

Emergency Faculty Senate Meeting
Minutes of
February 20, 2019

William Self, chair, called the meeting to order at 4:00 p.m. The roll was circulated for signatures.

NEW BUSINESS

Dr. Self noted that the regularly scheduled Faculty Senate meeting for February 21 will continue with regular business.

The purpose of the meeting is to discuss the events that transpired yesterday. Dr. Self commented that faculty are the backbone of the university. UCF is a strong institution, but it is critical that the faculty, administration, staff, and students work together to get through this difficult time.

To put the recent events in context, Dr. Self explained that a ballot initiative approved by Florida citizens in 2002 outlined the structure of the State University System. The system is built under the seventeen-member Board of Governors (BOG). The BOG consists of fourteen citizens appointed by the Governor, the Commissioner of Education, Chair of the Advisory Council of Faculty Senates, and the President of the Florida Student Association. The BOG is charged with operating, regulating, controlling, and being fully responsible for the management of the entire university system. The BOG creates regulations that all universities must follow. The BOG also has the ability to approve the president of each university. The BOG delegates the hiring authority for a president to the Board of Trustees. The ballot initiative also formed the thirteen-member Board of Trustees (BOT). Each university BOT consists of six members appointed by the Governor, five members appointed by the BOG, the chair of the Faculty Senate, and the president of the Student Government Association. The Governor and BOG appointees are all confirmed by the Florida Senate and serve at the pleasure of the Governor. The BOG nor the BOT allocate State funds. The Florida Legislature determines how much money is allocated to each university, what funds will be allocated, and how the funds are regulated. The BOG oversees the allocation of performance funding, but it is up to the Legislature to fund or not fund performance funding.

Dr. Self indicated that his comments at the BOT meetings included that there is clear evidence of budget mismanagement, UCF does not have enough faculty input and oversight of the budget, and that he is the only BOT member paid by educational and general (E&G) funds. As the university moves forward it should be with transparency and increased faculty input.

The Senate knows President Whittaker as the Provost. In the time he served as provost, the Senate was able to better engage with the administration and improved faculty governance.

Dr. Self indicated that as the BOT faculty representative, he wanted to bring the faculty together for feedback on the situation before the BOT meeting Thursday morning where the board will address President Whittaker's letter of resignation. Dr. Self reminded the senators that following Robert's Rules of Order, everyone may speak once and let others speak before speaking again. Dr. Self opened the floor for discussion.

Question: What are the BOT's options regarding the letter of resignation?

Answer: To accept or reject.

Comment: If accepted, what next? Many are concerned about a political appointee.

Response: The BOT has the ability to appoint an interim president that will be confirmed by the BOG as soon as possible.

Comment: The recommended action of the agenda is to accept.

Response: Not a foregone conclusion.

Comment: Also on the agenda is the election of a new BOT chair.

Response: Chairman Marchena stepped down and vice chair Robert Garvy is now serving as the interim chair for the remainder of Marchena's term. The Nomination and Governance Committee will be discussing the agenda item.

Comment: The Orlando Sentinel sent a questionnaire to all trustees prior to the letter of resignation. Nine or ten of the trustees indicated that they supported President Whittaker. This shows the trustees mindset prior to the letter of resignation.

Question: The investigation reviewed UCF's budget system. Are you aware if the BOG read the report or are we in a political tailspin?

Response: The investigation was focused only on Trevor Colbourn Hall. When presented to the BOT, other questions were raised to see if other projects were involved. Trustee Seay brought more documents indicating E&G funds used on other projects. The BOG should have the information since it is publically available.

Question: Where the additional instances of E&G funds used on construction projects under the tenure of Dr. Whittaker?

Response: The complete process was over several years. The details we know the most about are about Trevor Colbourn Hall, but the use of funds goes back to the previous administration.

Comment: Concerned about the \$85 million dollars. When we were building Engineering II, we had to raise funds instead of using State allocated funds. Found it alarming that President Whittaker was not aware that E&G funds couldn't be used for capital projects. This resulted in \$10 million or more every year coming out of E&G and that effects class size. Class sections today are 35% higher than 2004 – 2006. This also effects supporting the students and decreases performance. President Whittaker in his letter stated that in order for UCF to succeed, new leadership is required. The union president commented that the resignation was necessary. We have terrific people that can serve as interim president including Rick Walsh, Charlie Gray, or MJ Soileau. We should relax regarding having a credible interim president.

Question: The deans and vice presidents met yesterday and voiced support for Provost Dooley. Will the deans or vice presidents make a presentation to the BOT tomorrow?
Response: Haven't heard anything.

Dr. Self asked for email feedback between now and the meeting tomorrow and trying to get a sense of the Faculty Senate and faculty opinion.

Comment: The evaluation of how we are budgeting and what the future looks like requires transparency and we are headed in the right direction. The point is, is this the right person at the right time to change the system to become more transparent. The other issue is the State indicating that the resignation is the right step is because the highest level person has to go. Worried about the State commenting on what the university will look like in the future. The question has always been who knew about this mistake and who knew it was wrong. Anything beyond that elevates it to a political situation.

Response: Dr. Self commented that since his time as vice chair and chair of the Senate, the university created a Budget and Facilities Budget committee that started out with no faculty to having two faculty. Moving forward, the committees should have more faculty and look at a bigger part of the budget. We are moving in the right direction.

Comment: Unfortunately, this is already a political fight. Members of the Legislature have stood up wanting to close the university. Does President Whittaker have enough credibility to represent UCF with the Legislature?

Comment: Regardless of who is the president or the situation in Florida, as a faculty member, I don't like it when the Legislature determines the guidance of the university. We are an academic institution, I am always going to advocate for an academic to lead the institution and advocate for strong leaders that have academic credentials. I don't agree with the thought of the Legislature having the power of the purse dictating leadership.

Question: Is the vote for the resignation a majority vote of the Trustees? Is the same true for an interim?

Answer: Assume so.

Comment: A reasonable person would look at this and think Dr. Whittaker either knew or he should have known. Either way, it comes down to a credibility issue. Four months ago, he might have been the right person to lead us forward, but it is hard to imagine how that happens now. Not entirely his fault. He stepped into a system where people decided to ask for forgiveness instead of permission and he got caught up in that.

Comment: Many faculty members are concerned about the interim, possibly without an academic background, and the instability it causes.

Comment: Someone needed to be the scapegoat. At some point, you have to stand up against the people being used or abused by the system. There seems to be a history of what happened when this was discovered. There is no way anyone here can know what

the president knew or didn't know. If he is the person to take UCF forward, that also needs to be noted.

Question: Is it possible for the Senate to vote on a recommendation or on an interim?

Answer: I don't know how that would work within the process.

Mr. David Sidhom, the Student Government Association representative introduced himself to the senators. Expressed heartbreak with a tinge of anger over the letter of resignation. Expressed that President Whittaker is student-oriented, worked on student success, student engagement, and overall student health. The student body will be sad to see him leave.

Comment: President Whittaker has been good for UCF. We selected a president that represents UCF very well. Completely abandoning that just for the reason that someone needs to be scapegoated would be sad.

Question: Would a sense of the Senate make a difference at the meeting tomorrow?

Answer: Might.

Motion and second to take a sense of the Senate. Asked for clarification of the motion. A vote of confidence or no confidence. Could also be a vote to determine if the faculty member as a Trustee should accept or deny the resignation?

Comment: Can't imagine having a formal sense of the Senate without enough time to consider information. Can't see this being a wise move.

Comment: Not happy with the president resigning just for the sake of someone taking the blame.

Comment: As a member of the Budget and Administrative Committee in the past, it was remarkable how little access we had to information or resources to look at finances in any critical way. This has been the culture for the past twenty years. This is a top-down organization. The blame lies in the last administration. When you start looking for someone to blame, when that person is no longer here, we are just hurting ourselves by attacking Dale Whittaker. In soliciting thoughts from departmental faculty, I heard we strongly support and others feel he is in charge and must go. Recent recruits of junior faculty are being recruited and thinking about leaving. If we put the wrong person in charge, we risk losing many of the gains we have made. UCF is very fragile right now. We built a high-quality institution based on a low-quality institution's budget. President Whittaker has a vision, extremely capable, has shown integrity, and is transparent. I have been involved in the interview process and we have not interviewed a candidate that comes close to Dale Whittaker. Very concerned we will get a political appointee, someone that is self-interested, and squander what we have done so far. The Trevor Colbourn Hall misappropriation happened before he was President. At the time he was managing ten to fifteen major projects. We need to stand behind President Whittaker. He is the only leader since 2006 with the depth of vision and the connection with faculty and students.

Comment: The Board of Governors and the Legislature decided to continue the investigation. The fact that our President is falling on the sword before the investigation is complete and the comments by the legislature are concerning. What's next? The risk of delegation is always there. Responsibility was delegated to the chief financial officer. If the chief financial officer isn't doing the job, we are in trouble. We have to improve the system.

Comment: I was here when Steve Altman was President. It was very disappointing that Altman had to step down. In the end, UCF did better. What concerns me is the comment in the Orlando Sentinel by House Speaker Oliva indicating, "Today, President Whittaker took a major step towards repairing the relationship between UCF and the legislature. While there are several who shoulder more of the blame for the improper spending that occurred at UCF, President Whittaker knows, ultimate responsibility rests with the executive".

Comment: In talking with several colleagues, and the general feeling was UCF should accept the resignation to move forward. Also concerned the Legislature will be adversarial and UCF will be harmed by past actions. Some felt we should hold a vote of no confidence. Whether President Whittaker stays or goes, the faculty, staff, and students are the ones to pay the cost.

Question: Dr. Self was at the Board of Governors meeting when the investigation was discussed. What was the feeling in the room?

Answer: A number of members were upset that the BOT didn't extend the investigation and challenged the president and BOT chairman on the issues.

Question: Members of the Legislature are using this to bash UCF. We have no control over and can't predict what the Legislature will do in the future. Will resignations from the BOT end with Marchena?

Answer: Unknown. Our Trustees are passionate about making UCF a better place and doing what is right for the university.

Comment: What I'm hearing from the BOG are implications of restructuring the university with comments that they are not happy with the direction of the university. What do they want to do with us? Faculty have to step up and speak up regarding what UCF will look like in the next five to ten years.

Brief discussion if the Board of Trustees are appointed to a specific term.

Question: Was there any indication of personal gain from the misappropriation and how unsafe was the old building?

Answer: Nobody personally gained from the misappropriation. The safety of the old Colbourn Hall conflicts with what was said versus what the report determined.

Question: Did they talk to the faculty that worked in the building?

Answer: A senator indicated that he has talked to faculty that worked in the building. They are overwhelmingly distressed over the lack of communication regarding serious

issues of safety and the reason UCF needed to accelerate the new building. At the same time, faculty were told the building was safe. It was a stunning failure of leadership not to communicate the safety concerns.

Comment: Don't really care what Whittaker knew. We are in a period of aggression with the Legislature. The question is, can Whittaker successfully lead us through tough times.

Question: Clarify where the Constellation funds are coming from?

Answer: The BOT was asked to approve a plan for carryforward funds. One category was the Constellation fund. The funds are being determined how they will be used for scholarships.

ADJOURNMENT

The meeting adjourned at 5:15 p.m.