



*University of Florida
Board of Trustees Special Meeting
October 25, 2002*

A special meeting of the University of Florida Board of Trustees was held on Friday, October 25, 2002 at 2:00 p.m. by telephone conference call for the purpose of discussing two proposed amendments to the Florida Constitution.

Board Chairman Marshall Criser welcomed the trustees to the meeting, stating that the purpose of the call was to discuss proposed constitutional amendment 9 pertaining to public school class size and proposed constitutional amendment 11 pertaining to public higher education governance. The assistant secretary established that a quorum was present at the meeting, with trustees Daniels, Dasburg and Thweatt unable to attend due to unavoidable conflicts.

Mr. Criser set forth the possible positions the Board of Trustees might take which would include supporting one or both of the proposed amendments, opposing one or both of the amendments, or taking no action on one or both of the amendments. Mr. Criser suggested that a rationale should be articulated for the Board's decisions regardless of the positions taken.

Mr. Criser next asked that Trustee Dianna Morgan, as Chair of the Governmental Relations Committee, provide background to the Board on proposed amendment 9. Ms. Morgan first recommended that the Board consider whether Board action on amendment 9 was appropriate. Ms. Morgan discussed the potential negative budget impact of amendment 9 if passed. She referenced the experience of other states which have adopted such amendments, particularly concerning the number of qualified teachers which needed to be hired to meet the mandate. Ms. Morgan also pointed out that states that have adopted such amendments have found it difficult to effectively measure the positive effects of those mandates. Ms. Morgan closed her comments by recommending the Board oppose amendment 9 for the above reasons and stating that it was appropriate for the Board to act as a part of the public education system that likely would be negatively affected by the budget requirements of such a mandate.

Mr. Criser then requested that President Charles Young provide his thoughts regarding amendment 9. President Young stated that he believed it is appropriate for the Board of Trustees to take a position on the issue because the high costs attendant to amendment 9 will reduce available budget monies for other programs. President Young pointed out that amendment 9 would reduce the choice of the variety of reforms that could be implemented by educators to improve the public school system. He recommended that the Board of Trustees articulate reasons for its adoption of its position so that the Board cannot be accused of being against quality education in Florida.

Ms. Morgan moved that the Board resolve to oppose amendment 9, with an appropriate policy explanation as to why. During the discussion on the motion, several trustees noted that the points that were raised by President Young and Ms. Morgan reflected their own views. In addition, trustee Mac McGriff indicated that he does not believe the issue rises to the level to warrant revision to the Florida Constitution. Trustee Joelen Merkel added that, after speaking to a number of schoolteachers and others, she believes amendment 9 would result in a lack of flexibility in methods to improve the quality of public school education. Trustee Nikki Fried noted that her discussions with a number of University of Florida students indicated that many students oppose the amendment because of the additional burden on the University's College of Education to produce significantly greater quantities of qualified teachers.

The motion to oppose proposed amendment 9 was adopted unanimously among all trustees in attendance.

Mr. Criser next introduced proposed constitutional amendment 11, commonly known as the "Graham Amendment." Mr. Criser called on Ms. Morgan to provide background on the proposed amendment in her capacity as Chair of the Committee on Governmental Relations.

Ms. Morgan opened her remarks with a suggestion that the Board consider whether, as for amendment 9, taking a position on amendment 11 was appropriate. She stated that when trustees applied for positions on the Board, they understood and endorsed the structure that was in place at that time. She noted that over the year the University of Florida Board of Trustees and other boards have made significant gains that could be overturned by the amendment. Ms. Morgan further offered that the Board effectively works with faculty, administration, students and other constituents. She indicated that while it is difficult ever to take politics out of the legislative process completely, the Board of Regents was not able to accomplish this goal and there is no indication that the Board of Governors would

have a superior ability to do so. Ms. Morgan stated that although each trustee should be advocates for their own universities, trustees also are capable of and have a broader view of the higher education system as a whole. Finally, Ms. Morgan indicated that the work of the Board has barely begun and that the Board and the President are working on the finalization of a cogent strategic plan that will be implemented when approved in final form. She moved that the Board resolve to oppose amendment 11.

Mr. Criser then turned to President Charles Young to present his thoughts to the Board. President Young indicated that he has long taken a position opposing amendment 11. He stated that because the Board's possible opposition to amendment 11 could be viewed as self-serving, the Board would be well served by articulating rationale for its opposition if it does oppose the measure.

Trustee Carlos Alfonso expressed like opposition to amendment 11, indicating that it would be a destabilizing force by putting in place no better of a system, and in some ways substantially worse of a system, as the current system. Trustee Louise Courtelis pointed out that the boards of trustees have been in existence only for a little over a year, and that any new system cannot be evaluated fairly without providing sufficient time for the system to work.

Trustee Manny Fernandez stated that it is far too early to move to yet another system of governance. Mr. Fernandez suggested that based on his personal experience the passion of his fellow trustees and their work with students, faculty and staff has been effective. Mr. Fernandez stated that changing the governance system at this time would unravel and demoralize the work of all the groups. Therefore, he voiced his strong disagreement with proposed amendment 11.

Trustee Mac McGriff indicated that given the number of University of Florida alumni supporting amendment 11, he made an independent effort to fully understand the proposal. He stated that even after having done so, he believes proposed amendment 11 would add a layer of bureaucracy and uncertainty to the current system. Therefore, Mr. McGriff indicated his opposition to amendment 11.

Trustee Merkel expressed her opposition to amendment 11, commenting that a state university governance system is not an issue that rises to the level of belonging in the Florida Constitution. She also stated that a governance system needs to be responsive to all stakeholders and that responsiveness can best be accomplished through local boards.

Trustee O'Connell concurred with the remarks of her fellow trustees and indicated her opposition to the amendment. Trustee Al Warrington briefly shared his views with the Board and indicated his opposition to amendment 11. Trustee Nikki Fried indicated that her discussions with students at the University of Florida reflected their opposition to proposed amendment 11 because the current system allows the best input by students.

In offering his views, Mr. Criser indicated his struggle with proposed amendment 11 because, if the amendment provided for lump sum funding, he probably would support it. Mr. Criser referenced the abuse in PECO funding this past legislative session and suggested to the Board that the current governance system was not able to deal with that problem. He stated that the boards need to work on this problem and correct it, but as long as the Legislature has constitutional authority to appropriate funds, it will have the ability to engage in the practices that were observed this past legislative session. Mr. Criser also stated that the disorganization and potential bureaucracy that amendment 11 could produce, balanced against its merits, resulted in his opposition of the amendment. Mr. Criser summarized by suggesting that correcting flaws in the current system should be the focus, not moving to another new system at this time.

The motion to oppose proposed amendment 11 was adopted unanimously among all trustees in attendance.

In closing the meeting, Mr. Criser suggested that the Board issue a formal statement no later than the end of the following work day. Several trustees requested that he and President Young approve on behalf of the Board the language of any statement in order to move expeditiously, and such suggestion was approved by all trustees.

The meeting was adjourned at approximately 2:45 p.m.

Charles E. Young
Secretary

Pamela J. Bernard
Assistant Secretary