

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

July 23, 2001
4:00 p.m.

Administration Building #2, Board Room #231
Cocoa Campus

PRESENT: Mr. Eugene C. Johnson, Chairman; Mrs. Miriam E. Martinez, Vice Chairman;
Mr. James W. Handley; Mrs. Betts O. Silvernail; Dr. Thomas E. Gamble, Secretary;
Mr. Joe Matheny, Attorney

ABSENT: Dr. Alexandra M. Penn Williams

1. CALL TO ORDER:

Mr. Johnson called the Board meeting to order.

Dr. Gamble reported the Alumni Board Membership list, which includes the addition of Sheriff Phil Williams was provided for information only and requires no further action. Mrs. Betts Silvernail requested that Item 7.b., "Approval of Alumni Association Bylaws and Articles of Incorporation (2nd Reading) and Item 8.d., "Approval of Senior Management Optional Retirement Plan" be placed on the open agenda. Mr. Handley requested Item 7.a.3, "Approval of Easement Agreement – NUI (City Gas) – Palm Bay Campus" and Item 8.g., "Approval of Agreement with School Board for Pre-Kindergarten Program" be placed on the open agenda.

2. CONSENT AGENDA:

Dr. Gamble recommended approval of the consent agenda items as presented:

- 3.a. Approval of Minutes – Board of Trustees Budget Workshop – June 11, 2001
- 3.b. Approval of Minutes – Board of Trustees Special Meeting – June 11, 2001
- 3.c. Approval of Minutes – Board of Trustees Virtual Campus Workshop – June 18, 2001
- 3.d. Approval of Minutes – Board of Trustees Meeting – June 18, 2001
- 6.b. Approval of Substantial Completion – Melbourne Campus Welcome Center
- 6.c. Approval of Contract Between the King Center DSO and Carpet Contractor
- 7.a.1 Approval of Settlement Agreement – Spearman vs. BCC Foundation
- 8.a. Approval of Personnel Actions
- 8.f. Approval of Allied Health Grant Fund Expenditures
- 9.b. Approval of Contract Extension with Florida Architects

Mrs. Betts Silvernail moved approval of the consent agenda as amended. Mr. Handley seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, and Silvernail; opposed – none. Motion unanimously approved.

3. APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETING:

- a. Minutes – Board of Trustees Budget Workshop – June 11, 2001
Approved – consent agenda.
- b. Minutes – Board of Trustees Special Meeting – June 11, 2001
Approved – consent agenda.
- c. Minutes – Board of Trustees Virtual Campus Workshop – June 18, 2001
Approved – consent agenda.
- d. Minutes – Board of Trustees Meeting – June 18, 2001
Approved – consent agenda.

4. COMMUNICATIONS:

- a. Report on Student Retention Measures – Dr. Bilsky (Addendum)

Dr. Judy Bilsky, Associate Vice President of Educational Services, reported on the student retention measures. Dr. Bilsky reported on First Time in College (FTIC) Retention Percentage Comparisons. This report shows how many students are first time in college, degree-seeking students, who enrolled in the Fall of an academic year, and who choose to return and re-enroll the following Spring and the following Fall. BCC has been steady in student retention since 1995. BCC started a campaign, last Fall, of calling each new student to see how things were going. Dr. Bilsky reported from 1995 to 2000, the mean was that 64.5 % of BCC students returned the following Spring and 46.6 % returned the following Fall. The FTIC Student Retention by Gender report from Fall 1999, shows that females return at a higher rate than male students. The FTIC Student Retention by Age report from Fall 1999, shows that younger students return at a higher rate than older students. The average age of a BCC student is approximately

28 – 29 years of age. The FTIC Student Retention by Ethnicity report from Fall of 1999, shows that Hispanic students for that Fall returned at the highest rate. The FTIC Student Retention by Campus report from Fall 1999, shows that Melbourne Campus enjoyed the highest percentage rate of students who persisted. This was followed by the Palm Bay Campus, Cocoa Campus, and Patrick Center.

Dr. Bilsky reviewed the BCC Credit Student Enrollment Withdrawal Trend for 1995-2000. Some of the programs that BCC has implemented are “Stop the Drop” and “Early Alert.” The programs are intended to get the students to stay in school and not withdraw. There has been a significant impact because the number of students withdrawing from all of their classes has dropped significantly. The enrollment withdrawal jumped in the Fall of 2000, because the Federal Government provided new regulations, which had to do with Title IV Federal Financial Aid. The Federal Government stated BCC could not let students stay on the roll if they were receiving financial aid or had received financial aid, but had quit attending class. This has impacted all of the colleges statewide. The financial aid regulations state students would have to return their financial aid, beginning in the Fall of 2000, if they withdrew in the first 60% of the term. BCC’s withdrawal date was set at the 50% point in the term. BCC is now set at 65% and may increase to 70%. Overall, the withdrawal trend has gone down and it looks like the Fall to Fall retention has gone up. This is because of the initiatives the college has been doing since 1998.

Dr. Bilsky reported on the new initiatives at BCC, which include a peer mentoring program, which will begin this Fall; the Diversity Committee is working on more diversity in curriculum so all students feel more comfortable with the curriculum in the classes they are attending; there will be a T.V. tutor for math, especially for Prep Algebra; Dr. Cobb is working on increasing the hybrid courses; there will be some new opportunities for faculty advising; the new welcome centers will be opening; BCC is going to a year-round schedule; there will be revisions to prep reading and writing courses, which will add a semester hour to the prep students in the fall and allow for more instructor personal attention for those students; and a math task force to look at the way BCC delivers prep math. Dr. Cobb stated the distance learning success rate has improved as there were 80% non-completers in 1995, and it is now at 30% non-completers as of last Fall.

b. Report on the Hurricane & Emergency Evacuation Shelter Plan – Mr. Carman
(Addendum)

Mr. Craig Carman, Director of Safety and Security, presented the Hurricane & Emergency Evacuation Shelter Plan for 2001/2002. Mr. Carman stated the hurricane shutters that have been installed on the Allied Health and UCF Buildings have allowed BCC to shelter more people from the community in the

two facilities. The emergency generator system will be installed on the Melbourne Campus for the shelters by November 15, 2001. BCC received a \$660,000 grant for the installation of hurricane shutters on the Melbourne Campus. Mr. Carman stated arrangements have been made to ensure security in the classrooms if there should be a need to shelter people during a hurricane. Employees have been educated in the proper ways of documentation, so that anything that is damaged should be paid for and repaired by the Federal Emergency Management Agency (FEMA).

5. CITIZEN'S PRESENTATION:

a. Presentation of Plaque to Ms. Alberta Wilson

Mr. Johnson presented a plaque to Ms. Alberta Wilson, State Board of Community Colleges, in recognition of her outstanding service and dedication to the improvement of the Florida Community Colleges Activities Association and its activities as well as significant contributions to the public education of Florida's community college students.

b. Presentation of Plaque to Mrs. Betts Silvernail, Member, BCC Board of Trustees

Mr. Johnson presented a plaque to Mrs. Betts Silvernail in recognition for her excellent service to Brevard Community College and outstanding contributions to higher education.

c. Presentation of Plaque to Ms. Mary Nardo

Mr. Johnson presented a plaque to Ms. Mary Nardo in appreciation for service as Interim Campus President, Titusville Campus, from December 1, 2000 to June 30, 2001.

6. CONSTRUCTION AND DEVELOPMENT:

a. Approval of the Cocoa Campus Master Plan – Florida Architects – Mr. Little/ Dr. Fettrow (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, indicated a critical component to effective facilities planning is the development of a campus master plan. This past fiscal year, the Board approved Florida Architects to develop a master plan for the Cocoa Campus. Cocoa was identified as the first campus for planning due to the age of the facilities, as well as the potential changes tied to the welcome center. In April 2001, the Board also approved Florida Architects to lead the master planning efforts for the remaining three

campuses. These activities are scheduled to begin shortly after the start of the Fall 2001 semester. Dr. Fettrow, Cocoa Campus President, gave a brief overview of the history of the Master Planning process. She reported the first meeting took place in December 2000. The Master Planning Committee was carefully selected and was composed of a cross section of individuals chosen for their strengths and key positions on the Cocoa Campus. Meetings were held monthly and the areas represented included the Data Division, Virtual Campus, Educational Services, AS Degree Faculty, AA Degree Faculty, Vocational/Technical Faculty, UCF, Financial and Administrative Services, Maintenance and Plant Operations, and the Allied Health Division. The guiding philosophy of the committee was to think with a clean slate, be visionary as to where the college will be 20 years from now, the ideal layout of the campus, and how it would relate to the community it serves. In addition to the standing members of the Planning Committee, input was requested from key players from the community and the student body. Dr. Fettrow applauded the committee for their commitment and enthusiasm and credited it for the success of this project.

Mr. Little introduced two representatives of Florida Architects, Mr. Joe Sorci, President, and Mr. Steve Clark, Project Manger, who gave a brief presentation of the Cocoa Campus Master Plan. Mr. Sorci reported the Master Plan goals include the provision of a safe and secure environment, creation of a central technology hub, and enhancement of distance learning. Mr. Clark reported it was determined that BCC does not need many new buildings; just some renovation and minor remodeling. Mr. Sorci reported due to there being too many campus entries, recommendations were made on how to limit the number of entries and create a major entry. Outdoor areas for students to gather and an informal arrangement around the edge of the water were suggested in the plan. It is important to define, to the public, that BCC is a special place, which can be done by defining boundaries of the campus. Views need to be provided at particular selected places so people can see the campus. A main electronic billboard sign is planned at the main campus entrance along with directional signs, illuminated building signs on each building, and free-standing pylons that have campus maps oriented from the view a person is standing.

Each building was looked at individually to verify its condition and the amount of square footage. Many of the areas that need ongoing maintenance have already been planned for and are scheduled. Florida Architects came up with several inexpensive ways to change the appearance of existing buildings and create more consistency within the campus. Mr. Steve Clark reported a technology center is one new building potential construction project. New construction is better because it can be designed for Distance Learning versus trying to fit in within the existing buildings. Allied Health is a growing area and a site, adjacent to the

existing building, has been identified as a possible addition to be reserved for Allied Health. The other area that is growing is the Fine Arts and Music. The parking lot could be a potential building site. The Security Office should be moved from where it is currently located to an exterior wall, perhaps with a window, so that it is more visible to students. It was suggested, by Florida Architects, that the State would be approached to have a traffic light placed on Clearlake Road, in between Michigan and Rosetine. The Cocoa Campus 2001-2010 Master Plan booklet was handed out to the Board Members. Dr. Gamble recommended approval of the Cocoa Campus Master Plan and the implementation of Phase I.

Mrs. Martinez moved approval of the Master Plan and the implementation of Phase I. Mrs. Betts Silvernail seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

- b. Approval of Substantial Completion – Melbourne Campus Welcome Center – Mr. Little (Addendum)

Approved – consent agenda.

- c. Approval of Contract Between the King Center DSO and Carpet Contractor – Mr. Little (Addendum)

Approved – consent agenda.

7. OLD BUSINESS:

- a. Report on Pending Legal Actions – Mr. Matheny (Addendum)

Mr. Matheny reviewed the report on pending legal actions.

- (1) Approval of Settlement Agreement – Spearman vs. BCC Foundation – Mr. Matheny (Addendum)

Approved – consent agenda.

(2) Creel Case – Designation of Board Member as Hearing Officer & Authorization to Schedule Hearing – Mr. Matheny (Addendum)

Mr. Matheny reported the Creel case was originally assigned to a DOAH hearing officer, who made his findings and rulings and this Board approved those findings. Mr. Creel was not satisfied with those rulings and took an appeal to the Fifth District Court of Appeals and that court approved all of the decisions that have been made with one exception in that the hearing officer ruled that Mr. Creel had no expectancy of continued employment at the college beyond the school year ending June 30, 1999. The Appellate Court determined that was not a matter that was properly brought before the hearing officer and they remanded the case to the BCC District Board of Trustees to determine whether or not Mr. Creel had the expectancy of continued employment beyond the school year ending June 30, 1999.

Mr. Matheny reported this requires another hearing to resolve that issue. Mr. Matheny reported the hearing could be assigned to a hearing officer, it could be held by the full Board, or the BCC District Board of Trustees could designate one of its members to hear the case and make recommendations to the Board, which is the final agency to approve, disapprove, or decide this case. It is recommended that the District Board of Trustees designate the matter be heard by a single Board member. When this is concluded each Board member will read the transcript of those hearings and then determine the final disposition of this case. Mr. Handley agreed to serve in that capacity. Dr. Gamble stated Trustee Penn Williams, who was unable to attend the meeting, said she was displeased with the proposal of going to a single Board member as a hearing officer and felt as many Board members as could be constituted in a hearing body would be better than a single Board member. Mrs. Martinez acknowledged Dr. Penn Williams' desire, although she felt the Board members will have the opportunity to review the transcript and will be provided the facts, so she felt it unnecessary for all Board members to be present during the hearing.

Mrs. Martinez moved approval for the BCC District Board of Trustees to designate one of its members to conduct a hearing in the matter and make recommended findings and a recommended order or disposition to the full Board in the manner provided by law in accordance to the Florida Administrative Procedure Act to resolve this matter in accordance with the decision of the Fifth District Court of Appeal. Mrs. Betts Silvernail seconded the motion. All those voting in favor

of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

Mrs. Martinez moved approval of the Board designating Mr. Jim Handley to act as a hearing officer in the Creel case and that he be authorized to conduct the necessary hearing and to do any and all things reasonable and necessary to accomplish that, including the issuance of a notice of hearing at a time, date, and place, taking evidence and performing all other functions provided for by the Florida Administrative Procedure Act in applicable law. Mrs. Betts Silvernail seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

(3) Approval of Easement Agreement – NUI (City Gas) – Palm Bay Campus (Addendum)

Mr. Matheny reported the BCC Board of Trustees previously approved an arrangement whereby BCC would deed property to NUI. The facility has tentatively been relocated and the concept changed to an easement. The City of Palm Bay has waived the 100-foot requirement and authorized a 50-foot easement. The gas facility will provide the college with natural gas heating and air conditioning. It will be located between the swimming pool and the Sheriff's station, in Palm Bay, which had previously been approved by the BCC Board of Trustees. Dr. Gamble moved approval of the Easement Agreement.

Mrs. Betts Silvernail moved approval of the Easement Agreement. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

b. Approval of Alumni Association Bylaws and Article of Incorporation (2nd Reading) – Mr. Gilfilen (Addendum)

Mr. Walt Gilfilen, Associate Vice President of Development, discussed membership of the executive committee of the Alumni Association. It was the consensus of the Board that a Board member serves on the executive committee, as well as the Board of the Alumni Association. Dr. Gamble concurred with the recommendation. Dr. Gamble recommended approval of the bylaws and articles of incorporation to establish the BCC Alumni Association as amended.

Mr. Handley moved approval of the bylaws and articles of incorporation for the BCC Alumni Association as amended. Mrs. Silvernail seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

8. NEW BUSINESS:

a. Approval of Personnel Action – Ms. Oglesby (Addendum)

Approved – consent agenda.

b. Update – Status of UFF/BCC Agreement Union Ratification – Ms. Boggs (Addendum)

Ms. Robin Boggs, Chief Negotiator for UFF/BCC, announced the faculty has ratified the changes to the UFF/BCC contract by a 99.09% margin. She indicated the negotiating process went well and that faculty comments were very positive. Most of the faculty see a new beginning for the college and its relationship with the faculty union and faculty in general and were very pleased with the commitment of the Board of Trustees of raising the salaries.

c. Approval of Changes to the 2001-2003 UFF/BCC Agreement – Mr. Hament (Addendum)

Mr. Andy Hament, attorney, reported on the proposed changes to the 2001-2003 UFF/BCC Agreement. He expressed his appreciation to the UFF Bargaining Team led by Robin Boggs, and to the Administration Bargaining Team, which consisted of Joni Oglesby, Al Little, Brenda Fettrow, and Walt Gilfilen.

Dr. Gamble reported the Board should recognize they are being asked to approve the 2001-2003 UFF/BCC Agreement inclusive of the changes. Dr. Gamble recommended approval of the 2001-2003 UFF/BCC Agreement.

Mrs. Silvernail moved approval of the 2001-2003 UFF/BCC Agreement. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

d. Approval of Senior Management Optional Retirement Plan – Mr. Little (Addendum)

Mrs. Silvernail asked if there are any costs involved with the implementation of the Senior Management Optional Retirement Plan. Mrs. Silvernail discussed the Senior Management Optional Retirement Plan and the potential costs for the college to administer the plan. Mr. Little will further investigate the plan and provide a response to the Board. Mr. Little stated that in order to participate in this plan an employee has to totally withdraw from the Florida Retirement System. Dr. Gamble stated this is a plan that has been implemented by other colleges who have received legal guidance. Dr. Gamble recommended approval of the Senior Management Optional Retirement Plan based on obtaining satisfactory information on costs to the college.

Mrs. Martinez moved approval of the Senior Management Optional Retirement Plan as recommended subject to obtaining satisfactory information on costs to the college. Mrs. Silvernail seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

e. First Reading – College Policy Manual – Dr. Gamble (Addendum)

Dr. Gamble reported a complete revised College Policy Manual has been provided to the Board of Trustees. There is no action required at this time. It will be brought, to the Board, for a second reading and final approval next month. If there are changes the Board members would like to make, the changes can be communicated to Dr. Gamble's office as soon as possible, and they will be incorporated. This document was prepared with the specific changes that individual Board members worked on, with identified staff, to improve the

document. There still exists the problem, within the document, of it containing both policy and procedure. Dr. Gamble reported that update would be deferred to a later date.

- f. Approval of Allied Health Grant Fund Expenditures – Dr. Fettrow (Addendum)

Approved – consent agenda.

- g. Approval of Agreement with School Board for Pre-Kindergarten Program – Ms. Smith (Addendum)

Dr. Brenda Fettrow, Cocoa Campus President, introduced Ms. Helga Smith, teacher at BCC Child Care Center, Cocoa Campus, who was available to answer questions. Ms. Smith stated there is no cost to the college to operate the pre-kindergarten program. BCC receives funds from the School Board to pay for expenses. Fees are collected from the parents, which are based on a sliding scale. Dr. Gamble recommended approval of the Agreement with the School Board for the Pre-Kindergarten Program.

Mr. Handley moved approval of the Agreement with the School Board for the Pre-Kindergarten Program. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

9. **FINANCIAL ACTIONS:**

- a. Approval of the 2001-2002 Capital Outlay Budget – Mr. Little (Addendum)

Mr. Little stated the 2001-2002 proposed Capital Outlay Budget is approximately \$22 million. The proposed budget includes the following projects: full renovation of Titusville Building #1; Phase #1 of the Cocoa Campus perimeter renovation; new signage for all entrances on all campuses with electronic signs on every campus; re-roofing of six buildings; computer lab upgrades; master planning in Titusville, Palm Bay, and Melbourne; the WBCC studio renovation; and the new Titusville entrance road. The approval of this budget allows the administration to begin planning these projects. Mr. Little reported the administration will bring all bids for architects and major contractors to the Board of Trustees for approval at the appropriate time. Dr. Gamble recommended approval of the Capital Outlay Budget.

Mr. Handley moved approval of the Capital Outlay Budget. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Silvernail, Johnson; opposed – none. Motion unanimously approved.

- b. Approval of Contract Extension with Florida Architects – Mr. Little (Addendum)

Approved – consent agenda.

10. REPORT OF THE DISTRICT PRESIDENT:

- a. Award of the 2001 Workforce Development Award

Dr. Gamble reported that on July 15, 2001, he attended an awards ceremony in Baltimore, Maryland, with Ms. Dianne Messer, Director of the One-Stop System, Mr. Frank Margiotta, BCC Development Officer, and Ms. Jane Ross, Business Team Leader of the One-Stop System. BCC received the 2001 Workforce Development Award from the Department of Labor, American Association of Community Colleges (AACC), presented by Dr. George Boggs, President of AACC, and the Deputy Assistant Secretary of the Employment and Training Administration, Raymond J. Uhalde. BCC also received a \$10,000 award that will be provided to the Job Link Service to enhance their services to the county.

- b. Summer Graduation

Dr. Gamble reported Summer Graduation is scheduled for Saturday, August 11, 2001, at the King Center, at 4:00 p.m. and 7:00 p.m.

- c. Welcome Back Day

Dr. Gamble reported the Welcome Back assembly is scheduled for Thursday, August 16, 2001. The function will be held at the King Center from 8:00 a.m. to 11:30 a.m. with lunch served immediately following the program. All of the Board of Trustees members were invited to attend.

- d. College Administrative Organization Matrix

Dr. Gamble stated there are some changes in assignments on the College Administrative Organization Matrix as well as the listing of the fifth campus, the Virtual Campus. In the document, there are listings under each campus president for campus and college. The items under college represent the matrix assignments for those campus presidents collegewide.

e. Evaluation of the District President

Dr. Gamble reminded the Board of Trustees members to turn in their evaluations of the District President to the Board Chair. The time has been extended until early August.

f. Reorganization of the Board of Trustees

The reorganization of the Board of Trustees was postponed until August 20, 2001.

11. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 6:00 p.m.

APPROVED: _____
Chairman, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees