



Minutes  
Edison State College  
District Board of Trustees  
Lee Campus – Board Room, I-223  
June 26, 2012  
2:00 p.m.



### Call to Order

The District Board of Trustees of Edison State College met in regular session in Lee County, Florida, on June 26, 2012 at 2:02 p.m. with the meeting called to order by Ann Berlam, Chair.

Present: Ann Berlam, Chair  
Marjorie Starnes-Bilotti, Vice Chair  
Brian Chapman, Jr.  
Julia Perry  
Braxton Rhone  
Christopher Vernon  
Sankey E. "Eddie" Webb, III

Absent: Dr. Randall Parrish, Jr.

Others: J. Dudley Goodlette, J.D., Interim District President  
June Hollingshead, Recorder

### Pledge to Flag

**Introduction of Guests and Public Comment – None**

### Reports to the District Board of Trustees

#### Faculty Senate Report (Presenter: Dr. Bill Wilcox)

Dr. Wilcox introduced Dr. Lisa McGarity, Collier Campus Chemistry professor, who reported on Phi Theta Kappa, the international honor society for two-year colleges. Their purpose is to recognize student achievement, and their mission is to promote discourse among faculty, staff, and students via projects which benefit the College. Dr. McGarity described the Five Star Program for members and chapters, this year's Honors Study Topic – "The Culture of Competition," the Honors Case Study Challenge, key community partners and chapter projects.

#### Legal Update Report (Presenter: Mr. Mark Lupe)

- Equity Report – Mr. Lupe thanked Ron Dente for his leadership with this annual report. President Goodlette received a response from Ms. Linda Earls in the Florida Department of Education's Office of Civil Rights stating that the report was complete and contained all statutory components. She commended Edison for efforts directed toward increasing representation of minorities in enrollments, retention, completions, and success in mathematics gate-keeping courses. Overall, the College has seen increases among most minorities in all areas. Also, Edison received praise for detailed analysis of data and comprehensive inclusion of methods and strategies to address the areas under-represented.

- HB 1355 – An educational question-and-answer brochure has been created to disseminate to the College community and to share with Senator Lizbeth Benaquisto who sponsored this legislation regarding child abuse on educational property or at educational events. The best path to compliance is ensuring that the College community understands what the law requires of the College. Edison State College's approach to HB 1355 compliance was recognized by the Governor's staff and the Senator at the ceremonial bill signing in Lee County on June 8, 2012.
- Red Flags Identity Theft Prevention Program – Last September the Board approved the Red Flags Identity Theft Prevention Program to assure compliance with federal law. In May, Mr. Lupe and Ms. Doeble attended a presentation by the Florida College System's Council of Business Affairs on identity theft. The speaker, Frank Mitchell, works with a company, Identity Theft Loss Prevention, which provides identity theft training for over 100 colleges and universities throughout the United States, including 4 Florida College System institutions. This month, his company conducted a college-wide review of Edison's information practices in key areas, and conducted training for all College supervisors and management which served to heighten awareness of information security management at the College.
- Rule Making – Section 120.74 of the Florida Statutes requires that the College establish a rule-making agenda for the next year. Included in the agenda to be submitted to the state are the following new rules:
  - A new rule to address the dismissal, return to annual contract for continuing contract personnel, in conformity with State Board of Education Rule 6A-14.0411. Work has begun on this rule, but because the Department of Education has begun rule development for a substantial amendment to the State Rule, we will defer further action on a local rule until after the Department of Education completes its rewrite. This will ensure that Edison is aligned with state law.
  - A new rule to address the dismissal of contract personnel other than faculty appointments. The College does not currently have this rule and leaves a significant gap in our local rules. This applies to non-faculty personnel.
  - A new rule to address the granting of continuing contracts in conformity with State Board of Education Rule 6A-14.0411. Again, with the development of a new State Rule, Mr. Lupe anticipates that the rules regarding the granting of continuing contracts are going to change. The College wants to make sure that its practices are aligned with State law and Department of Education rule.
  - A new rule to address disposal of personal property which is abandoned on campus. This will respond to amendments to Section 705.18 – Florida Statute.

Mr. Lupe anticipates adding language to establish a College policy regarding the protection of vulnerable persons in accordance with HB 1355. Additional revisions to local rule may be needed to comply with any requirements of SACS or as a result of legislative enactments during the last session.

- Steve Atkins – September 3, 2013 has been set as the trial date for this case.
- Robert Beeson – An answer was filed on behalf of the College on May 10, 2012. A case management report has been filed in this case though not yet adopted by the order of the court, and recommends a trial term commencing on October 1, 2013.

President's Comments (Presenter: Mr. J. Dudley Goodlette) – No comments

**Old Business – None**

**New Business**

Agenda Item #1. Approval of Minutes of (a) Workshop May 22, 2012 (Page 1), (b) Regular Meeting May 22, 2012 (Page 2), and Special Meeting June 1, 2012 (Page 6) (Presenter: Mrs. Berlam)

MOTION by Marjorie Starnes-Bilotti, seconded by Chris Vernon, to approve the minutes of the workshop May 22, 2012, the regular meeting May 22, 2012, and the special meeting June 1, 2012, as amended below. Approved unanimously.

- Regular Meeting May 22, 2012
  - Page 3, Agenda Item #5 – Replace “Personal” with “Personnel”
  - Page 3, Professional Development – Replace “None” with “Budget Workshop”
- Special Meeting June 1, 2012
  - Page 3, 3<sup>rd</sup> paragraph – Amendment to the Motion, Replace “a housing allowance” with “an auto allowance”

Agenda Item #2. Approval of the 2012-2013 Edison State College Capital Improvement Program (Presenter: Mr. Nice/Board Liaison: Mr. Chapman) (Page 9) (Bound backup in rear)

MOTION by Brian Chapman, seconded by Eddie Webb, to approve the 2012-2013 Capital Improvement Program, as presented. Approved unanimously.

Agenda Item #3. Approval to Discontinue Academic Programs (Presenter: Dr. Harrel) (Page 10)

MOTION by Eddie Webb, seconded by Brian Chapman, to approve the discontinuation of academic programs, as presented. Approved unanimously.

Agenda Item #4. Approval for New Academic Programs (Presenter: Dr. Harrel) (Page 13)

MOTION by Braxton Rhone, seconded by Chris Vernon, to approve the new academic programs, as presented. Approved unanimously.

Agenda Item #5. Approval to Write-off Delinquent Accounts (Presenter: Mrs. Doeble /Board Liaison: Mr. Webb) (Page 20)

MOTION by Eddie Webb, seconded by Marjorie Starnes-Bilotti, to approve the write-off of delinquent accounts deemed to be uncollectible, in the amount of \$699,718. Approved unanimously.

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Agenda Item #6. Approval to Remove College Property from Inventory  
(Presenter: Mrs. Doeble/ Board Liaison: Mr. Webb) (Page 23)

MOTION by Eddie Webb, seconded by Chris Vernon, to approve the removal of College property from the College's inventory system as presented, and that the assets be reduced as appropriate. Approved unanimously.

Agenda Item #7. Approval of the Fiscal Year 2012-13 Budget and Operating Plans (Presenter: Mrs. Doeble/Board Liaison: Mr. Webb) (Page 30) (Bound backup in rear)

MOTION by Eddie Webb, seconded by Marjorie Starnes-Bilotti, to approve the Fiscal Year 2012-2013 Operating Budget, Collegiate High Schools Budget, Capital Outlay Budget, Technology Budget, Financing Corporation Budget, Student Tuition and Fees, Investment Policy, and Wage and Salary Schedule as presented. Approved unanimously. Any adjustments that may need to be made to the budget for tuition increases in the spring semester would have to be considered by the Board in September.

Agenda Item #7(a). Approval to Transfer Unrestricted Fund Balance (Presenter: Mrs. Doeble/ Board Liaison: Mr. Webb) [Page 31(a)]

MOTION by Eddie Webb, seconded by Brian Chapman, to approve a \$1,400,000 transfer from the Current Unrestricted Fund 1 to the Unexpended Plant Fund 7 in support of the College's Technology Plan, supporting on-going capital needs including additional parking or parking lot improvements. Approved unanimously.

Agenda Item #8. Approval to Enter into an Employment Contract with Dr. Jeffery S. Allbritten, Ph.D. to Serve as District President of Edison State College (Presenter: Mrs. Berlam)

MOTION by Ann Berlam, seconded by Eddie Webb, to enter into an employment contract with Dr. Jeffery S. Allbritten, Ph.D., to serve as District President of Edison State College, in the amount of a \$275,000 annual salary and \$1,000 monthly vehicle allowance for a total contract amount of \$287,000. Non-contract benefits of \$65,503.42 bring the grant total annual compensation to \$352,503.42. The 2-year, 11-month contract begins July 31, 2012. Approved unanimously. (See Attachment #1 – Edison State College Employment Agreement for the District President and Attachment #2 – Estimate: Annual Compensation Package)

During discussion, Mr. Vernon noted contract item #7B. *Termination* referencing a negative presidential evaluation by the Board, and proposed a change to the Presidential evaluation form to include a designation of a "positive" or "negative"

evaluation. He also suggested Dr. Allbritten provide a quarterly email of reimbursable expenses.

Agenda Item #9. Approval to Enter into Amendment Number One to the Interim President Contract between the Board of Trustees of Edison State College and J. Dudley Goodlette (Presenter: Mrs. Berlam) (Page 32)

MOTION by Ann Berlam, seconded by Braxton Rhone, to enter into Amendment Number One to the Interim President Contract between the Board of Trustees of Edison State College and J. Dudley Goodlette to extend the contract an additional two weeks through August 15, 2012 in order to provide for an orderly transition with the new District President, Jeffery S. Allbritten, Ph.D. whose employment begins July 31, 2012. Approved unanimously.

Agenda Item #10. Approval to Discuss and Approve the Interim District President's Performance Evaluation (Presenter: Mr. Dente/Board Liaison: Mrs. Starnes-Bilotti) (Page 39)

MOTION by Marjorie Starnes-Bilotti, seconded by Julia Perry, to discuss and approve the Interim District President's performance evaluation, and transmit to the Chancellor of the Division of Community Colleges. Approved unanimously.

Agenda Item #11. **PUBLIC HEARING.** Approval to Amend District Board of Trustees Policy Number 6Hx6:1.05 – *Edison State College Financing Corporation* (Presenter: Mr. Lupe) (Page 40)

The Chair opened a Public Hearing. MOTION by Brian Chapman, seconded by Eddie Webb, to approve revisions to District Board of Trustees Policy Number 6Hx6:1.05 – *Edison State College Financing Corporation*, which make it clear that the permissible expenditures by the Edison State College Financing Corporation include capital, operating, and non-operating expenditures. Approved unanimously. The Chair declared the public hearing on this item ended. **END PUBLIC HEARING.**

Agenda Item #12. **PUBLIC HEARING.** Approval to Amend District Board of Trustees Policy Number 6Hx6:1.06 – *The Edison State College Investment Policy* (Presenter: Mr. Lupe) (Page 43)

The Chair opened a Public Hearing. MOTION by Eddie Webb, seconded by Brian Chapman, to approve revisions to District Board of Trustees Policy Number 6Hx6:1.06 – *The Edison State College Investment Policy*, which ensure that the Policy continues to be aligned with Florida Statutes and reflects current administrative titles. Approved unanimously. The Chair declared the public hearing on this item ended. **END PUBLIC HEARING.**

Agenda Item #13. **PUBLIC HEARING.** Approval to Amend District Board of Trustees Policy Number 6Hx6:2.03 – *Discrimination and Harassment Policy* (Presenter: Mr. Lupe) (Page 50)

The Chair opened a Public Hearing. MOTION by Brian Chapman, seconded by Chris Vernon, to approve revisions to District Board of Trustees Policy Number 6Hx6:2.03 – *Discrimination and Harassment Policy*, which ensure that the Policy continues to be aligned with Florida Statutes and federal law. Approved unanimously. The Chair declared the public hearing on this item ended. **END PUBLIC HEARING.**

Agenda Item #14. **PUBLIC HEARING.** Approval to Amend District Board of Trustees Policy Number 6Hx6:2.05 – *Equal Access/Equal Employment Opportunity* (Presenter: Mr. Lupe) (Page 55)

The Chair opened a Public Hearing. MOTION by Brian Chapman, seconded by Chris Vernon, to approve revisions to District Board of Trustees Policy Number 6Hx6:2.05 – *Equal Access/Equal Employment Opportunity*, which ensure that the Policy continues to be aligned with Florida Statutes and federal law. Approved unanimously. The Chair declared the public hearing on this item ended. **END PUBLIC HEARING.**

Agenda Item #15. **PUBLIC HEARING.** Approval to Amend District Board of Trustees Policy Number 6Hx6:6.03 – *Substitution Policy for Students with Disabilities* (Presenter: Mr. Lupe) (Page 57)

The Chair opened a Public Hearing. MOTION by Brian Chapman, seconded by Eddie Webb, to approve revisions to District Board of Trustees Policy Number 6Hx6:6.03 – *Substitution Policy for Students with Disabilities*, which ensure that the Policy continues to be aligned with Florida Statutes and regulations. Approved unanimously. The Chair declared the public hearing on this item ended. **END PUBLIC HEARING.**

Agenda Item #16. Approval of Dates, Time and Locations for District Board of Trustees Regular Meetings for 2012-2013 (Presenter: President Goodlette) (Page 60)

MOTION by Braxton Rhone, seconded by Brian Chapman, to approve that the District Board of Trustees meet on the fourth Tuesday of the month at 2:00 p.m. at the locations and dates presented. Approved unanimously.

**Other Business – None**

Consent Agenda

Agenda Item #17. Approval of Personnel Actions (Presenter: Mr. Dente/Board Liaison: Mrs. Starnes-Bilotti) (Page 63) (*Bound backup in rear*)

MOTION by Marjorie Starnes-Bilotti, seconded by Braxton Rhone, to approve the Personnel Consent Agenda Actions, as presented. Approved unanimously.

Information Only

Agenda Item #18. Edison State College Monthly Financial Report (Presenter: Mrs. Doeble/Board Liaison: Mr. Webb) (Page 64)

Mrs. Doeble presented the Monthly Financial Report for information only.

Agenda Item #19. Edison State College Collegiate High Schools Monthly Financial Report (Presenter: Mrs. Doeble/Board Liaison: Mr. Webb) (Page 69)

Mrs. Doeble presented the Collegiate High Schools Monthly Financial Report for information only.

Written Reports

Agenda Item #20. Monthly Report on Edison Collegiate High School – Lee (Page 73)

A written report was presented for information only.

Agenda Item #21. Monthly Report on Edison Collegiate High School – Charlotte (Page 75)

A written report was presented for information only.

Professional Development – SACS (Presenter: Dr. Erin Harrel) Dr. Harrel presented a SACS update including appreciation to the Leadership Response Team Leaders, and the supporting efforts of the IT Department, Edison On-Line, the director of Academic Services, and Staff and Administrative Assistants. She reviewed in a PowerPoint presentation the Disclosure Announcement, the continuation of the Leadership Response Teams, a monitoring report due in November or December, a January 2013 site visit, and the SACS Board of Trustees June 2013 vote. She also shared the status of the 14 Recommendations. The *SACS Update Report* will be kept as a standing agenda item.

**President's Comments** – President Goodlette will address the State of the College at the July 24, 2012 Board meeting.

**Board Members' Comments**

Chair's End-of-Year Report (Presenter: Mrs. Ann Berlam)

Mrs. Berlam shared her reflections on the accomplishments of the Board during the last year. (See *Attachment #3 – End of Year Reflections*)

**Adjournment** – The meeting was adjourned at 4:17p.m.



J. Dudley Goodlette, J.D.  
Interim District President  
District Board of Trustees

Date

7/24/12



Ann Berlam, Chair  
District Board of Trustees

Date

7/24/12



**EDISON STATE COLLEGE  
EMPLOYMENT AGREEMENT  
FOR THE DISTRICT PRESIDENT**

**THIS AGREEMENT** dated June \_\_\_\_, 2012, ("EFFECTIVE DATE"), is by and between the **DISTRICT BOARD OF TRUSTEES OF EDISON STATE COLLEGE, FLORIDA** ("BOARD"), a political subdivision of the State of Florida and public body corporate, 8099 College Parkway, Fort Myers, Florida 33919-5566, and **JEFFERY S. ALLBRITTEN, Ph.D.**, ("PRESIDENT").

**WITNESSETH**

**WHEREAS**, the BOARD and the PRESIDENT, at a regular meeting held pursuant to §1001.61, Florida Statutes on June 26, 2012, have negotiated the terms and conditions of this employment agreement and desire to reduce their agreement of such terms and conditions to writing.

**NOW, THEREFORE**, in consideration of the terms and conditions and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **EMPLOYMENT.** The BOARD hereby employs DR. ALLBRITTEN to serve as PRESIDENT and Chief Executive Officer of Edison State College (the "COLLEGE") for an initial term as described in Paragraph 3 below. The PRESIDENT hereby accepts such employment and acknowledges that during any term of this Agreement, the PRESIDENT shall also serve as Secretary of the BOARD, in accordance with Section 1001.65(5), Florida Statutes. The PRESIDENT shall devote, except as provided otherwise herein, full-time attention and energies to the duties as PRESIDENT, subject to the policies, supervision and direction of the BOARD.
2. **DUTIES.** PRESIDENT shall act as the PRESIDENT of COLLEGE and perform all duties and assume all responsibilities as PRESIDENT as may be prescribed by the laws of the State of Florida, the rules and regulation of the State Department of Education, and the policies and directives of the Board of Trustees of Edison State College. PRESIDENT shall, among other duties and not in limitation thereof, oversee, manage and coordinate all day to day activities of COLLEGE; retain qualified faculty and administrative and staff, and take appropriate action to discipline or dismiss same if necessary; promote admissions; maintain the COLLEGE physical plant; promote the expansion of the COLLEGE's direct support organization; oversee and be responsible for the development of the budget for the COLLEGE; ensure that all accreditation requirements are complied with, and accurately and timely transmit same to the appropriate accreditation agencies; ensure adherence to the controls and procedures designed to maintain the accuracy of the COLLEGE's financial statements and fiscal health and integrity; ensure adherence to the Florida Open Government

and Public Records laws, and maintain appropriate communications in accordance with Florida law and Board of Trustee policies, with the Board Chair and Board Members, and carry out the policies of the Board of Trustees; attend all meetings of the Board of Trustees, unless excused by the Chair, and provide staff to ensure the adequacy of facilities and equipment for the conduct of such meetings; maintain communications with, and request legal advice from, the General Counsel and attorney or attorneys hired by COLLEGE; faithfully, diligently, exclusively and competently devote his full time and attention and energy to the business of the COLLEGE. He may, and is encouraged to, devote a reasonable amount of time, to civic and educational activities that promote the interests of the COLLEGE, provided same does not interfere with his duties to the COLLEGE.

PRESIDENT shall not have any interest, financial or otherwise, direct or indirect, in any activity which is, or raises the appearance of, a conflict or impropriety in the discharge of his duties. Further, PRESIDENT shall not engage in any act of immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, or drunkenness, nor be convicted of a crime involving moral turpitude.

3. **TERM OF EMPLOYMENT; EVALUATION and RENEWAL.** The PRESIDENT'S employment shall be for an initial term commencing July 31, 2012, and terminating June 30, 2015, subject, however, to prior termination as provided for in this Agreement. The anniversary date of this Agreement hereafter shall be deemed to be July 1 of each year. Pursuant to Florida Statutes and Section 6A-14.026, Florida Administrative Code, the BOARD shall annually evaluate the PRESIDENT'S performance of his duties and responsibilities. The BOARD'S evaluation shall be conducted no later than May 30 of each year and the written evaluation shall be submitted to the State Board of Education as provided for by § 6A-14.026, Florida Administrative Code.

In the event that the BOARD desires to extend the term of this Agreement, then, immediately prior to the 2015 anniversary of the commencement date of the initial term of this Agreement, the BOARD and the PRESIDENT shall, in conjunction with the PRESIDENT'S annual evaluation, determine whether the PRESIDENT shall continue his employment beyond 2015, and, if so, under what terms and conditions.

4. **COMPENSATION AND BENEFITS.** PRESIDENT shall be an employee of COLLEGE and shall receive an annual salary of \$275,000.00, and he shall be entitled to all standard benefits allowed to other executive employees of the COLLEGE. In addition, he shall receive a vehicle allowance of \$1000.00 per month for each month prior to the termination of this contract. The vehicle allowance is paid in lieu of any millage allowance for in district travel. Salary is

payable bimonthly on the regular payroll schedule of COLLEGE. Pursuant to §1012.885(4), Florida Statutes, any remuneration in excess of \$200,000 in any fiscal year shall only be paid from nonstate-appropriated funds.

5. **REIMBURSABLE EXPENSES.** Subject to the PRESIDENT providing receipts or other documentation in accordance with the BOARD'S established policies and the COLLEGE's procedures and rules, the COLLEGE shall reimburse the PRESIDENT for the following:

- A. Any reasonable moving expenses incurred by the PRESIDENT in connection with moving to the COLLEGE's service area and with approval by the BOARD, in an amount not to exceed \$10,000 expenses upon presentation of receipts or other documentation sufficient to support the claim for reimbursement.

- B. The COLLEGE shall also pay, in the manner provided for in BOARD'S established policies and the COLLEGE's procedures and rules, reasonable membership dues in professional associations and reasonable subscriptions to professional journals and any other reasonable expense that serves the best interest of the COLLEGE incurred by the PRESIDENT in the course of his employment by the BOARD that is within the annual budget established by the BOARD for the Office of District President.

6. **CONSULTING ACTIVITIES AND SERVICE ON BOARDS.**

- A. The PRESIDENT shall not render services of any professional nature to or for any person or firm for remuneration other than to the BOARD, and shall absolutely not engage in any activity that may be competitive with or adverse to the best interests of the BOARD and COLLEGE.

- B. The PRESIDENT is authorized to serve on national and state educational boards and councils, serve on the boards of nationally recognized educational associations and foundations and engage in customary professional development without taking annual paid vacation leave. The PRESIDENT is authorized to serve on local, charitable and community boards, including but not limited to, organizations such as Rotary and Chamber of Commerce

7. **TERMINATION.** This Agreement may be terminated as follows:

- A. **Death or Disability.** In the event of the death or permanent disability of the PRESIDENT, this Agreement shall terminate and the PRESIDENT or his estate, as the case may be, shall be due compensation and benefits hereunder only to the date of death or determination of disability by the BOARD. For the purposes of this agreement, "permanent disability" shall be defined as the PRESIDENT'S inability to perform his duties set forth in Section 1 for a minimum of six (6) continuous months.

B. Other Termination. The BOARD shall have the right to suspend or dismiss the PRESIDENT at any time, with or without cause.

(i) If the PRESIDENT receives both a negative evaluation by a super majority of the BOARD and a vote not to be retained by a super majority of the BOARD, the PRESIDENT shall be dismissed, this Agreement shall be terminated, and the PRESIDENT shall only be entitled to an amount equal to twenty weeks of compensation of base salary at the time of dismissal as provided for in §215.425(4)(a)(1), Florida Statutes. A super majority shall be defined as six (6) of the nine (9) BOARD members, or five (5) of the eight (8), or four (4) of the seven (7) of the then current BOARD.

(ii) If the BOARD dismisses the PRESIDENT without cause, and if sub-paragraph (i) does not apply, then the PRESIDENT shall be paid the remainder of his base salary at the time of termination for the balance of the term of this Agreement, provided that the BOARD shall pay amount in excess of such salary for twenty weeks from nontax revenues and nonstate-appropriated funds, the payment and receipt of which does not otherwise violate part III of chapter 112, Florida Statutes, all as provided for in §215.425(2)(a), Florida Statutes.

(iii) In any case, if the BOARD terminates the PRESIDENT's employment with cause, the BOARD shall determine the amount, if any, of termination compensation to be provided consistent with Florida law including, without limitation, §215.425, Florida Statutes. Provided, however, that if the PRESIDENT is terminated for "misconduct" as defined in Section 443.036(30), Florida Statutes, as that section may be amended from time to time, the BOARD shall not pay the PRESIDENT any severance pay.

Reasons for termination with cause shall include the following:

1. A deliberate and certain violation of the duties set forth in this Agreement, or his refusal or unwillingness to perform such duties in good faith and to the best of his abilities.
2. Any conduct constituting moral turpitude that would bring public disrespect, contempt, or ridicule upon the COLLEGE, as determined solely by the BOARD.
3. A serious and deliberate violation of a State or Federal law, rule, in the judgment of the BOARD adversely reflects upon and or adversely affects the COLLEGE.
4. Prolonged chronic and/or excessive absences from duty without the BOARD'S consent.
5. Misconduct as defined in Section 443.036(29), Florida Statutes.

8. **GENERAL PROVISIONS.**

- A. This Agreement shall be construed and regulated under and by the laws of the State of Florida, the State Board of Education rules, Board policies, and the definitions set forth in the General Provisions of 2012 Salary Schedule.
- B. This Agreement contains the entire agreement between the parties with respect to the PRESIDENT'S employment and is merged into and expressed in this Agreement.
- C. No change, amendment, supplement or modification of this Agreement shall be valid unless the same shall be in writing and signed by the parties hereto.
- D. The section headings in this Agreement are solely for convenience of reference and shall not affect the interpretation or construction of the terms and provisions thereof.
- E. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- F. The delivery by electronic or facsimile of an executed copy of this Agreement shall be deemed valid as if an original signature was delivered.
- G. Each party has participated fully in the negotiation and preparation of this Agreement with full benefit of counsel. Accordingly, this Agreement shall not be more strictly construed against either of the parties.
- H. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
- I. This Agreement is governed by the laws of the state of Florida, without regard to its conflict of laws principles.

IN WITNESS WHEREOF, the undersigned parties hereby execute this Agreement on the date first above written.

**DISTRICT BOARD OF TRUSTEES OF  
EDISON STATE COLLEGE**

**DISTRICT PRESIDENT**

\_\_\_\_\_  
By: Ann E. Berlam, Chair

\_\_\_\_\_  
Jeffery S. Allbritten, Ph.D.

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

		ESTIMATE	
		Annual Compensation Package	
<b>CONTRACT</b>			
Annual Salary	\$	275,000.00	
Car Allowance	\$	12,000.00	
<b>TOTAL CONTRACT AMOUNT</b>		<b>\$</b>	<b>287,000.00</b>
<b>*NON-CONTRACT</b>			
Florida Retirement System - Senior Management			
Optional Retirement Program (14%)	\$	38,500.00	Based on Annual Salary Only
Annuity 403(b) Match (3%)	\$	8,250.00	Based on Annual Salary Only
Health Insurance (\$272 Semi-Monthly for EE)	\$	6,528.00	
Long Term Disability (.44% of Salary)	\$	1,210.00	Based on Annual Salary Only
Basic Life Insurance (\$2.31 per Month)	\$	27.72	
Social Security (6.2%)	\$	6,826.20	
Medicare (1.45%)	\$	4,161.50	
<b>TOTAL NON CONTRACT AMOUNT</b>		<b>\$</b>	<b>65,503.42</b>
<b>Grand Total Compensation</b>		<b>\$</b>	<b><u>352,503.42</u></b>
<b>Contract Total Compensation</b>		<b>\$</b>	<b><u>1,028,134.98</u></b> 2 years 11 months

\* Non-Contract - Standard benefits that apply to all employee's in accordance with Board Policy and Procedures

Note<sup>1</sup> Will reinstate 734.50 Hours (91.81 Days) of Sick Leave according to Sick Leave COP 05-0504.

Note<sup>2</sup> Social Security maximum taxable earnings for Calendar Year 2012 is \$110,100

## END OF YEAR REFLECTIONS

**Ann Berlam, Chair, Edison State College District Board of Trustees**

**June 26, 2012**

- Every morning when I'm on the elliptical machine and watching Morning Joe I enjoy the end of the show where the cast, who are a team, says what they have learned that day. For our team of trustees, I want to reflect on what we have learned over the last eight months. Our team also includes faculty, staff and students who worked so diligently to help us reach our goals.
- We have accomplished so much beginning with the adoption of the 5 Point Plan on Nov. 29, 2011 to move the College forward and begin the search process for a new president – review of points:
  1. Place Dr. Walker on administrative leave – done Nov. 29, 2011
  2. Hire law firm to investigate terminating Dr. Walker for cause –
    - Chris Vernon led this effort so well and recommended the law firm of Fowler White Boggs to represent the Board
    - received report Jan. 24, 2012 from Fowler White Boggs and voted to terminate Dr. Walker with cause
    - subsequently on April 24 we agreed to a mediated settlement based on our attorney's recommendation that settlement was in the best interest of the College thus putting this issue behind us
  3. Name an Acting President – named Dr. Pat Land Nov. 29, 2011 who served so well
  4. Designate board liaison to contact Chancellor Randy Hanna to assist with finding a quality Interim President
    - Randy Hanna met with us in December giving us an orientation on the Florida College System and the Board's role to hire the president
    - he recommended potential candidates for the interim
    - Board interviewed two candidates for interim president and hired Dudley Goodlette 1/14/12
  5. Designate board liaison to develop proposal to begin search for new president –
    - Marjorie Starnes-Billotti chaired a subcommittee to investigate search firms and made recommendations to the Board
    - signed a contract with Academic-Search Jan. 24, 2012;
    - we named a diverse and representative search committee in February based on your recommendations
    - search committee met four times with its last two meetings devoted to interviews in mid-May of nine candidates and recommending five candidates to the Board for interviews
    - before we interviewed three candidates June 1, 2012 we adopted a presidential compensation methodology with the advice and recommendations of Eddie Webb
    - then after visits by candidates to all our communities, we unanimously approved Jeff Allbritten as our next President
- All of these five points were completed in an open, transparent process
- SO, what else have we achieved as a Board during these last eight months
- We oversaw the development of our response to the findings from the SACS reaffirmation visit and heard monthly updates - received their report this month with 7 findings in compliance and 7 not in compliance but have been working on all recommendations since report submitted in April and the College has maintained its accreditation
- We adopted a new process for addressing the issue of course substitutions
- We hosted a team to review our BSN program for the accreditation of our four year nursing program and look forward to their recommendations shortly
- We conducted a thorough orientation for new and current board members – missed you Braxton



- We strengthened our Student Service Division with Dr. Russell Watjen's leadership
- We began a professional development opportunity at each board meeting\*
- We had a Faculty Senate presentation at each board meeting
- We changed our meetings to begin at 2:00 p.m. to give us sufficient time to address all our agenda items – Randy even volunteered to start meetings at noon
- Several Trustees along with President Goodlette and Dr. Jones attended the statewide legislative meeting of community college trustees and met the Governor – Matt Holliday scheduled interviews with all our legislative leaders
- We approved a salary increase for faculty as recommended by President Goodlette
- We had a public hearing on board policies
- We approved amendments to the Bylaws of the Financing Corporation and added Eddie Webb and Chris Vernon to the Financing Corporation Board of Directors
- We named Brian Chapman to serve on the Edison Foundation Board of Directors
- We completed charter school board training
- We evaluated Interim President and placed his evaluation on our board agenda
- We opened new buildings – Julia we appreciate your insights on our new dorm
- The Collier County Commissioners designated July 24, 2012 as Edison State College Day in Collier County
- Over the last eight months, we've held 7 board meetings including three charter school board meetings, 5 special meetings\*\* and the Presidential Search Committee held four meetings
- The Board has committed itself to be open, transparent, fair and honest in all its proceedings. We've had our challenges but we are rewarded in celebrating our many successes
- We should be proud of what we have accomplished – I know I am
- Thank the faculty, staff and students for standing behind us and being our cheerleaders
- Thank President Goodlette for his outstanding leadership and wise counsel
- Most importantly I want to thank each of you, my colleagues, for your support and tireless efforts on behalf of Edison
- Thank you for privilege and honor of serving as board chair and as chair of the search committee
- These are my reflections – sure you could add more to this list
- I want to assure everyone that this Board of Trustees is committed to continue to move forward and that we will look ahead to accomplish what is always in the best interest of Edison State College. We will welcome Dr. Allbritten and his leadership of this fine institution.

\*media relations, Financing Corporation, legislative update, student services, budget workshop, SACS response

\*\*response to Operational Audit; presentation from Chancellor Hanna; interview two candidates for interim president and board orientation workshop; report on the search committee process and structure of search committee; board interviews of three candidates for new president