

**New College of Florida Board of Trustees**  
**Approved Minutes**  
**November 3, 2001 Meeting**

Members in Attendance: Bob Johnson, Chairman; Robert Schiffman, Vice Chairman; John Cranor; Rev. Jerome Dupree; Gen. Rolland V. Heiser; Meg Lowman; Kenneth Misemer; Col. Mickey Presha; Vicki Raeburn; Alexis Simendinger; Jane Smiley. **Ex Officio:** Gordon E. Michalson, Jr., President.

**Call to Order**

Chairman Johnson called the meeting to order at 10:05 A.M. He introduced Trustee Meg Lowman.

Members of the New College Alumnae/i Association Board present were introduced by Mr. Misemer: Mike Campbell, President of the NCAA; Dan Chambliss; Andrea Ginsky; Don Goldberg; John Hanson; Steve Jacobson; Rachael Morris; Michael Shannon; Ann Tucker; Larry Vernaglia; Cally Waite; and Alexis Simendinger.

**Approval of Minutes**

General Heiser moved to approve the minutes of the September 29, 2001 meeting, which had been mailed to the Board, as presented. Mr. Cranor seconded the motion and the minutes were approved unanimously.

**Board Committees**

Mr. Johnson noted that the Committees of the Board are still in formation. Although Trustees and staff members have been appointed to the Committees, most still need student and alumni members. Alumni are welcome to join the BOT Committees. Overlap now exists between these committees and some of those of the New College Foundation Board, so some committees may be combined. General Heiser is working on reducing the redundancy.

**Old Business:**

**Policies and Rules**

New College of Florida General Counsel David Smolker introduced a number of policies and rules for Board action.

*Statement of Agency Organization and Operation.* Required by Rule 28-101.001, Florida Administrative Code, the Statement of Agency Organization and Operation informs the public about the agency, assists the public in dealing with the agency, and expedites processing of agency matters on behalf of the public. Mr. Smolker recommended adoption of the Statement as presented. Ms. Raeburn so moved, Mr. Misemer seconded.

General Heiser moved to amend the Statement of Agency Organization and Operation for New College of Florida by adding the following two sentences at the end of paragraph (13) (a), New College Foundation, Inc.:

The Trustees of New College Foundation, Inc., have an advisory role to the Trustees of New College of Florida and to the President of New College of Florida. The President of New College of Florida is an ex officio member of the New College Foundation Board of Trustees.

Mr. Cranor seconded the amended motion, which was approved unanimously.

*Incipient Agency Policy with Regard to University Police.* Section 240.268(6), Florida Statutes, requires New College of Florida to adopt rules, including but not limited to, the appointment, employment, and removal of University police in accordance with the State Career Service System and to further establish in writing a policy manual addressing routine and emergency law enforcement situations. At the present time, New College of Florida provides University police services to New College of Florida, and, by agreement, to University of South Florida, Sarasota/Manatee. The existing USF policy manual is presently being followed. The required policy manual is in the process of preparation. Mr. Smolker recommended that the Board approve and adopt the policy statement as proposed, which makes the role of the University police clear to the community. Mr. Cranor moved that the incipient agency policy with regard to University police be adopted; Mr. Schiffman seconded and the policy was unanimously adopted.

*Student Registration and Tuition Payment Policy.* Section 240.235, Florida Statutes, and State of Florida Board of Education rule 6C-7.002, Florida Administrative Code, require universities to adopt rules establishing procedures for payment and refund of tuition and fees. At New College, the tuition payment and refund process has in the past been and continues to be handled by the Registrar using USF's computerized registration system. The incipient agency policy presented addresses the statutory requirements and is modeled after the existing USF rules, modified to address New College's existing practices and procedures. Mr. Smolker recommended that the Board approve and adopt the policy statement as proposed and initiate formal rulemaking. Col. Presha so moved, Rev. Dupree seconded. Chairman Johnson invited discussion. There being none, the motion was adopted unanimously.

*Student Records Policy.* The Family Educational Rights and Privacy Act, 20 U.S.C. 1232(g) and Sections 228.093 and 240.237, Florida Statutes, require New College to adopt rules and policies with regard to access to and privacy of student educational records. The New College of Florida Student Records policy presented was modeled after USF's existing rule which has traditionally been followed at New College. In response to a question from Ms. Simendinger, Mr. Smolker clarified that the new policy would apply to former, present, and future applicants/students at the College and that the Board has the power to reclaim records of former students. Mr. Smolker recommended that the proposed policy be approved and adopted and that formal rulemaking be initiated. Rev. Dupree so moved, Ms. Raeburn seconded, and the policy statement was unanimously adopted.

*Vehicle Registration.* Since USF handles parking and both New College of Florida and USF are thus involved in the registration of vehicles on campus, Mr. Smolker asked the Board to direct that the rulemaking process, required by statute, be initiated. Mr. Misemer moved that the General Counsel begin the rulemaking procedure with regard to vehicle registration for New College of Florida, publish the rule, and present it to the Board for a vote in January. Col. Presha seconded. Although discussion was invited, there was none. The motion was adopted unanimously.

*Personnel Policy.* Mr. Smolker asked the Board to initiate similar rulemaking for New College of Florida personnel policies. Basically, USF policies remain in effect for New College, since USF continues to provide human resources management for the campus. Ms. Raeburn moved that the General Counsel begin the rulemaking procedure with regard to personnel policies as he is charged to do with vehicle registration. Mr. Schiffman seconded, and the motion was adopted unanimously.

*Equal Education and Opportunity Policy.* State of Florida Board of Education Rule 6C-5.900(3), (c), Florida Administrative Code, requires each university to actively promote its commitment to equal opportunity and non-discrimination towards applicants and employees with respect to race, color, religion, age, disability, sex, marital status, national origin, and veteran status. Mr. Smolker recommended that the Board approve and adopt the proposed draft policy statement. Mr. Cranor moved the policy statement on Equal Education and Opportunity be adopted; Mr. Schiffman seconded. It was adopted unanimously.

*Sexual Harassment Policy.* Mr. Smolker presented a streamlined policy statement modeled after the existing USF policy, which has traditionally been followed at New College. He recommended it be adopted. Mr. Cranor so moved; Mr. Schiffman seconded the motion. It was adopted unanimously.

*Student Judicial Code Policy.* Although the Student Judicial Code has been drafted and reviewed by the Board, it still needs input under the rules of the Florida Board of Education. The Student Judicial Code needs to be reviewed by a committee of at least six students. Mr. Smolker asked the Board to direct the Chairman to appoint a Student Judicial Code Committee, consisting of at least six students and one member of the Board, to review the Student Judicial Code and to make recommendations to the Board at the next meeting. Mr. Schiffman so moved; General Heiser seconded the motion. A second motion was made by Ms. Simendinger to authorize formal rulemaking with respect to the Student Judicial Code, Mr. Misemer seconded the motion. Both motions were approved unanimously.

*Delegation of Authority to Agency Clerk.* As designation of Agency Clerk is mandated by Chapter 20, Florida Statutes, Mr. Smolker recommended that the Board delegate the authority of Agency Clerk to Ms. Suzanne Janney, Special Assistant to the President, New College of Florida. Mr. Misemer so moved, seconded by Mr. Cranor. The motion was adopted unanimously.

*Resolution Ratifying Four-Winds and New College of Florida Logos As Official New College of Florida Symbols.* For many years, the Four-Winds logo and, recently, the New College of Florida logo have served as the official symbols of New College. Mr. Smolker recommended the Board approve and adopt a resolution ratifying these logos as the official symbols of New College and directing the President to secure the proprietary rights necessary to ensure New College of Florida's continued use of these symbols and to protect against the use of the symbols by others. Rev. Dupree so moved; Ms. Smiley seconded. The motion was adopted unanimously. Ms. Simendinger noted that the New College Alumnae/i Association has also used these logos. Mr. Cranor moved that a process be started immediately to get the logos officially trademarked and copyrighted to protect the interests of New College of Florida and the organizations associated with it; Mr. Misemer seconded. The motion was adopted unanimously.

*Directors and Officers Insurance.* Mr. Smolker will report at the January meeting on this topic. Mr. Johnson stated that there is not risk to Trustees provided they stay within the scope of their duties as Board of Trustee members.

### **President's Report**

President Michalson thanked Counsel Smolker for his preparation for this meeting.

Before beginning his report, he drew the Board's attention to a *Resolution to Support Naming Bill for The Keating Center*. Elaine Keating, a member of the New College Foundation Board of Trustees, and her husband, Edward Keating, generous contributors to the College since 1986, wish to cover the design and construction cost of erecting an office building on the Palmer Campus of New College of Florida to provide facilities for New College Foundation, the New College Library Association, and the New College Alumnae/i Association. General Heiser moved to resolve that the Board offers its support to legislation authorizing the construction of the Keating Center on the campus of New College of Florida; Mr. Cranor seconded the motion, which was adopted unanimously.

President Michalson recommended that Hugh McMillan, retained as a lobbyist by the New College Alumnae/i Association, continue his good work in Tallahassee.

Since the Board is required by statute to have a strategic plan, and New College of Florida is required by SACS, the accrediting body, to have a strategic plan, Dr. Michalson invited the Board to think about a plan. He noted that these were still some unclear issues relating to devolution of responsibility from the Florida Board of Education to the University Boards of Trustees, but that for New College, there was one clear and unambiguous administrative issue—gaining control of the campus—toward which the College, the Foundation, and even USF, are working to solve. Another major issue relates to the ideal size of New College: a larger college means richer course offerings and more diversity, and perhaps more use of the facilities in the summer. He invited the Board to share their thoughts, hopes, and aspirations for the College.

### **Strategic Planning Committee Report**

Mr. Cranor, Chairman of the Strategic Planning Committee, reported that three studies are underway which will be helpful to the planning effort: an MGT of America consulting report which compares and benchmarks New College with other state and peer institutions; a New College Foundation-commissioned report on a business plan for benchmarking endowments and sources of giving; and the SACS application. The Committee agreed to meet immediately prior to the next meeting in January and report to the Board at that meeting. Chairman Johnson reinforced the President's view that campus ownership is the most important issue on the table. The Board must focus on the plan for 2-3-4 years down the road in terms of land use, joint facilities, and moving USF to the Crosley property. If the goals of both New College and USF are clear, then efforts can be made to help both institutions achieve them.

### **Finance and Audit Committee Report**

Ms. Raeburn, Committee Chairman, reported the Committee met on an organizational basis to review the proposed budget, to assure the budget was sufficient to meet the mission of the institution, to recommend an auditor, and to review the audit. She invited John Martin to proceed with the budget update.

## **Budget Update**

John Martin, Vice President for Finance and Administration, presented an overview of the many disparate New College budget components that comprise the College's operating budget. Sources include Education and General, Auxiliaries, Contracts and Grants, Local Funds, Foundations and Facilities.

Mr. Martin presented an Interim Budget as of 11/1/01 in a "sources and uses" format that he had shared earlier with the Finance Committee. He reported that this budget is subject to change, depending on the outcome of actions expected to be taken by the Legislature and Governor regarding mid-year budget reductions to address the statewide revenue shortfall.

In discussing the budget, Mr. Martin expressed particular concern about the pending shortfall in student scholarship funding. For the current fiscal year, New College received state appropriations totaling \$328,000 in fee waivers and approximately \$210,000 in need-based scholarship funds. These funds are particularly important in attracting top students. Heretofore, USF has provided additional financial support for as many National Merit Scholars as New College was able to enroll. This amounted to approximately \$500,000 annually over and above the state scholarship appropriations. Now that New College is independent, USF committed to providing this additional support only for the length of time that current students to whom this financial support was committed remain enrolled. As each class of New College National Merit Scholars graduates, New College will need to replace approximately \$125,000 per class of this special funding to maintain the current level of National Merit Scholars attending New College.

Joel Bauman, Dean of Admissions and Financial Aid, further explained that although USF is funding additional scholarship dollars, they reduced the amount of federal work study funds previously committed to New College students. In order to meet that commitment, New College had to take funds from its state need-based aid. This means that \$120,000 must be utilized from the state allocation to New College, funds which would have gone otherwise to other needy New College students. While New College compares favorably with levels of financial aid provided by other state schools, it comes nowhere near the level that many highly selective private schools reach to meet a student's full financial need. Mr. Cranor noted that in the strategic plan, there needs to be a 4-5 year plan for attracting the best students nationwide and meeting their financial aid needs more competitively.

Ms. Raeburn noted that Mr. Martin's presentation constituted the report of the Finance Committee. Ms. Raeburn moved that the Board adopt Mr. Martin's Interim Budget and use it as a working budget until such time as there is a final budget. Mr. Cranor seconded and the motion was adopted.

Ms. Raeburn stated that the Board of Trustees is charged with setting the Activities and Service (A&S) Fee and the Health Fee for students. The recommendations for these fees for academic year 2002-2003 must be made by committee. As prescribed by the Legislature, President Michalson established two New College fee committees at the request of the student government. One committee addressed the proposed increase in the A&S Fee, which supports student government activities and student facilities including Hamilton Center and the Fitness Center. A second committee, established in the same fashion, reviewed a request to increase the Health Fee, which is used to support the health services auxiliary that provides the funding for on campus health care and wellness programming. Each committee was chaired by a New College staff member and had equal numbers of students and faculty/staff. The meeting dates were posted and open to the public. The recommendations of each committee were forwarded to the Dean of Students who then presented them to the president and the appropriate Board of Trustees committee.

Ms. Raeburn moved that the Health Fee increase from \$2.00 to \$5.00 to support increased health services and programming and the Activity & Service Fee increase from \$13.00 to \$13.65 to provide more independence from the historically 50/50 joint allocation for buildings with USF, recommended by the Student Affairs Committee, be approved; Mr. Schiffman seconded the motion. It was adopted unanimously.

### **Student Affairs Committee**

Meg Lowman, Chairman, reported that the Committee had met and discussed its mission, overlap with the New College Foundation's Student Affairs Committee, and considered the student fee and judicial code items. The next Committee meeting will be scheduled as a breakfast in Hamilton Center followed by a tour of the Pei dorms.

### **New Business:**

#### **Amendment to the By-laws**

Mr. Smolker introduced two minor grammatical amendments to the By-laws adopted by the Board at the last meeting and recommended they be approved and adopted. Col. Presha so moved; General Heiser seconded, and the motion was adopted unanimously.

### **Presidential Search Committee**

General Heiser, Chairman, reported on the organizational meeting of the Committee on October 23. He requested Board approval of the Committee's intent to request presentations from three search executive search firms (A. T. Kearney, Academic Search Consultation Service, and Heidrick & Struggles) and then have one or two present to the Board. Col. Presha so moved, seconded by Mr. Cranor, and the motion was unanimously adopted. Ms. Simendinger noted that she hoped scheduling would permit members of the Committee with experience in academic searches to participate in the search process.

### **Date of Next Board Meeting**

The date of the next Board meeting was changed from January 5, 2002 to January 12, 2002. [After the meeting, the original date was reinstated. Next Board meeting: Jan. 5, 2002.]

### **Humanities Division Presentation**

Professor of German Glenn Cuomo, Chair of the Humanities Division, gave a Powerpoint introduction to his Division, its 23 fulltime faculty, 48 courses offered this term, and the students taking them.

### **Community Action Research Initiative Presentation**

Co-directors of the College's Community Action Research Initiative, Associate Professor of Sociology David Brain and Associate Professor of Political Science Keith Fitzgerald, introduced the work of CARI over the past year. The second part of the presentation emphasized the importance to a public liberal arts college, as a model of democracy, of involving students and faculty as collaborative resources in the community and modeling active participation in civic life.

There being no further business, the meeting adjourned at 1:05 P.M.

Respectfully submitted,

Suzanne Janney  
Acting Secretary and Agency Clerk