

**Florida State College at Jacksonville
District Board of Trustees
Minutes of the April 9, 2019, Regular Meeting
Administrative Offices, Board Room 405, 1 p.m.**

PRESENT:

Karen E. Bowling, Chair
Candace T. Holloway, Vice Chair, Nassau County
Thomas R. McGehee, Jr., Vice Chair, Duval County
Michael M. Bell
J. Palmer Clarkson
D. Hunt Hawkins
O. Wayne Young

ABSENT:

Laura M. DiBella
Thomas J. Majdanics

CALL TO ORDER:

Chair Bowling called the meeting to order at 1:06 p.m. and welcomed those in attendance.

PLEDGE:

Chair Bowling led the Pledge of Allegiance.

MINUTES:

(Ref. Board Agenda for
April 9, 2019; Pages
201900313 – 331)

Chair Bowling asked the Board if there were any comments or recommended revisions to the Florida State College at Jacksonville (FSCJ) District Board of Trustees (DBOT) minutes – as a slate – of the February 12, 2019, Finance & Audit Committee Quarterly Meeting, on agenda pages 313 – 314; February 12, 2019, Workshop, on agenda pages 315 – 316; and February 12, 2019, Regular Meeting, on agenda pages 317 – 331; and there were none.

MOTION: (McGehee – Clarkson) The motion was made to approve the FSCJ DBOT minutes – as a slate – from the February 12, 2019, Finance & Audit Committee Quarterly Meeting; February 12, 2019, Workshop; and February 12, 2019, Regular Meeting, as recommended.

Motion carried unanimously.

REPORT OF THE COLLEGEPRESIDENT:

Spring Events:

Interim College President Kevin Hyde shared with the Board that the institution was certainly in a busy time of the year with many different student, faculty, staff and community events occurring, noting highlights from a few of the events.

Late last month, the College had the pleasure of welcoming Dr. Damon Tweedy, the author of this year's Author Series reading selection, "Black Man in a White Coat." Dr. Tweedy

visited both South and Kent campuses and spoke to an audience of students, faculty and staff on his life experiences and the book itself.

The fifth annual TEDxFSCJ Main Event was held on April 6 at South Campus. This year's event invited seven speakers to speak on various topics, all falling under the theme, "Reimagine the (Im)possible."

This week FSCJ is hosting the annual Student Life Skills Conference on April 11 and Faculty Colloquium on April 12. The SLS Conference offers workshops and networking opportunities that enhance learning and develop soft skills for our students. The Academy for Teaching and Learning's third annual Faculty Colloquium will engage faculty across all disciplines in a day of workshops and discussions designed to provide personal and professional enrichment.

The College's next Business Speaker Series event, titled "Game Changers: Disruptors in Various Industries," will be held on April 16 at the South Campus, 6 p.m. Melissa Ross will moderate a panel of experts from the logistics/supply chain, news/communications and medical industries who will provide insights on how their organizations identify opportunities and ensure relevance by strategically preparing for their futures. President Hyde encouraged Trustees to attend the event.

APC, CEC, Faculty Awards:

President Hyde shared with the Board that earlier this week, the College announced the recipients of the annual Administrative and Professional Collaborative, Career Employees' Council and Faculty awards. Students, faculty and staff were invited to submit nominations for the awards and, from those nominations, each group's selection committee chose the recipients. He asked the staff members receiving awards to please stand and be recognized.

Distinguished Faculty Awards

- Dr. Samantha Ertenberg, Professor of English
- Dr. Jose Lepervanche, Professor of Supervision and Management
- Dana Logan, Professor of History
- Dr. Daniel Powell, Professor of English
- Neil Schreiber, Professor of Accounting

Adjunct Faculty Award

- Donald Lafond, Professor of Computer Education

Administrative and Professional Collaborative Exceptional Service and Initiative Award

- Robyn Reese, Learning Management System Administrator

Career Employees' Council Recognition of Excellence Award

- Jermaine Lazenberry, Microcomputer Support Technician II

The full-time award recipients will receive \$1,000 and the adjunct faculty honoree will receive \$500. Additional recognition will continue throughout the academic year.

Site Visit from ACEN –
 Accreditation Report:

President Hyde shared with the Board that last week, FSCJ hosted a team from the Accreditation Commission for Education and Nursing (ACEN) to review the Associate of Science in Nursing program. He was happy to announce that the institution received preliminary results that the College program is in compliance for all standards. Based on this visit, the program will make continual improvements prior to their regularly scheduled visit in February 2020.

Commencement:

President Hyde shared with the Board that within the coming weeks they will be receiving communication regarding their participation in FSCJs Commencement 2019, which is scheduled for May 9 at the VyStar Veterans Memorial Arena. Information regarding timing, parking and all the other logistics is forthcoming.

New President Appointment:

President Hyde commended Presidential Search Committee Co-Chairs Trustees Bell and McGehee for their leadership and work on the search committee, and expressed his gratitude to the full Board for their guidance and thoughtful judgement throughout the entire presidential search process. He noted it had been his true honor to serve as FSCJs interim president as the Board searched for the ideal candidate to take the lead, and is confident that Trustees made the right choice in Dr. John Avendano. He also mentioned the community's strong positive reaction to their selection.

President Hyde stated that assuming Dr. Avendano's contract obtains approval later in the meeting his first call would be to him. He looks forward to a strong working relationship with Dr. Avendano as a means of transition to include work with the budget.

COMMENTS BY THE
 PUBLIC:

Chair Bowling opened the public comments segment of the meeting wherein members of the public were invited to make comments on matters before the Board's consideration.

Chair Bowling advised the Board that no member of the public had requested to speak. She asked if there were any comments by the Board, and there were none.

CONSENT AGENDA:
 (Ref. Board Agenda for
 April 9, 2019; Item 1, Page
 201900332)

Chair Bowling noted the Trustees had fully reviewed the Consent Agenda item prior to today's meeting and had the opportunity to discuss questions and/or concerns with the College President through individual Trustee conference calls, should they so desire. She then asked if any Trustee wished to remove the item for individual consideration/discussion under Action Items, and there were none.

ACTION ITEMS:
 (Ref. Board Agenda for
 April 9, 2019; Items 1 through
 3, Pages 201900333 – 336)

MOTION: (Holloway – Hawkins) The motion was made to approve the Consent Agenda, as recommended.

Chair Bowling asked if there were any questions or comments by the Board, and there were none.

Motion carried unanimously.

President Hyde presented the administration's recommendation on Action Item 1.A., Administration: College President Contract – John Avendano, on agenda pages 333-A – 333-Q.

MOTION: (McGehee – Clarkson) The motion was made to approve the College President Contract – John Avendano, as recommended. (Appendix A)

Chair Bowling asked if there were any questions or comments by the Board, and there were none.

Motion carried unanimously.

President Hyde presented the administration's recommendation on Action Item 2, Human Resources: Award of Continuing Contracts, on agenda pages 334 – 335.

MOTION: (Holloway – Hawkins) The motion was made to approve the Award of Continuing Contracts, as recommended.

Chair Bowling asked if there were any questions or comments by the Board, and there were none.

Motion carried unanimously.

President Hyde asked the faculty members receiving continuing contract status to please stand and be recognized.

Johnny Bowman, Professor, Logistics
Melissa Boyd, Professor, Communications
Andrew Bunch, Professor, Physical Science
Christina Goodell, Professor, Business
Joseph LaBarbera, Professor, Communications
Kyle Register, Professor, Biological Sciences
Sharon Rosenstiel-Spring, Professor, Biological Sciences
Caroline Sampson, Professor, Mathematics
Neil Schreiber, Professor, Business
Ryan Sessions, Professor, Biological Sciences
Paul Soar, Professor, Automotive
Sharon Sweet, Professor, Mathematics
Guerino Terracciano, Professor, Early Childhood Education
Pamela Trotter, Professor, Behavioral Sciences

President Hyde shared that the faculty members standing before the Board had demonstrated a standard of excellence and commitment to the College and its philosophy and mission, consistent with established criteria for award of continuing contract. He thanked all the members for their dedication to FSCJ.

President Hyde presented the administration's recommendation on Action Item 3, Facilities: Resolution to Sell Real Property Held by the College Located by Flagler Center Development ("Bartram Property"), on agenda page 336.

MOTION: (McGehee – Hawkins) The motion was made to approve the Resolution to Sell Real Property Held by the College Located by Flagler Center Development ("Bartram Property"), as recommended.

Chair Bowling asked if there were any questions or comments by the Board, and there were none.

Motion carried unanimously.

INFORMATION ITEMS:
 (Ref. Board Agenda for
 April 9, 2019; Items
 A – C, Pages 201900337
 – 371)

Chair Bowling asked the Board if there were any questions or comments related to Information Items A – C, on agenda pages 337 – 371, and there were none.

INTRODUCTION OF NEW
 EMPLOYEE(S):

Chair Bowling invited any new employee(s) and/or appointee(s) to stand and be recognized. There were no new employees nor appointees in attendance at the meeting.

REPORT OF THE BOARD
 CHAIR:

Chair Bowling reported that the Board a year ago at its April 10, 2018 meeting, appointed Mr. Kevin Hyde as interim College President. The results of his leadership, hard/efficient work, staying the course and working together are all noted within the numbers of the April 2019 Data Dashboard. It is also important to note that the progress in enrollment, financial aid and several other areas of improvement were mentioned in all the written reports that the Board received by the Governance Groups – all groups recognized the trend in improvements. However, Faculty Senate President Dr. John Woodward did have a plea for budgeting for faculty success within his report. In addition, she stated that the information received within the group reports are very helpful to Trustees.

Chair Bowling reminded Trustees of the two upcoming events:

- FSCJs 2019 Commencement – May 9
- DBOT Budget Workshop – May 21

REPORT OF THE BOARD
 FINANCE & AUDIT
 COMMITTEE CHAIR:

On behalf of the Finance & Audit Committee Chair Majdanics, Trustee Hawkins provided the Board with a summary of the April 2019 quarterly meeting, which included information regarding the College's annual audit reports, interim financial statement and fiscal prognosis and the FY 2019-20 preliminary budget outlook.

REPORT OF THE BOARD
 LIAISON, FSCJ
 FOUNDATION BOARD OF
 DIRECTORS:

FSCJ Foundation Board Liaison Holloway provided the Board with an overview of the written report relating to the FSCJ Foundation Board of Directors March 2019 quarterly meeting. (Appendix B)

REPORT OF THE
 PRESIDENTIAL SEARCH
 COMMITTEE CO-CHAIRS:

FSCJ Presidential Search Committee Co-Chair Trustee Bell thanked Co-Chair McGehee, Trustees DiBella and Young and all other members who served diligently on the search committee as well any employee who took the time to attend the various town hall meetings and/or complete the surveys.

REPORT OF TRUSTEES:

Trustee Holloway shared with the Board that she is a member of the Nassau Education Foundation, which recently completed their grant review cycle. The Foundation awarded a grant of \$1,000 for transportation along with other components to allow 11th and 12th grade Nassau County students from Fernandina Beach High School to travel to two FSCJ campus locations relating to workforce certification. This helps provide the students with the encouragement of a post-secondary education.

Trustee Holloway commended Vice President of Institutional Effectiveness and Advancement Dr. Marie Gnage and her team for their great work in Nassau County and inspirational ideas.

REPORT OF THE
 ADMINISTRATIVE AND
 PROFESSIONAL
 COLLABORATIVE (APC):

Administrative and Professional Collaborative Chair Lori Cimino provided the Board with a written report relating to current APC initiatives and activities. (Appendix C)

REPORT OF THE CAREER
 EMPLOYEES COUNCIL
 (CEC):

Career Employees Council Chair Robbie Peeples provided the Board with a written report relating to current CEC initiatives and activities. (Appendix D)

REPORT OF THE FACULTY
 SENATE (Senate):

Faculty Senate President Dr. John Woodward provided the Board with a written report relating to current Senate initiatives and activities. (Appendix E)

REPORT OF THE STUDENT
 GOVERNMENT
 ASSOCIATION (SGA):

Student Government Association Collegewide Executive President Ta’Nasha Parker addressed the Board via remote attendance and presented an overview of the written report relating to current SGA initiatives and activities. (Appendix F)

Trustee Young shared his appreciation for the SGA students who traveled to Tallahassee during the legislative session to advocate for FSCJ students. Additionally, he thanked FSCJs Director of Government Relations Ms. Virginia Haworth for her dedicated service as well.

NEXT REGULAR BOARD
 MEETING:

Chair Bowling announced the Board will meet on Tuesday, May 21, 2019, at the College’s Administrative Offices for a Budget Workshop. The workshop will convene at noon in Board Room 405.

ADJOURNMENT:


There being no further business, Chair Bowling declared the meeting adjourned at 1:35 p.m.

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APPROVAL OF MINUTES:



Chair, District Board of Trustees



Executive Secretary, District Board of Trustees

Submitted by: Ms. Kimberli Sodek, Secretary to the Board

**Florida State College at Jacksonville
District Board of Trustees**

AGENDA ITEM NO. A – 1.A.

Subject:	Administration: College President – John Avendano
Meeting Date:	April 9, 2019

RECOMMENDATION: It is recommended that the District Board of Trustees approve the appointment of Dr. John Avendano to the position of College President effective July 15, 2019. Dr. Avendano is being recommended at an annualized salary of \$290,000 and benefits as negotiated. It is also recommended that the Board approve the mutually agreeable employment contract for Dr. Avendano.

BACKGROUND: At its meeting on April 10, 2018, the Board approved the interim appointment of Mr. Kevin Hyde to the position of College President until such time as the position could be filled on a regular basis. The College engaged the services of AGB Search to assist in the search for a College President. Following the advertisement of the position, 74 applications were received and considered of which 12 applicants were identified for further consideration. At its meeting on April 3, 2019, the Board considered the three finalists as recommended by the Presidential Search Committee. Following a full discussion, the Board Chair was authorized to make the offer to Dr. Avendano and, with the assistance of Mr. Romualdo Marquinez (Assistant General Counsel) and Mr. Mark Lacey (Chief Human Resource Officer), to develop a mutually agreeable employment contract.

RATIONALE: Dr. Avendano is currently the president and CEO of Kankakee Community College in Illinois. He offers more than 30 years of community college experience including previously serving as the president of the Illinois Council of Public Community College Presidents and the past chair of the South Metropolitan Higher Education Consortium President's Council in Illinois.

Dr. Avendano's educational experience includes a bachelor's degree in exercise physiology and a master's degree in adult continuing education, both from Northern Illinois University. Additionally, he holds a doctorate in educational administration and foundations from Illinois State University.

FISCAL NOTES: The recommended salary is comprehended in the College's annual salary budget.

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**CONTRACT OF EMPLOYMENT
BETWEEN
DISTRICT BOARD OF TRUSTEES OF
FLORIDA STATE COLLEGE AT JACKSONVILLE
AND
JOHN AVENDANO, PH.D.**

THIS CONTRACT OF EMPLOYMENT (the "Contract") is entered into as of the ____ day of April, 2019, with an effective date of July 15, 2019, by and between the DISTRICT BOARD OF TRUSTEES OF FLORIDA STATE COLLEGE AT JACKSONVILLE, (the "Board" or "the Board of Trustees"), and John Avendano, Ph.D., ("Dr. Avendano " or the "College President"). The Board and Dr. Avendano will collectively be referred to as "the parties".

IN CONSIDERATION of the mutual agreements, covenants, terms and conditions referenced herein, the parties agree as follows:

1. **Term of Employment.** The Board agrees to employ Dr. Avendano as the President of Florida State College at Jacksonville ("the College") from July 15, 2019 through June 30, 2022 ("the Term") pursuant to the terms and conditions set forth herein. The anniversary date hereafter of this Contract shall be deemed to be July 1 of each year and the Board will review the contract annually prior to each anniversary and make such modifications to the length of the contract, the salary of the College President, or other terms and conditions as may be mutually acceptable to the parties. Dr. Avendano agrees to accept the position and perform the duties of the College President for the Term pursuant to the terms and conditions set forth herein.

2. **Duties.** Dr. Avendano shall be vested with and exercise the authority, powers, duties and responsibilities as are commonly held and exercised by college presidents as set forth in Florida Statutes § 1001.65 and F.A.C. § 6A-14.0261, which are incorporated within this Contract by reference and attached as Exhibit one (1) and Exhibit two (2). Further, Dr. Avendano shall exercise the responsibilities as authorized by the Board and conduct activities necessary to advance the interests of the College. Specifically, Dr. Avendano agrees to devote his full working time and attention to the duties and responsibilities pursuant to the Contract and assigned to him by the Board, including, but not limited to, the administration and implementation of policies, procedures and directives related to the continuing establishment, operations, maintenance and improvement of the College.

3. **Outside Activities.** During the Term, and subject to the approval by the Board, Dr. Avendano may engage in “outside activities” such as serving on boards of directors and membership or affiliation with local, state and national professional and civic organizations. Dr. Avendano’s activities may include engaging in the delivery of speeches, writing and consulting services. The referenced “outside activities” shall not conflict or interfere with the performance of his obligations pursuant to the Contract. Any service, membership or affiliation with an organization which is determined to be in the best interest of the College by the College President shall be presented to the Board Chair for approval. Further, any request(s) for reasonable reimbursement of expenses related to such outside activities shall be presented to the Board Chair for approval. The Board shall not unreasonably withhold or delay any approval requested by Dr. Avendano pursuant to Section 3 or elsewhere in this Contract.

4. **Compensation.** The Board shall pay Dr. Avendano for services rendered as follows:

- a. **Salary.** For the period July 15, 2019 through June 30, 2022, an annual salary of Two Hundred Ninety Thousand dollars (\$290,000.00) payable in semi-monthly installments, subject to revisions at annual performance review as mutually agreed between the Board and Dr. Avendano.

At the Board’s sole discretion and based on Board’s annual evaluation and assessment of the College President’s performance and achievement of established goals and objectives, the College President shall be entitled to a performance incentive of Fifty Thousand dollars (\$50,000.00) payable within thirty (30) days following the Boards’ acceptance of the Dr. Avendano’s annual evaluation and upon notice of these findings. The goals and objectives of Dr. Avendano’s 2019-2020 evaluation shall be agreed upon by Dr. Avendano and the Board on or before August 30, 2019. The goals and objectives and amount of the performance incentive for subsequent years of the Contract will be negotiated and agreed to by Dr. Avendano and the Board as part of Dr. Avendano’s annual evaluation. The agreed upon terms will be written and will amend this Contract by addendum.

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- b. **Insurance and Other Benefits.** Dr. Avendano is eligible for all Senior Management Class benefits as an employee as defined by College rules and procedures. The benefits provided to Dr. Avendano under this contract shall not be modified or cancelled unless he is provided with new or modified benefits substantially similar to or greater in quality or coverage than the modified or cancelled benefits.

The College shall pay the employer's health insurance premium costs for Dr. Avendano for: (a) base health plan; (b) dental; (c) vision; (d) disability and (e) life.

Dr. Avendano shall be responsible for paying the employee cost of the health insurance premiums for any dependent equal to the employee rate required of other full-time College employees.

- i. **Leave(s) of Absence.** Dr. Avendano shall receive vacation and sick leave benefits as follows:

- Two (2) days per month of vacation leave. Upon termination, any vacation leave balance shall be converted to and paid as compensation to Dr. Avendano at the then current per diem rate pursuant to the Rules of the Board of Trustees. One (1) day of sick leave per month which shall be accrued, used, and compensated upon termination per applicable Florida statute and the Rules of the Board of Trustees.

Dr. Avendano will be entitled to accept and retain any speaking fee or honoraria paid in connection to any speaking engagement or seminar when he is on approved vacation leave.

- ii. **Retirement.** Dr. Avendano will enroll in the State of Florida Retirement System (FRS) or may opt out of such in exchange for payment(s) by the College of eight percent (8%) of base salary to an approved 403(b) plan not to exceed the IRS annual compensation limit or the IRS annual 415(c) limits. These payments shall be made on a regular schedule through the

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College's payroll system.

- iii. **Deferred Compensation.** Senior Management Benefit Days earned and accrued at one-half day per month for the first seven (7) years of service pursuant to Board Rule. The balance shall be converted to compensation and paid upon termination after three (3) full years of service as provided for in Board Rule 6Hx7-3.63.
- iv. **Housing.** Dr. Avendano shall receive, as additional compensation, an annual housing allowance of Twenty-Five Thousand dollars (\$25,000.00), payable in semi-monthly installments.
- v. **Automobile Provision.** Dr. Avendano shall receive, as additional compensation, an annual auto allowance of Twelve Thousand dollars (\$12,000.00), payable in semi-monthly installments, in lieu of the purchase of a motor vehicle for use by the College President, reimbursement for mileage, tolls and parking.
- vi. **Sum of Compensation.** Except as otherwise provided in the Contract, it is understood and agreed that the terms specified herein represent the total compensation Dr. Avendano is entitled for the services he performed.
- vii. **Executive Physical.** Once per year, Dr. Avendano may elect to have an executive physical conducted by a health care provider of his choice. The College will pay or reimburse Dr. Avendano for the cost of the annual executive physical that is not otherwise covered by health insurance.
- viii. **Tax matters** All compensation and benefits provided by the Board pursuant to this Contract shall be subject to the customary withholding tax, social security tax, and other taxes as may be required by the State of Florida and the United States of America.

5. **Reimbursable Expenses.** Subject to Dr. Avendano providing receipts or other documentation in accordance with the Board's established policies and the College's procedures and rules, the College shall reimburse Dr. Avendano for the following:

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- a. Any reasonable moving expenses incurred by Dr. Avendano in connection with moving to the College's service area and with approval by the Board, upon presentation of receipts or other documentation sufficient to support the claim for reimbursement.
- b. The College shall reimburse, in the manner provided pursuant to the Board's established policies and the College's procedures and rules, reasonable fees and costs relating to membership dues for professional associations incurred by Dr. Avendano; for subscriptions for professional journals; and any other expense that is in the best interest of the College and is within the annual budget established by the Board.

6. **Withholding.** All payments under this Contract shall be made subject to applicable tax withholdings. The College shall withhold from any payments under the Contract all federal, state and local taxes as the College is required to withhold pursuant to any law or governmental rule or regulation. Dr. Avendano shall be solely responsible for all federal, state and local taxes due with respect to any payment received under this Contract.

7. **Travel.** Dr. Avendano is authorized to travel on behalf of the College if it is determined that it is in the best interest of the College. Dr. Avendano is required to notify the Board Chair, in writing, regarding travel outside the State of Florida, whether domestic or international, except for his personal leave. Dr. Avendano is required to provide an outline with regard to the period of domestic or international travel, the purpose, itinerary, funding (if other than the College) or gift and how he may be contacted while traveling.

8. **Code of Ethics.** Dr. Avendano is subject to the provisions of Chapter 112, Florida Statutes and acknowledges that he shall not have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the best interest of the College. Further, Dr. Avendano agrees that he is subject to and required to adhere to the following statutory provisions and rules:

- a. Florida Statutes, §112.313 concerning standards of conduct for public officers;
- b. Florida Statutes, §112.3145 with regard to full and public disclosure of financial

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interest

- c. Florida Statutes, §112.318 relating to gift disclosure;
- d. Florida Statutes, §112.3149 with regard to solicitation and disclosure of honoraria; and
- e. Board Rule 6Hx7-2.28 concerning Standards of Conduct and Compliance for Employees; and
- f. Administrative Procedure Manual Rule 02-0211, Standards of Business Conduct and Ethics.

9. **Performance Review.** The performance review shall be conducted annually pursuant to State Board of Education Rule 6A-14.026.

10. **Termination.** The Contract may be terminated pursuant to the following:

a. **Death or Disability.** In the event of the death or permanent disability of Dr. Avendano, the Contract shall terminate and Dr. Avendano or his estate, as the case may be, shall be due compensation and benefits hereunder only to the date of death or determination of disability by the Board.

i. **Death.** If Dr. Avendano dies while employed, the College shall pay to his spouse, executor, legal representative, administrator or designated beneficiary, as applicable and as a lump sum, all amounts earned or accrued, pursuant to paragraph 4.a. above, that have not been paid as of the date of his death, and all benefits accrued or earned before or upon his death in accordance with the terms of any applicable benefit plans and programs of the College described in paragraph 4 b. Except as otherwise set forth above or provided in Board Rule 6Hx7-3.64, the College shall have no further liability or obligation under the Contract to Dr. Avendano's spouse, executors, legal representatives, administrators, heirs or assigns or any other person claiming under or through Dr. Avendano.

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- ii. Disability. If Dr. Avendano is unable to perform the essential functions of his position with or without reasonable accommodation during the Term because of physical or mental injury or illness (“Disability”), subject to any limitations imposed by federal, state or local laws for the College to provide a reasonable accommodation to him, if such reasonable accommodation would not impose an undue hardship to the College and would enable him to satisfactorily perform the essential functions as the College President.
 - iii. Determination of Disability. Dr. Avendano, upon the request and at the expense of the Board, agrees at any time during the Term to submit to examination by a qualified physician or physicians to be selected by Dr. Avendano from a list consisting of not less than three physicians approved by the Board. Dr. Avendano authorizes the report of this examination to be submitted to the Board with a copy being forwarded to Dr. Avendano. Notwithstanding the examination, the Board shall comply with the terms of the Florida Civil Rights Act and/or Americans with Disabilities Act relating to discrimination against individuals with a disability and its obligation, as an employer, to reasonably accommodate individuals with a disability.
- b. Other Termination. The Board shall have the right to suspend or dismiss Dr. Avendano at any time, with or without cause.
- i. Dr. Avendano may be terminated if he receives a negative evaluation and by a vote of a majority of the Board not to be retained. In response, Dr. Avendano shall be dismissed, the Contract shall be terminated, and Dr. Avendano shall only be entitled to an amount equal to twenty (20) weeks of compensation of base salary at the time of dismissal as provided for in §215.425(4)(a)(1), Florida Statutes.
 - ii. Dr. Avendano may be dismissed without cause. If sub-paragraph (i) does not apply, Dr. Avendano shall be paid the remainder of his base salary at the time of termination for the balance of the term of the Contract, provided that the Board shall not pay any amount in excess of such salary for twenty (20) weeks from nontax revenues and nonstate-appropriated funds, the

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payment and receipt of which does not otherwise violate part III of chapter 112, Florida Statutes, as provided for in §215.425(2)(a), Florida Statutes.

- iii. Dr. Avendano may be terminated for cause. With termination for cause, the Board shall determine the amount, if any, of termination compensation to be provided consistent with Florida law including, without limitation, §215.425, Florida Statutes. Provided, however, that if Dr. Avendano is terminated for “misconduct” as defined by §443.036(30), Florida Statutes, as that section may be amended from time to time, the Board shall not pay Dr. Avendano any severance pay.

Reasons for termination, in the sole discretion of the Board, for cause shall include the following:

1. A deliberate and certain violation of his duties and responsibilities as set forth in the Contract, or his refusal or unwillingness to perform such duties and responsibilities in good faith and to the best of his abilities.
2. Any conduct constituting moral turpitude or dishonesty that result in public disrespect, contempt, or ridicule upon the College.
3. A serious and deliberate violation of a State or Federal law or rule that adversely reflects upon or affects the College.
4. Prolonged chronic and/or excessive absences from duty without the Board’s approval.
5. Misconduct as defined in §443.036(29), Florida Statutes.

Upon termination of the Contract, Dr. Avendano shall return, at a time and a place mutually agreed upon by the parties, all College property issued to him.

Dr. Avendano will have the authority to terminate the Contract with or without cause by providing reasonable notice, based on the circumstances. If Dr. Avendano provides reasonable notice, he will be required to complete his duties and responsibilities as determined by the Board. Dr. Avendano will be compensated through the effective date of his termination unless he fails to

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complete his assigned duties and responsibilities. The Board, in its sole discretion may withhold any accrued salary, compensation and benefits.

11. **Arbitration.** The parties hereby agree and consent that any dispute arising out of or relating to this Agreement or the breach, termination or validity thereof, shall be heard by and finally settled by arbitration conducted expeditiously in accordance with the American Arbitration Association (“AAA”) Rules. The parties hereby irrevocably waive all right to trial by jury in any action, proceeding or counterclaim (whether based in contract, civil responsibility/tort or otherwise) arising out of, or relating to, this Agreement. The parties agree and consent that Duval County, Florida shall be the jurisdiction and venue for any such arbitration. Any arbitrator not appointed by a party shall be appointed from the AAA Roster of Neutrals. The arbitration shall be governed by the United States Arbitration Act and any judgment upon the award decided upon by the arbitrators may be entered by any court having jurisdiction thereof. The arbitrators are not empowered to award damages in excess of compensatory damages and each party hereby irrevocably waives any damages in excess of compensatory damages but the arbitrators may, in their discretion, award a party’s reasonable costs and expenses (including, without limitation, reasonable attorneys’ fees and disbursements) in connection with such party successfully prevailing in a dispute.

12. **Survivorship.** The respective rights and obligations of the parties under the Contract shall survive any termination of Dr. Avendano’s employment to the extent necessary to the intended preservation of such rights and obligations.

13. **Notices.** All notices and other communications required or permitted under this Contract or necessary or convenient in connection with it, shall be in writing and shall be deemed to have been provided when hand delivered or mailed by registered or certified mail, to the following:

To the College:

Chair, District Board of Trustees
Florida State College at Jacksonville
501 West State Street
Jacksonville, FL 32202

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with a copy to:

Office of General Counsel
Florida State College at Jacksonville
501 W State Street, Room 403
Jacksonville, FL 32202

To John Avendano, Ph.D.:

John Avendano, Ph.D.
Office of the College President
501 West State Street
Jacksonville, FL 32202

14. **Entire Contract, Amendment and Assignment.** The Contract supersedes and replaces any prior understandings between the parties, whether written or oral. The Contract sets forth the entire understanding between the parties with respect to its subject matter, and cannot be changed, modified, extended or terminated except upon written amendment approved by the Board and executed on its behalf by a duly authorized member of the Board and by Dr. Avendano. All of the terms and conditions of the Contract shall be binding upon and inure to the benefit of and be enforceable by the Board and the respective, heirs, executors, administrators, legal representatives, successors and assigns of the parties, except that the duties and responsibilities of Dr. Avendano under the Contract are of a personal nature and shall not be assignable or delegable in whole or in part by him.

15. **No Conflicting Agreements.** Dr. Avendano represents and warrants that he is free to enter into this Contract, acknowledges its' terms and conditions and is prepared to perform as stated herein. Dr. Avendano is not a party to any existing agreement which would prevent him from entering into and performing the Contract.

16. **Severability.** If any provision of the Contract is adjudicated to be invalid or unenforceable in any jurisdiction, such invalidity or unenforceability shall not affect any other provision or application of the Contract which can be given effect without the invalid or unenforceable provision or application and shall not invalidate or render unenforceable such provision or application in any other jurisdiction. If any provision is held void, invalid or

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unenforceable with respect to particular circumstances, the Contract shall nevertheless remain in full force and effect in all other circumstances.

17. **No Waiver of Remedies.** No delay or omission by a party in exercising any right, remedy or power under the Contract or existing at law or in equity shall be construed as a waiver by that party, and any such right, remedy or power may be exercised by such party from time to time and as often as may be deemed expedient or necessary by such party in its sole discretion.

18. **Beneficiaries/References.** Dr. Avendano shall be entitled, to the extent permitted under any applicable law, to select and change a beneficiary or beneficiaries to receive any compensation or benefit payable under the Contract following his death by giving the College written notice thereof. In the event of Dr. Avendano's death or a judicial determination of his incompetence, references in the Contract to Dr. Avendano shall be deemed, where appropriate, to refer to his beneficiary or beneficiaries, estate or other legal representative, as appropriate.

21. **Miscellaneous.** All section headings used in the Contract are for convenience only. The Contract may be executed in counterparts, each of which is an original. It shall not be necessary in making proof of the Contract or any counterpart of it to produce or account for any of the other counterparts.

22. **Governing Law.** The Contract shall be governed by and interpreted under the laws of the State of Florida, State Board of Education Rules, and Board policies and regulations now existing or hereafter enacted or promulgated.

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Given under our hands and seals this _____ day of April, 2019, at Jacksonville, Florida.

Attest:

DISTRICT BOARD OF TRUSTEES OF
FLORIDA STATE COLLEGE AT
JACKSONVILLE

By:

Chair, Karen Bowling

Attest:

COLLEGE PRESIDENT

By:

John Avendano, Ph.D.

Exhibit one (1) – POWERS AND DUTIES

As provided in §1001.65, Florida Statutes¹, the President's powers and duties are set forth and include the following:

The president is the chief executive officer of the Florida College System institution, shall be corporate secretary of the Florida College System institution Board of Trustees, and is responsible for the operation and administration of the Florida College System institution. Each Florida College System institution president shall:

- (1) Recommend the adoption of rules, as appropriate, to the Florida College System institution Board of Trustees to implement provisions of law governing the operation and administration of the Florida College System institution, which shall include the specific powers and duties enumerated in this section. Such rules shall be consistent with law, the mission of the Florida College System institution, and the rules and policies of the State Board of Education.
- (2) Prepare a budget request and an operating budget pursuant to Florida Statutes §1011.30 for approval by the Florida College System institution board of trustees at such time and in such format as the State Board of Education may prescribe.
- (3) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, within law and rules of the State Board of Education and in accordance with rules or policies approved by the Florida College System institution Board of Trustees.
- (4) Govern admissions, subject to law and rules or policies of the Florida College System institution Board of Trustees and the State Board of Education.
- (5) Approve, execute, and administer contracts for and on behalf of the Florida College System institution Board of Trustees for licenses; the acquisition or provision of commodities, goods, equipment, and services; leases of real and personal property; and planning and construction to be rendered to or by the Florida College System institution, provided such contracts are within law and guidelines of the State Board of Education and in conformance with policies of the Florida College System institution Board of Trustees, and are for the implementation of approved programs of the Florida College System institution.

¹ Florida State College at Jacksonville is referred to as "the Florida College System Institution" within Florida Statutes, §1001.65.

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- (6) Act for the Florida College System institution Board of Trustees as custodian of all Florida College System institution property and financial resources. The authority vested in the Florida College System institution president under this subsection includes the authority to prioritize the use of Florida College System institution space, property, equipment, and resources and the authority to impose charges for the use of those items.
- (7) Establish the internal academic calendar of the Florida College System institution within general guidelines of the State Board of Education.
- (8) Administer the Florida College System institution's program of intercollegiate athletics.
- (9) Recommend to the Board of Trustees the establishment and termination of programs within the approved role and scope of the Florida College System institution.
- (10) Award degrees.
- (11) Recommend to the Board of Trustees a schedule of tuition and fees to be charged by the Florida College System institution, within law and rules of the State Board of Education.
- (12) Organize the Florida College System institution to efficiently and effectively achieve the goals of the Florida College System institution.
- (13) Review periodically the operations of the Florida College System institution in order to determine how effectively and efficiently the Florida College System institution is being administered and whether it is meeting the goals of its strategic plan adopted by the State Board of Education.
- (14) Enter into agreements for student exchange programs that involve students at the Florida College System institution and students in other institutions of higher learning.
- (15) Approve the internal procedures of student government organizations and provide purchasing, contracting, and budgetary review processes for these organizations.
- (16) Ensure compliance with federal and state laws, rules, regulations, and other requirements that are applicable to the Florida College System institution.
- (17) Maintain all data and information pertaining to the operation of the Florida College System institution, and report on the attainment by the Florida College System institution of institutional and statewide performance accountability goals.
- (18) Certify to the department a project's compliance with the requirements for expenditure of PECO funds prior to release of funds pursuant to the provisions of chapter 1013, Florida Statutes.

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- (19) Provide to the law enforcement agency and fire department that has jurisdiction over the Florida College System institution a copy of the floor plans and other relevant documents for each educational facility as defined in Florida Statutes, §1013.01(6). After the initial submission of the floor plans and other relevant documents, the Florida College System institution president shall submit, by October 1 of each year, revised floor plans and other relevant documents for each educational facility that was modified during the preceding year.
- (20) Establish a committee to consider requests for waivers from the provisions of Florida Statutes, §1008.29 and approve or disapprove the committee's recommendations.
- (21) Develop and implement jointly with school superintendents a comprehensive dual enrollment articulation agreement for the students enrolled in their respective school districts and service areas pursuant to Florida Statutes, §1007.271(21).
- (22) Have authority, after notice to the student of the charges and after a hearing thereon, to expel, suspend, or otherwise discipline any student who is found to have violated any law, ordinance, or rule or regulation of the State Board of Education or of the Board of Trustees of the Florida College System institution pursuant to the provisions of Florida Statutes, §1006.62.
- (23) Submit an annual employment accountability plan to the Department of Education pursuant to the provisions of Florida Statutes, §1012.86.
- (24) Annually evaluate, or have a designee annually evaluate, each department chairperson, dean, provost, and vice president in achieving the annual and long-term goals and objectives of the Florida College System institution's employment accountability plan.
- (25) Have vested with the president or the president's designee the authority that is vested with the Florida College System institution.

Exhibit two (2) - POWERS AND DUTIES

Florida Administrative Code Section 6A-14.0261 provides for the general powers of the President.

The president shall:

- (1) Exercise general oversight of the College to determine needs and recommend improvements.
- (2) Advise and counsel the Board of Trustees and recommend Board action.
- (3) Recommend and enforce rules of the Board of Trustees.
- (4) Recommend and enforce minimum standards for the operation of college programs and for student completion of instructional programs.
- (5) Perform duties and exercise responsibilities assigned by law, by rules of the State Board of Education, and by the Board of Trustees.
- (6) Delegate authority necessary to insure that laws and rules are executed efficiently.

FLORIDA STATE COLLEGE AT JACKSONVILLE FOUNDATION TRUSTEE CANDACE HOLLOWAY

REPORT TO THE DISTRICT BOARD OF TRUSTEES ON APRIL 9, 2019

The Foundation's Board last met on March 6, 2019.

In the absence of President Hyde, who could not attend the meeting, it was my pleasure to provide the Board with the College President's Quarterly Report. My brief report focused largely on progress being made in the presidential search process. Several members of the Foundation Board have served on the Presidential Search Committee, and plans are currently underway for the entire Foundation Board to have a chance to meet and greet the final three candidates.

Following my report, Mr. Warren brought the Board up to date on plans for the Foundation's 3rd annual hosting of donors, prospective donors and friends of the College and Foundation to the 2019 Tournament Players Championship of Saturday March 16th. This year's guest list included representatives from the Scheidel Family Foundation, Baptist Health Foundation, The Blue Foundation, Frisch Family Foundation, the Ellis Rowe Family Foundation, and corporate partners such as Rayonier Advanced Materials, First Coast Federal Credit Union, Lee Wesley Enterprises, and Baptist Health Systems.

Following his update Mr. Warren then introduced Ms. Angela White; Director of Alumni Development, and Ms. Christie Vint; Foundation Support Manager, who gave respective updates on activities of the Alumni Association, and Foundation efforts to provide the Board with regular measures of operational performance in fund development, alumni affairs and Artist Series activities.

Ms. Mack also introduced the Alumni Advisory Council's newly elected Interim-Chairperson, Mr. Charles Moreland. Mr. Moreland is an FSCJ graduate, former Director/Chief of Jacksonville Fire and Rescue Department, and is currently serving in Mayor Curry's Administration as Director of Community Affairs.

Following the updates by Ms. Mack and Ms. Vint, the Foundation's Treasurer; Mr. Wilson Studstill, advised the Board of the pending receipt of the Foundation's independent audit, and shared that review and approval of the audit by the Finance Committee, and subsequently the Board, would follow soon thereafter.

Mr. Studstill also thanked members of the Board who attended the January 16th Investment Advisory Committee meeting, where the Foundation's investment advisors, the Commonfund, gave an update on the Private Equity component of the portfolio.

The next regular meeting of the Investment Advisory Committee is scheduled for Wednesday, April 3rd. The next regular meeting of the Foundation's Finance, Audit and Compliance Committee is Wednesday, May 1st.

There were two action items on the Foundation Board agenda; one to approve the recommendation of the Alumni Advisory Council of Ms. Susan Amburgey (AA '13, BAS '16) as the 2019 recipient of the FSCJ Distinguished Alumni Award; and the other, to approve former Foundation Board member Mr. Carl Cannon as Board Member Emeritus. Both items were unanimously approved.

The Board meeting concluded with a reiteration by the Board's Chair, Ms. Martha Barrett, of committee assignments and a reminder of the Board's next regularly scheduled meeting on June 12th.

I also took the opportunity to commend the Foundation staff and Board for a job well done with the organization and conduct of the Donor Appreciation and "The Power of Possible" Scholarship Luncheon hosted by Florida Blue on December 10th. The event was well attended. Net proceeds from the event coupled with other gifts received from Florida Blue will form the corpus of the Power of Possible Scholarship Fund.

Reports on the Foundation's Finance and Audit Committee and its Investment Advisory Committee were given by the Board's Treasurer, Mr. Wilson Studstill, who chairs both committees. Mr. Studstill reported on results for the year-ending 9/30/2018, and gave an informing brief on the composition and performance of the marketable securities component of the Foundation's investment portfolio.

A similar update on the Private Equity component of the investment portfolio was saved for a January 16th meeting of the Investment Advisory Committee, meeting as a "committee of the whole," where the Foundation's advisors from the Commonfund gave a very informing brief.

The meeting concluded with the Board Chair Ms. Martha Barrett, taking the opportunity to re-align the Board's standing committees given the reconstitution of the Board from 10 to now 21 members.

Ms. Barrett also asked the Board's "immediate past Chair", Mr. Jeff Edwards, to serve as Assistant Treasurer to back up to Mr. Studstill, who anticipates being a little less available in the remaining year of his term as Treasurer, due to other competing civic commitments.

The Board's next meeting is scheduled for Wednesday March 6th where it is anticipated its 2017-18 external audit will be ready for review and approval.



Date: April 9, 2019

To: Florida State College at Jacksonville District Board of Trustees

From: Lori Cimino
Chair, Administrative and Professional Collaborative 2018-19

Re: April 2019 Administrative and Professional Collaborative Report

Chair Bowling and Trustees:

On behalf of the APC, Happy Spring! As you can imagine, the buzz in the air includes both excitement and angst over the final selection of our next College President. With that said, the overall pulse is a readiness for moving forward in continuing our great work, gaining cultural stability, and becoming closer to our full potential as our community's College.

I want begin with a repeated heartfelt expression of gratitude to Trustees Bell and McGehee in their leadership as co-chairs and Trustees DiBella and Young for their high level of engagement on the Presidential Search Committee. Under the direction of our co-chairs and AGB Search, the screening process was professional, efficient, and thorough, but more importantly, it was collegial and collaborative. The opportunity to engage in a committee with so much passion for FSCJ and the community we serve was incredibly inspiring. Specifically, I would like to formally extend my appreciation for the 'voices' of our SGA President, Faculty Senate President, Career Employees Council Chair, and Faculty Union President. It was equally refreshing to observe so many external members of FSCJ engaged and genuinely interested in serving on this committee and continuing to develop relationships and partnerships. Finally, it is important to note the incredible support from our HR/Communications team who were involved. This entire team's commitment and affection for FSCJ was ever present. I am also proud to report, several of these professionals are A&Ps and another great example of the work this employee group does for our College.

One of the most rewarding aspects of serving as the APC Chair this academic year has been the ability to continue to engage with so many talented and respected Administrative and Professional employees across the College. One such employee is the recipient of the A&P Exceptional Service and Initiative Award, Robyn Reese. During Robyn's tenure, she has worked tirelessly to streamline our Learning Management System (LMS), specifically the transition from Blackboard to Canvas. Robyn has approached this challenge with tenacity and resolve, all the while remaining focused on its impact upon other departments. In choosing the recipient, the committee considered many factors, including integrity, creativity, and professionalism. Robyn set herself apart from others by demonstrating an innate ability to collaborate with various departments across multiple disciplines. She has served as a sounding board for issues and a fantastic resource for implementing our new LMS. Robyn is yet another shining example of the many roles that A&Ps have at this institution and the beauty of the 'trees' amongst our forest.

Other important work that many A&Ps have or will be involved with in planning and executing include:

- March 1, Employee Wellness Fair
- April 4, Spring Career Fair
- April 6, TEDxFSCJ
- May 9, Commencement

Additionally, many other A&Ps are working through College processes that go beyond a single day such as our annual inventory, budget development, IT scheduled maintenance, facilities upgrades, and technology upgrades and replacements. Each of our A&P colleagues plays an important role to what happens every day at FSCJ to ensure that students, faculty, and staff have the support and resources needed. The collective work we do to support the many facets of the College can be seen in every space of every building at every turn.

As a collaborative, the APC continues to provide opportunities for both seasoned and new employees to network within the College community through ongoing events. On February 14, the APC hosted a Brown Bag Lunch with Vice President of Student Services Dr. Linda Herlocker. This event was well attended and the participant feedback was extremely positive. We are consistently working to build relationships across the College and are actively listening to our colleagues to better identify ways we can share their 'voice.'

One of the goals of the APC as we round out this academic year is to begin an exploration the NILIE Survey information. It is our hope that we can gather some insight into the 'why' and compile some ideas as to 'how' we can continue to develop a positive culture and climate at the College.

As we round out the Spring Term and begin moving toward the Summer Term, the APC has several upcoming events scheduled. We would like to invite members of the Board to join us for any of our upcoming events.

Upcoming Events:

- Thursday, April 18 – Brown Bag Event, Chief Information Officer Mr. Ron Smith – Deerwood Center Theater, noon – 1 p.m.
- Thursday, April 25 – APC Social Networking, Chuy's Town Center, 5:30 – 7:30 p.m.
- Saturday in May/June (date TBD) – Jacksonville Jumbo Shrimp Networking Event

For more information about the APC or to 'see' the faces of some of our A&P professionals at the College, check out our APC blog, <https://blogs.fscj.edu/apcollaborative>. Here you will also find our monthly spotlights, bylaws, meeting schedule, and a listing our events and membership.

Respectfully,

Lori Cimino, M.Ed., NIC-Advanced

Instructional Program Manager, ASL/English Interpreting and Digital Media
Administrative and Professional Collaborative Chair 2018-19



Date: April 9, 2019
To: Florida State College at Jacksonville District Board of Trustees
From: Robbie Peeples, Career Employees' Council Chair
Re: April 2019 CEC Report

Chair Bowling and Trustees:

I want to applaud you all for example of process you demonstrated in the Presidential Search during the meetings on the final day. The committee work and process was an example on its own however your provision allowing us to bring summary feedback from our constituents and the action you took shows your commitment to the process, collaboration and respect for all stakeholders. We expressed concern about timing and last-minute information and you respected and addressed it. During that process, some outside of the board and committee didn't understand it, but you acknowledge it and it proved to be relevant as some on the board had similar concerns about time to assess data and last-minute information was addressed I believe, to the satisfaction of all. The result, a decision we all stand behind and feel proud of without any reservation.

You have led by example and I am grateful for your demonstration of collaborative leadership and will personally share this as a model that should be replicated thought out this College.

Thank you again for all you do for FSCJ.

Sincerely,

A handwritten signature in blue ink that reads "Robbie Peeples".

Robbie Peeples
Career Employees' Council Chair
Florida State College at Jacksonville
904-381-3702 / robbie.peeples@fscj.edu



April 3, 2019

To: Florida State College at Jacksonville District Board of Trustees.
From: John A. Woodward, PhD
Re: March/April Report

Chair Karen Bowling and Trustees:

I want to publicly recognize from the outset the really stellar work done by Trustees Bell and McGehee. The presidential screening committee was one of the best professional experiences I have had at the institution. I think I can speak for the faculty and staff who were involved that we felt very comfortable in speaking our minds, in probing into the difficulties the institution has faced, and in expressing exactly what we are seeking in a new president in both the advertisement and in the actual interview stage. We had candid conversations about the qualities of each candidate and I know that we each valued the others' opinion and really did seek the best candidate for the institution. The committee was a model of the type of collegiality the institution as a whole should embrace—importantly in how Trustees Bell and McGehee allowed the committee to do its work, engaged with the members in the process, and did not push any specific outcome. And so, I want to thank Trustees Bell and McGehee for running such an excellent committee and all the members of the committee for dedicating the time they did to selecting our candidates.

I look forward to working with the president Avendano to develop a plan forward for the institution. My priorities are to protect the academic freedom of the faculty; help the administration understand the value of budgeting for faculty success and reinvention, as well as moving more of our budget back towards direct instructional costs; reinvigorate academic rigor without ramping up workloads for our already stressed students.

One of the threats to our institution and all of higher education is emerging in a desire to regulate discourse through focusing on what are called 'underrepresented viewpoints.' This is a reaction to some events that have happened around the nation but also one that happened on a campus here in Florida. The legislature has already passed legislation assuring that speech is broadly protected (even potentially odious speech) at state institutions. This was seemingly in reaction to Richard Spencer being briefly disallowed from speaking on campus after Heather Heyer was murdered in Charlottesville by one of Spencer's white-supremacist followers. He was eventually allowed to speak in Gainesville, a decision that prevented an inevitable court order. This proved unequivocally that even a man who promotes the "peaceful ethnic cleansing" of all non-white people from the United States has the right to speak at public institutions of higher education. So the right to express even odious views is assured. The current attempt seems to be oriented towards the faculty itself and towards assuring that more faculty with certain political viewpoints are made a part of the academy, or at least that certain viewpoints are represented in the classroom. Even though this is currently oriented towards the university system, we are concerned. There is a laundry list of reasons why the proposal is a bad idea—not the least of which is that such a political restriction of the faculty bodies' right to teach and to hire their colleagues would be dangerous to our basic freedom as intellectuals, a freedom which has been upheld in a number of higher court cases.

Luckily, we prepare our students to navigate these difficulties, not by giving them answers but inspiring them to ask questions and seek evidence. This is why rigor is such an important part of what we do and should be a continual discussion at this institution if not every institution. This is also why president Avendano needs to be mindful of dual pressures on an institution such as ours: a pressure to focus on boosting 'pass rates' and retention in order to achieve a higher status for performance-based funding; a pressure to be rigorous and prevent students from moving on if they have

not mastered certain content or skill sets. We must focus on enrollment and retention. That is an ethical responsibility of the institution. But it is also an administrative one. Faculty must feel that when they determine a student has not mastered the material or skill-set and should not move on that the administration will in no way punish them. Unfortunately, the faculty do not currently feel this support—and the reasons are probably more about historical trauma than anything that has happened recently. No matter the cause, the culture of the administration must shift from “if the student is not mastering the material, you are at fault, and our institution will lose money” to a more nuanced set of mentoring relationships, leveraging the ability and professional acumen of the established faculty whenever needed. No one should mention pass rates in evaluations of faculty—they should be banished from our professional vocabulary. And student success must not become short-hand for pass rates. I hope the new president will uphold those values and recognize the responsibility of the college community outside of the classroom in structuring an academic environment for the students and thus leading them towards success inside of the classroom as well. We have a committee in Senate which is taking a look at some of our concerns with rigor and how a lack of rigor negatively affects the equitable outcomes our students and our community expects. We have seen some places that need further examination, and I hope to be able to report positive news to you either in June or in September.

I have written at length about the importance of budgeting for our faculty success and for budgeting in such a way that the values of the institution are expressed in the ratios one finds in the budget. I have written how budgeting for faculty travel amounts to a small portion of the overall budget for travel at the institution. I am unaware of the negotiations in budgeting that are underway, but I hope that our request for an increase will work its way into the final form. But I was also recently made aware of the following data. According to the [2015-2016 Florida State College System Annual Cost Analysis of Expenditures by Function](#), we expended \$57MM for direct instruction of students, which was 40% of the total budget. Some of our stellar competition did slightly better. For example, St. Petersburg State College expended \$65MM or 44.1% and Broward State College expended \$76MM or 44.3% of the total expenditures paid for direct instruction. Valencia, a school we occasionally seek to model ourselves on, spent \$88MM or 48.9% of the total expenditures on direct cost for instruction. On paper, these are significantly different priorities. And truthfully, I am unsure just looking at the numbers how their priorities are reflected in those numbers and whether there are other vagaries of budgeting and reporting that do not come through clearly. What I encourage for the new administration is a process of budgeting that looks to work through a strategic plan but also returns to some fundamental and very old strategies for boosting faculty academic and pedagogical skills—i.e. conference and other professional development travel.

I want to end on a more positive note and in regards to the power of administrative support for our projects. Not only will we have the 5th Annual FSCJ Student Research Conference on April 5 thanks in no small part to administrative support, but events such as the Jax-by-Jax and TEDxFSCJ are only successful due to the investment of both manpower and money by the administration. My colleague and stellar faculty member Dr. Maureen McCormick also leveraged this support to engage her students in a very large and important project where students transcribed the records of African American men who enlisted in the Union forces during the Civil War. Not only were students able to connect with actual historical documents in an archive setting but they were also helping to convert this physical archive into a digital archive, advancing the research into this period of our history. I would like to publicly thank and congratulate Dr. McCormick for her really phenomenal work. She is an example of the brilliance of our faculty and of the excellent academic work we can accomplish when we work together with the support of the administration.

That concludes my report to the board.

Respectfully,



John Arrington Woodward, PhD
Professor of Humanities and Film Studies
Faculty Senate President
C2326B, DWC
Florida State College at Jacksonville
997-2703
john.a.woodward@fscj.edu

Date: April 9, 2019

To: Florida State College at Jacksonville District Board of Trustees

From: Florida State College at Jacksonville Student Government Association Executive Board

Re: February 2019 to March 2019 Student Government Association Report

Chair Bowling and Trustees,

The Student Government Association (SGA) is the voice of the student body at Florida State College at Jacksonville (FSCJ). Please see the following updates and accomplishments for the period of February 2019 to March 2019.

Since the last report, the SGA has accomplished the following:

- Members of the SGA traveled to Tallahassee, FL to attend the FCSSGA Legislative Conference to advocate for the students of FSCJ. Along with Director of Government Relations Virginia Haworth, SGA members met with legislators from both Duval and Nassau County to advocate for a transcript fee waiver for active duty and certain veterans, state their opposition to concealed fire arms being carried on campus, and funding for the FSCJ STEM Center. While in Tallahassee, two SGA members were also interviewed by Director of External Affairs for the Florida College System on their experiences as students at FSCJ.
- SGA members served or continue to serve on the following committees: Canvas Transition, Curriculum, Innovation, and Advanced Technology as well as the Presidential Search Committee.
- The SGA Policy Committee has finalized revisions to the SGA Constitution. FSCJ students will voted on the proposed changes in the mid-April SGA elections.
- SGA officers and members continue to collaborate with campus administration about various student concerns by engaging in their campus club and leadership meetings.
- We are proud to share that SGA members participated in the Scholarship Selection Committee and advocated for the distribution of nearly \$3 million dollars in scholarship funds. This will remove a tremendous amount of financial barriers for our students.
- SGA members volunteered with Rethreaded, a local nonprofit agency that benefits survivors of human trafficking.
- The Activity & Service (A&S) Fee Committee will resume meetings in April. Members of the SGA Executive Board will continue to serve on this committee to assist with the allocation of funding for FSCJ student organizations.
- Student lead campus engagement events continue across campuses. Recently, campuses hosted events such as; student feedback tables, dodge ball games, and "Minute to Win It" games to interact and network with students.
- Members of the FSCJ SGA will travel to Hillsborough Community College - Dale Mabry Campus to participate in the Florida College System Student Government Association Year End Conference. They will vote to elect next year's officers in FCSSGA as well as present and attend leadership education sessions.
- Finally, the SGA would like to congratulate Dr. John Avendano on his appointment as FSCJ's next President. We look forward to working with Dr. Avendano as he settles into his new leadership role.

On behalf of the student body, we extend our deepest gratitude to the District Board of Trustees and President Kevin Hyde for continuing to provide us the opportunity to foster such a thriving environment. Thank you for your time and all that you do for the students of FSCJ.

Sincerely,
Ta'Nasha Parker
FSCJ Student Government Association President