

MINUTES
POLK STATE COLLEGE
District Board of Trustees Meeting
Monday, March 30, 2026 – 4:00 p.m.
Polk State Advanced Technology Center – Room 1156

Chair Ann Barnhart called the March 30, 2026, District Board of Trustees meeting to order at approximately 4:00 p.m.

Members Present: Ms. Ann Barnhart, Ms. Ashley Bell Barnett, Mr. Kyle Davis, Mr. Steve Lester, Mr. Greg Littleton, Ms. Cindy Hartley Ross, and Mr. Ashley Troutman

Members Absent: None

1. Meeting Called to Order

a. Pledge of Allegiance and Moment of Silence

Following the pledge of allegiance, Dr. Kerr requested a moment of silence in honor of Major Cody Khork, who was one of the American service members killed on March 1. A proud Florida Southern College alumnus, he was also a student at Polk State College from 2008 to 2011. Major Khork paid the ultimate sacrifice for our country, and we will ensure that his service – his legacy – is honored.

b. Special Recognition

Dr. Kerr introduced Sgt. Chris Shea, Director of the Criminal Justice Program. Sgt. Shea then introduced student Witskerbial Louis-Marc, who earned her Associate in Science in Criminal Justice from Polk State College in 2025 and is currently pursuing her Bachelor of Science in Criminal Justice. Ms. Louis-Marc briefly addressed the Board to share her experiences as a Polk State student.

2. Adoption of Agenda

Ms. Bell Barnett moved, seconded by Mr. Troutman, to approve the March 30, 2026, agenda. All members voted affirmatively.

3. Approval of Board Minutes

a. February 5, 2026, Board Workshop Minutes

Ms. Bell Barnett moved, seconded by Mr. Troutman, to approve the February 5, 2026, Board Workshop minutes. All members voted affirmatively.

b. February 23, 2026, Regular Board Meeting Minutes

Ms. Bell Barnett moved, seconded by Mr. Troutman, to approve the February 23, 2026, Regular Board Meeting minutes. All members voted affirmatively.

4. Unfinished Business:

a. Virtual Link for Public Attendance

Interim President Kerr reminded the group that during the last DBOT meeting, then-Vice President David Fugett and Chief Information Officer Marty Gang were tasked with researching costs associated with providing a virtual link for public attendance. The research revealed that the costs would be expensive and that staff time would vary by meeting location. She emphasized that at this time, the College has other major institutional priorities on which to focus. She recommended not pursuing it at this time.

Mr. Davis moved, seconded by Mr. Lester, to not move forward with virtual streaming. Upon roll call, the motion was carried with (5) Ayes: Lester, Littleton, Barnhart, Ross, and Davis and (2) No: Bell Barnett and Troutman.

Discussion ensued about the posting/archiving of audio copies of recorded board meetings. It was confirmed that currently, the audio copies are produced for note taking purposes and are not posted/archived for the public. It was clarified that if an audio recording is requested, it is provided because it is a public record. The official meeting minutes, approved by this Board, are currently posted on polk.edu.

Chair Barnhart asked how long the audio recordings are kept and if there is a College Rule that specifies what the College does with the audio recordings. Attorney Carmichael confirmed that there is no current Board Rule that specifies this. Chair Barnhart requested a motion to investigate a Board Rule that references audio copies of recorded DBOT meetings. Ms. Bell Barnett moved, seconded by Mr. Littleton, for Polk State staff to investigate a Board Rule that references audio copies of recorded DBOT meetings being retained and made available for future public access. All members voted affirmatively.

Discussion was made about public retention laws for the State of Florida. Attorney Carmichael was directed to address the topics of transcriptions of recorded minutes, applicable exemptions and exceptions, and the retention schedule. As to these issues: first, there is no provision for the minutes to be transcribed; they should be maintained in the original recorded format only. Second, upon receiving a request, the recorded minutes should be reviewed on a case-by-case basis for applicable exemptions. Mr. Lester stated that public records retention is governed by GS1 guidelines and asked Attorney Carmichael to investigate. It was further clarified that a Board Rule would not be made but investigated and brought back to the Board for further review, pending Attorney Carmichael's GS1 research.

5. Consent Agenda Items: Information

- a. Tangible Personal Property Deletions for March 2026** – Approved on consent agenda. Board action is required.
- b. Investment Interest Comparison for March 2026** - Approved on consent agenda. Board action is required.
- c. Polk State College Personnel Actions Report for February 2026** – Approved on consent agenda. Board action is required.

d. Employment Vacancy Update for March 2026 – Approved on consent agenda. Board action is required.

e. Capital Project Status Report for March 2026 – Approved on consent agenda. Board action is required.

6. Consent Agenda Items: Action

a. Polk State College Salary Schedule Changes for March 2026 – Approved on consent agenda. Board action is required.

Mr. Littleton moved, seconded by Mr. Lester, to approve all consent agenda items under one motion. All members voted affirmatively.

7. Items Removed from the Consent Agenda

None.

8. Action Items:

a. Finance: Financial Statements for February 2026 – Ms. Cindy Baker

Ms. Baker presented and recommended for approval the Financial Statements for January 2026.

- Student Fees (Tuition) are approximately 70% of budget and approximately \$1.8 million higher than this time in 2024-25. Student Fees include the Spring 16-Week, 12-Week, and Fastrack 1 sessions, and reflect the most significant portion of Spring Student Fees for the current fiscal year. The final Spring session, Fastrack 2, begins March 5 with the final day to drop on March 11.
- On the expense side, Salary expenditures are approximately \$31.6 million and approximately 55% of budget. Expenses continue to trend slightly less than this time last year due to enrollment management efforts. Additionally, Current Expense, which includes repairs and maintenance and contracted services, is slightly less than the same period last year and 69% of budget. The College continues to monitor expenses to ensure that planned projects are adequately funded, and other expenses are managed so that we stay within our budget.
- Capital Outlay includes PIPELINE (Nursing) grant expenditures that were budgeted in the 2024-25 budget year but didn't come through until the current year.

Mr. Troutman moved, seconded by Mr. Lester, to approve Financial Statements for February 2026. All members voted affirmatively.

Ms. Baker then provided an update on the Joint Legislative Audit Committee (JLAC) letter and the College's response to a "3 peat" finding from the operational audit in 2025 (prior operational audits for years 2021 and 2018). Purge of prospective students must be done each year; student prospects cannot be retained past 5 years in accordance with document retention rules.

- The old ERP system Genesis will be completely shut down by June 30, 2026. Genesis retirement has begun with very limited access by users to prior student data.
- A process has been put in place in Banner to purge prospective student information.
- Prospective student information was limited to five years with migration from Genesis to Banner.

- Banner purge of prospective students five years and older was tested successfully.
- Purge of prospective students will be completed at each end of term beginning with the current spring term (to be performed April 2, 2026).
- An internal audit function will be added to test the purge of prospective students to ensure it is capturing everything.

Chair Barnhart inquired if this would satisfy the response to the JLAC audit letter. Ms. Baker confirmed that it would and clarified that the response letter is drafted, but it will not be sent until after the successful purge is completed this week. The final response letter will be sent in advance of the April 30, 2026, deadline.

9. Board Rule First Reading

None.

10. Board Rule Approval

a. DBOT Rule 1.03, Duties and Powers of the Board

Mr. Littleton moved, seconded by Mr. Davis, to approve Board Rule 1.03, Duties and Powers of the Board. All members voted affirmatively.

b. DBOT Rule 1.10, Selection and Appointment of College President

Ms. Bell Barnett moved, seconded by Mr. Lester, to approve Board Rule 1.10, Selection and Appointment of the College President. All members voted affirmatively.

11. Board Chair Remarks

a. Presidential Profile

Chair Ann Barnhart directed the Board to Draft Presidential Profile for their review which she noted was developed by her and the communications team at Polk State with Florida College System Chancellor Kathy Hebda reviewing as well. She emphasized that it is in accordance with what the College would want to have in its Presidential Profile. She clarified that once a presidential search firm is selected, they will also review the profile and make any recommendations. Then it will be sent to Polk State's Office of Communications & Public Affairs for branding.

Chair Barnhart then directed the Board to the search firm proposals at their seats. She clarified that a request for proposals was sent to four firms, with three responding. The three received proposals came from AGB Search, Association of Community College Trustees (ACCT), and Myers McRae which were sent to the Board members on Friday, March 27, in advance of today's meeting. She then directed the Board to a comparison summary of process, timeline, and cost structure for each of the three firms.

- AGB Search Firm - \$75,000 flat fee plus additional fees for advertising, position profile, and background checks
- ACCT Search Firm - \$70,000 flat fee includes background reference checks for up to three final candidates plus additional fees for advertising and travel

- Myers McRae - \$50,000 flat fee that includes design of position profile, advertising, and all background checks. All services are provided remotely so no additional travel expenses.

Chair Barnhart recommended as a Board engaging with the lowest bid and/or the best response to the proposal. Her recommendation was to move forward with Myers McRae. She then requested Interim President Kerr to make some additional comments. Interim President Kerr shared that she has worked with both AGB and Myers McRae in the past and disclosed that she was previously acquainted with the one of the founders of Myers McRae. She added that Myers McRae has a very good reputation within the higher education marketplace, finding candidates that fit into the institutional culture and have integrity and great references.

Ms. Ross commented that she wished the Board had more time to review the proposals due to the large expense and the importance of this work.

Discussion ensued about Myers McRae's references. Chair Barnhart discussed Myers McRae with Florida Polytechnic University President Devin Stephenson who has utilized their services and directed the Board to the section of the proposal which detailed an extensive list of colleges and universities that they have worked with.

Discussion was had about an expedited timeline and ensuring that the Board has this information as soon as possible. Chair Barnhart emphasized that her understanding is that this firm will work with the Board on a timeframe that meets the College's needs.

Ms. Bell Barnett moved, seconded by Mr. Troutman, to approve the selection of Myers McRae as the presidential search firm. All members voted affirmatively.

Chair Barnhart provided an update on the outcomes of the February 5, 2026, Board Workshop. She will be sending final documents for both the revised Presidential Evaluation and the Board Self-Evaluation and thanked the Board for their work with Workshop Facilitator Dr. Jill Wakefield. This is now a completed task for this Board.

b. Contract for Legal Counsel

Chair Barnhart shared that over this period of transition, she spent a lot of time talking with college counterparts in the state of Florida as to the need for highly skilled higher education experienced legal counsel due to the increasing complexities for state colleges. She acknowledged that local counsel who understand local needs is an important component. With Boswell and Dunlap's contract expiring, she recommended having in-house general counsel or using a firm specializing in higher education. Chair Barnhart proposed hiring DownsAaron as general counsel while using Boswell and Dunlap for more specific legal needs.

Interim President Kerr shared the importance of in-depth higher education counsel as the College looks to overhaul all of its rules and procedures to ensure complete alignment with Florida statutes and best practices in everything the College does. She added that state colleges face an environment of shifting rules on such issues as free speech rights, financial aid guidelines, and intellectual property, thus increasing the critical importance of layering legal guidance.

Chair Barnhart invited Attorney Brande Smith of DownsAaron to briefly address the Board. Ms. Smith shared that she had served as a staff lawyer for 15 years at the University of Florida and now has created a private practice at DownsAaron focusing on higher education.

Mr. Littleton stated that he was unprepared to vote on a change of general counsel and did not recall the College receiving bad advice from Boswell and Dunlap during its long tenure. Ms. Ross echoed his sentiments

Discussion was had regarding how DownsAaron would collaborate with Boswell and Dunlap.

Trustee Bell Barnett supported the hiring of DownsAaron, as she was familiar with Attorney Smith from her role on the State University System's Board of Governors.

Attorney David Carmichael of Boswell and Dunlap briefly addressed the Board and expressed the importance of being local. He emphasized that his firm has board-certified lawyers in education law and that he has personally served as general counsel for Polk County Public Schools.

Chair Barnhart offered a modified motion to use DownsAaron for the presidential search to allow time to assess value and make a determination about general counsel at the appropriate time.

Mr. Littleton moved, seconded by Mr. Davis, to negotiate a contract to engage with DownsAaron for the presidential search. All members voted affirmatively.

12. President's Report

Interim President Kerr directed the Board to the President's Report and highlighted a couple of items contained therein. She announced the newly established Eagle Faculty Excellence Award which honors a full-time faculty member who demonstrates excellence in teaching and meaningful impact on students. Students can nominate faculty through March 31, 2026. The faculty recipient of the award will be announced during the April 30 commencement ceremonies. Interim President Kerr commended Sr. Vice President for Student Services and Campus Operations Reggie Webb and Provost and VP for Academic Affairs and Workforce Education Amy Bratten for their efforts in establishing this new award.

a. 2026 Legislative Update – Ms. Tamara Sakagawa

Ms. Sakagawa shared that the 2026 Regular Legislative Session ended on March 13, and a Special Session is expected to be convened in mid-April.

- As it relates to the College, both chamber budgets maintain the College's operational funding, with the Senate providing some additional program funds. Additionally, the House proposal includes 50% of the requested funding for the Haines City–Davenport project and funding for the Lakeland Learning Center (LLC) renovation at \$3.8 million and \$12.7 million, respectively. The Senate proposal includes the full \$7.5 million for Haines City–Davenport but does not include funding for the LLC renovation.
- The College remains well positioned and optimistic as the 2026 Special Session approaches, with planning underway for a phased operational approach to the Haines City–Davenport Campus assuming funding is available July 1, 2026. This means that the Haines

City-Davenport Campus will be open for tours in the fall but will not open for classes until the spring.

b. Polk Mission and Vision Statements – Dr. Mary Clark

Due to time constraints, this item was tabled until the next DBOT meeting on April 27.

c. Higher Learning Commission Update - Dr. Mary Clark

Due to time constraints, this item was tabled until the next DBOT meeting on April 27.

d. 2026 A Night of Legacy – Vivid Reflections Update – Dr. Steve Warner

Vice President for Resource Development and Executive Director of the Foundation Dr. Steve Warner provided an update on A Night of Legacy – Vivid Reflections. The April 23 event currently has 60 sponsors, 258 seats filled, and \$240,000 in sponsorship revenue.

e. Enrollment Dashboard Update - Dr. Mary Clark

Due to time constraints, this item was tabled until the next DBOT meeting on April 27.

13. Attorney’s Report

Attorney David Carmichael reported that he reviewed the request for payment submitted by the law firm of Kwall Barack Nadeau, PLLC, for their representation of Dr. Angela Falconetti in connection with the investigation conducted by an outside investigator retained by the College. In accordance with the well-established Florida Law, when a public officer is charged with misconduct arising out of the performance of official duties and while serving a public purpose, the public entity has the primary interest in the controversy and is obligated to pay all the reasonable and necessary attorney fees incurred in successfully defending against those allegations. *Ellison v. Reid*, 397 So.2d 352 (Fla. 1st DCA 1981); *Lomelo V. City of Sunrise*, 423 So.2d 974, 976 (Fla. 4th DCA 1982). As such the Board Attorney opined that the bill should be paid by the college.

14. Collegiate High School Report:

a. Polk State Lakeland Gateway to College Collegiate High School Accountability Plan Performance Targets and 2024-2025 Academic Year Performance – Dr. Meesha Downing-Townsend

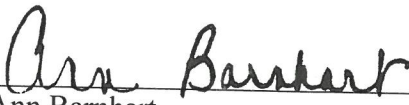
Dr. Downing-Townsend presented and reviewed the Polk State Lakeland Gateway to College Collegiate High School Accountability Plan Performance Targets and 2024-2025 Academic Year Performance for the Board’s Information.

15. Board Member Final Remarks:

Due to time constraints, there were no member final remarks. In light of all that is going on at the College with the presidential search, Interim President Kerr recommended postponing the 3:00 p.m. Board Dual Enrollment Workshop on April 27 to a later date.

Adjournment:

The meeting adjourned at approximately 6:20 p.m.



Ms. Ann Barnhart
DBOT Chair



Date



Dr. Anne B. Kerr
Interim President



Date