingold noted that we will not stand for antisemitism or any kind of hate speech. She wants to create stop gaps that want to change the conversation and be vigilant that it does not come to the campus or the community at large. Trustee Kennamer said that the students supported each other and remained incredibly mature for how highly-charged the situation was. It is a testament to the students.

Trustee Ellison noted that February is Black History Month. There was a list of top-15 black inventors. One is an FAU graduate named Mark Dean. He was on the team that made the IBM computer and the color screen.

VIII. Adjournment

A motion to adjourn was made, seconded, and passed unanimously, and the meeting was adjourned.