



**UNIVERSITY OF FLORIDA BOARD OF TRUSTEES
RESOLUTION**

Number: R14-140

Subject: University of Florida Board of Trustees' Selection of the 12th President of University of Florida

Date: October 15, 2014

WHEREAS, on April 10, 2014, the University of Florida Board of Trustees (“Board”) established a Presidential Search Committee and on May 1, 2014 the Chair of the Board appointed the members of the Search Committee, representing a wide range of UF stakeholders with significant personal and professional accomplishments, all of whom are listed on Attachment 1 to these Resolutions, as provided under the Board’s Bylaws; and

WHEREAS, the Search Committee, assisted by an experienced search consultant, Greenwood/Asher & Associates, conducted a nation-wide and international search for the 12th President of the University of Florida; and

WHEREAS, building on robust outreach conducted and comprehensive search criteria developed in August 2012, the Search Committee again conducted outreach in May 2014 to UF faculty, students, staff, alumni, donors, business and community leaders and other stakeholders to obtain their input on updating search criteria to reflect the University’s role as the foremost preeminent research university in Florida, its longstanding membership in the Association of American Universities (AAU), and its objective to advance into the top 10 of public AAU research universities in national rankings;

WHEREAS, the Search Committee, considering that input, approved search criteria on May 19, 2014 and recommended their approval by the Board, and the Board finalized and adopted search criteria on May 23, 2014 (a copy of which is Attachment 2 to these Resolutions) “seek[ing] a leader with a distinguished academic career, and with the vision, experience, credentials, integrity, energy, and determination to achieve the University’s goal of becoming a top-10 public research university...the commitment and ability to achieve the University’s preeminence initiatives [and] to lead a first-rate faculty, foster excellence, lead progress, and advance the reputation and success of the University of Florida in all aspects of its education, research and service mission, in a changing global economy and higher education environment”; and

WHEREAS, the Search Committee in collaboration with the Faculty Senate conducted outreach in August and September 2014 to UF faculty, students, staff, alumni, donors and other stakeholders on questions

for candidates tied to the approved search criteria and the Search Committee considered that input in developing questions for candidates;

WHEREAS, on October 13, 2014, the Search Committee reviewed the applications against the Search Committee- and Board-approved search criteria and invited three accomplished candidates to interview with the Search Committee in Gainesville, Florida on October 14, 2014, after which the Search Committee referred two candidates to the Board to be interviewed on October 15, 2014 and each of these finalists participated in a Faculty Assembly and a Campus/Community Assembly on October 14, 2014;

WHEREAS, the Board has interviewed the finalists, received feedback from the Search Committee interviews and campus visit, and evaluated the qualifications of the finalists referred to the Board by the Search Committee under the search criteria;

WHEREAS, appropriate due diligence has been conducted; and

WHEREAS, the Board has previously authorized the Board Chair to determine total compensation (and its components) for the next President of UF within the market range for peer president total compensation determined by outside expert, Mercer, in its July 7, 2014 report;

NOW, THEREFORE, the University of Florida Board of Trustees, at a duly called meeting, is hereby exercising its authority to select the next President of the University of Florida and does hereby adopt the following resolutions:

RESOLVED: That Dr. W. Kent Fuchs, is hereby selected and appointed as the 12th President of University of Florida, subject to final confirmation by the Florida Board of Governors as required by law and the execution of a binding Employment Agreement with the University of Florida Board of Trustees; and the Chair of the Board is hereby authorized to submit a report on the search process and a request for confirmation to the Board of Governors;

RESOLVED: That the Term Sheet in Attachment 3 to these Resolutions, setting forth certain key terms for the employment of Dr. W. Kent Fuchs as President of UF, including commencement of his employment by the University of Florida and term of service as President on or about January 1, 2015, with the term of service extending through June 30, 2020, is approved by the Board; and that, in lieu of the President (who generally has personnel contracting authority), the Chair of the Board is hereby authorized, with prior notice to the Chair of the Governance Committee, to insert compensation terms and further change the Term Sheet, provided that any changes are customary and reasonable in the market as confirmed by expert outside counsel to the Board, and to execute said Term Sheet and to negotiate, approve and execute a binding Employment Agreement with Dr. W. Kent Fuchs substantially on the terms in the Term Sheet and other terms not inconsistent therewith.

Adopted this 15th day of October, 2014.



Steven M. Scott, Chair of the Board



Jamie Lewis Keith, Vice President,
General Counsel and University Secretary

Attachment 1 to Resolution R14-140
University of Florida Presidential Search Committee

Dr. Steven M. Scott, Chair, Search Committee and Chair, UF Board of Trustee
Chairman, Scott Holdings, LLC

Ms. Susan M. Cameron, UF Trustee
President and CEO, Reynolds American, Inc.

Mr. James W. (Bill) Heavener, UF Trustee
Chief Executive Officer, The Heavener Company

Ms. Carolyn K. Roberts, UF Trustee
President, Roberts Real Estate, Inc.

Mr. David M. Thomas, UF Trustee
Chairman, Fortune Brands Home and Security

Dr. Cammy R. Abernathy, Dean, UF College of Engineering

Dr. Vasudha Narayanan, UF Professor, Dept. of Religion, College of Liberal Arts and Sciences

Dr. David S. Guzick, UF Senior Vice President for Health Affairs/President UF Health

Dr. Marc W. Heft, UF Professor/Program Director, College of Dentistry

Dr. Harry J. Klee, UF Eminent Scholar, Agricultural-Horticultural Sciences

Dr. David P. Norton, UF Vice President for Research

Dr. Jack M. Payne, UF Senior Vice President for Agriculture and Natural Resources

Dr. Richard A. Yost, UF Professor, Chemistry

Ms. Christina A. Bonarrigo, Immediate Past President, UF Student Body

Mr. Keith T. Koenig, Life Member, University of Florida Foundation
President, City Furniture

Ms. Suzanne M. Norris, President, UF Alumni Association
Vice President, TD Bank, N.A., North Central Florida Region

Ms. Lynda V. Tealer, Executive Associate Athletic Director, University Athletic Association

Mr. Thomas G. Kuntz, Vice Chairman, Florida Board of Governors

Attachment 2 to Resolution R14-140 2014 President Search Criteria

Having grown rapidly over the past decade and being poised for continued advancement, the University of Florida seeks a president with a distinguished academic career, and with the vision, experience, credentials, integrity, energy, and determination to achieve the University's goal of becoming a top-10 public research university. The University is a comprehensive, national and international, land grant university, a member of the AAU, and recognized as the flagship public research university in the state of Florida.

The successful candidate must have the commitment and ability to achieve the University's preeminence initiatives,* to lead a first-rate faculty, foster the excellence, lead progress, and advance the reputation and success of the University of Florida in all aspects of its education, research and service mission, in a changing global economy and higher education environment.

The university will consider candidates both within and outside academia under the totality of the following desired qualifications:

1. Has an academic background and credentials, including Ph.D. or highest degree in chosen field.
2. Is recognized as a national and international scholar of distinction (e.g., is a member of a national academy or institute or a fellow of a major academic society, or has a distinguished record of research).
3. Demonstrates a record of meaningful accomplishments in executive leadership of and decision-making in complex organizations, and has a strong record of innovation and transformation.
4. Has experience in an administrative leadership position at a major university.
5. Will have respect and influence among AAU and other peer organizations and institutions.
6. Will be able to attract, develop and retain world-class faculty and students, which are at the core of the university's mission and success.
7. Exercises the highest integrity at all times.
8. Has a record of fiscal acumen and sound fiscal leadership, as well as fostering effective fundraising.
9. Has a sophisticated understanding of the fiscal complexity and structure of academic research institutions, and can lead development of new and creative funding models and marshal and optimize resources in a changing global economy and public higher education environment.
10. Reflects visionary and transformative thinking and a global perspective about higher education, its roles in society, and how to foster access, affordability, and excellence in education, including (a) leveraging innovative modalities, techniques and research to promote effective learning and student engagement and (b) preparing students for success in all aspects of life and to make meaningful contributions to a 21st Century society.

11. Appreciates and is committed to fostering an exceptional, well-balanced and varied graduate and undergraduate student experience--in academics; in research; in cocurricular opportunities; in social, multi-cultural, and service experiences; and in residential and work activities. Relates well to, and understands the issues facing, students.
12. Has the commitment, vision, entrepreneurial skills, and ability to foster growth of the research enterprise and the infrastructure to support it, ensuring its quality and competitiveness, as well as its contribution to economic development.
13. Understands the complexity and interrelationships of university health science centers, affiliated teaching hospitals and practice groups, and the communities they serve, and has the vision to foster success in the academic health affairs endeavor in a changing health care environment.
14. Appreciates and is committed to the quality, scope, complexity and vitality of the university's land-grant mission, in which the Institute of Food and Agricultural Sciences fulfills a leadership role, as well as the land-grant mission's legacy and ongoing multidisciplinary contributions to education, research and service that benefit Florida, the nation and the world as they face the challenges of today and the future.
15. Understands and is committed to the core mission of the university in undergraduate and graduate education and research, across a uniquely diverse range of disciplines including the arts, liberal arts, humanities, sciences, technology, and professions broadly defined, as well as multi-disciplinary approaches of a preeminent, public, research-intensive but comprehensive university.
16. Is committed to shared governance with the faculty, consistent with the principles and spirit of the Constitution adopted by the Faculty Senate at <http://www.generalcounsel.ufl.edu/downloads/Constitution.pdf>.
17. Understands major intercollegiate athletics programs and their role in university life and is enthusiastic about and committed to fostering the programs' integrity, accountability to the university, and NCAA compliance, the academic excellence and personal development of student athletes, as well as the programs' competitiveness.
18. Is experienced in successfully leading the development and implementation of a strategic plan in a complex organization.
19. Demonstrates an ability and commitment to working with the board of trustees to develop the university's priorities and strategic vision, leading the institution to successfully accomplishing them, and carrying out the board's strategic vision within the context of the university's tradition of collegial governance. Also appreciates University of Florida's role in and service to the State University System and is committed to working collaboratively with the Board of Governors and other state universities.
20. Has the ability to forge effective relationships with and secure the support and resources of a broad range of stakeholders, including: alumni; donors and sponsors; parents; the public; local, state and federal public officials; and the business community; as well as students, faculty and

staff. Appreciates and is committed to leveraging the passion of the UF alumni base; appreciates and is enthusiastic about being or becoming a part of the Gator Nation and culture.

21. Is able to identify and recruit high quality talent committed to excellence at all levels and in all areas of the institution—and has a record of building, empowering and mentoring a strong, skilled and collaborative leadership team.
22. Values diversity, broadly defined, and the promotion of free expression as critical to excellence in the educational, research and service endeavor.
23. Has passion and intellectual energy to be involved in all aspects of university life and to fulfill the university's unique commitment to serve the State of Florida, including through education, research and economic development.
24. Is a great communicator and listener, has exemplary inter-personal skills, is an inspirational, proactive and politically astute leader, and is a skilled change manager capable of making difficult but important changes, while preserving those traditions that serve the institution well.
25. Has meaningful international or multi-cultural experience.

***See <http://rising.ufl.edu>**

TERM SHEET
OF EMPLOYMENT AGREEMENT FOR
PRESIDENT
OF
UNIVERSITY OF FLORIDA

Description	Proposed Terms:
1. Position	President of University of Florida (with a coterminous appointment as Corporate Secretary, an officer of the Board but not a member). Employment as President will be governed by an Employment Agreement to be mutually agreed upon and signed, containing substantially these terms and others not inconsistent with them, and incorporating the University's policies and procedures.
2. Term of Employment	Five (5) years and six months, from January 1, 2015 through June 30, 2020. (The first six months of the Term, from January 1, 2015 through June 30, 2015, is the "Initial Period".)
3. Extension	The President and Board Chair shall meet no later than 1 year prior to the expiration of the Term to discuss, and the President and Board shall determine prior to the expiration of the Term, whether they agree to extend the Term of the Employment Agreement for 5 years. Terms for any extension period will be decided at the time of extension.
Compensation:	
4. Annual Base Salary and Annual Deferred Base Salary	Initially, \$_____ Annual Base Salary plus \$_____ Annual Deferred Base Salary (pro rata for the Initial Period), which together and with all other compensation reflect fair market value for current services as President based on the July 7, 2014 Mercer Report. On July 1, 2016 and each following July 1 during the Term, the Annual Base Salary of the President will automatically increase on a going-forward basis by ___% (Annual Increase) and the Annual Deferred Base Salary will automatically increase on a going-forward basis by ___%(Annual Deferred Increase), if UF achieved Short-Term Goals and made progress toward Long-Term Goals for the just-completed year of the Term. (See #5.) These increases are in lieu

	<p>of other increases (e.g., any standard University) which shall not apply to the President.</p> <p>Beginning on July 1, 2015, Annual Deferred Base Salary will automatically accrue at the end of each full year of service (and a pro rata portion will accrue for the Initial Period at the end of that Period) in good standing as President (but shall not be owed, vested or paid when accrued). If the President serves for at least the initial Term as President of UF (through June 30, 2020), then, on July 1, 2020, whether or not the term of service as President is extended, all accrued Annual Deferred Base Salary shall be owed, vested and paid.</p> <p>(The parties agree that prior to finalizing the initial Annual Base Salary figure in the Employment Agreement the President-elect and Board Chair may explore additional options under the Internal Revenue Code and regulations that may allow the President to enhance retirement contribution opportunities without additional cost to the University, including any available University tax-deferred compensation plan.)</p> <p>In the event that the Employment Agreement is terminated during the Term by the Board Without Cause or as a result of the disability or death of the President, the President or the President's estate shall be entitled to receive the portion of the Annual Deferred Base Salary (pro rata for the Initial Period) that corresponds to the President's period of service. (This portion will be calculated by multiplying the total payment that would accrue for 5 years and six months of service [considering amounts already accrued and assuming the Annual Deferred Base Salary would have remained at the level then in effect for unexpired years of the Term] times a fraction with a numerator equal to the number of full or partial months the President served in that capacity and a denominator of 66.)</p>
<p>5. Short- and Long- Term Goals for UF</p>	<p>Goals for UF to which the President's Annual Increase and Annual Deferred Increase are tied include the following:</p> <p>(1) Adopting a Strategic Plan for UF, tied to UF's Short- and Long- Term Goals (including UF's preeminence goals and any additional strategic goals in UF's Board of Governors-required work plan), developed by the President in collaboration with the 16 colleges and other principal UF units, appropriately endorsed by the Faculty Senate</p>

<p>(Effect on Base Salary Increase)</p>	<p>and approved by the Board of Trustees, within a timeframe determined by the Governance Committee of the Board of Trustees in consultation with the President; and (2) Meeting applicable yearly and Short-Term numerical metrics and making progress toward Long-Term numerical metrics, including those proposed by UF and approved by the Board of Governors and those that will advance UF toward achieving its goal of becoming a top-10 public AAU research university in a widely used national ranking. These Goals (examples attached) relate to UF’s performance, will be developed collaboratively and proposed by the President and Board Chair, and will be approved by the Board of Trustees upon recommendation of the Governance Committee.</p> <p>For each full year of service as President (or the first 18 months), if 100% of the Short-Term Goals for that year (or 18 months) are met (within a margin to be established for any numerical goal) and there is progress toward achieving the Long-Term Goals, as confirmed by the Board Chair, finally determined by the Board’s Governance Committee, and reported to the full Board, the Annual Base Salary and Annual Deferred Base Salary will automatically increase on a going forward basis by 100% of the Annual Increase and Annual Deferred Increase, respectively; and if 75% of the Short-Term Goals are met (within the margin) and there is progress toward achieving the Long-Term Goals, the Annual Base Salary and the Annual Deferred Base Salary will automatically increase by 75% of the Annual Increase and Annual Deferred Increase, respectively.</p>
<p>Standard Benefits:</p>	
<p>6. Group Medical/Dental/Disability Coverage, Retirement Plans, Vacation and Sick Leave</p>	<p>The President will be eligible to receive standard Florida Executive Service benefits on the same terms and conditions as are available and apply to other executive employees of UF, which may include medical insurance, disability coverage, retirement plans, tax-deferred savings plans, flexible spending accounts, and sick and vacation leave.</p>
<p>7. Accrued Vacation at the End of Employment</p>	<p>The treatment of vacation leave upon the end of employment shall be in accordance with UF policy and Florida law at that time.</p>
<p>Executive Benefits</p>	

8. Contribution to Retirement	Subject to the President remaining in UF's active employment as President on such date, and there not being cause for termination For Cause by the Board, UF will make a lump sum payment to the President of \$_____ on June 1, 2015 and \$_____ as of each June 1 st thereafter during the Term for retirement, and this amount shall increase by ___% each year that the President qualifies for any Annual Increase under paragraph 5 (beginning on June 1, 2016).
9. Supplemental Life Insurance	During service as President and subject to insurability at commercially reasonable rates, the University shall pay the premiums associated with a term life insurance policy providing a death benefit of approximately two and a half times the President's Annual Base Salary and Deferred Annual Base Salary.
10. Supplemental Disability Insurance	During service as President and subject to insurability at commercially reasonable insurance rates, UF shall pay the premiums associated with supplemental disability coverage for the President, which raises the UF disability benefit to not less than 60% but not more than 70% of Annual Base Salary and Deferred Annual Base Salary until the President attains the age of 70.
11. Faculty Rank and Tenure (and salary post-presidency)	Consistent with UF's policies for tenure, the Board may grant the President a tenured faculty appointment as a Full Professor in his/her academic department. During service as President, the President will not receive any additional compensation in consideration of such tenured faculty appointment. Upon the conclusion of service as President for any reason (other than Termination For Cause), the President may assume active faculty duties in the President's academic department, with the specific initial post-presidency assignment being subject to approval by the Board Chair and Vice Chair, with notice to the Governance Committee. If service as President expires at the end of the Term or is earlier terminated Without Cause by the Board, active faculty service may occur after the sabbatical period. During active service on UF's faculty, the President's annual salary for serving full-time as a Full Professor shall be at the level of the highest paid tenured Full Professor of the President's academic department (pro rata for part-time service). During the sabbatical period and service as an active member of UF's faculty, the President's employment shall be governed by UF's policies and procedures and, except for terms expressly relating to non-presidential service, not by the

	President's Employment Agreement.
12. Sabbatical	<p>After completion of the initial (5-year and six-month) Term (through June 30, 2020), without there being cause for the Board's termination With Cause, or upon earlier termination Without Cause by the Board, the President will be entitled to a sabbatical of one year as a faculty member but at the President's then-current Annual Base Salary rate (paid in installments corresponding to the University's regular pay period) and standard Florida Executive Service benefits. If the Term of service as President is extended, the salary amount due to the President for such initial sabbatical period shall be paid in a lump sum cash payment upon completion of the initial Term in lieu of taking a sabbatical at that time.</p> <p>If the extension period is at least 5 years, the President shall also receive a sabbatical on the same terms (without the lump sum option) upon completion of the extended Term.</p> <p>Any such sabbatical shall be taken outside of the Gainesville area and shall not involve work for the University (other than research or preparation to serve as a faculty member) unless otherwise approved by the Board Chair and Vice Chair.</p>
13. Multipurpose-Work/Event/Entertainment/Housing Facility	<p>The University is constructing and furnishing a new multi-purpose work, event, entertainment and housing facility for the President on campus, The Dasburg President's House, with a projected completion date of December 23, 2014. The President shall reside and work in the Dasburg President's House for the convenience of the University and as a term and condition of employment. This House is in proximity to the President's primary office, houses another office for the President and UF entertaining and event space, and is a facility in which the President shall reside, work and do University entertaining and development. The University shall pay the cost of hazard and liability insurance, utilities (including internet service), housekeeping, catering, home office facilities, equipment and services, landscaping and grounds-keeping, security, repair and maintenance of The Dasburg President's House facility.</p>
14. Parking	<p>The President will be provided parking (reserved if desired) adjacent to the President's office and gated parking in all other campus areas.</p>
15. Transition Expenses	<p>UF shall reimburse the President for reasonable expenses (including for packing and unpacking) incurred in moving the President, any</p>

	<p>accompanying family/significant partner of the President, and their personal property from the President's current residence to any temporary housing in the Gainesville, Florida area (if needed, which is not expected) and into to The Dasburg President's House facility on campus (when ready for occupancy), with such relocation(s) being in accordance with UF policy and the Employment Agreement.</p> <p>UF will also reimburse the incoming President's (and when beneficial to UF, the President's family's/significant partner's) travel and other costs (e.g., for campus visits, stakeholder visits) for work performed in preparation for assuming the position of President prior to the President's full-time employment on campus.</p>
16. Other Terms	The University will pay for storage of personal furnishings during the period of service as President, in an amount to be mutually agreed upon.
17. Travel and Entertainment Expenses	The President shall receive reimbursement for all reasonable University-related business, travel and entertainment expenses (including professional dues and meetings) in accordance with University policies and procedures. If the attendance of any spouse or other significant partner of the President is of benefit to UF, then the expenses of that person shall also be paid by UF. All expenses of the President and any spouse or partner of the President shall be reviewed at least every 6 months by two Trustees or an external expert who does not report to the President (e.g., accountant) designated by (and which could include) the Chair of the Board.
18. Legal Fees	UF will reimburse the President for legal fees incurred in the drafting and negotiation of this Term Sheet and the President's Employment Agreement, with the total sum reimbursed not to exceed \$15,000.
Other Terms:	
19. Termination for Cause	The Board may terminate the President's employment For Cause: (1) with a majority vote of the Board Governance Committee upon the President's conviction or plea of guilty or no contest--or with the majority vote of the full Board upon the President's arrest and charge--for any felony, or for a misdemeanor involving moral turpitude, or for any crime involving misuse or misappropriation of UF or affiliate funds or (2) upon a majority vote by the full Board finding, without bad faith, that the President has (a)

	<p>materially failed to perform duties, after notice to the President and an opportunity to cure, (b) materially breached fiduciary duty, (c) committed fraud, or committed an act of moral turpitude which reflects negatively upon UF, or (d) recklessly or willfully committed other misconduct or gross negligence that harms or poses a serious threat of harm to the reputation, interests or assets of UF. The President will have an opportunity to provide information to the Board before it acts if possible. In the event the President is terminated For Cause, his/her employment by UF in all capacities shall cease immediately (without further process), and s/he shall not be entitled to any faculty or other further appointment, compensation or benefits, except as set forth in UF's various benefit plans with respect to vesting and rights after termination of employment. However, if the termination is under (2)(a), continuation of the faculty appointment will depend on UF policy and law.</p>
20. Termination without Cause	<p>The Board shall provide 60 days written notice in the event of its termination of employment of the President Without Cause; and the person formerly serving as President may assume active duties as a member of the University's faculty after taking a sabbatical.</p>
21. Termination Upon Death	<p>In the event of the death of the President during the Term of the Employment Agreement, the President's Annual Base Salary, accrual of Annual Deferred Base Salary, and accrual/entitlement to future benefits shall terminate automatically on the date of death. The President's estate shall be entitled to receive all benefits to which the President is then entitled under UF's various insurance plans and then-vested amounts of Deferred Annual Base Salary as provided by the Employment Agreement.</p>
22. Termination Upon Permanent Disability	<p>If the President shall become permanently disabled while serving as President, the Employment Agreement shall terminate effective on the date of permanent disability. The President shall receive all benefits to which s/he is entitled pursuant to UF's disability insurance plans and the Supplemental Disability Insurance and then-vested amounts of Deferred Annual Base Salary as provided by the Employment Agreement. For the purposes of the Employment Agreement, "Permanent Disability" shall mean the inability of the President to perform the essential functions of the job for a period of 6 continuous months (or such lesser or intermittent period as qualifies for benefits under the</p>

	applicable disability insurance policy), with reasonable accommodations (as such term is defined in 42 U.S.C. § 12111(9), as amended, and in the common law interpreting same).
23. Resignation/Notice Requirement	The President may resign from employment as President by providing at least 180 days prior written notice to the Board Chair (or a shorter notice approved at the respective discretion of both the Chair and Vice Chair).
24. Outside Activities	Subject to receipt of prior approval of two trustees designated by (and which could include) the Board Chair and consistent with state ethics law and UF's policies and procedures, the President may serve on the boards of other for-profit and nonprofit organizations, provided that (i) such service will not violate applicable law or interfere with or cause a conflict of interest with performance of duties as President and (ii) the President will not serve concurrently on the boards of more than two for-profit entities.
25. Indemnification	UF shall indemnify the President against legal fees, expenses, judgments, and other financial amounts incurred within the scope of his or her duties as President and thereafter, to the extent authorized by Florida law and by the policies of the University.
26. Dispute Resolution	Any dispute between the parties shall be governed by the laws of the state of Florida (without application of any Florida law that might result in application of another jurisdiction's laws). To the extent that any dispute arising from the President's employment or termination of employment cannot be resolved amicably between the parties, they agree to submit such dispute to non-binding mediation. Thereafter if mediation is unsuccessful, the dispute shall be submitted to binding arbitration under the Employment Rules of the American Arbitration Association. Such mediation and/or arbitration will be held in Gainesville, Florida and the fees of the mediator or, if applicable, the arbitrator, shall be shared equally by the parties; the parties shall pay their own legal fees which the arbitrator will not have authority to otherwise apportion or assign.
27. Ratification	The appointment of the President, and any reappointment, shall be subject to approval of the Board of Trustees and final approval by the Florida Board of Governors as required by law.

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AGREED TO:

Date

Steven M. Scott, Chair of the Board
For The University of Florida Board of
Trustees

Date

W. Kent Fuchs, President-elect,
University of Florida

Attachment—Examples of Potential UF Performance Metrics and Goals

(a) increases in numbers of faculty awards in the short-term and increases in national academy members and Reuter's citations to UF faculty research/scholarship [both by recruiting mid-career and senior preeminent faculty in the short-term and, in the longer-term, developing mid- and early- career faculty within UF to achieve such national academy, other top awards and citations, as they progress in their careers), particularly in strategic areas of strength for UF;

(b) increasing overall research awards and expenditures, regardless of source in the short-term, increasing in the short- and long- term competitively awarded federal research funding, and increasing research awards per faculty member in each major area of UF in the short- and longer term;

(c) increasing the percentage of the freshmen class in the top 10% of their high school graduating class;

(d) increasing the institution's 6-year graduation rate, graduate degree generation rate, and science-technology-engineering-and mathematics degree generation rate;

(e) maintaining (short-term) and decreasing (longer-term) the faculty-to-student ratio; and

(f) maintaining UF's stable status as Florida's foremost preeminent research university according to statutory metrics attached to this Term Sheet.



PREEMINENT RESEARCH UNIVERSITY FUNDING METRICS

The Board of Governors shall designate each state research university that meets at least 11 of the 12 following academic and research excellence standards as a preeminent state research university. For this year, the University of Florida and Florida State University are the only universities required to complete the table below. The Board of Governors will consider the shaded 2014 actual data for approval.

	BENCH- MARKS	2014 ACTUAL	2015 GOALS	2016 GOALS	2017 GOALS	2018 GOALS
Average GPA and SAT Score for incoming freshman in Fall semester	4.0 GPA 1800 SAT	4.3 1922	4.3 1925	4.3 1927	4.3 1929	4.3 1931
Public University National Ranking (in more than one national ranking)	Top 50	4	4	4	4	4
Freshman Retention Rate (Full-time, FTIC)	90%	96%	96%	97%	97%	97%
6-year Graduation Rate (Full-time, FTIC)	70%	87%	87%	87%	87%	87%
National Academy Memberships	6	23	23	23	24	24
Total Annual Research Expenditures (\$M) (Science & Engineering only)	\$200M	\$643M	\$643M	\$643M	\$655M	\$668M
Total Annual Research Expenditures in Diversified Non-Medical Sciences (\$M) (Science & Engineering only)	\$150M	\$472M	\$522M	\$522M	\$532M	\$543M
National Ranking in S.T.E.M. Research Expenditures (includes public & private institutions)	Top 100 in 5 of 8 disciplines	8	8	8	9	9
Patents Awarded (over 3 year period)	100	231	323	327	333	333
Doctoral Degrees Awarded Annually (Does not include Professional degrees)	400	742	742	742	742	742
Number of Post-Doctoral Appointees	200	648	648	648	648	648
Endowment Size (\$M)	\$500M	\$1.36B	\$1.48B	\$1.55B	\$1.62B	\$1.7B
NUMBER OF METRICS ABOVE THE BENCHMARK	11 of 12	12				

Note: Due to the various timelines that these data represent, the data reported in each column corresponds to the most updated data for the June Board meeting each year. Metrics are defined in appendix.



PERFORMANCE FUNDING METRICS

Each university is required to complete the table below, providing their goals for the metrics used in the Performance Based Funding model that the Board of Governors approved at its January 2014 meeting. The Board of Governors will consider the shaded 2014-15 goals for approval.

	ONE-YEAR TREND	2012-13 ACTUAL	2013-14 ESTIMATES	2014-15 GOALS	2015-16 GOALS	2016-17 GOALS
Metrics Common To All Universities						
Percent of Bachelor's Graduates Employed Full-time in Florida or Continuing their Education in the U.S. One Year After Graduation	-5%	63%	63%	65%	65%	65%
Median Wages of Bachelor's Graduates Employed Full-time in Florida One Year After Graduation	n/a	\$33,100	\$33,100	\$34,000	\$34,000	\$35,000
Average Cost per Bachelor's Degree [Instructional Costs to the University]	n/a	\$24,960	\$24,960	\$24,960	\$24,960	\$24,960
FTIC 6 year Graduation Rate [Includes full- and part-time students]	1%	86%	86%	86%	87%	87%
Academic Progress Rate [FTIC 2 year Retention Rate with GPA≥2]	1%	96%	96%	96%	97%	97%
University Access Rate [Percent of Fall Undergraduates with a Pell grant]	0%	32%	32%	32%	32%	32%
Bachelor's Degrees Awarded Within Programs of Strategic Emphasis [Based on list approved by BOG at 11/2013 meeting]	-5%	52%	52%	52%	53%	53%
Graduate Degrees Awarded Within Programs of Strategic Emphasis [Based on list approved by BOG at 11/2013 meeting]	3%	69%	69%	69%	70%	70%
Board of Governors Choice Metric						
Number of Faculty Awards [for FSU and UF only]	-18.2%	18	19	20	21	23
Board of Trustees Choice Metric						
Total Research Expenditures	-0.3%	\$695M	\$695M	\$695M	\$709M	\$723M

Note: Metrics are defined in appendix.