University of North Florida

Board of Trustees

Plenary Session

October 11, 2018

Adam Herbert University Center

# MINUTES

## Trustees Present

Kevin Hyde (Chair), Sharon Wamble-King (Vice Chair), Tom Bryan, Doug Burnett, Jenna DuPilka, Annie Egan, David Fenner, Wilfredo Gonzalez, Paul McElroy, and Hans Tanzler

## Trustees Absent

Adam Hollingsworth, Stephen Joost, Oscar Munoz

## Item 1 Call to Order

Chair Hyde recognized a quorum and called the Plenary Session to order.

## Item 2 Public Comments

Chair Hyde offered those in attendance an opportunity for public comments. There were no comments from the public.

## Item 3 Chair’s Report

Chair Hyde reminded the Board of key upcoming dates.

These include the Board of Governors’ Trustee Summit on November 7th, the Board of Trustees meeting on November 27th with AGB Consultant, Dr. Bobby Gitenstein, to complete the Board’s self-evaluation process, and the Board’s next quarterly meeting on January 17, 2019, which will be held downtown at the Museum of Contemporary Art (MOCA). He also noted that Trustee Bryan has arranged for President Szymanski to speak on October 29th at the Downtown Rotary, and encouraged everyone to come.

Chair Hyde also reminded the Board that President Szymanski will be presenting at the January 30, 2019 Board of Governors meeting. He encouraged Board members to represent our University through attendance. He also encouraged the Board to continue to interact with members of the Board of Governors, noting the very positive recent campus visit by Chancellor Criser and a future visit by Chair Lautenbach.

Chair Hyde then asked Vice President McCullen to pass out a UNF basketball schedule so that Board members can mark any games they would like to attend. He noted this is a great way for the Board to show support. Chair Hyde asked Board members to inform Vice President Stone if they are interested in attending other events on campus requiring tickets. He advised the Board that tickets for events are charged back to the University, so it’s important that we keep a record of Board member requests for tickets. Vice President Stone noted that tickets with a value of over $100.00 should be reported to the Commission on Ethics as a gift. Gift reporting is done on a quarterly basis. Vice President Stone offered to answer individual Board member questions about gift reporting and to assist Board members with gift report forms.

Chair Hyde thanked the President for the quality of his presentation this

morning. He noted that the President has established proposed goals and asked the Board for any comments regarding the goals. Trustee McElroy indicated that he is fully supportive of the goals proposed by the President but asked if it might be possible to further quantify the outcomes of goals associated with the development and implementation of immediate strategies to address:

1. Net tuition and fees
2. Four-year graduation
3. Retention
4. Pell grant students

Discussion included updates by the President on progress on these goals at each quarterly Board meeting.

Following discussion, Chair Hyde asked for a MOTION to approve the President’s goals for 2018-2019. Trustee Egan made a MOTION and Trustee Burnett SECONDED. The MOTION was unanimously passed.

## Item 4 President’s Report

There was no President’s Report.

## Item 5 Consent agenda

Chair Hyde presented the following items on the consent agenda for approval:

* Workshop Minutes, June 14, 2018
* Plenary Session Minutes, June 14, 2018
* Emergency Meeting Minutes, June 22, 2018
* Board of Trustees Minutes Meeting, July 16, 2018
* Board of Trustees Retreat Minutes, September 20, 2018
* Board of Trustees Ad Hoc Minutes (Gitenstein), September 27, 2018

### Items from Academic & Student Affairs Committee:

* Tenure as Condition of Employment Dr. Osama Jadaan
* Textbook and Instructional Materials Affordability
* Notice of New Regulation 5.0010R Student Conduct Code
* Notice of Regulation Repeal 5.0010R Student Conduct Code

### Items from Finance and Facilities Committee:

* Notice of New Regulation 6.0250R, Illicit Stormwater Discharge Regulation
* Appropriate $2.5 Million from Unappropriated Carry Forward for Scholarships
* Road Wetland Mitigation Items from Audit and Compliance Committee:
* Audit and Compliance Committee Charter Review
* Compliance Officer Charter
* Office of Internal Auditing Charter

### Items from Governance Committee:

* None

Chair Hyde asked for a MOTION for approval of the consent agenda. Trustee Burnett made a MOTION to approve the consent agenda, Trustee Gonzalez SECONDED. The consent agenda was approved by unanimous vote.

## Item 6 Action Item(s) for the Board of Trustees

### Item A

Ratification of the United Faculty of Florida Collective Bargaining Agreement Leonard Carson, special labor counsel to the university, joined the meeting via conference call to provide a summary to the Board regarding the agreement. He stated that the UNF Administration has reached a tentative agreement with the faculty union on a three (3) year collective bargaining agreement (CBA). The CBA covers the period July 1, 2017 to June 30, 2020, and is subject to ratification by members of the faculty bargaining unit and the Board of Trustees. Below are the significant changes from the previous CBA.

1. **Article 9 Guidelines for Application of University Criteria** has been improved and made more effective.
2. **Article 14 Assignment of Responsibilities** codifies the current system for banking units for course releases based upon teaching activities that fall outside normally assigned teaching duties.
3. **Article 16 Professional Development and Travel** now requires each chair to distribute a report of the previous year's travel expense reimbursement and the amount of available travel funds for the current fiscal year.
4. **Article 18 Performance Evaluations** includes recognition of community basedteaching, research and service.
5. **Article X Evaluations for Library Faculty** is a new article that replaces Appendix H.
6. **Article 19 Tenure** includes recognition of community based teaching, research, and service. The Department Promotion and Tenure Committee is now a committee of the whole.
7. **Article 20 Promotions for Tenure-Earning and Tenured Faculty**

includes recognition of community based teaching, research, and service.

1. **Article 24 Promotions for Library Faculty** is substantially modified consistent with recommendations from library administration and faculty to more closely model promotions for tenure-earning faculty.
2. **Article XX Promotions for Clinical Faculty** was added to the CBA.
3. **Article 23 Leaves** now includes an advance of paid parental leave of up to one semester to care for a newborn or adopted child. To be eligible the faculty member must have been employed at UNF for a minimum of two (2) academic years. The advanced leave must be repaid within eight (8) years. The plan will be suspended when annual faculty replacement cost exceeds $100,000.
4. **Article 28 Salary Increases** provides a 2% pay increase effective September 23, 2017, and another 2% pay increase effective July 14, 2018.
5. There will be a wage reopener in the third year of the CBA.
6. **Article 37 Duration** provides for a reopener on up to two (2) articles per party in addition to Article 28 Salary Increases. The article also reopens Article 4.4 on course releases so that the parties can address the requirements of a decision of the Public Employees Relations Commission (PERC).

The President and his bargaining team recommend that the Board of Trustees ratify the tentative agreement, if it is ratified by the faculty bargaining unit.

Trustee Burnett made a MOTION to approve, Trustee Fenner SECONDED. The agreement was approved by unanimous vote.

### Item B

#### Ratification of AFSCME Collective Bargaining Agreement

Leonard Carson, special labor counsel to the university, joined the meeting via conference call to provide a summary to the Board regarding the agreement The UNF Administration has reached tentative agreement with American Federation of State County and Municipal Employees (AFSCME) on reopener negotiations for the third year of the current three year collective bargaining agreement between the parties. These are the significant changes to the current agreement.

1. All bargaining unit employees in pay status by June 30, 2018, will receive a 2% increase to their June 30, 2018 base rate of pay.
2. Eligible employees in the following classifications, whose base rate of pay remains below $10.00 per hour after the 2% pay increase is added, will have their base rate of pay increased to $10.00 per hour. (Custodial Worker, Custodial Support Worker, Dishwasher, Facilities Operations Assistant, Floor Care Worker, Groundskeeper, and Refuse and Recycle Worker) Because these increases will compress the wage rates of certain higher level employees in related classifications, the wage rates of the following employees will be comparably adjusted. (Senior Custodial Worker, Senior Floor Care Worker, Senior Groundskeeper Maintenance Helper/Maintenance Mechanic Trainee (Year 1), Pest Control Technician, Custodial Supervisor, Floor Care Supervisor, Refuse Recycle Moving Supervisor, and Senior Custodial Worker), Maintenance Mechanic Trainee (Year 2), Maintenance Mechanic)
3. The job classifications in Appendix A have been updated to reflect name changes.
4. Appendix D, Physical Facilities Trainee Maintenance Program, has been amended to clarify that trainees are to be initially selected from among current employees. However, if insufficient qualified trainees are not available from among current employees, management may select trainees from outside the University.
5. The job titles in Year One and Year Two of the Trainee Program are changed to "Mechanic Trainee".

The tentative agreement is subject to ratification by the members of the bargaining unit.The changes are consistent with prior direction received from the Board of Trustees, and the President and his bargaining team recommend ratification by the Board.

Chair Hyde asked for a MOTION for approval of the agreement. Trustee Fenner made a MOTION to approve, Trustee Gonzalez SECONDED. The agreement was approved by unanimous vote.

### Item C

#### Notice of Amended Regulation 1.0040R Non-Discrimination, Equal Opportunity and Diversity

Chair Hyde stated that this regulation has been removed from today’s meeting agenda.

### Item D

#### Notice of Amended Regulation 1.0050R Sexual Misconduct

Vice President Shuman addressed the Board and stated that this regulation is being amended to revise the definition of “responsible employee” as all employees are required to report any allegations of sexual misconduct as defined in this regulation.

Chair Hyde asked for a MOTION for approval of the regulation. Trustee Egan made a MOTION to approve, Trustee Gonzalez SECONDED. The regulation was approved by unanimous vote.

### Item E

#### Notice of New Regulation 5.0110R Freedom of Expression in Outdoor Areas of Campus

Vice President Stone addressed the Board and reported that the legislative passed a new law making it necessary for this regulation to be revised to provide guidance to individuals concerning their rights of freedom of expression in outdoor location across campus.

Chair Hyde asked for a MOTION for approval of the regulation. Trustee Burnett made a MOTION to approve, Trustee Gonzalez SECONDED. The regulation was approved by unanimous vote.

### Item F

Notice of Regulation Repeal 7.0040R Use of Amplified Sound in University Facilities; Outdoor Areas; Demonstrations and Other Outdoor Events

Vice President Stone addressed the Board stating that this repeal is being undertaken in order to establish and implement a new regulation that is current and in accordance with present University practice and procedure.

Chair Hyde asked for a MOTION for approval of the regulation. Trustee Burnett made a MOTION to approve, Trustee Gonzalez SECONDED. The regulation was approved by unanimous vote.

### Item G

#### Notice of Amended Regulation 7.0060R Distribution of Printed Material

Vice President Shuman addressed the Board stating that this regulation addresses the time, place and manner in which printed materials may be distributed on campus.

Chair Hyde asked for a MOTION for approval of the regulation. Trustee Burnett made a MOTION to approve, Trustee McElroy SECONDED. The regulation was approved by unanimous vote.

### Item H

Notice of New Regulation 5.0100R Signage Regulation

Vice President Shuman addressed the Board stating that this was previously a policy that was internal to the University, but now it’s a regulation to serve as a directive regarding the usage of temporary signs and related material on campus.

Chair Hyde asked for a MOTION for approval of the regulation. Trustee McElroy made a MOTION to approve, Trustee Egan SECONDED. The regulation was approved by unanimous vote.

## Item 7

### Discussion of Recent Audit Finding at the (UCF) Related to the Construction

Vice President Shuman addressed the Board and spoke about the recent finding at UCF and stated that it’s very clear that you are not allowed to use carryforward funds to construct a building. She provided a handout on UNF’s capital outlay project procedures. Ms. Shuman said for a project to be set up, three departments must be involved, Facilities, Budget and Controller. A suggestion was made to have the General Counsel’s office review the funding source as well, which we will add to the process. The University provides the Board of Trustees with an annual capital outlay plan that shows expenditures by the project for all funding sources. Also, quarterly updates are provided that include information on current progress on any capital project over $100,000, funding sources, and any current issues, including change orders. The state also performs operational audits. The President, Chief Financial Officer, and the General Counsel will provide a certification verifying that all funding sources used from July 1, 2008 to present were legally available for the projects as authorized in chapter 1013, Florida Statutes, or as otherwise authorized in the General Appropriations Act. The Board of Governors has extended the deadline to October 31.

## Item 8 Adjournment

Chair Hyde adjourned the meeting at 3:12 p.m.