

**Minutes  
Board of Trustees Meeting  
University of Central Florida  
November 15, 2018**

Chairman Marcos Marchena called the meeting of the Board of Trustees to order at 1:12 p.m. in the *FAIRWINDS* Alumni Center on the UCF Orlando campus.

Marchena reminded the board that the meeting was covered by the Florida Sunshine Law and that the public and press were invited to attend.

**WELCOME**

Marchena welcomed the board members and called on Grant Heston, Associate Corporate Secretary, to call the roll. Heston determined that a quorum was present.

The following board members attended the meeting: Chairman Marcos Marchena, Vice Chair Robert Garvy, Josh Boloña, Ken Bradley, Joseph Conte, Danny Gaekwad, John Lord, Alex Martins, William Self, John Sprouls David Walsh, and William Yeargin.

Trustee Beverly Seay attended via teleconference.

**PUBLIC COMMENT**

Four members of the public signed up for public comment. One student comment was on the United Faculty of Florida (UFF) bargaining agreement and three comments were from students who shared the impact the new teaching method in the College of Business had on their lives and education.

**MINUTES**

Marchena called for approval of the September 6, 2018, September 20, 2018, September 27, 2018, and October 5, 2018 meeting minutes, which were approved unanimously.

Marchena called on President Dale Whittaker for remarks and introductions.

**REMARKS**

Whittaker thanked the students for their public comments and stated that he and Provost Dooley would review the concerns expressed by the College of Business students. Several trustees agreed that such a review would be welcome.

Whittaker shared several athletic updates. He noted that in a first for UCF, ESPN College Gameday will broadcast live to the nation from Memory Mall on Saturday. Then, later that evening at 8 p.m., the Knights will take on the Cincinnati Bearcats to defend their 22-game

winning streak. Whittaker stated this is an incredible opportunity to showcase UCF to the rest of the country. Whittaker highlighted a *New York Times* story from last month. In it, he said UCF's reputation is catching up to reality and we are becoming known as a national leader in 21<sup>st</sup>-century higher education. He noted that after the January 2018 Peach Bowl win, UCF has seen an 11 percent increase in applications. Whittaker shared some additional athletic highlights:

- The Volleyball team won the American Athletic Conference Title for the second time in five years.
- The Men's Soccer team was named regular season conference champions. UCF is home to the AAC's Offensive Player of the Year, Midfielder of the Year, and Goalkeeper of the Year and the Men's Soccer Coaches were named AAC Coaching Staff of the Year.
- The Men's Basketball team is picked to win the AAC.
- UCF athletes performed well off the field or court, too. For 21 straight semesters, they have had a department GPA of 3.0 or better.
- Whittaker participated in Sprit Splash due to a record student attendance of more than 55,000 during UCF's first five football home games.

Whittaker noted that UCF welcomed its most accomplished freshman class and a record number of National Merit Scholars. He stated our first-year retention rate is 90.4 %, which sets a university record and is one of the preeminence metrics. Whittaker reminded the board that he has committed to the Board of Governors that UCF will achieve preeminence within three years and will immediately return UCF to the top three in state performance-based funding. Whittaker stated he will also share benchmark measures and historical data with the trustees to provide context to the student success metrics referenced today.

Whittaker welcomed Elizabeth Dooley, who was chosen from a national search after serving as Interim Provost since April of this year, to share her vision as the new Provost and Vice President for Academic Affairs. Dooley expressed her commitment to lifting lives and livelihoods, to access and on becoming a preeminent institution. She concluded with naming teaching, research, service, student success, community engagement and partnerships as critical components in making UCF the preeminent university for the 21<sup>st</sup> century.

Whittaker announced a new Associate Vice President for DSO Board Governance, Margaret Jarrell-Cole. Margaret was selected after a national search and comes from the UCF Foundation, where she provided legal expertise representing DSOs and developing best practices for DSOs.

Whittaker stated that UCF entered into an agreement with Accenture, a global management consulting and professional services firm, to review the Administration and Finance division and provide recommendations for:

- Optimal structure and reporting relations
- Ways to increase and optimize efficiency and accountability

- Efforts to enhance and ensure compliance
- Improving customer service

Whittaker thanked Trustee Yeargin for his valuable insight on structuring this engagement.

Whittaker discussed that last month the Board of Governors directed all state universities to have their Boards of Trustees approve institutions' E&G carry-forward plans and submit them to the BOG by January 4, 2019. UCF plans to use the E&G carry-forward balances as of Nov. 30, 2018 to produce this plan. With the concurrence of the Chairman, he asked that staff present this plan to the Finance and Facilities Committee on December 12, followed by a special teleconference meeting with the full Board of Trustees.

Whittaker observed the recent Veterans' Day by thanking faculty, staff and students who have served in our nation's military. Whittaker acknowledged the Veterans Legacy Program. This program is a contract with the National Cemetery Administration and a collaboration between the UCF History Department and UCF's Center for Humanities and Digital Research. Whittaker recognized Amelia Lyons, an Associate Professor of History and one of the project's principal investigators and one of her graduates, Ken Holliday, who is a proud Army Veteran who served tours in Iraq and Afghanistan before he became a UCF history student.

Whittaker introduced Deborah Beidel, Pegasus Professor of Psychology and Medical Education and Director of UCF RESTORES, a UCF program treating veterans and first-responders with PTSD. Dr. Beidel discussed the expansion of the UCF RESTORES program to active military members. She introduced Pat Scanlon, a retired firefighter who has benefited from UCF RESTORES. He gave a heartfelt story of how the program helped him.

Whittaker concluded his remarks by noting that Trustees Garvy and Seay were recognized with the John C. and Martha Hitt Honorary Alumni Award for their incredible service and friendship to UCF.

## **Reports**

Marchena introduced Trustee Beverly Seay, Chair, Audit and Compliance Committee who gave a report on the following item.

- INFO-1 Update on the Board's investigation with Bryan Cave
  - Seay indicated the investigation remains active and ongoing. She said the investigation team continues to review emails, reports, financial records and other relevant documents as well as conducting interviews of current and past employees. She expects Bryan Cave will give a report at the January board meeting.

## **ADVANCEMENT COMMITTEE REPORT**

Joseph Conte, Chair of the Advancement Committee, reported the highlights from the committee meeting held earlier in the day.

- Mike Morsberger, vice president for Advancement and CEO of the UCF Foundation, provided an IGNITE Campaign update, highlighting progress-to-goal for colleges and units, funds by use, and funds by priority. Morsberger also noted that he is considering “going dark” with reporting on campaign attainment after December 31, with plans to offer a “grand reveal” of total support raised during Homecoming 2019. To-date, \$446.5M has been raised in the IGNITE Campaign.
- Grant Heston, chief of staff and vice president for Communications and Marketing, shared a presentation that included several videos from the first week of classes at UCF and featured the innovative ways UCF is engaging its students in social media and around campus. Grant also highlighted several of President Whittaker’s messages to students earlier this semester and shared examples of his approach to strengthening the relationship between the students and administration.
- Janet Owen, vice president for Government Relations provided an update on recent state revenue estimates, and the legislative priorities adopted by the Board of Governors for the State University System, as well as funding issues of significance to UCF. The Committee was also updated on the Board of Governor’s modifications to the performance funding model, approved at November 2018 meeting and the “Your Success is Our Success” campaign which will include messaging activities both in advance of and during the 2019 session.

## **COMPENSATION AND LABOR COMMITTEE REPORT**

John Sprouls, Chair of the Compensation and Labor Committee, reported highlights from the committee meeting held earlier that day.

- President Whittaker presented his 2018-19 goals.

## **EDUCATIONAL PROGRAMS COMMITTEE REPORT**

Robert Garvy, Chair of the Educational Programs Committee, reported highlights from the committee meeting held earlier that day.

Garvy reported that the following item was unanimously approved by the committee and placed on the board’s consent agenda:

- EPC-1      Conferral of Degrees

Garvy presented the following informational updates:

- Provost Update
  - Dooley provided an update on the following academic enterprise topics: Provost Forum, Student Success; including retention rate, predictive analytics, continuation grants, and mapping and tracking system for degree completion; 21<sup>st</sup> Century Learning Model and International Education Week.
- INFO-1 Civic Literacy – Graduation Requirement
  - Dr. Keisha Hoerrner presented the board with background and information on State Law: 1007.25 (4); which outlines adoption of the regulation to assess student competency in civic literacy beginning in the 2018-2019 school year. Students will have an option to demonstrate competency through a civic literacy course or achieving a passing score on an assessment.

### **FINANCE AND FACILITIES COMMITTEE REPORT**

Alex Martins, Chair of the Finance and Facilities Committee, reported highlights from the committee meeting held on October 10, 2018 and earlier that day.

The following information items occurred at the October 10, 2018, meeting.

- At the request of Trustee Walsh, the committee considered recommending an expansion of the Bryan Cave investigation to include a three-year review for possible capital projects that did not receive necessary committee and board approvals. The majority of the committee felt that expanding the investigation at this time would delay the findings of the investigation. Trustee Walsh voted for approval with the rest of the committee opposed.
- Direct Support Organizations' 2017-18 Fourth-Quarter Financial Reports were presented
- University and Direct Support Organization Debt Report
- UCF Investments Quarterly Report Ended June 30, 2018.
- 2019 Finance and Facilities Committee Meeting Dates, which is also an information item on today's agenda

Martins reported highlights from the meeting held earlier that day and noted the following items were approved by the committee. With his motion, the board unanimously approved the items. Marchena recused himself from the vote on item FF – 2.

- FF-1 UCF Downtown Campus Store Contract
- FF-2 Chilled Water Services Agreement for Sanford Burnham Prebys Building

- FF-3 Temporary License and Construction Agreement for Rosen Campus
- FF-4 L3 Building Lease
- FF-5 John C. Hitt Library Renovation and Expansion
- FF-6 Student Union Renovation and Expansion
- FF-7 CREOL Expansion
- FF-8 Roth Athletics Center Shell Building Construction Costs
  - The total amount of the costs updated to \$2,174,497 through negotiations
  - This item came to the board for approval due to the costs increasing over \$2 million and the 10% change threshold.
- FF-9 L3 Building Purchase Loan

Martins reminded the board the following item was approved at the October 10, 2018 meeting and placed on the consent agenda.

- FF-10 Nicholson School of Communication Building Name Change

Martins reminded the board the following item was approved earlier that day and placed on the consent agenda.

- FF-11 Sanford Burnham Prebys Building Name Designation

### **NOMINATING AND GOVERNANCE COMMITTEE REPORT**

William Yeargin, Chair of the Nominating and Governance Committee, reported highlights from the committee meeting held earlier that day.

The following actions were unanimously approved by the committee and placed on the board's consent agenda:

- NGC-1 Appointment of Board Members to UCF Foundation
- NGC-2 Appointment and Reappointment of Board Members to Limbitless Solutions, Inc.
- NGC-3 Appointment of Board Member to UCF Research Foundation
- NGC-4 Amendments to University Regulation UCF-3.038 Advance Notice of Separation for USPS Employees

## **CONSENT AGENDA**

Trustee Kenneth Bradley made a motion to accept the consent agenda and it was unanimously approved.

- EP-1            Conferral of Degrees
- FF-10          Nicholson School of Communication Building Name Change
- FF-11          Sanford Burnham Prebys Building Name Designation
- NG-1          Appointment of Board Members to UCF Foundation
- NG-2          Appointment of Board Members to Limbitless Solutions, Inc.
- NG-3          Appointment of Board Member to UCF Research Foundation
- NG-4          Amendments to University Regulation UCF-4.010 Solicitation on Campus

## **NEW BUSINESS**

Marchena asked for a motion to reconsider the action taken on the concession award at the September 27, 2018 board meeting (item FF – 4). Garvy made a motion which Gaekwad seconded and it was approved. Sprouls recused himself from the vote.

Based on a revised recommendation from the Finance and Facilities Committee, Marchena entertained a motion to re-approve the Concession Award, item FF – 4 from the September 27, 2018 meeting with the stipulation that during negotiations staff consider the customer experience as it relates to product pricing and customer satisfaction. Garvy made a motion with Gaekwad providing a second and it was approved. Sprouls recused himself from the vote.

At the trustees' request and with the chairman's approval, a list identifying the board committee assignments will be shared with the trustees.

Whittaker initiated a discussion to consider increasing the university's reserve funds. After discussion, it was determined the Finance and Facilities Committee could consider this request before any further full board discussion.

## **ANNOUNCEMENTS AND ADJOURNMENT**

Marchena announced the following upcoming meetings:

Commencement	December 14-15, 2018 (CFE Arena)
BOT meeting	January 24, 2019 (Rosen College of Hospitality Management)

BOG meeting

January 30-31, 2019  
(Florida International University, Miami)

Marchena adjourned the board meeting at 3:05 p.m.

DRAFT



# FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Marchena—Marcos R.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>UCF Board of Trustees</i>	
MAILING ADDRESS <i>1619 Hanks Ave</i>		NAME OF STATE AGENCY <i>UCF</i>	
CITY <i>Orlando</i>	COUNTY <i>Orange</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	
DATE ON WHICH VOTE OCCURRED <i>11/15/18</i>			

## WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

### ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

\* \* \* \* \*

### APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

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IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.



## DISCLOSURE OF STATE OFFICER'S INTEREST

I, Marcos R. Marchena, hereby disclose that on November 15, 20 18 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;  
☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;  
☐ inured to the special gain or loss of my relative, \_\_\_\_\_;  
☒ inured to the special gain or loss of my OVC, by  
whom I am retained; or  
☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11/15/18  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



# FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>SPROULS JOHN R.</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>UCF BOARD OF TRUSTEES</b>
MAILING ADDRESS <b>6228 BLAKEFORD DR</b>		NAME OF STATE AGENCY <b>UCF</b>
CITY <b>WINDERMERE</b>	COUNTY <b>ORANGE</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED <b>11/15/18</b>		

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A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

\* \* \* \* \*

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## DISCLOSURE OF STATE OFFICER'S INTEREST

I, JOHN R. SPANIEL, hereby disclose that on NOVEMBER 15, 20 18:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;  
☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;  
☐ inured to the special gain or loss of my relative, \_\_\_\_\_;  
☒ inured to the special gain or loss of COMCAST NBCU, by  
whom I am retained; or  
☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

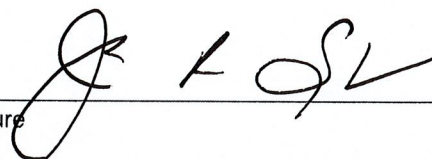
- RE-OPENING OF CONCESSION AGMT FOR UCF AREA -  
CONTRACT IS WITH AN AFFILIATE OF COMCAST NBCU,  
WITH WHOM I AM EMPLOYED.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

11/15/18

Signature



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CITY <b>WINDERMERE 11/15/18</b>	COUNTY <b>ORANGE</b>
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\* \* \* \* \*

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☐ inured to my special private gain or loss;

☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;

☐ inured to the special gain or loss of my relative, \_\_\_\_\_;

☒ inured to the special gain or loss of COMCAST NBCU, by whom I am retained; or

☐ inured to the special gain or loss of \_\_\_\_\_, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

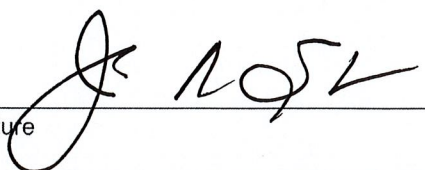
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

- CONCESSION AGMT FOX UCF ARENA - CONTRACT  
IS WITH AN AFFILIATE OF COMCAST NBCU, WITH  
WHOM I AM EMPLOYED.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11/15/18

Date Filed

Signature 

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.