



**THE DISTRICT BOARD OF TRUSTEES
OF VALENCIA COLLEGE
REGULAR MEETING**

Minutes

February 24, 2021

Valencia College – West Campus, Room 8-111
and
Zoom Meeting

Members Present

Ms. Tracey Stockwell, Chair
Ms. Daisy Lopez-Cid, Vice Chair
Dr. Bruce Carlson (via Zoom)
Mr. John Davis
Mr. Angel de la Portilla
Mr. Guillermo Hansen (via Zoom)
Ms. Maria Grulich (via Zoom)
Mr. Michael A. Sasso
Ms. Beth Smith (via Zoom)

Dr. Sanford C. Shugart, Secretary of the Board and President of the College

Call to Order

Chair Stockwell called the Regular Meeting of the District Board of Trustees of Valencia College to order at 9:36am. A quorum was present.

**Approval of
Regular Meeting
Minutes, December
16, 2020 and
December 18, 2020**

A motion was made by Dr. Carlson and seconded by Ms. Lopez-Cid to approve the meeting minutes of the December 16, 2020 Regular Meeting and the December 18, 2020 Special Meeting – Presidential Search. The motion was approved unanimously.

**Special Meeting –
Presidential Search**

Chair Stockwell noted that the Valencia Public Relations team previously indicated that it would brief the Board on the communication strategy related to the incoming president at today’s Regular Board meeting. Chair Stockwell indicated that given the transition to the new president will occur on July 1, 2021, and in the interest of time due to today’s full agenda, this briefing will be presented at the April 28, 2021 Regular Board meeting.

**Trustee
Appointments**

Chair Stockwell introduced Mr. Angel de la Portilla as a newly appointed member of the District Board of Trustees of Valencia College.

President’s Report

Dr. Shugart, Dr. Amy Bosley, Vice President, Organizational Development and Human Resources, and Dr. Kathleen Plinske, Executive Vice President and Provost, presented the Roadmap to Reopen report, which was distributed to the Board. Dr. Shugart indicated that the Roadmap to Reopen is being implemented with feedback from Valencia’s employees and students, and from Orlando Health, within Center for Disease Control (CDC) guidelines. The report included the College’s top priorities to ensure the health and safety of all Valencia employees and students, and the continuity of student learning; an overview of the Phase 3 operations, scheduled to launch May 10, 2021, Summer 2021 course schedule recommendations, and a list of on-site courses planned for Summer 2021.

Dr. Shugart reported that the Florida Legislature will soon convene in its annual legislative session.

Dr. Shugart reported that the School of Public Safety, Advanced Manufacturing Training Center, and the Centers for Accelerated Training at the Downtown, Osceola, and Poinciana Campuses will be fully open, and the following locations will be partially open: classroom and labs in select buildings at the Downtown, East, Lake Nona, Osceola, Poinciana, and West Campuses, and the District Office for two days per week. The Winter Park Campus will remain closed until further notice.

**Faculty Association
Report**

Mr. Stanton Reed, Faculty Association, introduced Mr. Patrick Bartee, President, Faculty Association, to the Board. Mr. Reed thanked the Board members for their continued support to Valencia’s faculty.

**Downtown Campus
SGA Report**

Ms. Takiyaa Coleman, Downtown Campus SGA President, Ms. Keila Nunez, Downtown Campus SGA Vice President, Ms. Jada Turner, Downtown Campus SGA Administrative Officer, and Mr. Michael Adeshina, Downtown Campus SGA Public Relations Officer, presented the report, which was distributed to the Board. The SGA team shared Downtown Campus engagement opportunities, on-campus and virtual events and programs, the success and impact of the “Good Morning Valencia” podcast, the Spring SGA Calling Campaign goals, and the Student Development Speaker Series. The SGA team reported that 1,634 students

had received their #First 15 Care Package for Spring-Summer 2020, and 1,351 students received it for the Fall 2020 Cohort.

The Board praised the Downtown SGA team for their great work.

Public Comments

No public comments were offered.

New Business

1. New President's Employment Contract: Chair Stockwell, Dr. Bosley, and Dr. William MULLOWNEY, Vice President for Policy and General Counsel, presented the proposed new president's employment contract, which was distributed to the Board. Dr. Bosley shared that as Valencia College transitions to the administration of its fifth president, Dr. Kathleen Plinske, the president's contract of employment transitions from a contract designed for a president who has served the College for two decades to a contract appropriate for Dr. Plinske as she begins what will hopefully be many years of service to the College. In preparing the draft contract presented to the Board today, three principles were paramount:

- Positioning the College and the position of Valencia President appropriately in the relevant higher education market in which Valencia competes for talent;
- Observing the values and perspectives of the new President with respect to the contract and structure of the compensation package; and,
- Retaining Dr. Plinske as President.

With respect to the first stated principle, the College engaged a higher education executive compensation consultant, Quatt Associates, to analyze relevant markets and current trends in executive compensation and produce a report with findings and recommendations to the Board. A copy of this report has been provided to each member of the Board. Additionally, with respect to the second and third principles, Dr. Plinske has reviewed the draft agreement and she has provided appropriate comments. A copy of the draft contract of employment, reflecting the recommendations contained in the report and Dr. Plinske's input, also has been provided to each member of the Board. Following a full discussion, Dr. Carlson moved to approve the new president's employment contract, as presented. Ms. Lopez-Cid seconded the motion, and the motion was approved unanimously.

2. Spring 2021 Disbursement of Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Student Financial Aid Grants: Dr. Plinske presented the report, which was distributed to the Board. Dr. Plinske shared that on December 27, 2020, the President of the United States signed the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) into law. Under CRRSAA, the United States Department of Education (ED) has made

available \$21.2 billion to distribute to institutions of higher education to ensure learning continues for students during the COVID-19 pandemic through the Higher Education Emergency Relief Fund (HEERF II). Valencia College will receive a total of \$59.5 million in CRRSAA funds from ED. Of this amount, at least \$13.8 million must be used for student aid.

CRRSAA has some important differences from the previously funded Coronavirus Aid, Relief, and Economic Security Act (CARES Act) relative to the student aid portion. First, CRRSAA requires that institutions prioritize students with exceptional need in awarding financial aid grants to students. ED encourages institutions to carefully document how they prioritize students with exceptional need in distributing grants to students as the Department intends to establish reporting requirements regarding the distribution of aid. Second, CRRSAA explicitly provides that financial aid grants to students may be awarded to students exclusively enrolled in distance education, whereas such students were explicitly excluded from CARES emergency aid eligibility. Third, unlike CARES, enrolled students do not have to be Title IV-eligible students to receive CRRSAA funds. ED has confirmed that the June 17, 2020 Interim Final Rule does not apply when awarding CRRSAA funds. However, it appears 8 USC 1611(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which prohibits certain noncitizens from receiving federal public benefits may still apply, which means that undocumented, DACA, and international students currently are not eligible to receive CRRSAA funds.

In designing the disbursement plan and in actually distributing these funds, Valencia has followed, and will follow, the requirements of CRRSAA as well as the requirements, instructions and guidance provided by ED and Federal Student Aid. Valencia College will develop a detailed plan to disburse CRRSAA emergency aid to eligible students in the Spring 2021, Summer 2021, Fall 2021, and Spring 2022 semesters.

To facilitate disbursement of aid to eligible students during the Spring 2021 semester, the College presents the following plan to distribute CRRSAA student financial aid funds for consideration and approval by the District Board of Trustees:

- **Spring 2021 Disbursement of Aid:** The College will identify potentially eligible students who are registered in at least one course in spring 2021 and are classified as degree-seeking. In addition, given the limitation currently posed by the 1996 welfare reform law (as discussed above), a student must also be able to demonstrate eligibility under that law. Accordingly, for the limited purpose of confirming that eligibility status, the college

will require the student to have a valid 2020-21 FAFSA on file. On April 7, 2021, the college will send an email to all CRRSAA aid-eligible students with information about how to access a CRRSAA aid application. The application will only be available to students eligible to receive CRRSAA aid and will only be visible to students after they have logged into Atlas. The CRRSAA aid application will ask students to confirm that they have financial need related to the cost of attendance or emergency costs related to COVID-19 (such as tuition, food, housing, health care, or childcare). Applications will be due by April 20, 2021.

To fulfill the requirement of demonstrating preference to students with exceptional need, Spring 2021 CRRSAA aid-eligible students who have an estimated family contribution (EFC) of zero and who complete an application for aid will receive a grant in the amount of \$500. EFC is an index number used to calculate how much financial aid students are eligible to receive; an EFC of zero reflects maximum aid eligibility. CRRSAA aid-eligible students who submit an application but do not have an EFC of zero will receive a grant in the amount of \$300.

With one possible exception, grants will be delivered to students via the preferred method identified by students through BankMobile, Valencia's third-party provider used to process student disbursements. The one possible exception is as follows: CRRSAA, unlike CARES, permits students to express a preference of posting the grant to their college account. The college is exploring this possibility. Should the College proceed with this option, it will be an opt-in process that requires affirmative written consent from the student before posting the grant to their account. Moreover, if a student declines to "opt-in," that decision will in no way affect the student's receipt of or eligibility for a grant.

The College's plan, as presented, has been drafted in consultation with outside counsel, expert in federal funding matters such as presented here. The consulting attorneys will be providing Valencia with a formal written legal opinion expressing their agreement that the College's plan is compliant with the requirements of the law and related official guidance.

The Board engaged in a full discussion. Following the discussion, Ms. Grulich moved that the College disburse CRRSAA student financial aid funds in accordance with the plan as presented, and that the Board further authorize the College to adjust the disbursement

plan in a compliant manner as necessary or appropriate in the event new official guidance is issued with respect to Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) disbursements. Ms. Smith seconded the motion, and the motion was approved unanimously.

- 3. Award of RFP 2021-15 Midtown Orlando Center for Accelerated Skills Training Tenant Build-Out:** Mr. Loren Bender, Vice President, Business Operations and Finance, presented the report, which was distributed to the Board. Mr. Bender stated that on December 18, 2020, the College issued RFP-F 2021-15, Midtown Orlando Center for Accelerated Skills Training Tenant Build-Out to Valencia's annually prequalified pool of General Contractors with a single project certification for projects greater than \$2,000,000. This project will consist of a tenant build-out of 26,402 square feet in an existing industrial, new shell space for the Midtown Orlando Center for Accelerated Skills Training (MCAT). Contractor selection consisted of two (2) Phases - Phase I: Qualifications Submittal and Evaluation, followed by Phase II: Fixed Price Bid Submittal.

On January 19, 2021, fourteen (14) firms submitted qualifications. Those firms included Albu & Associates Inc., Charles Perry Partners, Inc., Clancy & Thays Construction Company, DPR Construction, Environstruct, LLC, Gomez Construction Company, Hensel Phelps Construction Company, McCree General Contractors, Inc., Oelrich Construction, Inc., Ovation Construction, Peak CM LLC, T&G Constructors, Walbridge Aldinger LLC, WELBRO Building Corporation.

A public evaluation committee meeting held on January 29, 2021, reviewed qualifications and short-listed the firms. Seven (7) committee members reviewed, scored and ranked the proposals on the following criteria: a) Local office Details, b) Experience with educational trades facilities/spaces, c) Fast-Track projects and proposed construction schedule, d) Experience with high-bay construction, and e) Experience with tenant infill projects. The evaluation committee short listed the five (5) firms receiving the highest scores and invited them to participate in Phase II, Fixed Price Bid Submittal. The firms invited to participate further were Clancy & Theys Construction Company, Charles Perry Partners, Inc., Hensel Phelps Construction Company, Ovation Construction, and Walbridge Aldinger LLC.

On February 12, 2021, final bids were received from the five short-listed firms and Charles Perry Partners, Inc. was the lowest bidder at \$1,896,770.

Following discussion, Mr. Sasso moved to authorize the College to award RFP-2021-15 to Charles Perry Partners, Inc. and enter into a contract to engage Charles Perry Partners, Inc. for the provision of the Midtown Orlando Center for Accelerated Skills Training Tenant Build-Out, at a cost of \$1,896,770. Dr. Carlson seconded the motion, and the motion was approved unanimously.

- 4. Express Package and Delivery – United Parcel Services, Inc. (UPS) Freight Charges:** Mr. Bender presented the report, which was distributed to the Board. Mr. Bender stated that in March 2020, Valencia College's independently run Campus Store (due to the Coronavirus pandemic) was challenged with finding a means to deliver educational materials to students in a timely and safe manner without requiring students to visit a campus in order to receive their purchases. The existing (predominately in-person) retail distribution process would not allow for a consistently safe exchange of materials to students. The College quickly adjusted to a centralized distribution method that featured the shipment of instructional materials to students using our outside delivery carrier, United Parcel Services, Inc. (UPS)

From July through December of FY 2020-2021, the Campus Store processed 33,286 online orders as compared to 9,754 online orders the year prior. In the fall term, the College supported students by offering free shipping on orders placed from November 30, 2020 to January 3, 2021. Due to this change in process, it was difficult to project demand at the beginning of the fiscal year. Due to the enthusiastic response of our students to this process change, the shipping costs incurred with UPS will exceed the Category Five threshold of \$325,000, thus requiring Board approval. These services and associated costs are accounted for in the Campus Store's auxiliary fund. Mr. Bender stated that it is expected that costs associated with this process change may qualify for federal CARES funding support.

In accordance with Valencia College Policy 6Hx28:5-10, Procurement Requirements for Commodities and Services, the College requested approval to increase the Purchase Order for UPS that are estimated to exceed Category Five Threshold as specified in Section 287.017, Florida Statutes. Procurement of Services for Express Package and Delivery Related Services are being contracted through E&I Cooperative Services Master Contract Number CNR01461, at reduced educational prices.

Following discussion, Dr. Carlson moved to authorize the College to increase the value of the purchase of services with United Parcel Services, Inc. (UPS) for a cost not to exceed \$500,000 for FY 20/21. Mr. Sasso seconded the motion, and the motion was approved unanimously.

- 5. Award of Storage Attached Network (SAN) Contract:** Mr. Bender presented the report, which was presented to the Board. Mr. Bender stated that Valencia College currently provides digital storage on-campus for several technology systems that include security camera footage, digital images, and departmental digital storage space. The SAN provides the data storage for all these systems hosted locally while providing a more resilient and cost-effective solution for storing information.

Valencia's current SAN was purchased in 2014, with associated hardware most recently purchased in 2018. The continuing on-site SAN needs remain strong while increasing hardware maintenance costs attributed to the age of hardware and the difficulty finding replacement parts are making costs rise. At end of life for equipment, a capital commitment will be required to replace hardware and increased service costs. Initial purchases made in 2014 will reach end-of-life status in 2022.

Valencia College requests approval to enter into a 5- year agreement with Dell, Inc. for SAN hardware and services support. The information technology team reviewed several service providers including IBM (the current provider), NetApp, and Dell, and found Dell to be the best and most qualified of the technology vendors. The College will be able to leverage the Dell Technology Refresh Program (TRP) contracted by the Florida College System, which will provide Valencia with the latest storage technologies, enhanced security measures and stronger support meeting projected storage needs for the next five years. This proposed Dell contract will cost \$135,000 per year for five (5) years, for a total spend of \$675,000. This cost includes both storage and support.

Following discussion, Mr. Sasso moved to authorize the College to enter into an agreement with Dell, Inc. for the purchase of storage attached network (SAN) hardware and support to provide on-site storage needs for Valencia College, as presented. Mr. de la Portilla seconded, and the motion was approved unanimously.

- 6. Policy Adoptions:** Dr. Mallowney presented the report, which was distributed to the Board. Dr. Mallowney stated that the adoption of the following policies, all of which have been reviewed by Faculty leadership in accordance with established policy and procedures, is recommended to conform with applicable laws and regulations, and provide updates to reflect best and current College practices:
- *Policy 6Hx28: 2-08 – Accommodations of Religious Observances by Students*
 - *Policy 6Hx28: 3D-06.2 – Fitness for Duty*

- ***Policy 6Hx28: 3D-10 – Military Leave***
- ***Policy 6Hx28: 3E-05.2 – Ethical Conduct and Performance***
- ***Policy 6Hx28: 3E-09 – Employee Dispute Resolution***

Dr. Mallowney stated that the repeal of the following obsolete/redundant policies is recommended:

- ***Policy 6Hx28: 3A-07 – Temporary Duty***
- ***Policy 6Hx28: 3E-05.4 - Acceptance of Gifts Resulting from Purchase or Adoption of Books, Equipment, or Materials by the College***
- ***6Hx28: 3E-07 – Personal Financial Obligations***

Following discussion, Mr. Sasso moved to approve as a group, the adoption of the amendments of Policies 6Hx28: 2-08 – Accommodations of Religious Observances by Students, Policy 6Hx28: 3D-06.2 - Fitness for Duty, 6Hx28: 3D-10 – Military Leave, Policy 6Hx28: 3E-05.2 – Ethical Conduct and Performance, 6Hx28: 3E-09 – Employee Dispute Resolution, as presented, and the repeal of College policies 6Hx28: 3A-07 – Temporary Duty, 6Hx28: 3E-05.4 – Acceptance of Gifts Resulting from Purchase or Adoption of Books, Equipment, or Materials by the College, and 6Hx28: 3E-07 – Personal Financial Obligations, as presented. Ms. Smith seconded the motion, and the motion was approved unanimously.

Chair Stockwell thanked Dr. Mallowney, and Valencia’s Faculty for their great work.

A motion was made by Ms. Sasso and seconded by Ms. Lopez-Cid to consider, accept, and approve items 7, 8, 9, 10, and 11 under New Business in the manner of a consent agenda. The Board unanimously approved the following items under New Business in the consent agenda, as recommended:

- 7. Human Resources Agenda**
- 8. Additions, Deletions or Modifications of Courses and Programs**
- 9. Continuing Education Courses and Fees**
- 10. Submission of Grant Proposals**
- 11. Property Deletions**

Reports

- A. Annual Affordability Report FY 2019-20:** Mr. Oscar Cristancho Mercado, Assistant Vice President, Budgets and Analysis, presented the report, which was distributed to the Board. Mr. Cristancho Mercado shared that Valencia College’s formal policy on educational affordability commits the College to continuously analyze the cost of education and its impact on the students it serves. The affordability policy requires that educational affordability serve as a design principle in the development of programs and services, as a measure of institutional effectiveness, and

be integrated within the College's annual budget development process. The report as presented included the College's FY 2019-20 affordability measures historical context and measurements which ensure Valencia College continues to be positioned as an affordable alternative to higher education, both locally, and nationally. Mr. Cristancho Mercado reported that during the 2019-2020 academic year, Valencia College tuition and fees totaled \$3,092, compared to the average of Florida College System institutions of \$3,206, and 76% of the College's students graduated with no Valencia debt.

- B. 2021 Spring Enrollment Report:** Dr. Joe Richardson, Vice President, Student Affairs, presented the report, which was distributed to the Board. The report included FY 2011-12 thru FY 2019-20 historical academic year enrollment, and historical spring term enrollment data, spring 2021 enrollment data, and student demographics data. Dr. Richardson reported that, at a time when many colleges are seeing a decline in enrollment, Valencia College continues sustained enrollment numbers.

- C. Downtown Campus Report:** Dr. Terri Graham, Interim President, West and Downtown Campuses, and Dr. Eugene Jones, Executive Dean, Downtown Campus, presented the report, which was distributed to the Board. Dr. Jones reported that the Downtown Campus employs 15 full-time faculty and 40 part-time faculty in General Education and Health Information Technology, 41 part-time and 9 full-time faculty in Culinary Arts and Hospitality Management, and 5 full-time staff in Learning Support and Faculty Development to serve the 1,822 combined co-listed enrollment with the University of Central Florida. Dr. Jones shared the Downtown Campus's continued engagement with the Downtown Orlando community.

- D. Audit Plan Update:** Ms. Cynthia Santiago-Guzmán, Director, Compliance and Audit, presented the report, which was distributed to the Board. Ms. Santiago-Guzmán reported that the audit plan continues on schedule, and will be completed by the end of Valencia's academic year 2020-2021. Ms. Santiago-Guzmán shared that she will continue to monitor the accurate disbursement of the spring 2021 COVID-19 Response and Relief Supplemental Appropriations Act (CRRSAA) student financial aid and grants.

Chair Stockwell thanked Ms. Santiago-Guzmán for her work.

- E. Financial Report:** Mr. Bender presented the report, which was distributed to the Board. Mr. Bender indicated that the College's financial positions are positive and on target. Mr. Bender praised the College's financial services team.

Dr. Shugart stated that the following reports items are detailed in the written materials, which have been distributed to the Board:

F. Construction Report

G. Valencia Foundation Report

Board Comments

The Board members welcomed new trustee Mr. de la Portilla to the Board, and congratulated Ms. Smith for her reappointment to the Board.

The Board thanked Dr. Shugart, and Valencia's faculty and staff for their great work.

Mr. Davis, and Mr. Sasso thanked the Downtown Campus SGA representatives for their contributions.

Mr. Sasso praised the College's staff for successfully completing Valencia's new president's contract negotiations.

Ms. Smith shared a portion of the Foundation Report, which reflected that the American Hotel and Lodging Association Foundation has committed \$50,000 for 2021 to provide scholarships, books, equipment and living expenses for four students who are graduates of the Second Harvest culinary program.

Adjournment

Chair Stockwell adjourned the Regular Meeting at 12:12pm.

Secretary

Chair