



## BOARD OF TRUSTEES

Wednesday, December 6, 2017  
12:30 PM

*(or upon adjournment of previous committee meetings)*

Florida Polytechnic University  
Admissions Center  
4700 Research Way  
Lakeland, FL 33805

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Frank Martin, Chair  
Dr. Jim Dewey  
Dr. Richard Hallion  
Cliff Otto  
Gary Wendt

Don Wilson, Vice Chair  
Rear Admiral Philip Dur  
Jacob Livingston  
Dr. Louis Saco

Mark Bostick  
Dr. Sandra Featherman  
Henry McCance  
Bob Stork

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## AGENDA

- I. Call to Order Don Wilson, Vice Chair
- II. Roll Call Maggie Mariucci
- III. Public Comment Don Wilson, Vice Chair
- IV. **Approval of Minutes: October 31, 2017**  
**\*Action Required\*** Don Wilson, Vice Chair
- V. Chairman’s Remarks Don Wilson, Vice Chair
- VI. President’s Remarks Dr. Randy Avent
- VII. University Strategic Plan Discussion Dr. Randy Avent
- VIII. Committee Reports
  - A. Strategic Planning Committee Don Wilson, Chair
    - 1. **Revised Regulation: FPU-6.011 Employee Criminal Background Checks**  
**\*Action Required\***
    - 2. **Repeal of FIPR Rules 6J-1.001-1.007**  
**\*Action Required\***
  - B. Governance Committee Dr. Richard Hallion, Chair

C. Audit and Compliance Committee Cliff Otto, Chair

1. 2016-18 Audit and Compliance Work Plan  
**\*Action Required\***
2. Audit and Compliance Annual Report  
**\*Action Required\***
3. FIPR Payroll Review  
**\*Action Required\***
4. Audit & Compliance Risk Assessment/Work Plan  
**\*Action Required\***

D. Academic and Student Affairs Committee Dr. Sandra Featherman,  
Chair

1. Revised Regulation: FPU-3.006  
Student Code of Conduct  
**\*Action Required\***

E. Finance and Facilities Committee Bob Stork, Chair

1. Amended Regulation: FPU-1.003 Use of University Facilities and Property  
**\*Action Required\***
2. Revision of Rule 6C13-1.003 Parking on Property and Creation of 6C13-1.004  
Schedule of Parking Fees and Fines  
**\*Action Required\***
3. Amended Policy: Investment Policy  
**\*Action Required\***

IX. Upcoming Events/Meetings Don Wilson, Vice Chair

A. Board of Trustees Meetings

1. February 28, 2018
2. Retreat: May 22-23, 2018
3. September 12, 2018
4. December 5, 2018

B. Board of Governor's Meetings

1. January 24-25, 2018 (Florida State University, Tallahassee, FL)
2. February 22, 2018 (Conference Call)
3. March 28-29, 2018 (University of North Florida, Jacksonville, FL)
4. May 8, 2018 (Conference Call)
5. June 26-28, 2018 (University of Central Florida, Orlando, FL)

X. Closing Remarks and Adjournment Don Wilson, Vice Chair

**DRAFT**

**FLORIDA POLYTECHNIC UNIVERSITY  
BOARD OF TRUSTEES  
MEETING MINUTES  
Florida Polytechnic University Admissions Building  
4700 Research Way  
Lakeland, Florida 33805  
October 31, 2017 @ 2:00 PM**

I. Call to Order

Chair Frank Martin called the Board of Trustees meeting to order at 2:40 p.m.

II. Roll Call

Maggie Mariucci called the roll: Chair Frank Martin, Vice-Chair Don Wilson, Trustee Mark Bostick, Trustee Jim Dewey, Trustee Henry McCance, Trustee Sandra Featherman, Trustee Dick Hallion, Trustee Gary Wendt, Trustee Robert Stork and Trustee Jacob Livingston were present. (Quorum).

Staff present: President Randy Avent, Dr. Terry Parker, Mr. Mark Mroczkowski, Ms. Gina DeJulio, Mrs. Maggie Mariucci, and Mr. David Blanton.

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

**Trustee Sandra Featherman made a motion to approve the Board of Trustees meeting minutes of June 6 and 7, 2017. Trustee Richard Hallion seconded the motion; a vote was taken, and the motion passed unanimously.**

**Trustee Don Wilson made a motion to approve the Board of Trustees meeting minutes of September 13, 2017. Trustee Robert Stork seconded the motion; a vote was taken, and the motion passed unanimously.**

V. Chairman's Remarks

Chair Frank Martin thanked everyone for adjusting his or her schedules to accommodate this meeting. He mentioned the Trustee Summit coming up on November 8, 2017. The BOG encourages attendance at the summit and Florida Poly will have a good representation with six members attending. Chair Martin welcomed Trustee Gary Wendt to the meeting, as this was his first meeting.

VI. President's Remarks

President Avent reported on the development of SunTrax, the key business cycles of the University, and the University Strategic Plan.

The President's current focus is on creating a more functional organizational chart, including clear line management structure; improving the performance evaluation tool; minimizing bureaucracy on policies, and implementing a methodical and detailed conversation relating to culture.

VII. Student Presentation: Logentix

Florida Polytechnic student, Randy Lopez gave a report on Logentix. Logentix has created an aftermarket device that gives self-driving capabilities to existing vehicles for commercial trucking. The goal is to give logistics and transportation businesses the same benefits of self-driving vehicles at a reasonable price. The hardware integrates to existing components, such as ABS and steering, through a vehicles' diagnostics port. On average, there are 415,000 accidents involving large trucks each year, 3,598 of which result in fatalities. Logentix aims to make an impact on this statistic by providing technology that will make the roads safer.

Chair Martin asked the cost per device and the answer was \$1,000.00 for the software and then a fee of \$40.00 per month per truck.

VIII. Digital Education Presentation

Dr. Rahul Razdan gave a presentation on Digital Education. He compared Florida Poly's classes to the digital equivalent. Technology is disrupting all markets and will disrupt education. Florida Poly is in a unique position to disrupt and lead in STEM education. Mission alignment, focus, and execution are key. Early framing of solutions has started.

Funding will be necessary to proceed with a digital program. A LBR request of \$5M has been submitted. Trustee Featherman agreed that the University is in a unique position, as the adaptation of technology is everywhere. Trustee Henry McCance voiced that the funding for a digital program may be better secured through private funding because of state bureaucracy. Chair Martin questioned how the LBR funds would be used. The funding would build the instruction IP, build textbooks and build the basic infrastructure.

IX. University Strategic Plan Discussion

President Avent reviewed progress on the Strategic Plan. The following questions should be taken in to consideration as the plan is developed:

- What is our mission?
- Who is our customer?
- How do we best serve Florida industries?
- What are our competitive advantages?
- What skills should our graduates have?

X. 2017-18 Revised Board of Trustees Meeting Schedule

The following revised meeting schedule was reviewed:

- December 6, 2017
- February 28, 2018 (new)
- Retreat: May 22-23, 2018 (new)
- September 12, 2018
- December 5, 2018

**Trustee Featherman made a motion to approve the revised Board of Trustees meeting schedule. Trustee Hallion seconded the motion; a vote was taken, and the motion passed unanimously.**

XI. Committee Reports

A. Governance Committee

1. 2016-18 Governance Committee Work Plan
2. 2018 Government Relations Plan
3. Resolution on President's Powers and Duties
4. Form for President's 2017-18 Annual Review

Based on reports given by the committee Trustee Hallion requested to bundle all four items for approval.

**Trustee Wilson made a motion to approve the 2016-18 Governance Committee Work Plan; the 2018 Government Relations Plan; the Resolution on President's Powers and Duties; and the Form for President's 2017-18 Annual Review. Trustee McCance seconded the motion; a vote was taken, and the motion passed unanimously.**

B. Audit and Compliance Committee

Committee Vice-Chair Don Wilson gave a report on the Audit and Compliance Committee. No Board action was required.

C. Finance and Facilities Committee

Committee Chair Robert Stork gave a report on the Finance and Facilities Committee.

1. Revised Regulation: FPU-1.003 Use of University Facilities and Property

The revised regulation will be reposted with changes and presented at the December 2017 meeting for approval.

D. Strategic Planning Committee

Committee Chair Don Wilson gave a report on the Strategic Planning Committee.

**Based upon the report given by Committee Chair Don Wilson, Chair Frank Martin presented a motion with full Committee approval to the 2016-17 FIPR Institute Annual report. A vote was taken and the motion passed unanimously.**

E. Academic and Student Affairs Committee

Committee Chair Sandra Featherman gave a report on the Academic and Student Affairs Committee.

1. Textbook and Instructional Material Affordability Report

**Based upon the report given by Committee Chair, Sandra Featherman, Chair Frank Martin presented a motion with full Committee approval to the Textbook and**

**Instructional Material Affordability report. A vote was taken and the motion passed unanimously.**

XII. Upcoming Events/Meetings

Chair Martin reviewed upcoming meeting dates.

XIII. Closing Remarks and Adjournment

With no further business to discuss, the meeting adjourned at 3:50 p.m.

DRAFT

**AGENDA ITEM: IX-A-1**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: FPU-6.011 Criminal Background Checks**

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**Proposed Action**

Approval of revised regulation **FPU-6.011 Criminal Background Checks**.

**Background Information**

University regulation **FPU-6.011 Employee Criminal Background Checks** was initially approved by the Board of Trustees on May 15, 2014.

The proposed revisions to the regulation provide for rescreening certain positions, in accordance with state law, clarify the existence of a criminal conviction alone does not automatically disqualify an individual from employment, and further explain appropriate use and location of criminal background check records.

In addition, this regulation is being renamed **FPU-6.011 Criminal Background Checks** to avoid confusion and more appropriately reflect the scope of the regulation itself, which applies not only to University employees, but to volunteers.

The Notice of Amendment to proposed regulation and the regulation were published on the University's website on November 6, 2017. No comments were received during the review and comment period.

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**Supporting Documentation:**

Supporting materials are located in the Strategic Planning Committee section.

**Prepared by: Erin Varnell, Assistant General Counsel**

**AGENDA ITEM: IX-A-2**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: Repeal of FIPR Rules 6J-1.001-1.007**

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**Proposed Action**

Approval of repeal of FIPR Rules 6J-1.001-1.007.

**Background Information**

The Florida Industrial and Phosphate Research Institute (FIPR) no longer has rulemaking authority. As such, FIPR's rules that are currently published in the Florida Administrative Code are being repealed.

Section 120.536(1), Florida Statutes, provides that an agency must be granted rulemaking authority in order for that agency to adopt rules.

Originally, the Florida Institute of Phosphate Research, which is now the Florida Industrial and Phosphate Research Institute, was granted rulemaking authority by Section 378.101(4)(f), Florida Statutes, which stated that FIPR's board "shall adopt rules necessary to carry out the duties and responsibilities of the institute."

However, in 2010 the Legislature transferred, renumbered, and amended Section 378.101, Florida Statutes to Section 1004.346, Florida Statutes. FIPR was transferred within the University of South Florida Polytechnic. During this transfer, Section 378.101, Florida Statutes, was amended to no longer include a grant of rulemaking authority as part of FIPR's duties and authorized activities as required by Section 120.536, Florida Statutes. Upon the enactment of Section 1004.36, Florida Statutes, FIPRI no longer had rulemaking authority.

In 2012, the Legislature amended Section 1004.36, Florida Statutes, to transfer FIPR within Florida Polytechnic University. Again, rulemaking authority was not included in FIPR's duties and authorized activities. As a result of FIPR no longer having rulemaking authority, FIPR's rules must be repealed. Brian Birky has agreed that the rules are no longer necessary.

Upon the Board's approval of repeal of the rules, the Notice of Proposed Rule will be published in the Ledger.

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**Supporting Documentation:**

Supporting materials are located in the Strategic Planning Committee section.

**Prepared by:**

Melaine Schmiz, Assistant General Counsel

**AGENDA ITEM: IX-C-1**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: Audit and Compliance Committee Work Plan**

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**Proposed Action**

Approval of the revised Audit and Compliance Committee Work Plan.

**Background Information**

David Blanton, Chief Audit Executive/Chief Compliance Officer (CAE/CCO) will provide the Committee with a proposed Work Plan updated through December 2018. The proposed Work Plan was developed with the assistance of the Audit and Compliance Committee Chair.

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**Supporting Documentation:** Supporting materials are located in the Audit and Compliance Committee section.

**Prepared by:** David A. Blanton, CAE/CCO

**AGENDA ITEM: IX-C-2**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: University Audit and Compliance Annual Report (2016-17)**

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**Proposed Action**

Approval of the UAC Annual Report for the 2016-17 fiscal year.

**Background Information**

Board of Governors Regulation 4.002 requires that an annual report be prepared summarizing the activities of University Audit for the preceding year. This annual report reflects the activity for University Audit and Compliance for the period July 1, 2016 to June 30, 2017.

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**Supporting Documentation:** Supporting materials are located in the Audit and Compliance Committee section.

**Prepared by:** David A. Blanton, CAE/CCO

**AGENDA ITEM: IX-C-3**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: FIPIR Institute Payroll Review**

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**Proposed Action**

Approval of the Florida Industrial and Phosphate Research (FIPIR) Institute Payroll Review.

**Background Information**

For the 2016-17 fiscal year, the University Audit function was outsourced to Sunera (a.k.a. Focal Point Data Risk), an independent Certified Public Accounting and risk management consulting firm. Sunera conducted a review of FIPIR payroll processes and activities between the period of January 1, 2014 to June 30, 2016 and the report was recently released.

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**Supporting Documentation:** Supporting materials are located in the Audit and Compliance Committee section.

**Prepared by:** David A. Blanton, CAE/CCO

**AGENDA ITEM: IX-C-4**

**Florida Polytechnic University  
Audit and Compliance Committee  
Board of Trustees  
December 6, 2017**

**Subject: University Audit and Compliance Risk Assessment and Work Plan (2017-18)**

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**Proposed Action**

Approval of the UAC Risk Assessment and Work Plan.

**Background Information**

As required by the Internal Audit Charter, Florida Board of Governors Regulations, and Internal Auditing Standards, audits are to be scheduled and performed according to a risk-based annual plan which shall be submitted to the President, the AACC, and the Board of Governors. The goal of the Plan is to effectively use audit resources in order to provide audit coverage to areas with the greatest known risks and to dedicate sufficient time in establishing the Compliance and Ethics Program in accordance with BOG Regulations.

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**Supporting Documentation:** Supporting materials are located in the Audit and Compliance Committee section.

**Prepared by:** David A. Blanton, CAE/CCO

**AGENDA ITEM: IX-D-1**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: FPU-3.006 Student Code of Conduct**

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**Proposed Action**

Approval of revised regulation **FPU-3.006 Student Code of Conduct**.

**Background Information**

University regulation **FPU-3.006 Student Code of Conduct** was initially approved by the Board of Trustees on January 12, 2014 and amended July 29, 2014.

The proposed regulation amendment substantially revises the Student Code of Conduct to ensure compliance with Board of Governors regulation 6.0105, to clarify terms and processes, to add additional types of misconduct, to update position titles, and to update formatting. A summary of the changes is below:

- General Changes:
  - Created “Community Values” section.
  - Created “Applicability” section that states what conduct is governed by the Student Code of Conduct.
  - Separated student rights and responsibilities into two sections.
  - Revised student rights and responsibilities to include only those rights and responsibilities as related to the Student Code of Conduct.
  - Replaced Director of Student Affairs with Vice Provost of Enrollment.
- Definitions:
  - Combined “accused student,” “accused student organization,” and “accused” into one definition for “responding party.”
  - Added definition of “business day.”
  - Added definition of “hearing body.”
  - Revised definition of “policy” to include polices and rules in addition to regulations. Removed reference to Residence Life Handbook and computer use policy because they do not exist.
  - Added the definition of “responsible.”
  - Added definition of “witness.”
  - Added definition of “reporting party.”
  - Removed the definition of “shall” because shall has been removed from the regulation.

- Created the term “Representative.” The Representative is an Office of Student Development employee designated by the Vice Provost of Enrollment to fulfill specified duties under the Student Conduct Review Process. This was created to ensure that students cannot submit things to a student workers.
- Misconduct
  - Revised the definition of academic dishonesty to refer to FPU-5.005 Academic Integrity to ensure the definitions are consistent.
  - Removed reference to the University Computer Use Policy because it does not exist.
  - Added offenses that were noted in a State audit of the Board of Governors: arson, gambling, unauthorized commercial solicitation, misconduct at sanctioned events, and illegal alteration or use of identification.
  - Added driving under the influence of alcohol or a controlled substance, misuse of prescription drugs, and harm to animals.
  - Added sexual misconduct as defined in University policies and regulations.
  - Added retaliation.
- Sanctions:
  - Clarified that discretionary sanctions are educational.
- Interim Suspension:
  - Added a provision that an interim suspension is subject to a review at a hearing if a student requests such a review in writing.
- Student Conduct Review Process
  - Added a general provisions sections that includes information regarding:
    - Requests for accommodations;
    - Requests for postponement;
    - Notices;
    - Remote participation;
    - Failure to attend scheduled meeting or hearing;
    - Advisors;
    - University’s right to an attorney;
    - Burden of proof; and
    - Student’s eligibility to attend classes and University activities.
  - Added the definition of “investigation.”
  - Added a provision to not file charges for other appropriate circumstances such as Medical Amnesty as referenced in FPU1.0003P Alcohol Policy.
  - Added “and time limit” to filing of charges.
  - Added a section regarding complainant’s rights.
  - Replaced Preliminary Conference with an Initial Meeting.
  - Added a “non-formal resolution” process that includes a mediation agreement and administrative agreement. Removed the informal hearing option.
  - Added requirements for selecting a non-formal resolution.
  - Added a process for the Accused to waive his/her right to a Formal Hearing conducted by a hearing panel.

- Added information regarding how Formal Hearings are conducted with a hearing officer as opposed to a Formal Hearing with a hearing panel.
- Added information regarding hearing panel requirements for sexual misconduct allegations.
- Appeal Process:
  - Clarified appeal procedures.
  - Added that the President may designate the Provost to oversee the appeal process.
- Disciplinary and Academic Records:
  - Revised to state that the Vice Provost of Enrollment determines whether disciplinary sanctions are noted on a student's permanent academic and disciplinary record.
- Student's Education Records:
  - Revised to clarify that the records of the Student Conduct Review Process are considered "education records" of both the Responsible and the Complainant (if Complainant is a student) and protected under FERPA.

The Notice of Amendment to proposed regulation and the regulation was published on the University's website on November 3, 2017. No comments were received during the review and comment period.

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**Supporting Documentation:**

Supporting materials are located in the Academic and Student Affairs section.

**Prepared by: Melaine Schmiz, Assistant General Counsel**

**AGENDA ITEM: IX-E-1**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: FPU-1.003 Use of University Facilities and Property**

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**Proposed Action**

Approval of revised regulation **FPU-1.003 Use of University Facilities and Property.**

**Background Information**

University regulation **FPU-1.003** was initially approved by the Board of Trustees on May 15, 2014.

This regulation sets the scheduling priorities for the use of University Facilities and Property and the applicable conditions that must be agreed to by those using the Facilities. This regulation is being revised primarily to reflect that the Government Relations staff must be consulted before contacting or inviting any elected official or candidate running for office to an event sponsored by the University or a University Affiliated Group. Definitions for “Affiliated Organizations”, “Affiliated Activities” and “Elected Official or Candidate” were added to provide clarity.

The Finance & Facilities Committee reviewed the proposed revisions in the October 31, 2017 meeting and asked for additional language be added to address candidates running for office. The draft regulation was revised to add such language and the Notice of Proposed Amended Regulation was republished on the University’s website on November 3, 2017. No comments were received during the review and comment period.

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**Supporting Documentation:**

Supporting materials are located in the Finance and Facilities Committee section.

**Prepared by: Gina DeIulio, General Counsel**

**AGENDA ITEM: IX-E-2**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: Revision of Rules 6C13-1.003 Parking on University Property and Creation of 6C13-1.004 Schedule of Parking Fees and Fines**

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**Proposed Action**

Approval of revision of Rule **6C13-1.003 Parking on University Property** and creation of Rule **6C13-1.004 Schedule of Parking Fees and Fines**.

**Background Information**

Rule **6C13-1.003 Parking on University Property** was initially adopted on August 5, 2014. The rule is being revised to reflect the change from decals to digital parking passes and to relocate fees and fines to a separate rule. Fees and fines are now located in proposed Rule **6C13-1.004 Schedule of Parking Fees and Fines**.

A summary of the changes to Rule **6C13-1.003 Parking on University Property** is below:

- Revised to reflect the change from physical parking permits to digital parking passes.
- Added additional digital parking pass classifications.
- Added an economy digital parking pass for parking in designated economy lots.
- Moved fees and fines to newly created Rule 6C13-1.004 Schedule of Parking Fees and Fines.
- Changed term “metered parking” to “Kiosk/Visitor Park and Pay.”
- Revised enforcement hours of Kiosk/Visitor Park and Pay to 24 hours a day. (Previously was enforced from 7:00am to 10:00pm including weekends and holidays).
- Added the requirement that a vehicle’s license plate must be clearly visible to parking enforcement officers. Additionally, vehicles backed into a parking space without a front license plate is not considered visible and may be a violation of the rule.

A summary of newly created Rule **6C13-1.004 Schedule of Parking Fees and Fines** is below:

- Incorporates the fees and fines that were in Rule **6C13-1.003 Parking on University Property**.
- Clarifies that if a vendor’s or a contractor’s business on campus is of a daily and ongoing nature for more than 90 days, they must purchase a digital parking pass at \$200.00/annual \$80.00/semester. Previously, vendors and contractors were required to purchase a decal at the same rate as employees. This change clarifies what employee rate vendors and contractors will be charged.
- All fees and fines remain the same except for:
  - Added Economy Lot Digital Parking Pass at \$85.00/annual \$50.00/semester.
  - Added a fine for Backing into Parking Space where Prohibited at \$30.00.
  - Revised Immobilization Fee to \$50.00 (was previously fined at cost of

- immobilization).
- Added a fine for Tampering with or Unauthorized Removal of Immobilizing Device (Boot) at \$250.00 + replacement cost.

The Notice of Proposed Rule Development for Rules 6C13-1.003 and 6C12-1.004 was published in The Ledger and posted on the University's website on November 15, 2015. A workshop was not held as the University did not receive any requests for a workshop.

Upon approval by the Board, the Notice of Proposed Rule will be published for the rules.

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**Supporting Documentation:**

Supporting materials are located in the Finance and Facilities Section.

**Prepared by:**

Melaine Schmiz, Assistant General Counsel

**AGENDA ITEM: IX-E-3**

**Florida Polytechnic University  
Board of Trustees  
December 6, 2017**

**Subject: Amended Policy: Investment Policy**

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**Proposed Action**

Approval of the amendments made to the Investment Policy to the Board of Trustees.

**Background Information**

The Investment Policy was originally adopted by the Florida Polytechnic University Board of Trustees on September 9, 2015. The policy applies to cash and investments for University funds under the University's control in excess of those required to meet current expenses and is consistent with the relevant Florida Statutes. This policy does not apply to pension funds or funds related to the issuance of debt.

The changes include:

1. Adding investment portfolio language
2. Removing Overnight Portfolio language
3. Updating the Risk and Diversification section to including Mitigating Credit Risk in the Portfolio
4. Updating the External investment managers and consultants section
5. Updating the Authorized investment institutions and dealers section

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**Supporting Documentation:**

Supporting materials are located in the Finance and Facilities Committee section.

**Prepared by:**

Mark Mroczowski, CFO and Vice President