Call to Order and Chairman's Comments:

Chairman Arnold called the meeting to order at 2:05 pm.
Agenda Presented:

Action Items:

Approval of April 18, 2003 Minutes

The Workgroup unanimously approved the April 18, 2003 Minutes.

Approval of April 29, 2003 Conference Call Minutes

The Workgroup unanimously approved the April 29, 2003 Minutes.

2004-05 Fixed Capital Outlay Budget Request

Dr. Carl Carlucci advised that the University is required to annually update its Capital Improvements Plan (CIP) pursuant to Sections 216.0158, 216.043 and 1013.64, Florida Statutes. He noted that a description of the State Board of Education 2004-05 Fixed Capital Outlay (FCO) Budget Request for the State University System has been posted to the Workgroup website. There are two sections that need approval by the Board of Trustees, which include the 5 year Capital Improvement Plan and the requested for legislative authorization. Dr. Carlucci reviewed what was approved on August 22, 2002 by the Board of Trustees and advised that it is listed on the Board of Trustees website. An approved request should be forwarded by August 1, 2003 to the Chancellor. Provided that the President and Campus CEOs agree, Dr. Carlucci suggests that the approved CIP list from last year be forwarded to the Chancellor. Additionally, that the campuses do not add new items to the list submitted for 2003-04 or alters priorities. He suggests that all the completed items from last year’s list be removed and advance the remaining projects. The costs associated with projects will be modified, per the numbers provided by the Office of Facilities Planning, and numbers will be updated to reflect proposed staging changes. The Chancellor indicates that there is $56.8 million dollars available in 2004-05 for all Florida Public Universities, which is a small amount and could be easily used up by the USF’s request alone. He will take the suggested list back to the President and to the Campus CEOs. The Campus CEOs will discuss the issue with their Boards and then the Campus CEOs and the President will bring a proposal for approval to the Full Board of Trustees at a meeting that will have to be called prior to August 1. He is asking that the Workgroup allow that process to take place. He is aware of discussions regarding new projects being added and if that is something the Board would like to entertain then that would change the list and the priorities on the list. Trustee Arnold clarified that the Board being referred to is the overall Board of Trustees not the Workgroup. He noted that the point of today’s presentation was to point out the direction Dr. Carlucci as the University’s Chief Financial Officer would like to take to the COEs and President and that the Workgroup is not reflecting on that at this point and not passing judgment on his recommendation for or against that policy – it is just a point of information. Dr. Carlucci noted that due to the accelerated schedule it will need to go to the Full Board of Education by August 1. Trustee Arnold confirmed that within the next two weeks issues discussed could be resolved regarding the allocations and Dr. Carlucci’s recommendations and still meet the 8/1 deadline noting that it would still have to go through the Board of Trustees before being sent on. A special meeting is being requested between today and 8/1. Trustee Arnold asked that since the Workgroup will not need to react to the issue that the CEOs schedule a meeting and if appropriate he would attend. He clarified that that what is
being requested is dollars to build buildings and maintain existing facilities, which is separate from operating budgets and tuitions, etc. The strategic plan calls for the University to add students along with a mandate to grow the regional campuses both from the legislature and the overall Board of Trustees, which requires funding, and if we can’t keep up with the demands we can’t serve the student. It is a big dilemma for everyone at this stage because of not enough money to build the classrooms to serve the people that we have and to build the campuses. He thanked Dr. Carlucci for his report.

Dr. Carlucci added that the second part of the required submission is requested legislative authorization which includes authorization to bond and last year this was approved by the Board and is available on the Board website. At this point no new requests have been received. The Legislature would be asked to reauthorize any bond request that was not initiated last year. Dr. Nixon asked when the deadline for submission was. The deadline is August 1. The requests will come before the Legislature and there will be changes. He noted that those who did not have their information on the list for Commissioner Horn had a difficult time adding items later. Trustee Duncan confirmed that the St. Petersburg Campus had their items on the list. It is an important conversation and how the response is approached is important. Trustee Arnold confirmed that Trustee Duncan would be ok if what St. Petersburg Campus submitted was approved – she would not be ok if it wasn’t submitted nor approved. Dr. Carlucci noted that this was PECO as opposed to Bond. The Bonds are ok. Dr. Nixon will run through the bonds and make sure that everyone is up to speed. Dr. Carlucci confirmed that that has happened and we’re ok. Trustee Arnold asked if there was an Executive Committee meeting prior to the Board meeting. One is not scheduled at this time. A called meeting of everyone is needed because of the impact on the entire campus system and that the Workgroup alerts through Dr. Carlucci the Chairman to let him better understand this particular issue as it unfolds and that a possible Executive Committee Work session might be needed. Dr. Carlucci noted that he will alert the Chairman and make sure the President talks with the CEOs and affords the Board for an opportunity for discussion if there are changes to the plan as the Board has already approved it.

2003 USF St. Petersburg Master Plan

Dr. Ralph Wilcox thanked Trustee Arnold for the time spent visiting the St. Petersburg Campus and proposed sites. The Master Plan (the revised 1998) 2003 revision will be formally submitted to the State has been approved unanimously by the USF St. Petersburg Campus Board. It is about finding creative solutions to accommodate aggressive growth on the campus in the next 5 years. Florida statutes require State universities to update their master plans every five years and to seek approval from the campus Board and then to the Board of Trustees before moving the document/plan up to Tallahassee. Dr. Wilcox described the current location of the St. Petersburg campus and provided an overview of existing sites, spaces and conditions, noting a building height limitation as imposed by the FAA on the portion of the campus site that borders Albert Whitter Airport. He reviewed the boundaries of the campus, buildings and relocating of facilities which involved the demolition of the chilled water facility. He noted a possible collaboration and cooperative sharing with All Children’s Hospital and Bay Front Medical Center for a shared utility that would be located on the All Children’s property. The St. Petersburg Campus would buy their share in a cost effective fashion for chilled waters as needed thus retaining needed space on campus. The second demolition would be to accommodate phase I of student housing. The plan was developed assuming that the projection by 2008-09 the student FTE on the campus will reach 3353 and with current growth
that projection will be exceeded before 2008-09. The campus faces challenges, which include aggressive student growth and a land-locked campus where real estate in adjacent areas are very expensive and anticipated diminishing resources from the State. He reviewed Master Planning assumptions as it related to FTE, space, housing, parking and campus growth noting that the two items to consider are finding resources for funding the facilities as planned and enrollment growth management. The enrollment growth management would be the slowing of enrollment. He reviewed the plans as listed in the handout noting that not all of the projects are to be funded by State funds and that some projects are funded by less restrictive funds and will be initiated as soon as possible. He reviewed current enrollment figures and projections of enrollment based on the current trends. Dr. Wilcox shared that other options were also being investigated such as leasing cost efficient off-campus space for class and lab space. The space would be adjacent to campus and would have expansion possibilities. The St. Petersburg Campus is adopting a two-prong approach, which is looking at creative solutions by possibly including leasing space (short term and long term) to provide additional instructional and research and office space until such time that they can secure state dollars to purchase existing properties or construct new properties while at the same time carefully managing student enrollment. This presents some challenges because that means limiting access. Trustee Arnold thanked Dr. Wilcox for presenting the challenges and asked for a motion to approve the St. Petersburg Campus Master plan that is consistent with the strategic plan. Trustee Duncan noted that it has been a phenomenal year and thanked Dr. Wilcox for his direction and hard work and she recommends that the Workgroup approved the plan as submitted.

Motion to approve was made by Trustee Duncan. Seconded by Trustee Paveza. Approved Unanimously.

Approving Emergency Personnel Rules, 6C4-ER03-77 through & including 6C4-ER03-92, as part of the emergency rulemaking process

Trustee Arnold noted that this item is to extend the temporary rules until October 8, 2003. Emergency Personnel Rules are necessary for the reason that permanent rules are in the promulgation process and will not be filed prior to the July 6, 2003, expiration date of the current Emergency Rules. Furthermore, in the interim, said Emergency Personnel Rules are essential to the daily operation and business of the University of South Florida; said Rules are necessary to establish and maintain all policies, procedures, and records necessary to substantiate the University’s compliance with all applicable Federal, State and other applicable laws and regulations relating to state university employment.

A motion to approve was made by Trustee Paveza, Seconded by Trustee Garcia. Approved Unanimously.

Faculty Personnel Rules 6C4-10.100 through & including 6C4-10.113

Trustee Arnold thanked the many people who worked so diligently on the next two items. He noted how important the issue is and that the Trustees as a whole take this very seriously and that they worked very hard to be inclusive in the sense that everyone has had an opportunity to be noticed, involved and communicated with. The following are remarks by Trustee Arnold:
Members of the Workgroup, you have in your packets today the proposed permanent personnel rules for both faculty and staff at USF and a set of temporary rules.

As you recall, the full Board of Trustees passed temporary personnel rules on November 21, 2002 in anticipation that the Board would become the employer for USF on January 7, 2003. Since that time, the full Board has delegated the authority to enact personnel rules to this Workgroup and has enacted 2 sets of temporary rules made necessary because of the provisions of Florida’s Administrative Procedures Act. Today, because of that Act, we will need to pass a third set of temporary personnel rules to be effective through the date these permanent rules take effect. This third set of temporary rules look just like the second set—no changes have been made.

An issue arose at the November 21st meeting about whether adequate notice had been given to all interested university groups prior to the enactment of the temporary rules and so the university administration and this Workgroup have made sure that all interested groups had notice of these proposed permanent rules and had opportunity for input.

Briefly, these permanent rules have been approved by the appropriate Vice Presidents, Dr. Stamps and Dr. Carlucci, a notice of proposed rule development was posted in 110 campus locations and in a newspaper, workshops to discuss the rules were scheduled and noticed specifically to interested groups and a few persons attended, requests for copies of the rules have been made and they were posted on this workgroup’s website. After this Workgroup acts, more notices will be posted on campus and in a newspaper again and hearing dates will be set if people want to further comment on the rules. If the Vice Presidents don’t make any changes after that input, the rules will go to a legislative committee for their approval and then to the Department of State for filing—all by October 8, 2003.

President Genshaft received input on these rules from staff focus and workgroups and from an ad hoc Faculty Senate Committee—I have specifically invited Dr. Graham Tobin, Chair of that Committee, and he has invited the Committee members to be here today. Dr. Tobin is prepared to address questions about the faculty rules or the Faculty Senate’s Committee process.

The decision was made, after request by the Faculty Senate, to have two sets of permanent rules, one for faculty and one for staff.

This workgroup thanks Dr. Tobin and his Committee and the Human Resources staff for convening numerous groups to obtain as much input as possible on these new personnel rules. A complete set of personnel rules for faculty was developed. All changes in the rules applicable to staff have not been finalized as some recommendations are still pending decisions by the workgroups, budgetary impact statements and/or approvals on campus. As these are addressed, further changes to the permanent rules may occur.

Significant changes from the temporary rules to the set we’re considering today are:

- The faculty rules recognize university policies which support the principles of shared governance and provide for a faculty peer committee to render recommendations in cases where it is proposed to terminate a tenured faculty member
• When setting up a committee to assist it in presidential selection, the Board would include significant representation from the faculty
• Faculty rules recognize that a collective bargaining agreement will be in effect some time in the future for union faculty and that the agreement will also be effective
• In both sets of rules, the University adopts a statement of its commitment to equal employment opportunity and nondiscrimination toward applicants and employees with respect to race, color, religion, age, disability, sex, marital status, national origin and sexual orientation
• In the Faculty rules, political affiliation, union membership status and veteran status have also been added to the non-discrimination provision
• In addition to pay increases for certain specific items, pay increases for “special achievement” have been added to the Faculty rules (already covered in the Staff rules)
• A new benefit to 9-month faculty and an expanded corresponding benefit to all employees would be granted, e.g., 4 days of administrative leave to be taken, if needed, upon the death of a family member. Family member would be defined the same in faculty and staff rules.
• If a grievable event occurred, the grievance would be directed to the Provost or appropriate Vice President within 30 days of the event (same time frame as currently in place)
• Staff rules clarify OPS rights and benefits as the faculty rules did not address
• Extra compensation in staff rules take into account appointments to more than one position
• Clarification that staff have different standards as to what constitutes outside activity, same as under current system
• Job abandonment occurs after 3 days for staff, 12 for faculty as has been past practice
• Staff rules do not refer to tenure, academic freedom or shared governance
• Staff rules refer to pay plans, salary ranges, but not items specifically to be included in employment contracts
• Staff rules provide for special pay increases, bonus payment, not stipends as for faculty—but pay increases and stipends accomplish the same purpose
• Staff rules do not specifically provide for peer evaluation as in Faculty rules, although it is not prohibited. Staff rules are silent on this process.
• Staff rules provide that in case of grievance, arbitrator can decide if discipline level is appropriate

There are a few more specific items, but not of the significance outlined above. Nonetheless, any question you have about any portion of the rules can be answered by the faculty and staff here today.

Let me point out that just because these new rules are defined as “permanent” does not mean that they can never be changed. To the extent we identify desirable changes in the future, the rules can be modified and there is a process in place to accomplish that.

We have here today Phil Smith from the Provost’s office to address questions about the Faculty rules and Trudie Frecker from University Services to discuss any questions about the Staff rules. R.B. Friedlander is here to discuss the process of rule making if there are questions.
With that and your review of what is before you, I open the floor for discussion of the proposed permanent personnel rules to any Workgroup members that have a question. After Workgroup questions, I would ask that Dr. Tobin speak to this process and be available for questions as well.

If there are members of the audience who wish to speak to this subject, please let Kathleen know and you will each be allowed to speak for up to 5 minutes to the Workgroup.

After that, this Workgroup will vote.

Trustee Paveza made a motion to approve the rule with the following two amendments. The first amendment is in Rule 6C4-10.103(2), should read “hourly pay is computed based on 2088 work hours annually.” The motion was seconded by Trustee Kahn. Approved unanimously. The second amendment is in Rule 6C4-10.104(13)(d), the language needs to read “Administrative leave, up to four (4) days will be provided to a faculty member upon the death of a family member as defined in Faculty Ethical Obligations…, Subsection 6C4-10.107(11)(a), F.A.C.” Trustee Paveza noted a concern about the process. He noted that it was his understanding that agreements had been reached and then changes occurred. He shared the difficulties encountered relative to a death in the family where the family is out of state and the need for 5 days versus 4 days. He urged the Workgroup to reject the item and leave the item as originally proposed. Trustee Arnold shared his thoughts on behalf of the President noting that she proposed 3 days versus the 4 days. He shared concerns about that the potential fiscal impact of the rule is unknown at this time. Placing the rule at 4 days is a compromise and can be revised at a future date. Trustee Garcia asked for a clarification of the definition of “relative.” RB Friedlander read the definition of relative. Trustee Kahn asked how many days the other universities allowed. Ms. Frecker said that she believed that staff are allowed 2 days and A&P and faculty did not receive any. She did not know if those rules are being modified. The motion was seconded by Trustee Garcia. The Workgroup unanimously approved the second amendment.

Trustee Paveza made a motion to approve the rule with the following two amendments. The first amendment is in Staff Rule 6C4-10.203(17)(d), the language should read “Administrative leave, up to four (4) days will be provided to a University employee upon the death of a family member as defined in 6C4-10.206(4)(b).” The motion was seconded by Trustee Garcia. Approved Unanimously. The second amendment is in Staff Rule 6C4-10.206(4)(b), the language defining “relative” should be conformed to that of Faculty Rule 6C4-10.107(11)(a). The motion was seconded by Trustee Garcia. Approved Unanimously.

General Personnel Rules 6C4-10.200 through & including 6C4-10.213

A motion was made to approve and seconded. Approved unanimously.

Trustee Paveza made a motion to approve the rule with the following two amendments. The first amendment is in Staff Rule 6C4-10.203(17)(d), the language should read “Administrative leave, up to four (4) days will be provided to a University employee upon the death of a family member as defined in 6C4-10.206(4)(b).” The motion was seconded by Trustee Garcia. Approved Unanimously. The second amendment is in Staff Rule 6C4-10.206(4)(b), the language defining “relative” should be conformed to that of Faculty Rule 6C4-10.107(11)(a). The motion was seconded by Trustee Garcia. Approved Unanimously.

A motion was made to approve and was seconded. Approved unanimously.
The Workgroup meeting was adjourned at 3:30 pm.