



Full Board Meeting Minutes
Tuesday, August 15, 2023
Virtual Meeting

I. Roll Call

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

Vice Chair Barbara Feingold, Mr. Piero Bussani, Ms. Dalia Calvillo, Mr. Daniel Cane, Mrs. Susan Davis, Dr. Kimberly Dunn, Mr. Earnie Ellison, Mr. Robert Flippo, Ms. Elycia Morris, Mrs. Sherry Murphy, Mr. Pablo Paez, 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 this is the week students are returning to school for the fall semester. Since the board's last meeting, FAU has finalized an agreement with Broward Health to have an FAU Academic Medical Center at Broward North Hospital. This is a transformational event for FAU Health.

Chair Levine updated the board on the presidential search. After a month of meetings and forums, the presidential search committee met on July 5, bringing three candidates for the board's consideration. He thanked those on the search committee. They considered 63 applicants, which was one of the most successful applicant pools in the SUS history. The search committee recommended three finalists: Dr. Michael Hartwell, Dean of FSU College of Business, Vice Admiral Sean Buck,

Superintendent of the United States Naval Academy, and Dr. Jose Sarterelli, former UNC-Chapel Hill
UNC-Wilmington.

Following the selection of the three candidates, we were supposed to host forums2 (i)-2 (on o)1 (t (s)-

The Chancellor's letter to Chair Levine questioned whether the use of a preference survey violated the provision of the law governing presidential searches. That is a brand new law that was passed last year. There are no cases to interpret it. We received an opinion of one of the foremost constitutional lawyers in the State that we did not violate the law. The opinion is available to any Trustee who would like to see it.

The second area of concern from the Chancellor's letter involved two items that applicants were asked to complete about the candidate's sexual orientation and gender identity. These items were sent to the candidates by our consulting firm, AGB Search. They were not sent out by FAU. The first item was a voluntary survey that AGB utilizes in all their surveys nationwide to help them gauge diversity of the applicant pool they generate. The second was a background authorization form they sent to candidates to comply with the BOG regulation that governs presidential searches and requires the search committee to vet applicants who are interviewed and reviewed by public records in online sources. The questions on the authorization form are intended to ensure that the records being reviewed do in fact relate to the candidate and not someone else if they have the same name. It would be inappropriate for the committee to consider sexual orientation or gender identity for candidates when making a decision. However, this did not happen. Neither the committee nor the university had any knowledge of these questions being asked, nor of any candidate's response. These answers were given directly to AGB Search, with no university personnel copied or informed about that. Even the AGB Search consultants were not provided the candidate's responses. The responses were never shared with the committee. Accordingly, those questions and responses played no role in the committee's decision.

In response to the Chancellor

None of our three finalists have removed themselves from the search. Chair Levine will have a chance to meet them soon. The Board will be kept apprised as things proceed.

III. President's Update

President Volnick said that FAU held commencement last week with over 1800 students. Commencement is a reminder of why we are here, for our students. The university is welcome in one of FAU's largest classes ever, with 4,430 students. FAU has 1759 transfer students. President Volnick reported on an initiative with Study Group that recruits international students. There are 364 new international students starting with almost 750 students in our second year.

Recently, we had a budget redesign meeting with Deloitte. They are starting Phase 2 of the process.

FAU Public Affairs and Athletics media team received recognition from the Gold Coast PR Council. They awarded FAU the 2023 PR Star Award.

Vice Chair Barbara Feingold asked to speak and was recognized by Chair Levine. Mrs. Feingold noted that the search committee all agreed to Disclosure Agreements (NDAs). She is angry of things Chair Levine has said in the papers and what Mr. Dick Schmidt (presidential search committee member) wrote in an Op-Ed. She asked when the university was going to go after him. She resents that Chair Levine has been talking on behalf of the search committee. She feels like he has not been telling the whole truth and to leave it up to the BOG to do their proper investigation.

Vice Chair Feingold went on to list the reasons she didn't vote for certain candidates. She said that Chair Levine put FAU in a bad place with the things he has written and said.

Trustee Linda Stoch asked to be recognized. She was recognized by Chair Levine. Trustee Stoch mentioned a newspaper article where Chair Levine said he would take appropriate and aggressive action with AGB Search in relation to the question to the sexual orientation and gender questions to candidates. She then asked Chair Levine what actions were taken. Chair Levine replied that AGB has been put on notice. Trustee Stoch then asked about a Summit article about the search in which they summarized written views by the community. She asked Chair Levine why does he continue to speak with the media about the search while it is under investigation. She also asked if

this was legal due to an NDA he theoretically signed. Chair Levine replied that his quote in the story was we welcome comment and criticism from the public. We encourage participation.

IV. Public Comment

Chair Levine asked Mr. Andrew LaPlant, Board of Trustees Operations, if there were any public comments. Chair Levine asked Mr. LaPlant to go over the public comment segment for the members of the public. After Mr. LaPlant went over the segment, the public comments began. There were eleven members of the public who spoke, including Dr. Rebecca Andre, Dr. Howard Weiner, Ms. Adrienne Percival, Mr. Arthur Gutterman, Ms. Sheila Jaffe, Dr. Rebecca LaPlant, Mr. Anthony Anderson, Dr. Emily Sacks, Mr. Maurice Plough, and Dr. [redacted].

There was a motion and a second to approve the Establishing a College of Dentistry and the Charles E. Schmidt College of Medicine – Enrollment Expansion/Applying AI across the Community Health Continuum Legislative Budget Requests. Trustee Bussani asked with the open issues with the College of Medicine, are we meeting with all their requirements? Dentis said we have submitted two quarterly reports with the BOG. We are on track and no negative reports with the BOG so far. He said this LBR continues with this plan for the funding. Trustee Pablo Paez asked if the LBR is a necessary step in the process and delaying the LBR today would jeopardize securing state funding. Mr. Britton replied yes. With no further discussion or amendments, the motion passed unanimously.

e. Establishment of the Office of Public Policy Events within the Office of Government Relations

Mr. Britton presented the ~~ite~~ HB 931 directs each state university to establish an Office of Public Policy Events. It needs to be approved by the Board of Trustees. ~~There~~ Was a motion and a second to approve the Establishment of the Office of Public Policy Events. With no further discussion or amendments, the motion passed unanimously.

f. Approve FAU's Linking Industry to Nursing Education (LINE) Proposal – Memorial Healthcare System

Dr. Safiya George, Dean, Christine E. Lynn College of Nursing, presented the ~~line~~ ~~line~~ noted the funding will be \$120,000 for a faculty position and \$200,000 in student scholarships. ~~There~~ Was a motion and a second to approve FAU's Linking Industry to Nursing Education (LINE) Proposal – Memorial Healthcare System. With no further discussion or amendments, the motion passed unanimously.

g. Approval of Amendments to Regulation 5.002, Faculty Evaluations

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h. Approve Dissolution of FAU Treasure Coast University Schools (TCUS) Charter and Transfer of Related Assets to St. Lucie County School Board
Dr. Joel Herbst, Asst. Dean, College of Education, presented the item.

be professional. She said the feedback from the faculty about the presidential search was very positive. Trustee Ellison said he spends some time at the Jupiter campus and its amazing what's going on up there. He encouraged the trustees to visit that campus. Vices Chair Feingold said that if anyone had any concern about her gift that needed to be brought up before this meeting, not in an open meeting. FAU has a lot of momentum with the basketball team and the College of Dentistry. She also noted that the BOG investigation will bring out all the truths, not partial truths. Trustee Flippo welcomed Trustee Paez. He noted that the BOG investigation seems open ended and hopes it will be resolved soon. He thanked Chairine for his leadership. Trustee Stoch welcomed Trustee Paez. She noted that having a donor conversation on a trustee call is highly inappropriate. Trustee Stoch said that manner Chair Levia spoke to the BOG and the media has brought great disrepute to this university.

VII. Adjournment

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