

MINUTES
STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
Florida International University
October 30th, 2024
Full Board

~1:33 p.m. – 2:35 p.m.

Video or audio archives of the meetings of the Board of Governors and its committees are accessible at:

<https://thefloridachannel.org/videos/10-30-24-florida-board-of-governors-meeting-part-1-2/>

1. Call to Order

Chair Brian Lamb called to order the Full Board portion of the meeting. Rachel Kamoutsas called the roll. Chair Lamb, Vice Chair Levine, Governors Brinkman, Cerio, Diaz, Frost, Good, Haddock, Jones, Lydecker, Oliva, Phalin, and Silagy were present, and a quorum was met. Mateer (appeared via phone).

2. Chair’s Remarks and Report to the Board

Chair Lamb began by commending the Board for their work’s results, which amounted to the lowest national tuition rates, remaining in the Fortune 500’s top half, and continuous upward movement. He reflected on the economic impact of the State University System and indicated a need for a “refresh” on that data point. Before handing the floor over to Chancellor Rodrigues, he thanked the Board and commended the transparency of the Strategic Plan process and seeking operational excellence.

3. Chancellor’s Remarks and Report to the Board

In his remarks, Chancellor Ray Rodrigues resumed a conversation introduced at the previous board meeting about the State Higher Education Executive Officers Association (SHEEO) statistics. Chancellors from across the country gathered at this conference. He reported on a number of surveys and reports assessing the public perception of higher education. For instance, in a Gallop survey, as of 2023, 36% of the public had a great deal of confidence in higher education, this was down from 57% in 2015. Other organizations surveyed the same question. According to the Foundation for Individual Rights and Expression (FIRE), in January of 2023, 31% reported confidence in higher education, yet later in May of 2023, this number minimized to 28%. The PEW Center asked the public if college was worth it, which revealed that 22% said “yes” even with a loan, 47% said “yes” without a loan, and 29% said “no” and 2% did not answer. The Chancellor then introduced findings from Gallup, in which they asked the public whether or not higher education is moving in the right direction, to which 68% said “no” and 31% said “yes.” This deeply concerns those that lead higher education in other states. Gallup determined these answers were given based on three critical factors: 1.) political agendas, 2.) the belief that college degrees are not teaching the right material and not

truly preparing students for their careers, and 3.) Cost/expenses/debt. The Chancellor then reported that Florida has addressed all three of these concerns and emphasized Florida's State University System's focus on these issues, which is contributing to progress, which should be publicized.

Chancellor Rodrigues then addressed the one-year anniversary of the turmoil in the Middle East and reported that Florida campuses navigated that date well. He noted that, in light of the upcoming election, universities are restricted from directly supporting or engaging in political or social activism while student organizations are allowed to take positions on political organizations. With this, the Chancellor concluded his remarks.

4. Public Comment

The first member of the public to make a comment was Mike Sanderson. He spoke about the New College of Florida's Carryforward Plan.

The second member of the public to make a public comment was Jona Miller. He spoke about the New College of Florida's Carryforward plan.

The third member of the public to make a public comment was Benjamin Brown. He spoke about the New College of Florida's Carryforward plan.

Rachel Kamoutsas concluded the public comment portion of the meeting.

5. Athletics Discussion

Tim Jones began discussing integrating Name, Image, and Likeness (NIL) deals in college athletics. He reflected on 2020 when Grant House, a swimmer for Arizona State University, and Sedona Prince, a basketball player for the University of Oregon, instigated a lawsuit against the NCAA and Power 5 conference for barring NIL deals for student-athletes. In 2021, NCAA began allowing NIL, in May of 2024 the NCAA a settlement was reached in which former D1 athletes, starting from 2016 to 2021, would receive compensation for NIL.

Tim Jones then summarized the few known facts following this settlement, such as:

1. The NCAA will pay 2.8 billion over the next 10 years.
2. Universities can provide increased benefits to athletes through NIL deals.
3. Scholarship limits will be eliminated in all sports, and roster limits will be established.
4. This will cost the Power 5 institutions ≈\$20-\$23 million annually.

Tim mentioned a few ways other states have adhered to this process. The University of Tennessee has added a 10% fee to game tickets to help pay their student-athletes. Alabama is advertising donations to its athletics. Clemson has added a \$150/semester athletic fee, though they say it is not linked to the NIL deals but because it is the only D1 school that did not have an athletic fee.

Chair Lamb then invited the Board and university representatives to engage in a discussion around how Florida universities will contribute to this change in athletics.

Chair Collins says that the House case will put “guard rails,” around NIL, but this case will change the way NIL is done. The universities need to figure out how to meet this cap in the short term. Each institution in the State needs flexibility and levers that can be pulled to meet this need. He reiterates that, from a public policy standpoint, not everybody will want general tax dollars to go to college athletics, but reminded the board that athletics significantly boost the economy and culture of their universities.

FAU Chair Bussani noted the impact on FAU when FAU’s Basketball team went to the NCAA tournament. The earned media, social media, fundraising, increase in donor participation, increase in applications and enrollment, and other interests were largely and positively impacted due to the FAU college basketball team’s participation in the NCAA tournament.

FAMU President Beard noted his concern of over equity afforded to each student, athlete, and institution, where possible, in the NIL context.

Governor Oliva reflected on how college athletics was originally meant for students with a proclivity for a sport, then sports became a much more competitive and finally resulted in the current college athletic climate with huge monetary impacts surrounding collegiate sports. Over time, this system became tantamount to a semi-pro league and Governor Oliva warned the Board against allowing “the tail [to] wag the dog.” He also cautioned that if guardrails are not upheld, due to this involving a public system, that the public will likely absorb the cost, concluding it is imperative to address this evolving issue properly.

Governor Phalin expressed interest in the statutory issues and guardrails that exist from state to state.

Governor Diaz added to the discussion by clarifying that FHSAA bylaws in Florida, allows a student athlete to accept a NIL, but it does not allow collectives in high school. So, when a student can monetize their NIL, they can have a YouTube channel or a sponsor for a local business, but there was a strong hold against a collective. He then asked, as a result of this case, where is the use of state dollars truly in this conversation?

Chair Lamb regained the floor stating that the state dollar narrative is just being addressed as a possibility, while none of the governors are suggesting that, since the Board has not made a specific recommendation, there is a proliferation of ideas.

Governor Diaz reiterated that this is an arms race, this could be impacted by other states deciding that they will pour state funds into this effort and that puts our state at a disadvantage. Once you cross into state funding, that is a dangerous place to be.

Governor Silagy offered a new perspective, saying he had not personally heard much discussion focused on the state dollar but on universities' expanded use of auxiliary dollars. He says that universities are multibillion dollar businesses and should be given a way to run such a business as effectively and efficiently as possible, without subsidization

of taxpayers. There is massive value of sports programs, so he is committed to helping universities find a way to become competitive, but the expertise lies with the Chairs of the Board of Trustees and the athletic directors.

As an example, Chair Tovar of Florida International University (FIU) offered expressed interest in getting ahead of this and identify where we do have funds availability how can we have flexibility. He pointed out the example of improved marketing for an institution such as in the case of FIU had made a bold collaboration with a famous musician, Pitbull, to rename their football stadium after the South Florida native. He reported that this decision boosted every relative avenue of the university and gave them much-needed exposure. He also agreed that this can become an “arms race” and is interested in coming together to identify a path forward.

Governor Levine noted that he supports the benefit of athletics that it brings to the institution, and he wants to support the universities to get the support they need and to do so from the right place, which does not include taxpayers. He also wants to avoid unintended consequences. Governor Levine proposed to have some athletic directors and others come meet and educate the Board and consider how the Board can respond to that guidance. Chair Lamb agreed to have a follow up with a group to educate and offer a framework of recommendations.

6. Presidential Search Updates

Chair Lamb asked for updates to the presidential search reports, prompting Governor Mateer to report out that the FAU search committee has approved the marketing plan for the presidential position which is ready for FAU Board of Trustees approval. FAU Chair Bussani also noted that a number of listening sessions with students, faculty and staff and appreciates Governor Mateer for his support. FAMU Chair Harper indicated a search committee would be selected soon and a search firm thereafter. Governor Lydecker reported on UF’s progress, which included the announcement of the UF Presidential Search Committee.

7. Consent Agenda

Chair Lamb then reported that nothing was being removed from the agenda, which was moved by Governor Phalin and properly seconded by Governor Levine, and the motion carried.

8. Concluding Remarks and Adjournment

Chair Lamb adjourned the meeting.